

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, JANUARY 28, 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 8

[Supreme Court Case No. 17SC312](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 15CA724

Petitioners/Cross-Respondents:

Patric J. Lehouillier and LeHouillier & Associates, P.C.,

v.

Respondent/Cross-Petitioner:

Della Gallegos.

Judgment Reversed
en banc

JUSTICE MÁRQUEZ delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2019 CO 9

[Supreme Court Case No. 16SC158](#)

Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 12CA1489

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Simon Kumbuugu.

Judgment Affirmed

en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2019 CO 10

[Supreme Court Case No. 18SA150](#)

Interlocutory Appeal from the District Court
Jefferson County District Court Case No. 17CR311
Honorable Philip McNulty, Chief Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Dominic Gabriel Barrios.

Order Reversed

en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.
JUSTICE MÁRQUEZ dissents, and **JUSTICE GABRIEL** and **JUSTICE HART** join in
the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 18SC656, Court of Appeals Case No. 14CA478

Petitioner:

John M. Halaseh,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the court of appeals could rely on the jury’s implicit findings and the principle of “maximizing” the jury’s verdict to remedy an insufficiency of the evidence violation by remanding the case with directions to impose four convictions on lesser offenses.

Whether the defendant was deprived of his right to notice of the charges against him when he was charged and tried on one count of theft but the appellate court added three more counts after the verdict.

Whether the defendant was deprived of his rights to due process and a jury trial when the jury found him guilty of one count of theft but the appellate court directed verdicts on four counts of theft.

DENIED AS TO ALL OTHER ISSUES.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 16SC838, Court of Appeals Case No. 14CA1389

Petitioner:

Kenneisha Cynthia Whitmore,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC123, Court of Appeals Case No. 15CA171

Petitioner:

Allen Michael Sparks,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC147, Court of Appeals Case No. 15CA296

Petitioner:

Thomas White,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC176, Court of Appeals Case No. 14CA1792

Petitioner:

William Jesse Rattler,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC344, Court of Appeals Case No. 15CA1852

Petitioner:

Nicholas David Martinez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC414, Court of Appeals Case No. 14CA144

Petitioner/Cross-Respondent:

The People of the State of Colorado,

v.

Respondent/Cross-Petitioner:

Michael Floyd Trujillo.

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

JUSTICE GABRIEL would grant as to the following issue:

Whether the trial court exceeded its statutory authority in sentencing Respondent/Cross-Petitioner to a probationary term of seven-years-to-life for two property crimes.

No. 18SC570, Court of Appeals Case No. 14CA1443

Petitioner:

Daryl D. Thompson, Sr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC711, District Court, City and County of Denver Case No. 17CV32396

Petitioner:

John Cooper,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC777, Court of Appeals Case No. 15CA981

Petitioner:

Zillanz Winter Falcon,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC788, Court of Appeals Case No. 17CA1881

In the Matter of Charles Craft Trust

Petitioner:

Ronald Craft,

v.

Respondent:

Melissa R. Schwartz, in her capacity as Successor Trustee of the Charles Craft Trust.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC799, Court of Appeals Case No. 17CA1198

Petitioner:

Ecoblast, LLC d/b/a High Impact,

v.

Respondent:

Country Mutual Insurance Company, an Illinois corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC806, Weld County District Court Case No. 18CV30292

Petitioner:

Howard Daniels,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC840, Court of Appeals Case No. 15CA1083

Petitioner:

Steven Mark Fernandez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC841, Court of Appeals Case No. 17CA281

Petitioner:

Robert Allen Padilla,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC889, Court of Appeals Case No. 18CA700

Petitioner:

C. J.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

K. D. D.R., III.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC890, Court of Appeals Case No. 17CA1607

Petitioner:

L. M. B.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

L. A. N. a/k/a L.A.C.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC915, Court of Appeals Case No. 17CA1345

Petitioner:

F. R.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

S. R. and D. R.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC7, Court of Appeals Case No. 18CA992

Petitioner:

M. R.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

V. R.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC9, Court of Appeals Case No. 17CA2387

Petitioner:

C. L. G.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

A. B. G.,

and Concerning

Respondent:

K. B. S.

Petition for Writ of Certiorari DENIED. EN BANC.
