

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, MAY 1, 2017**

"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.

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**OPINIONS**

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**[2017 CO 37](#)**

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**[Supreme Court Case No. 13SC791](#)**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 10CA1798

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**Petitioner:**

Benjamin John Romero,

v.

**Respondent:**

The People of the State of Colorado.

**Judgment Reversed**  
*en banc*

CHIEF JUSTICE RICE delivered the Opinion of the Court.

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**2017 CO 38**

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**Supreme Court Case No. 15SC513**

*Certiorari to the Colorado Court of Appeals*

Court of Appeals Case No. 14CA248

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**Petitioners:**

Mac McShane and Cynthia Calvin,

v.

**Respondent:**

Stirling Ranch Property Owners Association, Inc.

**Judgment Reversed**

*en banc*

JUSTICE HOOD delivered the Opinion of the Court.

JUSTICE EID dissents, and JUSTICE MÁRQUEZ joins in the dissent.

**PETITIONS FOR REHEARING**

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**2017 CO 21**

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**Supreme Court Case No. 13SC961**

*Certiorari to the Colorado Court of Appeals*

Court of Appeals Case No. 10CA2364

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**Petitioner:**

Gerardo Joel Delacruz,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Rehearing DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**GRANTED PETITIONS FOR WRIT OF CERTIORARI**

**No. 17SC55, Court of Appeals Case No. 15CA1824**

**Petitioners:**

Jay A. Roberts and Ashley Roberts McNamara, as Co-trustees of the Della I. Roberts Trust,

v.

**Respondent:**

Barry L. Bruce.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the court of appeals erred in holding, as a matter of law, that section 13-17-102, C.R.S. (2016), only permits a Colorado probate court to award attorney fees for vexatious collateral federal litigation if the fees produced work product used in the Colorado probate action, even where the probate court determined that the groundless collateral litigation unnecessarily expanded the Colorado proceeding.

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 16SC784, Court of Appeals Case No. 14CA1755**

**Petitioner/Cross-Respondent:**

The People of the State of Colorado,

v.

**Respondent/Cross-Petitioner:**

Jessie John Beckwith.

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

JUSTICE EID and JUSTICE BOATRRIGHT would grant as to the following issue:

Whether the court of appeals erred in holding that a domestic violence expert can only offer general testimony and cannot offer an opinion based on the facts of the case contrary to Colorado Rule of Evidence 704 and this Court's precedent.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 16SC805, Court of Appeals Case No. 13CA1433**

**Petitioner:**

Norman James Vigil,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 16SC818, Court of Appeals Case No. 12CA485**

**Petitioner:**

Clarence Frazier Banks, III,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD does not participate.

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**No. 16SC852, Court of Appeals Case No. 15CA835**

**Petitioners:**

Jeffrey A. Brode and Karen L. Brode,

v.

**Respondent:**

US Bank National Association as Trustee for WAMU Mortgage Pass through certificates for WMALT Series 2007-0A3.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 16SC881, Court of Appeals Case No. 14CA560**

**Petitioner:**

Samuel David Evans,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 16SC923, Court of Appeals Case No. 15CA675**

**Petitioner:**

Maksim Khamov,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 16SC937, Court of Appeals Case No. 15CA574**

**Petitioners:**

Dina Loreen Breedlove Kopperman and Kyle Allen Kopperman,

v.

**Respondent:**

Neighborhood Law Office, P.C.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 16SC989, Court of Appeals Case No. 15CA902**

**Petitioner:**

Robert Fidencio Vigil,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 17SC26, Montezuma County District Court Case No. 16CV30010**

**Petitioner:**

Adrian Lucio Valles,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 17SC52, Court of Appeals Case No. 14CA2253**

**Petitioner:**

Christopher Smith,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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