

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, APRIL 7, 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 22](#)

[Supreme Court Case No. 11SC100](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 08CA2487

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Daniel Lee Roldan.

Judgment Reversed

en banc

JUSTICE COATS delivered the Opinion of the Court.
JUSTICE HOOD dissents, and **JUSTICE HOBBS** joins in the dissent.

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

[2014 CO 23](#)

[Supreme Court Case No. 11SC674](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 10CA833

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Eusebio Montero-Romero.

Judgment Reversed

en banc

JUSTICE COATS delivered the Opinion of the Court.
JUSTICE HOOD dissents, and **JUSTICE HOBBS** joins in the dissent.

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

[2014 CO 24](#)

[Supreme Court Case No. 13SA306](#)

Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 13CV34991
Honorable Robert S. Hyatt, Judge

Plaintiffs-Appellees:

Nicole S. Hanlen, Lynn D. Ussery, James H. Joy, June Marie McNees, Kelly L. McNees,
Karen Marquez, Meagan Gabaldon, and David J. Rodenbaugh,

v.

Defendant-Appellant:

Scott Gessler, in his official capacity as Colorado Secretary of State,

Defendants-Appellees:

Karen Long, as Clerk and Recorder for the County of Adams, State of Colorado; Jim F.
Candelarie, as Clerk and Recorder for the City and County of Broomfield; and Frances E.
Mullins, as Designated Election Official for Adams 12 Five Star School District.

Order Affirmed

en banc

JUSTICE MÁRQUEZ delivered the Opinion of the Court.
JUSTICE EID dissents, and **JUSTICE COATS** joins in the dissent.

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

[2014 CO 25](#)

[Supreme Court Case No. 11SC441](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 06CA1751

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Eric Lamont Brown.

Judgment Reversed
en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.
JUSTICE MÁRQUEZ dissents, and **JUSTICE COATS** and **JUSTICE EID** join in the dissent.

**CASE ANNOUNCEMENTS
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PETITIONS FOR REHEARING

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

2014 CO 18

Supreme Court Case No. 10SC377
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 06CA2204

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Martin Novotny.

Petition for Rehearing DENIED. EN BANC.

JUSTICE HOBBS and **JUSTICE HOOD** would grant the petition.

GRANTED CERTIFICATION OF QUESTION OF LAW PURSUANT TO C.A.R. 21.1

No. 14SA84, Ryals v. City of Englewood

United States Court of Appeals, 10th Circuit

GRANTED on April 3, 2014

*CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, APRIL 7, 2014*

PETITIONS FOR WRIT OF CERTIORARI

No. 13SC83
Court of Appeals Case No. 10CA2484

Petitioner:

Jesus Manuel Macias,

v.

Respondent:

The People of the State of Colorado.

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

No. 13SC136
Court of Appeals Case No. 09CA2685

Petitioner:

Bradley Lee Eckert,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, APRIL 7, 2014

No. 13SC164
Court of Appeals Case No. 08CA907

Petitioner:

Guadalupe Pete Delgado,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.
JUSTICE MÁRQUEZ and JUSTICE HOOD would grant as to the following issue:

[REFRAMED]Whether the trial court erred when it denied challenges for cause against eight prospective jurors who expressed their unwillingness to extend the presumption of innocence and apply the required burden of proof and whether silence in response to a trial judge's questioning of the jury panel was sufficient to rehabilitate prospective jurors who previously disclosed bias.

No. 13SC332
Court of Appeals Case No. 09CA1908

Petitioner:

Jerry L. Chase,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
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No. 13SC405
Court of Appeals Case No. 11CA174

Petitioner:

Gerald Anthony Herrera,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC505
Court of Appeals Case No. 11CA1075

Petitioner:

The People of the State of Colorado,
v.

Respondent:

Tyson Curt Pfau.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC552
Court of Appeals Case No. 09CA783

Petitioner:

Kenneth Daub,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC555
Court of Appeals Case No. 11CA2035

Petitioner:

Anthony Richard Allen,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC557
Douglas County District Court Case No. 12CV1611

Petitioner:

Trevor Jeffrey Blunck,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC570
Court of Appeals Case No. 11CA1453

Petitioner:

Justin Dewayne Heiple,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC571
Court of Appeals Case No. 12CA2149

Petitioner:

Sherri Ann Griego,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC572
Court of Appeals Case No. 12CA135

Petitioners:

Eugene Wideman, Jr. and Amelia Garcia,

v.

