

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, DECEMBER 3, 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 93](#)

**[Supreme Court Case No. 15SC504](#)
Certiorari to Colorado Court of Appeals
Court of Appeals Court Case No. 2013CA276**

Petitioner:

George J. Ruibal,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed
en banc

CHIEF JUSTICE COATS delivered the Opinion of the Court.
JUSTICE GABRIEL does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2018 CO 94](#)

[Supreme Court Case No. 18SA92](#)

Original Proceeding Pursuant to C.A.R. 21
Mesa County District Court Case No. 15CV30797
Honorable Lance Phillip Timbreza, Judge

In Re
Plaintiff:

Kayla Fox,

v.

Defendants:

William Alfini, Jr., D.C.; and Brady Chiropractic Group, P.C.

Rule Discharged
en banc

JUSTICE GABRIEL delivered the Opinion of the Court

JUSTICE HOOD specially concurs.

JUSTICE SAMOUR dissents and **CHIEF JUSTICE COATS** and **JUSTICE BOATRIGHT** join in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

PETITIONS FOR REHEARING

2018 CO 92M

Supreme Court Case No. 16SC653

Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 13CA1215

Petitioner:

Christopher Anthony Mountjoy, Jr.,

v.

Respondent:

The People of the State of Colorado.

Opinion modified, and as modified, Petition for Rehearing DENIED. EN BANC.

ORIGINAL PROCEEDINGS PURSUANT TO C.A.R. 21

18SA272, In Re People v. Eberly

Eagle County District Court, 17CR326

Order and Rule to Show Cause Issued on November 19, 2018.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 18SC281, Court of Appeals Case No. 14CA1958

Petitioner:

Joe Anthony Ramirez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. The judgment of the Colorado Court of Appeals is vacated, and the case is remanded to the Colorado Court of Appeals for reconsideration in light of People v. Rediger, 15SC326, 2018 CO 32. EN BANC.

DENIED AS TO ALL OTHER ISSUES.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 18SC67, Court of Appeals Case No. 14CA764

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Nimroid Boles Folsom.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BOATRIGHT would grant as to the following issue:

Whether the court of appeals erred in reversing the defendant's convictions because the trial court admitted videos found on the defendant's iPod during a search incident to arrest.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC170, Court of Appeals Case No. 15CA889

Petitioner:

Andrew James Marsh,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC214, Court of Appeals Case No. 14CA2274

Petitioner:

Taylor R. Bandy,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC234, Court of Appeals Case No. 15CA1603

Petitioner:

Cesar San Miguel,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC270, Court of Appeals Case No. 16CA969

Petitioner:

Frederick Barker,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC286, Court of Appeals Case No. 15CA951

Petitioner:

Timothy Layne Martinez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC294, Court of Appeals Case No. 15CA743

Petitioner:

Nicole Danielle Watkins,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC322, Court of Appeals Case No. 14CA2416

Petitioner:

Jose A. Carrillo-Rodriguez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC387, Court of Appeals Case No. 17CA453

Petitioner:

Colorado Cab Company, a Colorado limited liability company d/b/a Denver Yellow Cab,

v.

Respondent:

Jessica O'Donnell.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC396, Court of Appeals Case No. 15CA644

Petitioner:

Jessie Lorenzo Pittman,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC407, Jefferson County District Court Case No. 17CV31216

Petitioner:

Anthony Sigler,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC416, Court of Appeals Case No. 15CA1883

Petitioner:

Dean Carbajal,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC459, Court of Appeals Case No. 16CA1455

Petitioner:

Joey Ray Hernandez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC463, Boulder District Court Case No. 17CV31203

Petitioner:

William E. Hall, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

18SC486, Court of Appeals Case No. 15CA1512

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

S.D.M.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC490, District Court, Adams County, Case No. 18CV30280

Petitioner:

Raymond Becker,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC504, Court of Appeals Case No. 15CA1838

Petitioner:

Abel Gebre Laeke,

v.

Respondent:

People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC512, Court of Appeals Case No. 17CA450

Petitioner:

Franklin D. Kemp,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC576, Court of Appeals Case No. 16CA1087

Petitioner:

Daniel Roger Goodwin,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC596, Court of Appeals Case No. 17CA1124

Petitioners:

Dennis Sladek and Diana Sladek,

v.

Respondents:

Barrett, Frappier & Weisserman, LLP; Select Portfolio Servicing, LLP, a Utah corporation; Randall M. Chin; Safeguard Properties, an Ohio corporation; and Southcentral Foreclosure Clean, a Kansas corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC609, Court of Appeals Case No. 16CA1176

Petitioner:

Bernard W. Horne, a/k/a Ernest Brim,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC610, Court of Appeals Case No. 16CA1226

Petitioner:

Alisha Huerena,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC629, Court of Appeals Case No. 17CA221

Petitioner:

Leslie K. Broadus,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC633, Court of Appeals Case No. 15CA1146

Petitioner:

Christopher Stephen Graham,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC634, Court of Appeals Case No. 16CA1562

Petitioner:

Daniel Christopher LaValle,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC638, Court of Appeals Case No. 17CA1093

Petitioner:

Victor Luis Castillo-Rosales,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC639, Court of Appeals Case No. 16CA1058

Petitioner:

Jesse Dale Malouff,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC650, Court of Appeals Case No. 16CA2199

Petitioner:

Patrick Allen Kennedy,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC651, Court of Appeals Case No. 15CA2077

Petitioner:

Brian Jeffery Steinfeld,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC665, Court of Appeals Case No. 17CA60

Petitioner:

Jerry G. Ciarcia,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC666, Court of Appeals Case No. 17CA1989

Petitioner:

Joseph Scott Carter,

v.

Respondents:

Rick Raemisch, Executive Director of the Colorado Department of Corrections; Steve Hager, Warden of Centennial Correctional Facility; and Cynthia Coffman, Colorado Attorney General.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC691, Court of Appeals Case No. 17CA1555

Petitioner:

J. S.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

J. S. and N. S.,

and Concerning

L. G.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC741, Court of Appeals Case No. 17CA2115

Petitioner:

K. M.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

N. S.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC745, Court of Appeals Case No. 17CA1388

Petitioner:

M. T.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

J. D.,

and Concerning

D. T.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD would grant as to the following issue:

Whether Mother was afforded a reasonable amount of time to complete her treatment plan, where a termination hearing was held 4 months from the date of the treatment plan order.

No. 18SC749, Court of Appeals Case No. 17CA798

Petitioner:

R. J. T.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

R. L. T.,

and Concerning

L. P.

Petition for Writ of Certiorari DENIED. EN BANC.