

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MAY 15, 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.

OPINIONS

[2017 CO 39](#)

[Supreme Court Case No. 16SC366](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 15CA346

Petitioner:

Scott E. Foster,

v.

Respondent:

John E. Plock.

Judgment Affirmed

en banc

CHIEF JUSTICE RICE delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2017 CO 40](#)

[Supreme Court Case No. 12SC832](#)

Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 06CA1875

Petitioner:

Angelo Emilio Montoya,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed

en banc

JUSTICE COATS delivered the Opinion of the Court.
JUSTICE BOATRIGHT and JUSTICE HOOD do not participate.

[2017 CO 41](#)

[Supreme Court Case No. 15SC226](#)

Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 13CA1580

Petitioners:

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

v.

Respondent:

Creager Mercantile Co., Inc.

Judgment Reversed

en banc

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

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2017 CO 42](#)

[Supreme Court Case No. 15SC710](#)

Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 14CA716

Petitioner:

Samuel J. Storman & Associates, P.C.,

v.

Respondent:

Brian Todd Dixon.

Judgment Reversed

en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

JUSTICE GABRIEL does not participate.

[2017 CO 43](#)

[Supreme Court Case No. 16SA166](#)

Appeal from the District Court

Weld County District Court, Water Division 1, Case No. 15CW3026
Honorable Todd Taylor, Water Judge

Plaintiff-Appellee:

Select Energy Services, LLC, a Delaware limited liability company,
and

Appellee Pursuant to C.A.R. 1(e):

Division Engineer for Water Division No. 1,

v.

Defendant-Appellant:

K-LOW, LLC, a Louisiana limited liability company,
and

Defendant-Appellee:

Faith Tabernacle Church, Inc., a Colorado corporation.

Judgment Affirmed

en banc

JUSTICE HOOD delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2017 CO 44](#)

[Supreme Court Case No. 16SA170](#)

Interlocutory Appeal from the District Court
Arapahoe County District Court Case No. 15CR2400
Honorable F. Stephen Collins, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Melissa Heather King.

Order Reversed

en banc

JUSTICE HOOD delivered the Opinion of the Court.

[2017 CO 45](#)

[Supreme Court Case No. 16SA171](#)

Interlocutory Appeal from the District Court
Arapahoe County District Court Case No. 15CR2484
Honorable F. Stephen Collins, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Alan Jeffrey Sewick.

Order Reversed

en banc

JUSTICE HOOD delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2017 CO 46](#)

[Supreme Court Case No. 16SA172](#)

Interlocutory Appeal from the District Court
Arapahoe County District Court Case No. 15CR1100
Honorable F. Stephen Collins, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Depree Lavar Maxwell.

Order Reversed

en banc

JUSTICE HOOD delivered the Opinion of the Court.

[2017 CO 47](#)

[Supreme Court Case No. 16SA194](#)

Interlocutory Appeal from the District Court
Arapahoe County District Court Case No. 15CR3147
Honorable F. Stephen Collins, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Depree Lavar Maxwell.

Order Reversed

en banc

JUSTICE HOOD delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

PETITIONS FOR REHEARING

2017 CO 30

Supreme Court Case No. 15SC589
Certiorari to the Colorado Court of Appeals
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
Professionals, Lloyd Bourdon, Cheryl Myres, and Toni Falcon.

Petition for Rehearing DENIED. EN BANC.
JUSTICE MÁRQUEZ, JUSTICE HOOD and JUSTICE GABRIEL would grant the
Petition.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2017 CO 32

Supreme Court Case No. 14SC634
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 13CA779

Petitioners:

City and County of Denver, Colorado; Brendan Hanlon in his official capacity as the Chief Financial Officer of the City and County of Denver; and Bill Speckman, in his official capacity as Hearing Officer designated by the Chief Financial Officer,

v.

Respondents:

Expedia, Inc.; Hotels.com, L.P.; Hotwire, Inc.; Orbitz, LLC; Priceline.com, Incorporated; Site59.com, LLC; Travel Webb LLC; Travelocity.com LP; and Trip Network, Inc. d/b/a Cheaptickets.com.

Petition for Rehearing DENIED. EN BANC.
CHIEF JUSTICE RICE, JUSTICE EID and JUSTICE GABRIEL would grant the Petition.

