

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 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**

**Supreme Court of the State of Colorado**  
2 East 14<sup>th</sup> 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.

---

**Judgment Affirmed**  
*en banc*

JUSTICE BOATRIGHT delivered the Opinion of the Court.

---

**PETITIONS FOR REHEARING**

NONE

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

**PETITIONS FOR WRIT OF CERTIORARI**

No. 13SC105  
Court of Appeals Case No. 10CA35

**Petitioner:**

The People of the State of Colorado,  
v.

**Respondent:**

Ruben Ramos.

Petition for Writ of Certiorari GRANTED. EN BANC.

**Summary of the Issue:**

Whether the court of appeals erred in concluding that a police detective was improperly allowed to give lay opinion testimony concerning the blood evidence in this case, where the detective's limited testimony was not dependent upon his training and experience and was the type of information that is rooted in the experiences common among ordinary citizens.

---

No. 13SC242  
Court of Appeals Case No. 10CA320

**Petitioner:**

Johnnie Nicholas Garcia,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

---

No. 13SC256  
Court of Appeals Case No. 12CA450

**Petitioner:**

Engeman Enterprises, LLC,

v.

**Respondent:**

Tolin Mechanical Systems Company.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC344  
Court of Appeals Case No. 12CA293

**Petitioner:**

Louis J. Mitchell,

v.

**Respondent:**

Regents of The University of Colorado.

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

---

No. 13SC420  
Larimer County District Court Case No. 12CV831

**Petitioner:**

William Remine,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 13SC423  
Court of Appeals Case No. 12CA653

**Petitioners:**

Vera B. Dunwody and Drayton D. Dunwody,  
v.

**Respondents:**

Kevin O'Connell; Robert W. Phelps; The Paul J. Vastola and Suzanne G. Nelson Living Trust, UAD August 10, 2001; and Elk Falls Property Owners Association, a Colorado nonprofit organization.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC429  
District Court, City and County of Denver, Case No. 12CV1625

**Petitioner:**

Joshua Sole,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC436  
Court of Appeals Case No. 12CA1917

**Petitioner:**

Victor Barrera,  
v.

**Respondents:**

Industrial Claim Appeals Office of the State of Colorado; ABM Industries, Inc.; and Ace American Insurance Company.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 13SC443  
Court of Appeals Case No. 11CA1749

**Petitioner:**

Desiree Lynn Prescott,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC444  
Court of Appeals Case No. 12CA389

**Petitioner:**

Roth Louis,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC446  
Court of Appeals Case No. 12CA994

**Petitioner:**

Brian Stockton,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS**  
**COLORADO SUPREME COURT**  
**TUESDAY, FEBRUARY 18, 2014**

---

---

No. 13SC450  
Court of Appeals Case No. 12CA1466

**Petitioner:**

Karl Maldonado,  
v.

**Respondents:**

Broadspire, Industrial Claim Appeals Office, and The State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC451  
Court of Appeals Case No. 12CA242

**Petitioner:**

Michael R. O'Connor,  
v.

**Respondents:**

Colorado Department of Corrections; Rick Raemisch, Executive Director, CDOC; John W. Suthers, Attorney General; and Mary Carlson, Time/Release Operations CDOC.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC453  
Court of Appeals Case Nos. 11CA2388 and 12CA1159

**Petitioner:**

Seawatch Royalty Partners LLC, a Wyoming limited liability company,  
v.

**Respondents:**

Kenneth Ray Cardwell; Clara Jane Cardwell; Patricia Rider Jones, a/k/a Patricia Ann Jones; Jennifer Lynn Lake; Ruby D. Stockdale; and XTO Energy, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 13SC454  
Court of Appeals Case No. 12CA2141

**Petitioner:**

Michael Simpson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC455  
Court of Appeals Case No. 11CA1074

**Petitioner:**

Joshua Patrick Benitez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC460  
Court of Appeals Case No. 11CA1467

**Petitioner:**

Alonzo Eligah Ridley,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

---

No. 13SC461  
Court of Appeals Case No. 12CA418

**Petitioner:**

Megan L. McKinnon,  
v.

