

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, JUNE 18, 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.

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**OPINIONS**

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**[2018 CO 56](#)**

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**[Supreme Court Case No. 16SC365](#)**

*Certiorari to Colorado Court of Appeals*

Court of Appeals Court Case Nos. 15CA190 & 15CA331

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**Petitioner:**

United States Welding, Inc., a Colorado corporation,

v.

**Respondents:**

Advanced Circuits, Inc., a Colorado corporation; and Buckeye Welding Supply Company, Inc., a Colorado corporation.

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**Judgment Reversed**

*en banc*

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

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**[2018 CO 57](#)**

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**[Supreme Court Case No. 15SC701](#)**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 13CA2283

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**Petitioners:**

Crea J. McMullin and Martha E. McMullin,

v.

**Respondents:**

John Hauer and Sena Hauer, individually and on behalf of the homeowners association of Two Rivers Estates; Lincoln Trust FBO John Hauer; Joseph Conrado; and Kelly Conrado.

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**Judgment Reversed**  
*en banc*

**JUSTICE MÁRQUEZ** delivered the Opinion of the Court.  
**JUSTICE GABRIEL** does not participate.

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**2018 CO 58**

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**Supreme Court Case No. 17SC55**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 15CA1824

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**Petitioners:**

Jay A. Roberts and Ashley Roberts McNamara, as Cotrustees of the Della I. Roberts Trust,

v.

**Respondent:**

Barry L. Bruce.

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**Judgment Affirmed**  
*en banc*

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

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**2018 CO 59**

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**Supreme Court Case No. 16SC894**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 15CA1371

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**Petitioners:**

The City of Boulder, Colorado; the City Council for the City of Boulder, Colorado; Suzanne Jones, in her official capacity as Mayor; Aaron Brockett, in his official capacity as Mayor Pro Tem; and Cindy Carlisle, Jill Alder Grano, Lisa Morzel, Mirabai Kuk Nagle, Bob Yates, Sam Weaver, and Mary Young, in their official capacities as members of the City Council,

v.

**Respondent:**

Public Service Company of Colorado, a Colorado corporation.

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**Judgment Reversed**  
*en banc*

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

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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[2018 CO 60](#)

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[Supreme Court Case No. 18SA26](#)

*Original Proceeding Pursuant to C.A.R. 21*  
Adams County District Court Case No. 08CR3237  
Honorable Robert Walter Kiesnowski, Jr., Judge

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**In Re**  
**Plaintiff:**

The People of the State of Colorado,

v.

**Defendant:**

James Robert Stackhouse.

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**Rule Made Absolute**  
*en banc*

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

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**RULE CHANGES**

**[RULE CHANGE 2018\(08\)](#)**

Uniform Local Rules for All State Water Court Divisions  
Rules 11, 12 and 13.

**Amended and Adopted by the Court, En Banc, May 31, 2018, effective immediately.**

**GRANTED PETITIONS FOR WRIT OF CERTIORARI**

**18SC195, Court of Appeals Case No. 16CA1864**

**Petitioners:**

Colorado Cab Company LLC and Shamrock Charters Inc.,

v.

**Respondent:**

Daniel Brunson.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the court of appeals erred as a matter of law when it reversed the decision of the district court and held, as an issue of first impression, that the overtime exemption for “interstate drivers, driver helpers, loaders or mechanics of motor carriers” under the Colorado Minimum Wage Order (7 Colo. Code Regs. 1103-1:5) applies only to drivers who physically drive across state lines.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 17SC420, Court of Appeals Case No. 14CA1388**

**Petitioner:**

Gabriel Ian Orozco,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 17SC535, Court of Appeals Case No. 16CA471**

**Petitioner:**

Gerome Ramero Brooks,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 17SC562, Court of Appeals Case No. 14CA1601**

**Petitioner:**

Isidoro Alejandro Pena-Trevino,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 17SC730, Court of Appeals Case No. 13CA1873**

**Petitioner:**

Francisco R. Quintana,

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. 17SC798, Court of Appeals Case No. 16CA404**

**Petitioner:**

Dexter Harris,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 17SC850, Court of Appeals Case No. 13CA1114**

**Petitioner:**

Fernando Leyva,

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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**No. 17SC902, Court of Appeals Case No. 15CA1458**

**Petitioner:**

Johnny Valdez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 17SC903, Court of Appeals Case No. 15CA426**

**Petitioner:**

James B. Aragon,

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. 18SC50, Court of Appeals Case No. 14CA1841**

