

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, AUGUST 18, 2014**

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"Slip opinions" are the opinions delivered by the Supreme Court Justices and are subject to modification, rehearing, withdrawal, or clerical corrections. Modifications to previously posted opinions will be linked to the case number in the petition for rehearing section the day the changes are announced.

Click on the case number to view the opinion in pdf format.

**OPINIONS**

NONE

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**PETITIONS FOR REHEARING**

**The Supreme Court of the State of Colorado**  
2 East 14<sup>th</sup> Avenue • Denver, Colorado 80203

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**[2014 CO 58M](#)**

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**[Supreme Court Case No. 13SA91](#)**  
*Original Proceeding Pursuant to C.A.R. 21*  
Arapahoe County District Court Case No. 06CR705  
Honorable Gerald Rafferty, Judge

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In Re:

**Plaintiff:**

The People of the State of Colorado,

v.

**Defendant:**

Sir Mario Owens.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, AUGUST 18, 2014**

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**Supreme Court Case No. 13SA94**

*Original Proceeding Pursuant to C.A.R. 21*  
Arapahoe County District Court Case No. 06CR697  
Honorable Gerald Rafferty, Judge

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In Re:

**Plaintiff:**

The People of the State of Colorado,

v.

**Defendant:**

Robert Keith Ray.

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**Opinion modified, and as modified, Petitions for Rehearing DENIED. EN BANC.**

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**GRANTED ORIGINAL PROCEEDINGS PURSUANT TO C.A.R. 21**

14SA223, In re: Adams Bank & Trust v. Linton

Boulder County District Court Case No. 12CV146

Rule to Show Cause issued on August 1, 2014

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**CASE ANNOUNCEMENTS  
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**PETITIONS FOR WRIT OF CERTIORARI**

No. 12SC24  
Court of Appeals Case No. 10CA740

**Petitioner:**

Jesus Martinez-Bila,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 12SC311  
Court of Appeals Case No. 10CA1639

**Petitioner:**

Larry Louis Gray,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 12SC434  
Court of Appeals Case No. 09CA2304

**Petitioner:**

William Dion Webster,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.  
JUSTICE HOOD does not participate.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, AUGUST 18, 2014**

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No. 13SC258  
Court of Appeals Case No. 09CA2359

**Petitioner:**

Hassan Khechen,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC636  
Court of Appeals Case No. 09CA2078

**Petitioner:**

Brett L. Candelaria,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD would grant as to the following issue:

Whether the court of appeals erroneously failed to follow this court's precedent when it affirmed the trial court's denial of the defense's challenge for cause to two prospective jurors whose comments indicated they could not follow the court's instructions because "[t]he jurors did not state that they could not or would not follow the trial court's instructions."

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
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No. 13SC656  
Court of Appeals Case No. 12CA849

**Petitioner:**

Priscilla Antoinette Payne-Harris,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC668  
Court of Appeals Case No. 10CA423

**Petitioner:**

Ashanti Black,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC711  
Court of Appeals Case No. 09CA2398

**Petitioner:**

Darwin T. Plumb,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
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No. 13SC720  
Court of Appeals Case No. 12CA1023

**Petitioner:**

Walker Stapleton, in his official capacity as Colorado State Treasurer and as a Trustee of the Public Employees Retirement Association,

v.

**Respondent:**

Public Employees Retirement Association.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE COATS would grant as to the following Issue:

May a majority of the PERA Board of Trustees deny a minority trustee access to information that the trustee believes is relevant to understanding the benefit structure and long-term viability of the trust?

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No. 13SC747  
Court of Appeals Case No. 11CA1183

**Petitioner:**

Miguel Angel Saravia,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
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No. 13SC798  
Court of Appeals Case No. 11CA1956

**Petitioner:**

Donald Lee Harris,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC804  
Court of Appeals Case No. 12CA1025

**Petitioner:**

Highland P.U.D. Association, a Colorado nonprofit corporation,

v.

