CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

"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

The Supreme Court of the State of Colorado
2 East 14th Avenue • Denver, Colorado 80203

2014 CO 20

Supreme Court Case No. 13SA60
Original Proceeding in Discipline
Appeal from the Presiding Disciplinary Judge, 12PDJ063

In Re

Complainant:

The People of the State of Colorado,

v.

Respondent:

Ravi Kanwal.

Rule Made Absolute

en banc

JUSTICE COATS delivered the Opinion of the Court.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

The Supreme Court of the State of Colorado
2 East 14th Avenue • Denver, Colorado 80203

2014 CO 21

Supreme Court Case No. 11SC715
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 07CA759

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Robert Sandoval-Candelaria.

Judgment Reversed
en banc

JUSTICE HOOD delivered the Opinion of the Court.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

PETITIONS FOR REHEARING

The Supreme Court of the State of Colorado
2 East 14th Avenue • Denver, Colorado 80203

2014 CO 12

Supreme Court Case No. 11SC720
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 09CA400

Petitioner:

Ronald Brett Grassi,

v.

Respondent:

The People of the State of Colorado.

Petition for Rehearing DENIED. EN BANC.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

PETITIONS FOR WRIT OF CERTIORARI

No. 13SC128
Court of Appeals Case No. 08CA1231

Petitioner:
Bernardino Fuentes-Espinoza,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issues:

Whether the Immigration and Nationality Act preempts Colorado's human smuggling statute and the trial court therefore was without jurisdiction.

Whether the court of appeals erred in holding that the appellant waived the claim that the Colorado human smuggling statute is preempted by the Federal Immigration and Nationality Act.

Whether Colorado's human smuggling statute requires the prosecution to prove that the defendant was, in fact, engaged in smuggling humans in violation of the immigration law.

DENIED AS TO ALL OTHER ISSUES.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

No. 13SC371
Court of Appeals Case No. 10CA466

Petitioner:
David Moore-Vivour,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC402
Court of Appeals Case No. 11CA553

Petitioner:
Vincent J. Iversen,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC409
Court of Appeals Case No. 12CA880

Petitioner:
J.M.D.,
v.
Respondent:
M.D.,
In the Matter of the Petition of Child: A.D.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

No. 13SC467
Court of Appeals Case No. 12CA402

Petitioners:
Richard Aguirre, Ortencia Aguirre, Carolynn DeJaynes, Elizabeth Foster, Dalila Holt, Gladys Holt individually and as Mother and next friend of Alexandria Holt and Kyle Holt, Kenneth R. Shinn, Christopher St. Peters, Tiffany St. Peters, Eric Thomas, Joe Vance, and Manuel I. Villareal,
v.
Respondents:
KTA-Tator, Inc.; Structural Integrity Associates, Inc.; and Graco, Inc.

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

No. 13SC607
Court of Appeals Case No. 12CA872

Petitioner:
Veronica E. Samora, a/k/a Veronica Samora,
v.
Respondents:
Deutsche Bank Trust Company Americas f/k/a Banker's Trust Company, as Trustee and Custodian by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its Attorney-in-fact; and Saxon Mortgage, Inc.

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

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

No. 13SC623
Court of Appeals Case No. 12CA566

Petitioner/Cross-Respondent
AMI Mechanical, Inc.,
v.
Respondents/Cross-Petitioners:
Richard A. Voss, Cybil Voss, and Pinnacol Assurance.

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

No. 13SC649
Court of Appeals Case No. 11CA2338

Petitioner:
The People of the State of Colorado,
v.
Respondent:
Roger Moore.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issue:

Whether the court of appeals erred in holding that a security guard who operated the x-ray machine at the Denver City and County Building was not a public employee under the statute prohibiting impeding a public official or employee in a public building, section 18-9-110(2), C.R.S. (2013).

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

No. 13SC688
Court of Appeals Case No. 12CA852

Petitioner:
Donnie Ray Cain,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC774
Court of Appeals Case No. 12CA1396

Petitioners:
K2D, Inc., a Colorado corporation d/b/a Colorado Premium Foods; Kevin LaFleur; Don Babcock; and Triton Capital Partners, Ltd., an Illinois corporation,
v.
Respondent:
CapitalValue Advisors, LLC, a Colorado limited liability company d/b/a Capital Value M & A, LLC, a Colorado limited liability company.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 14SC95
Court of Appeals Case No. 13CA798

Petitioners:
M.M.L.H., by and through her Guardian ad Litem, and M.R.G.
v.
Respondent:
The People of the State of Colorado,
In the Interest of Minor Child: M.M.L.H.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 24, 2014

No. 14SC136
Court of Appeals Case No. 13CA971

Petitioner:
A.B.,
v.
Respondent:
The People of the State of Colorado,
In the Interest of Minor Children: K.B., B.X., and M.B.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 14SC141
Court of Appeals Case No. 13CA184

Petitioner:
F.F.,
In the Matter of Child: T.F.,
v.
Respondent:
A.F.

Petition for Writ of Certiorari DENIED. EN BANC.