**Petitioner:**

Lucas M. Watts,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC55, Court of Appeals Case No. 15CA1362**

**Petitioner:**

Johnathan Thomas Ratcliff,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC58, Court of Appeals Case No. 16CA438**

**Petitioner:**

Damian Brandon Johnston,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC59, Court of Appeals Case No. 15CA1500**

**Petitioner:**

Ryan Darnell Cunningham,

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. 18SC60, Pueblo County District Court Case No. 17CV30432**

**Petitioner:**

Brigido Patrick Vargas,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC62, Court of Appeals Case No. 16CA829**

**Petitioner:**

Michael Todd Ricks,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC63, Court of Appeals Case No. 16CA1802**

**Petitioner:**

Tyler Groce,

v.

**Respondent:**

The People of the State of Colorado.

Petition For Writ of Certiorari DENIED. EN BANC.

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**No. 18SC72, Court of Appeals Case No. 15CA1978**

**Petitioner:**

Ian Michael Ranney,

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. 18SC74, Court of Appeals Case No. 15CA1518**

**Petitioner:**

Dean Porter Watson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC75, Court of Appeals Case No. 16CA1261**

**Petitioner:**

Dashawn Hardie Lipscomb,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC76, Weld County District Court No. 17CV30417**

**Petitioner:**

James Nelson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC77, Jefferson County District Court No. 17CV30447**

**Petitioner:**

Michael Briels,

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. 18SC79, Court of Appeals Case No. 15CA1358**

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

**Petitioner:**

I. A. M.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC81, Court of Appeals Case No. 16CA1254**

**Petitioner:**

Tim Wind,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC82, Court of Appeals Case No. 16CA42**

**Petitioner:**

Taria Jantail Wilhite,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC83, Court of Appeals Case No. 15CA1792**

**Petitioner:**

Jared James Delles,

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. 18SC85, Court of Appeals Case No. 16CA1626**

**Petitioner:**

Jorge Jovani Rosales,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC88, District Court, City and County of Denver Case No. 16CV33682**

**Petitioner:**

Rickey Dixon,

v.

**Respondent:**

The City and County of Denver.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC89, Jefferson County District Court Case No. 17CV338**

**Petitioner:**

Sarah Arguello,

v.

**Respondent:**

Allison Village.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BOATRIGHT does not participate.

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**No. 18SC90, Court of Appeals Case No. 16CA40**

**Petitioner:**

Caleb Bowers,

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. 18SC91, Court of Appeals Case No. 16CA560**

**Petitioner:**

Daniel Reyes,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC93, District Court, City and County of Denver No. 15CV34396**

**Petitioner:**

Kevin Watts,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC95, Court of Appeals Case No. 15CA1969**

**Petitioner:**

Christopher Douglas Wise,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC96, Court of Appeals Case No. 14CA474**

**Petitioner:**

Kevin Blair Roderick,

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. 18SC100, Court of Appeals Case No. 15CA1398**

**Petitioner:**

Michael Alvin Breaux,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC103, Court of Appeals Case No. 16CA797**

**Petitioner:**

Johnny C. Gilbert,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC110, Mesa County District Court, 17CV30218**

**Petitioner:**

Caleb Dell,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC112, Court of Appeals Case No. 16CA1182**

**Petitioner:**

Dante Walker,

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. 18SC120, Court of Appeals Case No. 17CA208**

**Petitioner:**

Timothy Gardner,

v.

**Respondent:**

Rainbows, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC133, Court of Appeals Case No. 16CA1185**

**Petitioner:**

Kaminski Kuatrel Lee,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC137, Court of Appeals Case No. 15CA1035**

**Petitioner:**

Charles Lee Broce,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC149, Court of Appeals Case No. 16CA2255**

**Petitioner:**

Federico Lerma,

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. 18SC154, Court of Appeals Case No. 13CA826**

**Petitioner:**

Carol Lee Hawley,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC155, Court of Appeals Case No. 15CA866**

**Petitioner:**

Leopoldo J. Maes,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC215, Court of Appeals Case No. 17CA153**

**Petitioners:**

Forensic Applications Consulting Technologies, Inc.; and Caoimhin P. Connell,

v.

**Respondents:**

Colorado Department of Public Health and the Environment; and Hazardous Materials and Waste Management Division.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC363, Court of Appeals Case No. 17CA1075**

**Petitioner:**

S. C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

A. K. C. and D. L. C.

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