**Respondent:**

Aspen at Streamside Condominium Association, a Colorado nonprofit corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC813  
Court of Appeals Case No. 11CA113

**Petitioner:**

Willie B. Allmon,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC841  
Court of Appeals Case No. 09CA1505

**Petitioner:**

Salvador Esquivel-Castillo,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, AUGUST 18, 2014**

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No. 13SC873  
Court of Appeals Case No. 11CA2343

**Petitioner:**

Fritz Daniel Schneider,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issues:

Whether the imposition of consecutive sentences on the two sexual assault convictions violate defendant's constitutional rights, where the two counts were based upon identical evidence.

Whether the trial court's erroneous application of a "same elements" test on the defendant's double jeopardy claim requires reversal of the consecutive sentences in this case.

DENIED AS TO ALL OTHER ISSUES.

JUSTICE HOOD would also grant as to the following issues:

[REFRAMED] Whether the trial court's exclusion under the Rape Shield Law of evidence of an alleged victim's open and public display of provocative and flirtatious behavior in the hours just prior to an alleged sexual assault constitutes harmless error, where the defendant asserted that any sexual contact was consensual, and the victim testified that she did not even remember a sexual assault.

Whether the erroneous exclusion of relevant exculpatory evidence [of flirtatious behavior] violated the defendant's constitutional rights to confrontation and to present defense evidence, where such evidence was relevant to the issue of consent.

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**CASE ANNOUNCEMENTS  
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No. 13SC887  
Court of Appeals Case No. 12CA705

**Petitioner:**

David Lee Rigoulot,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC896  
Court of Appeals Case No. 12CA665

**Petitioner:**

Mihail Petrov,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC902  
Court of Appeals Case No. 12CA1112

**Petitioner:**

Fabian Sebastian,

v.

**Respondents:**

Greg A. Black; Douglas County Sheriff's Office; Douglas County, Colorado; and David A. Weaver.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issue:

[REFRAMED] Whether the government's willful use of a police dog that turned and attacked a nearby non-resisting untargeted suspect was a "seizure" achieved "through means intentionally applied."

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No. 13SC904  
Court of Appeals Case No. 09CA1506

**Petitioner:**

Salvador Esquivel-Castillo,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issue:

Whether expanding the definition of the predicate crime of kidnapping in the jury instructions for felony murder to include methods not included in the substantive kidnapping charge acted as a constructive amendment of the charges.

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No. 13SC906  
Court of Appeals Case No. 12CA605

**Petitioners:**

Sherlean Woods-Milton and Theo Milton,

v.

**Respondents:**

Denver Public Trustee and US Bank, a Colorado banking association.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC907  
Court of Appeals Case No. 11CA1464

**Petitioner:**

Robert Cortez Tallie,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC909  
Court of Appeals Case No. 10CA1642

**Petitioner:**

Corey Ray Albat,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC914  
Court of Appeals Case No. 12CA505

**Petitioner:**

Michael Todd Ricks,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC916  
Jefferson County District Court Case No. 13CV569

**Petitioner:**

Sally Zack Wheeler,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC917  
Court of Appeals Case No. 09CA2503

**Petitioner:**

John William Wiemann,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC923  
Court of Appeals Case No. 11CA180

**Petitioner:**

The People of the State of Colorado,  
v.

**Respondent:**

Asim Abdullah.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC925  
Court of Appeals Case No. 12CA396

**Petitioner:**

Richard Samuel Cervantes,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS**  
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No. 13SC930  
Court of Appeals Case No. 13CA580

**Petitioner:**

Cathy Ritzert,

v.

**Respondent:**

Board of Education of the Academy School District No. 20.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issues:

Whether an order given as a pretext to develop an additional ground to fire a teacher, which was impossible or impractical for the teacher to comply with, was reasonable for purposes of firing the teacher for insubordination.

