

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
TUESDAY, FEBRUARY 20, 2018**

"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

[2018 CO 13](#)

[Supreme Court Case No. 15SC3](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 12CA510

Petitioner:

Christopher Alexander Pernell,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed

en banc

JUSTICE MÁRQUEZ delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 17SC583, Court of Appeals Case No. 16CA733

Petitioner:

Owners Insurance Company, a Michigan corporation,

v.

Respondent:

Dakota Station II Condominium Association Inc., a Colorado corporation.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the court of appeals' rule permitting insurance appraisers to "favor one side more than the other" and act as "advocates" for the selecting party conflicts directly with this court's holding in Providence Washington Insurance Co. v. Gulinson that such "[a]ppraisers are not [arbitration] referees, but their duty of impartiality is the same." 215 P. 154, 155 (Colo. 1923).

Whether the court of appeals' rule permitting insurance appraisers to utilize contingent-cap fee agreements that tie the appraiser's own compensation to the ultimate appraisal award conflicts directly with the holding from Providence Washington Insurance Co. v. Gulinson, 215 P. 154, 155 (Colo. 1923), that such appraisers must be impartial in the same manner as an arbitrator.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 17SC394, Court of Appeals Case No. 16CA473

Petitioner:

David Hamilton,

v.

Respondent:

Emerald Isle Properties, LLC, a Colorado limited liability company.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC431, Court of Appeals Case No. 14CA1175

Petitioner:

Rogelia Perez-Rodriguez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC464, Court of Appeals Case No. 13CA1300

Petitioner/Cross-Respondent:

Bret Lee Thompson,

v.

Respondent/Cross-Petitioner:

The People of the State of Colorado.

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

No. 17SC645, Court of Appeals Case Nos. 16CA682 & 16CA702

Petitioner:

Buddy Baker as Trustee of the Buddy Wayne Baker Revocable Trust, on behalf of the trust and a class of similarly situated royalty owners,

v.

Respondents:

Merit Energy Company, LLC; DCP Midstream, LP; and PDC Energy, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC679, Court of Appeals Case No. 15CA973

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

J.R., a Juvenile.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ would grant as to the following issue:

Whether the court of appeals erred by concluding, in a split opinion on an issue of first impression, that the trial court did not err or violate JR's constitutional rights by allowing the lead detective to testify as to his personal opinion of JR's guilt and DHS's involvement in the case, and by refusing to declare a mistrial after the prosecution improperly referred to DHS's involvement in rebuttal argument.

No. 17SC687, Jefferson County District Court Case No. 17CV30158

Petitioner:

Gerald Havens,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC722, Court of Appeals Case No. 17CA412

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Tevin Reinstein.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC776, Court of Appeals Case No. 14CA1790

Petitioner:

Alex Lee Carter,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC819, Court of Appeals Case No. 16CA1916

Petitioner:

A.C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child: D.B.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC856, Court of Appeals Case No. 16CA2051

Petitioner:

R.A.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children: K.A., A.A., and A.A.

Petition for Writ of Certiorari DENIED. EN BANC.