Respondent:

Pueblo County Department of Social Services Colorado Child Support Enforcement Agency.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC576
Court of Appeals Case No. 12CA1251

Petitioners:

Antero Resources Corporation, Antero Resources Piceance Corporation, Calfrac Well Services Corporation, and Frontier Drilling LLC,

v.

Respondents:

William G. Strudley, individually and as the parent and natural guardian of William Strudley and Charles Strudley, both minors, and Beth E. Strudley, individually and as the parent and natural guardian of William Strudley and Charles Strudley, both minors.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issues:

Whether a district court is barred as a matter of law from entering a modified case management order requiring the plaintiffs to produce evidence essential to their claims after initial disclosures but before further discovery.

Whether, if such modified case management orders are not prohibited as a matter of law, the district court in this case acted within its discretion in entering and enforcing such an order.

No. 13SC577
Court of Appeals Case No. 12CA543

Petitioner:

Wilfred L. Carignan,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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MONDAY, APRIL 7, 2014**

No. 13SC583
Court of Appeals Case No. 12CA1984

Petitioner:

Steven Mark Holley,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC584
Court of Appeals Case No. 12CA706

Petitioner:

Bobby Collins,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC586
Court of Appeals Case No. 12CA995

Petitioner:

Brian Stockton,

v.

Respondents:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC589
Court of Appeals Case No. 12CA494

Petitioner:

Melvin J. Vierra,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC605
Court of Appeals Case No. 11CA1281

Petitioner:

Emanuel Vernell Pittman,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC606
Court of Appeals Case No. 12CA102

Petitioner:

Andrea Virginia Puente,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC608
Court of Appeals Case No. 12CA530

Petitioner:

Bruce Arthur Williams,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC613
Larimer County District Court Case No. 12CV1463

Petitioner:

Alfred P. Reaud,
v.

Respondents:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC614
Court of Appeals Case No. 12CA274

Petitioner:

Miguel Ramon Martinez,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC617
Court of Appeals Case No. 12CA1710

Petitioner:

Marco A. Rocha,
v.

Respondent:

CDOC Directors.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC622
Court of Appeals Case No. 11CA704

Petitioner:

Deshawn Marquice Harrison,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC631
Court of Appeals Case No. 10CA684

Petitioner:

Larry Renel Bluitt,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
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No. 13SC634
Court of Appeals Case No. 12CA848

Petitioner:

Leonard Don Kleier,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC641
Court of Appeals Case No. 12CA1473

Petitioner:

Margaret Dina,
v.

Respondent:

State Farm Mutual Automobile Insurance Company, an Illinois corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC647
Court of Appeals Case No. 12CA1249

In re the Marriage of

Petitioner:

Nancy L. Dorsey,
and

Respondent:

John Dorsey.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC648
Court of Appeals Case No. 10CA2161

Petitioner:

Rodney Smith,

v.

Respondent:

The People of the State of Colorado.

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

No. 13SC650
Court of Appeals Case No. 12CA1707

In re the Marriage of

Petitioner:

Wesley Munsil,

and

Respondent:

Barbara Munsil.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC654
Court of Appeals Case No. 10CA474

Petitioner:

Larry Flippo,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 13SC665
Court of Appeals Case No. 10CA1691

Petitioner:

William Ray Young,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC666
Court of Appeals Case No. 12CA2128

Petitioner:

Kevin R. McKown,

v.

Respondent:

Red Flower, Inc., a Kansas corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC669
Court of Appeals Case No. 05CA1339

Petitioner:

Christopher Jon Miller,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
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No. 13SC671
Court of Appeals Case No. 11CA2572

Petitioner:

Juan Arturo Palomares,
v.

Respondent:

The People of the State of Colorado.

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

No. 13SC674
Court of Appeals Case No. 12CA2570

Petitioner:

Max A. Martinez, Jr.,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 13SC676
Court of Appeals Case No. 12CA1575

Petitioner:

Michele Fry,
v.

Respondents:

Denver Post LLC and Kurtis Lee.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, APRIL 7, 2014**

No. 13SC683
Court of Appeals Case No. 09CA2360

Petitioner:

Eric Lee Andersen,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.