Whether a teacher who is informed that she is being placed on open-ended leave pending the filing of dismissal charges, and that she will not be allowed to return to work for the school district planning to fire her, may mitigate her damages by accepting a job with a second school district, so long as she offers to only accept the difference in pay between what she makes at the second district and her salary from the district seeking her dismissal pending resolution of the dismissal charges.

Whether the reasonableness of the teacher's mitigation of damages and the supervisor's orders are matters of fact, law, or school board discretion.

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No. 13SC936  
District Court, City and County of Denver, Case No. 12CV4566

**Petitioner:**

Julio Olivas,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC942  
Court of Appeals Case No. 11CA1187

**Petitioner:**

Anthony Allen,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC950  
Court of Appeals Case No. 13CA1103

**Petitioner:**

Jeffery Rey Gallegos,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC957  
Court of Appeals Case No. 13CA573

**Petitioner:**

Iryna Petushchak,

v.

**Respondent:**

Masters Touch Homes and Industrial Claim Appeals Office.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC966  
Court of Appeals Case No. 12CA1132

**Petitioner:**

Deedrick Williams,

v.

**Respondents:**

Deutsche Bank National Trust Company as Trustee under the pooling and servicing agreement dated as of October 1, 2004; and Debra Johnson, Public Trustee for the City and County of Denver, Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC978  
Pitkin County District Court Case No. 13CV62

**Petitioner:**

Matthew Franzen,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC980  
El Paso County District Court Case No. 13CV77

**Petitioner:**

Michael Sean Edmond,

v.

**Respondent:**

G6 Hospitality, d/b/a Motel 6.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC981  
Court of Appeals Case No. 12CA1794

**Petitioner:**

Anthony E. McAfee,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.  
JUSTICE COATS does not participate.

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No. 13SC983  
Court of Appeals Case No. 12CA1276

**Petitioner:**

Akeem A. Makeen,

v.

**Respondent:**

Allison J. Ordway.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC989  
Court of Appeals Case No. 11CA2050

**Petitioner:**

Jeremy David Howard,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC998  
Court of Appeals Case No. 12CA567

**Petitioners:**

Robert Hogan, Tracey Lawless, and Terrilynn Mills,

v.

**Respondents:**

Colorado Public Employees Retirement Association; Colorado Public Employees Retirement Association Board of Trustees; Rick Larson, in his Official Capacity only; Maryann Motza, in her Official Capacity only; Standard Insurance Company; and Carole Wright, in her Official Capacity only.

Petition for Writ of Certiorari DENIED. EN BANC.  
JUSTICE HOOD does not participate.

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No. 13SC1001  
Court of Appeals Case No. 12CA2026

**Petitioner:**

James M. Robinson,

v.

**Respondents:**

Department of Probation Services, City and County of Denver; Valerie Estrada, City and County of Denver Probation Officer; Anita Klein, City and County of Denver Probation Officer; and Honorable Raymond N. Satter, Denver County Judge.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 13SC1011  
Larimer County District Court Case No. 13CV30505

**Petitioner:**

Christopher Futo,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 13SC1021  
Court of Appeals Case No. 10CA1327

**Petitioner:**

Keith Frazier,

v.

**Respondent:**

Aristedes Zavaras, Executive Director, CDOC.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC6  
Court of Appeals Case No. 09CA2199

**Petitioner:**

Jeremy Eugene Gonzales,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 14SC18  
Boulder County District Court Case No. 12CV30184

**Petitioner:**

Kent Karl Keeling,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC21  
Court of Appeals Case No. 11CA2512

**Petitioner:**

Domonic Lencho Garcia,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC26  
Adams County District Court Case No. 13CV30927

**Petitioner:**

Russell Faust,

v.

**Respondent:**

Shannon E. McCoy.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 14SC30  
Court of Appeals Case No. 12CA1841

**Petitioners:**

Zachery Roberts and Hannah Roberts, individually and as the parents and next friends  
of Jade Felthoven and Ava Roberts,  
v.

