

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, MARCH 12, 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 16](#)

[Supreme Court Case No. 14SC190](#)

Certiorari to the Court of Appeals
Court of Appeals Case No. 11CA434

Petitioner:

Nathan Gayle Ybanez,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed

en banc

JUSTICE COATS delivered the Opinion of the Court.
JUSTICE HOOD, JUSTICE GABRIEL, and JUSTICE HART do not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2018 CO 17](#)

[Supreme Court Case No. 15SA281](#)

Certification of Questions of Law

United States Court of Appeals for the Tenth Circuit Case No. 14-1410

Plaintiff-Appellant:

Lisa M. Johnson,

v.

Defendants-Appellees:

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

Certified Questions Answered

en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

JUSTICE GABRIEL concurs in part and dissents in part, and **JUSTICE HOOD** and **JUSTICE HART** join in the concurrence in part and dissent in part.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2018 CO 18

Supreme Court Case No. 15SC1062
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 14CA1348

Petitioners:

School District No. 1 in the City and County of Denver; and Valentina Flores, Debora Scheffel, Pam Mazanec, Steve Durham, Jane Goff, Joyce Rankin, and Angelika Schroeder, in their official capacities as members of the Colorado State Board of Education,

v.

Respondents:

Cynthia Masters, Michelle Montoya, Mildred Anne Kolquist, Lawrence Garcia, Paula Scena, Jane Harmon, Lynne Rerucha, and Denver Classroom Teachers Association.

Judgment Reversed

en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

ORIGINAL PROCEEDING PURSUANT TO C.A.R 21

No. 18SA33, In Re Glen Law Galloway v The People of the State of Colorado
El Paso County District Court Case No. 16CR2749

[Order the Rule made Absolute. The District Court Order O-24a, dated February 7, 2018, is vacated.](#)

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 17SC815, Court of Appeals Case No. 13CA1296

Petitioner:

Alfredo Juarez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether plea counsel provides “correct advice” within the meaning of Padilla v. Kentucky, and therefore competent assistance, by advising a defendant who pleads guilty to a deportable crime as defined in 8 U.S.C. § 1227(a)(2)(B)(i) merely that the plea carries a risk of deportation, rather than advising the defendant that federal law mandates his removal.

[REFRAMED] Whether plea counsel’s advice regarding the risk of deportation, if incorrect within the meaning of Padilla v. Kentucky and, therefore, deficient within the meaning of Strickland v. Washington, prejudiced the defendant such that defense counsel provided ineffective assistance of counsel.

DENIED AS TO ALL OTHER ISSUES.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 17SC516 Court of Appeals Case No. 16CA984

Petitioner:

Juanetta Sue Lawrence,

v.

Respondent:

Colorado State Board of Education.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC594, Court of Appeals Case No. 15CA2146

Petitioner:

Nicholas Fredrick,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC637, Court of Appeals Case No. 16CA865

Petitioner:

Mikal Trace Taylor,

v.

Respondent:

ARC Greenwood Village, Inc., d/b/a Brookdale Greenwood Village.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC700, Court of Appeals Case No. 12CA1385

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Stanley Howard Olsen.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

No. 17SC855, Court of Appeals Case No. 16CA879

Petitioner:

Gerald Anthony Lizakowski,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC107, Court of Appeals Case No. 17CA151

Petitioner:

C.W.

v.

Respondent:

The People of the State of Colorado,

In the interest of the Minor Children: B.W. and T.W.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC108, Court of Appeals Case No. 17CA586

Petitioner:

L.M.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of the Minor Child: M.Q.

Petition for Writ of Certiorari DENIED. EN BANC.
