

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, MARCH 16, 2015**

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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**

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

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**[2015 CO 13](#)**

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**[Supreme Court Case No. 14SA262](#)**

*Interlocutory Appeal from the District Court*  
Jefferson County District Court Case No. 13CR2913  
Honorable Philip J. McNulty, Judge

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**Plaintiff-Appellant:**

The People of the State of Colorado,

v.

**Defendant-Appellee:**

Luis Fernando Carrion.

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**Order Affirmed**

*en banc*

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**JUSTICE HOBBS** delivered the Opinion of the Court.

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

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[2015 CO 14](#)

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[Supreme Court Case No. 13SA336](#)

*Appeal from the District Court*

Fremont County District Court Case No. 12CV22

Honorable David M. Thorson, Judge

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**Petitioner-Appellee:**

Randal Ankeney,

v.

**Respondents-Appellants:**

Rick Raemisch, Executive Director of Colorado Department of Corrections, and Rae Timme,  
Warden of the Fremont Correctional Facility.

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**Judgment Reversed**

*en banc*

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**JUSTICE COATS** delivered the Opinion of the Court.

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**The Supreme Court of the State of Colorado**  
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**[2015 CO 15](#)**

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**[Supreme Court Case No. 12SC819](#)**

*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 11CA2270

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**Petitioners:**

Cantina Grill, JV; Airport Lounges, LLC, a Colorado limited liability company; Dos Amigos Joint Venture, a Colorado joint venture; F & B Concessions, LLC, a Colorado limited liability company; Pour La France B; Pour La France T; and Skyport Companies, Inc., a Colorado corporation,

v.

**Respondents:**

City & County of Denver County Board of Equalization, by and through its members Cary Kennedy, Chief Financial Officer, Adrienne Benavidez, Manager of General Services, Debra Johnson, Clerk and Recorder, Jose M. Cornejo, Manager of Public Works, and Chris Herndon, President of City Council; and Keith Erffmeyer, as County Assessor, City and County of Denver, Colorado.

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**Judgment Affirmed**

*en banc*

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

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**The Supreme Court of the State of Colorado**  
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[2015 CO 16](#)

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[Supreme Court Case No. 12SC803](#)  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 09CA572

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**Petitioner:**

Joe Anthony Martinez,

v.

**Respondent:**

The People of the State of Colorado.

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**Judgment Affirmed**  
*en banc*

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JUSTICE BOATRIGHT delivered the Opinion of the Court.

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**The Supreme Court of the State of Colorado**  
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[2015 CO 17](#)

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[Supreme Court Case No. 14SA38](#)

*Appeal from the District Court*

Weld County District Court, Water Division 1, Case No. 12CW111

Honorable James F. Hartmann, Water Judge

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Concerning the Matter of the Protest of the Jim Hutton Educational Foundation to Inclusion  
on the Revised Abandonment List of Water Rights in Yuma County, Colorado

**Appellants:**

Dick Wolfe, P.E. State Engineer; David L. Nettles, P.E. Division Engineer, Water Division 1;  
and Republican River Water Conservation District;

v.

**Appellee:**

Jim Hutton Educational Foundation.

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**Judgment Reversed**

*en banc*

**JUSTICE HOOD** delivered the Opinion of the Court.

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**PETITIONS FOR REHEARING**

NONE

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

No. 15SA68, In re Michael and Marlene Heimann  
United States Bankruptcy Court for the District of Colorado  
GRANTED on March 12, 2015

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**PETITIONS FOR WRIT OF CERTIORARI**

No. 14SC306  
Court of Appeals Case No. 09CA559

**Petitioner:**

The People of the State of Colorado,  
v.

**Respondent:**

Sean T. Collins.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC326  
Court of Appeals Case No. 10CA796

**Petitioner:**

William Romeo Wilson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC334  
Court of Appeals Case No. 12CA903

**Petitioner:**

Scott A. Tyrrell,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC335  
Court of Appeals Case No. 11CA1806

**Petitioner:**

Gregory Lynn Trammell,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC343  
Court of Appeals Case No. 11CA2079

**Petitioner:**

Brian Billel White-Alston,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC370  
Court of Appeals Case No. 10CA1361

**Petitioner:**

Ronald Dean Graff,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC379  
Court of Appeals Case No. 12CA1223

**Petitioner:**

Kelvin A. Washington,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC523  
Court of Appeals Case No. 12CA105

**Petitioner:**

Terry Wayne Evans,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 14SC654  
Court of Appeals Case No. 11CA2

**Petitioner:**

Leroy Melvin Grumbach, III,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 15SC98  
Court of Appeals Case No. 14CA756

**Petitioner:**

A.T.,  
v.

**Respondent:**

The People of the State of Colorado,  
In the Interest of Minor Children: C.T. and D.T.

Petition for Writ of Certiorari DENIED. EN BANC.

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No. 15SC115  
Court of Appeals Case No. 14CA469

**Petitioner:**

P.D.,

v.

**Respondent:**

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

Petition for Writ of Certiorari DENIED. EN BANC.

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