**Respondent:**

James A. Van Riper, Jr.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC34  
Court of Appeals Case No. 11CA873

**Petitioner:**

Nicholas John Wells,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC41  
Court of Appeals Case No. 11CA1764

**Petitioner:**

Eric B. Tinsley,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.  
JUSTICE MÁRQUEZ does not participate.

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**CASE ANNOUNCEMENTS  
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No. 14SC45  
Court of Appeals Case No. 12CA1039

**Petitioner:**

Richard David Thornton,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC47  
Court of Appeals Case No. 05CA2776

**Petitioner:**

Lance Patrick Brunsting,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC48  
District Court, City and County of Denver, Case No. 13CV30030

**Petitioner:**

Barak Brown,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS**  
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No. 14SC49  
Court of Appeals Case No. 11CA1460

**Petitioner/Cross-Respondent:**

The People of the State of Colorado,

v.

**Respondent/Cross-Petitioner:**

Bradley Raymond Clemens.

Petition for Writ of Certiorari GRANTED. Cross-Petition for Writ of Certiorari DENIED. EN BANC.

Summary of the Issues:

[REFRAMED] Whether a prospective juror who has indicated a preconceived opinion can be rehabilitated by silence following a question or questions made to the entire venire.

Whether, even assuming that the trial court erred in depriving the challenges for cause, any error was harmless because the prospective jurors did not sit on the jury.

DENIED AS TO ALL OTHER ISSUES.

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No. 14SC51  
Court of Appeals Case No. 11CA887

**Petitioner:**

Gregory Clay Gordon,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC53  
Court of Appeals Case No. 12CA1998

**Petitioner:**

Mobelisk, LLC,

v.

**Respondents:**

Jefferson County Board of County Commissioners and Board of Assessment Appeals.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC55  
Court of Appeals Case No. 12CA2188

**Petitioner:**

Catherine C. Crane,

v.

**Respondent:**

Todd C. Baucom.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC65  
Court of Appeals Case No. 09CA2171

**Petitioner:**

Richard Frank Regalado,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 14SC67  
Court of Appeals Case No. 11CA969

**Petitioner:**

Heriberto Samuel Soto,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC69  
Court of Appeals Case No. 11CA1844

**Petitioner:**

James Alan Clark,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC71  
Court of Appeals Case No. 11CA1106

**Petitioner:**

Carlos Zarate,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 14SC73  
Court of Appeals Case No. 12CA1348

**Petitioner:**

Craig S. Robledo,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC74  
Court of Appeals Case No. 13CA2144

**Petitioner:**

Luke M. Barela,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS**  
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No. 14SC78  
El Paso County District Court Case No. 13CV2414

**Petitioner:**

Manuel Encina,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BOATRRIGHT would grant as to the following issue:

Did the trial court err in prohibiting the petitioner from testifying that he has Hepatitis C, on the grounds that this constitutes expert testimony and is not just personal knowledge?

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No. 14SC79  
Court of Appeals Case No. 12CA1488

**Petitioner:**

Michael Lee Padilla,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 14SC80  
Court of Appeals Case No. 12CA707

**Petitioner:**

Daniel Q. Guerrero,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC81  
Court of Appeals Case No. 10CA891

**Petitioner:**

Clarence Baldwin,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC82  
Court of Appeals Case No. 13CA283

**Petitioner:**

Jose Garcia-Andres,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC85  
Court of Appeals Case No. 10CA733

**Petitioner:**

Rodney Thomas McReynolds,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC88  
El Paso County District Court Case No. 13CV30495

**Petitioner:**

Brandon Spencer,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC89  
Court of Appeals Case No. 11CA1918

**Petitioner:**

Javier Padilla,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
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No. 14SC92  
Court of Appeals Case No. 12CA2262

**Petitioner:**

Sammie Lee Denson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC97  
Court of Appeals Case No. 11CA2309

**Petitioner:**

Kenneth Leon Shepard,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC101  
Jefferson County Court Case No. 13CV361

**Petitioner:**

Perry Investors, LLC,

v.