**Respondent:**

US Bank National Association, as Trustee for CSFB ARMT 2006-3.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC462  
Court of Appeals Case No. 12CA2292

**Petitioner:**

Christopher Paul Guertin,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC469  
Court of Appeals Case No. 12CA421

**Petitioner:**

Adam Dmytryszyn,  
v.

**Respondents:**

Rick Raemisch, Executive Director of the Colorado DOC; and John Chapdelaine,  
Warden of Sterling Correctional Facility.

Petition for Writ of Certiorari DENIED. EN BANC.

---



**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

---

No. 13SC472  
Court of Appeals Case No. 11CA1792

**Petitioner:**

Pamela Irene Branson,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC476  
Court of Appeals Case No. 11CA2409

**Petitioner:**

Jeremy Michael Garcia,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC483  
Court of Appeals Case No. 07CA1044

**Petitioner:**

David Mark Archuleta,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 13SC486  
Court of Appeals Case No. 12CA2104

**Petitioner:**

Dorene K. Miller,  
v.

**Respondents:**

Industrial Claim Appeals Office of the State of Colorado, Davis Graham & Stubbs LLP,  
and Pinnacle Assurance.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC487  
Court of Appeals Case No. 12CA2466

**Petitioners:**

M. Julia Hook and David L. Smith,  
v.

**Respondents:**

Denver District Court, Denver County Court, and LNV Corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC488  
Court of Appeals Case No. 10CA2569

**Petitioner:**

Joshua David Swan,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 13SC494  
Court of Appeals Case No. 12CA346

In re the Marriage of  
**Petitioner:**  
Bruce Richard Friedman,  
and  
**Respondent:**  
Susan Carol Friedman.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC500  
Court of Appeals Case No. 11CA2477

**Petitioner:**  
Juan Bustos Chavez,  
v.  
**Respondent:**  
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC501  
Court of Appeals Case No. 12CA113

**Petitioner:**  
Abraham Olivas-Sepulbeda,  
v.  
**Respondent:**  
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

---

No. 13SC508  
Larimer County District Court Case No. 12CV1468

**Petitioner:**

Paul Minich,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC509  
Court of Appeals Case No. 12CA569

**Petitioner:**

Fred Matthews,  
v.

**Respondent:**

Hunter Industries Inc., a Colorado corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC512  
Court of Appeals Case No. 12CA68

**Petitioner:**

Paul Michael Harland,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

---

No. 13SC524  
Boulder County District Court Case No. 13CV30210

**Petitioner:**

Charlene Von Schlesien,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC525  
Boulder County District Court Case No. 13CV30205

**Petitioner:**

Charlene Von Schlesien,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC526  
Boulder County District Court Case No. 12CV30209

**Petitioner:**

Charlene Von Schlesien,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 13SC527  
Boulder County District Court Case No. 13CV30207

**Petitioner:**

Charlene Von Schlesien,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

No. 13SC696  
Court of Appeals Case Nos. 12CA1611 and 12CA954

**Petitioner:**

David I. Beren,

v.

**Respondent:**

Moye White LLP, a Colorado limited liability partnership.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 13SC901  
Court of Appeals Case No. 12CA1476

**Petitioner:**

J.O.,

v.

**Respondent:**

Lutheran Family Services of Colorado, Inc.,  
and

**Intervenors:**

J.M. and N.M.

In the Interest of: E.N.S.

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

---

No. 14SC52  
Court of Appeals Case No. 13CA1424

**Petitioner:**

L.G.,

v.

**Respondent:**

The People of the State of Colorado.,  
In the Interest of Minor Children: M.G. and O.G.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, FEBRUARY 18, 2014**

---

No. 14SC58  
Court of Appeals Case No. 13CA1281

**Petitioners:**

A.H. and B.G.,

v.

**Respondent:**

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

Petition for Writ of Certiorari DENIED. EN BANC.

---