

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, JUNE 24, 2019**

"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

[2019 CO 61](#)

[Supreme Court Case No. 18SA189](#)

Appeal from the District Court

Fremont County District Court Case No. 18CV35

Honorable Robert Freeman, Magistrate

Petitioner-Appellant:

Richard S. Jones,

v.

Respondent-Appellee:

Dean Williams, Executive Director of the Colorado Department of Corrections.

Judgment Reversed

en banc

PER CURIAM.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2019 CO 62](#)

[Supreme Court Case No. 18SA284](#)

Original Proceeding Pursuant to C.A.R. 21

Denver Probate Court Case Nos. 18PR30274 & 18PR30656

Honorable Elizabeth D. Leith, Judge

In Re

In the Matter of the Estate of

Stacy Feldman, Decedent.

Rule Made Absolute

en banc

CHIEF JUSTICE COATS delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2019 CO 63

Supreme Court Case No. 19SA30

Interlocutory Appeal from the District Court

El Paso County District Court Case No. 18CR4295

Honorable Jann P. DuBois, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Alexis Antonio Brown.

Order Reversed

en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2019 CO 64](#)

[Supreme Court Case No. 17SC147](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 13CA2117

Petitioner:

Juvenal Onel Garcia,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed
en banc

JUSTICE HOOD delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2019 CO 65

Supreme Court Case No. 17SC583

Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 16CA733

Petitioner:

Owners Insurance Company, a Michigan corporation,

v.

Respondent:

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

Judgment Affirmed in Part and Reversed in Part

en banc

JUSTICE HOOD delivered the Opinion of the Court.

JUSTICE SAMOUR concurs in parts and dissents in part, and **CHIEF JUSTICE COATS** joins in the concurrence in part and dissent in part.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2019 CO 66](#)

[Supreme Court Case No. 16SC267](#)

Certiorari to the District Court

Arapahoe County District Court Case No. 14CV31572

Petitioner:

Randy Campbell,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed

en banc

JUSTICE GABRIEL delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2019 CO 67

Supreme Court Case No. 18SA212

Certification of Question of Law

United States District Court for the District of Colorado Case No. 2017CV000631

Plaintiffs-Appellants:

Georgina Santich; Amanda Livingston; Rebecca Rail; Amanda Gabriel; Casandra Windecker; Gale Raffaele; Adrienne Axelson; Amanda Shafer; Brandi Campbell; Penny Watkins; Arielle Mansfield; Emily Bachelder; Amrica Terrell; Melanie Tracy; Ashley Wozneak; Laportia Oakley; Alexis Nagle; Janel Anderson; Porscha Green; Johanna Grissom; Karla Martinez; Amy Glines; Chada Mantooth; Ariel Cline; Alena Bailey; Jessica Saulters-Archuleta; Melissa Chavez; Talita Catto; Megan Fitzgerald; Christina Massaro; Andrea Abbott; Nicole Bujok; Rachel Berry; and Kimberly Hale, all individually and on behalf of all others similarly situated;

v.

Defendants-Appellees:

VCG Holding Corp.; Lowrie Management, LLLP; Denver Restaurant Concepts LP d/b/a PTs Showclub; Troy Lowrie; Michael Ocello; Kenkev, II, Inc. d/b/a PT's Showclub Portland; Indy Restaurant Concepts, Inc. d/b/a PT's Showclub Indy; Glenarm Restaurant LLC d/b/a Diamond Cabaret; Glendale Restaurant Concepts, LP d/b/a The Penthouse Club; Stout Restaurant Concepts, Inc. d/b/a La Boheme; and VCG Restaurants Denver, Inc. d/b/a PT's All Nude.

Certified Question Answered

en banc

JUSTICE HART delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

PETITIONS FOR REHEARING

2019 CO 44

Supreme Court Case No. 15SC1095
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 11CA1795

Petitioner:

David Lewis McCoy,

v.

Respondent:

The People of the State of Colorado.

Petition for Rehearing DENIED. EN BANC.

CHIEF JUSTICE COATS, JUSTICE BOATRIGHT and **JUSTICE SAMOUR** would grant the petition.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2019 CO 45

Supreme Court Case No. 15SC180
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 11CA2084

Petitioner:

Bob Junior Maestas,

v.

Respondent:

The People of the State of Colorado.

Petition for Rehearing DENIED. EN BANC.

CHIEF JUSTICE COATS, JUSTICE BOATRIGHT and **JUSTICE SAMOUR** would grant the petition.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 18SC849, Court of Appeals Case No. 17CA40

Petitioner:

Joseph L. McEntee,

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 *McCoy v. People*, 15SC1095, 2019 CO 44. EN BANC.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 18SC542, Court of Appeals Case No. 15CA741

Petitioner:

Ofelio Lorenzo Acosta,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC556, Court of Appeals Case No. 15CA1145

Petitioner:

Kyle Davis Murphy,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC856, Court of Appeals Case No. 17CA1219

In re the Marriage of

Petitioner:

Alexandre Garrett,
and

Respondent:

Daniel Meyer Heine.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC901, Court of Appeals Case No. 15CA1813

Petitioner:

Asim Abdullah,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC138, Court of Appeals Case No. 16CA1252

Petitioner:

Teresa Marie Dean,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC162, Court of Appeals Case No. 16CA326

Petitioner:

Manuel Hernandez,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 19SC165, Court of Appeals Case No. 16CA1582

Petitioner:

Jason Richard Anderson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC257, Court of Appeals Case No. 17CA1009

Petitioner:

Kevin R. Herrera,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC275, Court of Appeals Case No. 16CA1186

Petitioner:

Richard Brent Bradford,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC277, Court of Appeals Case No. 16CA1441

Petitioner:

Barry Alan Everett,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 19SC279, Weld County District Court Case No. 18CV30812

Petitioner:

Khabib Ibragimov,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE SAMOUR does not participate.

No. 19SC281, Court of Appeals Case No. 19CA167

Petitioner:

David Jaworski,

v.

Respondent:

Colorado State Board of Education.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC286, Court of Appeals Case No. 17CA718

Petitioner:

Bonnie Fay Pier-Danzey,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

No. 19SC288, Court of Appeals Case No. 16CA1970

Petitioner:

Anthony Lucas Mendoza,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 19SC300, Court of Appeals Case No. 16CA1401

Petitioner:

Saul Munoz,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC380, Court of Appeals Case No. 18CA1046

Petitioner:

C.H.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

M.H and A.H.

Petition for Writ of Certiorari DENIED. EN BANC.