No. 15SC677, Court of Appeals Case No. 14CA2172

Petitioner:

The People of the State of Colorado
In the Interest of C.G.,
and concerning

Respondent:

J.N.

Petition for Rehearing DENIED. EN BANC.
JUSTICE BOATRIGHT does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

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

No. 17SA77, Hernandez v. Ray Domenico Farms, Inc.

United States District Court for the District of Colorado Case No. 16CV1929-WJM-CBS

Question ACCEPTED on May 11, 2017

GRANTED PETITIONS FOR WRIT OF CERTIORARI

NONE

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 16SC395, Court of Appeals Case No. 12CA1173

Petitioner:

Detra Dione Farries,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC752, Court of Appeals Case No. 15CA41

Petitioner:

Philadelphia Indemnity Insurance Company,

v.

Respondent:

Chalet Townhome Association Inc., a/k/a Chalet Townhome.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 16SC794, Court of Appeals Case No. 12CA2133

Petitioner:

Oscar Mauricio Amaya-Melendez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC829, Court of Appeals Case No. 15CA1187

Petitioner:

Crystal Hill, d/b/a Lady Electric LLC,

v.

Respondents:

Yvonne Gates and Lee Gates.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC834, Court of Appeals Case No. 13CA1064

Petitioner:

Charles Edward Waters,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC836, Court of Appeals Case No. 13CA2068

Petitioner:

Roberto Lee Ortiz,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 16SC837, Court of Appeals Case No. 13CA2042

Petitioner:

Frederick D. Moore,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC841, Court of Appeals Case No. 14CA1173

Petitioner:

Raymond Derek Jaramillo,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC855, Court of Appeals Case No. 14CA376

Petitioner:

Timmy Jennings,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC866, Court of Appeals Case No. 13CA2020

Petitioner:

Mohammed Douhaj,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 16SC874, Court of Appeals Case No. 15CA1990

Petitioner:

Chester Gray,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC880, Court of Appeals Case No. 15CA652

Petitioner:

Billy Jack Sena,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC888, Court of Appeals Case No. 15CA415

Petitioner:

Joe Giovanni Avalos,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 16SC976, Court of Appeals Case No. 13CA1375

Petitioner:

Jason Scott Morin,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC16, El Paso County District Court Case No. 16CV32083

Petitioner:

Johnn Loren Gann,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC27, Mesa County District Court Case No. 16CV30231

Petitioner:

Karl A. Antunes,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC34, Court of Appeals Case No. 14CA1987

Petitioner:

Trina McGill,

v.

Respondent:

DIA Airport Parking LLC, d/b/a Wally Park.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC43, Court of Appeals Case No. 15CA663

In re the Marriage of

Petitioner:

Christian Edward Sparks,

and

Respondent:

Susanne R. Walker.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC72, Jefferson County District Court Case No. 16CV31030

Petitioner:

Trevor Eugene Walters,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC77, Court of Appeals Case No. 15CA1317

Petitioner:

Thomas Edward Wood,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

No. 17SC78, Court of Appeals Case No. 15CA1875

Petitioner:

Dony Salazar,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC80, Boulder County District Court Case No. 16CV30376

Petitioner:

Adam Koenigsberg,

v.

Respondent:

People of the Town of Erie.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC81, Court of Appeals Case No. 14CA1865

Petitioner:

Alejandro Armando Sosa,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC94, Court of Appeals Case No. 16CA1247

In re the Marriage of

Petitioner:

Varun Ratti,

and

Respondent:

Pooja Ratti.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC103, Court of Appeals Case No. 14CA2089

Petitioner:

Raymond Eugene Swisher,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC108, Court of Appeals Case No. 15CA1304

In re the Marriage of

Petitioner:

Ali Pezeshki,

and

Respondent:

Parisa Pezeshki.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC112, Court of Appeals Case No. 15CA908

Petitioner:

Joseph Jeffrey Roos,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC117, Gilpin County Court Case No. 16R145

Petitioner:

David A. Nuttle,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC126, Court of Appeals Case No. 14CA1169

Petitioner:

Reginald Warren Hawthorne,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC132, Court of Appeals Case No. 15CA252

Petitioner:

Deone Marie Graham,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.
