

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, APRIL 25, 2016**

"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

[2016 CO 21](#)

[Supreme Court Case No. 15SA244](#)

Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 15CV31862
Honorable A. Bruce Jones, Judge

In Re

Plaintiff:

Colorado Ethics Watch,

v.

Defendant:

Independent Ethics Commission.

Rule Made Absolute

en banc

CHIEF JUSTICE RICE delivered the Opinion of the Court.
JUSTICE GABRIEL dissents, and **JUSTICE MÁRQUEZ** and **JUSTICE HOOD** join in the dissent.

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The Supreme Court of the State of Colorado
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[2016 CO 22](#)

[Supreme Court Case No. 13SC815](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case Nos. 11CA1239 and 11CA1582

Petitioner:

Travelers Property Casualty Company of America, a Connecticut company,

v.

Respondent:

Stresscon Corporation, a Colorado corporation.

Judgment Reversed

en banc

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

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

[2016 CO 23](#)

[Supreme Court Case No. 13SC996](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 12CA1897

Petitioner:

BP America Production Company,

v.

Respondents:

Colorado Department of Revenue and Barbara Brohl, in her official capacity as the
Executive Director of the Colorado Department of Revenue.

Judgment Reversed
en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

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

[2016 CO 24](#)

[Supreme Court Case No. 16SA48](#)

Original Proceeding Pursuant to § 1-40-107(2), C.R.S. (2015)
Appeal from the Ballot Title Setting Board

In the Matter of the Title, Ballot Title and Submission Clause for 2015–2016 #73

Petitioner:

Phillip Hayes,

v.

Respondents:

Mike Spalding and David Ottke,

and

Title Board:

Suzanne Staiert, Frederick Yarger, and Jason Gelender.

Title Board Action Reversed

en banc

JUSTICE GABRIEL delivered the Opinion of the Court.

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PETITIONS FOR REHEARING

NONE

ORIGINAL PROCEEDINGS PURSUANT TO C.A.R. 21

NONE

PETITIONS FOR WRIT OF CERTIORARI

No. 15SC432
Court of Appeals Case No. 12CA1340

Petitioner:

Ramon Anthony Ortega,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
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No. 15SC467
Court of Appeals Case No. 13CA101

Petitioner:

Noel Alexandre Bertrand,

v.

Respondent:

The People of the State of Colorado.

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

No. 15SC537
Court of Appeals Case No. 11CA422

Petitioner:

Travis Anderson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 15SC553
Court of Appeals Case No. 12CA330

Petitioner:

Ryan Lee Weeks,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
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No. 15SC589
Court of Appeals Case No. 13CA1530

Petitioners:

City and County of Denver School District No. 1 in the State of Colorado; and City and County of Denver School District No. 1 Board of Education,

v.

Respondents:

Denver Classroom Teachers Association; Denver Association of Educational Office of Professionals; Lloyd Bourdon; Cheryl Myres; and Toni Falcon.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issue:

Whether the Innovation Schools Act, §§ 22-32.5-101 to 22-32.5-111, C.R.S. (2015), precludes new innovation schools, which were not previously opened as non-innovation schools, because section 22-32.5-104(3)(f) of the Act requires that innovation plans include information regarding teacher support.

No. 15SC685
Court of Appeals Case No. 12CA121

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Larry Lee Larson.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, APRIL 25, 2016

No. 15SC738

Court of Appeals Case No. 14CA1351

Petitioners:

Masterpiece Cakeshop, Inc. and Jack C. Phillips,

v.

Respondents:

Colorado Civil Rights Commission, Charlie Craig, and David Mullins.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE EID does not participate.

CHIEF JUSTICE RICE and JUSTICE COATS would grant as to the following issues:

Whether the Colorado Anti-Discrimination Act (“CADA”) requires Phillips to create artistic expression that contravenes his religious beliefs about marriage.

Whether applying CADA to force Phillips to create artistic expression that contravenes his religious beliefs about marriage violates his free speech rights under the United States and Colorado Constitutions.

Whether applying CADA to force Phillips to create artistic expression that violates his religious beliefs about marriage infringes his free exercise rights under the United States and Colorado Constitutions.

CASE ANNOUNCEMENTS
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No. 15SC778
Court of Appeals Case No. 14CA997

Petitioners:

Barbara Kirkmeyer, Mike Freeman, Douglas Rademacher, William Garcia, and Sean Conway, in their official capacities as members of the Board of County Commissioners of Weld County,

v.

Respondents:

High Plains Library District; Karen Rademacher, Trustee; Lucille Arnusch, Trustee; Jacqueline Maslowe, Trustee; Brian Larson, Trustee; and Stan Sameshima, Trustee.

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

No. 15SC812
Court of Appeals Case No. 14CA699

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Oliver Vanderlinden.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 15SC841
Court of Appeals Case No. 14CA939

In re the Marriage of:

Petitioner:

John K. Roberts,
and

Respondent:

Laura S. Roberts.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 15SC918
Court of Appeals Case No. 14CA1641

Petitioners:

Friends of Denver Parks, Inc., a Colorado non-profit corporation; Steve Waldstein; and
Zelda Hawkins;

v.

Respondents:

City and County of Denver, a municipal corporation, and School District No. 1 in the
City and County of Denver.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 15SC962
Court of Appeals Case No. 15CA188

Petitioner:

Lynn Kubic, d/b/a Willards Rodent Factory,

v.

Respondent:

John T. Salazar, Commissioner of Agriculture of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 15SC1029
Court of Appeals Case No. 14CA811

Petitioner:

Timothy Scott Parks,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

**CASE ANNOUNCEMENTS
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No. 15SC1071
Court of Appeals Case No. 12CA1643

Petitioner:

Christopher Michael Mayo,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC55
Court of Appeals Case No. 13CA2374

Petitioner:

Joseph Robert Gomez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CASE ANNOUNCEMENTS
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No. 16SC114
Court of Appeals Case No. 13CA802

Petitioner:

Albert Johnson,

v.

Respondents:

Ryan Lee Schonlaw and VCG Restaurants Denver, Inc., d/b/a PT's ALL NUDE, a Colorado corporation.

Petition for Writ of Certiorari GRANTED. EN BANC.

Summary of the Issue:

Whether this court's recent decisions in People v. Novotny, 2014 CO 18, 320 P.3d 1194, and Laura A. Newman, LLC v. Roberts, 2016 CO 9, 365 P.3d 972, mandate that permitting a seventh juror to deliberate in a civil case, over defense counsel's objection, is an error that is subject to a harmless error analysis, rather than a presumption of prejudice.

No. 16SC238
Court of Appeals Case No. 15CA1788

Petitioner:

A.P.,

v.

Respondent:

The People of the State of Colorado,
In the Interest of Minor Children A.E.V. and L.V.,
and Concerning A.V., Sr.

Petition for Writ of Certiorari DENIED. EN BANC.