**Respondent:**

Alexandra Erlich.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC104  
Court of Appeals Case No. 11CA59

**Petitioner:**

Ricardo Vasquez-Marmoleto, n/k/a Ricardo Munis-Lopez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC105  
Court of Appeals Case No. 12CA1100

**Petitioner:**

Kristi Howard,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC106  
Court of Appeals Case No. 11CA583

**Petitioner:**

Matthew Thomas Ellenberg,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, AUGUST 18, 2014**

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No. 14SC107  
Court of Appeals Case No. 12CA1118

**Petitioner:**

James Brian Holzer,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC108  
Court of Appeals Case No. 12CA423

**Petitioner:**

Shawna Nelson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.  
JUSTICE MÁRQUEZ does not participate.

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No. 14SC110  
Court of Appeals Case No. 12CA2591

**Petitioners:**

State Farm Fire and Casualty Company, Terry Johnson, and R. Edeltraud Johnson,

v.

**Respondents:**

Rigoberto Almanza and Industrial Claim Appeals Office.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS**  
**COLORADO SUPREME COURT**  
**MONDAY, AUGUST 18, 2014**

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No. 14SC111  
Court of Appeals Case No. 12CA2321

**Petitioner:**

Ricky Cleveland,

v.

**Respondent:**

Felicia Simpson,

In the Interest of Minor Child: D.L.S.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC114  
Court of Appeals Case No. 11CA117

**Petitioner:**

Tony Blue,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC115  
Court of Appeals Case No. 12CA2060

**Petitioner:**

Ernest Domingo Martinez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, AUGUST 18, 2014**

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No. 14SC121  
Court of Appeals Case No. 11CA1179

**Petitioner:**

Daniel Louis Edmonds,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC125  
Court of Appeals Case No. 11CA2449

**Petitioner:**

Oscar Omar Orona-Hernandez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC130  
Court of Appeals Case No. 12CA2378

**Petitioner:**

Keith Andre Johnson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, AUGUST 18, 2014**

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No. 14SC235  
Court of Appeals Case No. 12CA2613

**Petitioner:**

Joyce Reno, in her official capacity as Chaffee County Clerk and Recorder,  
v.

**Respondent:**

Marilyn Marks.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issue:

Whether the court of appeals erred by mandating an award of attorney fees to a CORA records requestor in a proceeding under section 24-72-204(6)(a), C.R.S. (2013) even though that section does not expressly provide for an award of fees.

DENIED AS TO ALL OTHER ISSUES.

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No. 14SC472  
Court of Appeals Case No. 13CA2359

**Petitioner:**

L.B.,  
v.

**Respondent:**

The People of the State of Colorado,  
In the Interest of Minor Child: S.K.M-B.

Petition for Writ of Certiorari DENIED. EN BANC.

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**CASE ANNOUNCEMENTS**  
**COLORADO SUPREME COURT**  
**MONDAY, AUGUST 18, 2014**

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No. 14SC513  
Court of Appeals Case No. 13CA2066

**Petitioner:**

J.H.,

v.

**Respondent:**

The People of the State of Colorado,  
In the Interest of Minor Child: D.H.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC518  
Court of Appeals Case No. 13CA2246

**Petitioner:**

J.G.,

v.

**Respondent:**

The People of the State of Colorado,  
In the Interest of Minor Child: M.S.

Petition for Writ of Certiorari DENIED. EN BANC.  
JUSTICE MÁRQUEZ does not participate.

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No. 14SC538  
Court of Appeals Case No. 14CA170

**Petitioner:**

V.M.H.

v.

**Respondent:**

The People of the State of Colorado,  
In the Interest of Minor Child: R.S.H. and E.C.B.

Petition for Writ of Certiorari DENIED. EN BANC.

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