

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, FEBRUARY 25, 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.

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**OPINIONS**

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**[2019 CO 14](#)**

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**[Supreme Court Case No. 17SA231](#)**

*Appeal from the District Court*

Pueblo County District Court, Water Division 2, Case No. 13CW3041

Honorable Larry C. Schwartz, Water Judge

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Concerning the Application for Water Rights of Donald E. Dill, Cathie G. Dill, Jerry R. Pearce, and Frances M. Pearce in Fremont County.

**Applicants-Appellees:**

Donald E. Dill, Cathie G. Dill, Jerry R. Pearce, and Frances M. Pearce,

v.

**Opposer-Appellant:**

Yamasaki Ring, LLC,

and

**Opposers-Appellees:**

Kevin Rein, State Engineer and Steve J. Witte, Division Engineer, Water Division 2.

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**Judgment Affirmed**

*en banc*

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**[Supreme Court Case No. 17SA303](#)**

*Appeal from the District Court*

Pueblo County District Court, Water Division 2, Case No. 12CW95

Honorable Larry C. Schwartz, Water Judge

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Concerning the Water Rights of Donald E. Dill, Cathie G. Dill, Jerry R. Pearce, and Frances M. Pearce in Fremont County.

**Applicants-Appellees:**

Donald E. Dill, Cathie G. Dill, Jerry R. Pearce, and Frances M. Pearce,

v.

**Opposer-Appellant:**

Yamasaki Ring, LLC,

and

**Opposers-Appellees:**

Tom French and Joan French,

and Concerning

**Defendants-Appellees:**

Bill Tyner, Division Engineer, Water Division 2 and Kevin Rein, State Engineer.

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**Judgment Affirmed**

*en banc*

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

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**RULE CHANGES**

[RULE CHANGE 2019\(06\)](#)

COLORADO RULES OF CIVIL PROCEDURE

Rules 80 and 380

**Amended and Adopted by the Court, En Banc, February 14, 2019, effective immediately.**

[RULE CHANGE 2019\(07\)](#)

COLORADO RULES OF CRIMINAL PROCEDURE

Rule 55

**Amended and Adopted by the Court, En Banc, February 14, 2019, effective immediately.**

**GRANTED PETITIONS FOR WRIT OF CERTIORARI**

**No. 18SC482, Larimer County District Court Case No. 17CV31055**

**Petitioner:**

Quinten Martinez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the district court erred under section 42-4-1307(7)(c), C.R.S. (2018), when it affirmed petitioner's sentence to 365 days in jail following a second probation revocation, after petitioner had already been sentenced to 355 days in jail for a prior probation revocation on the same charge.

DENIED AS TO ALL OTHER ISSUES.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**HELD PETITIONS FOR WRIT OF CERTIORARI**

18SC501, Barnhardt v. People  
**Held pending 17SC830, People v. Espinoza**

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 18SC432, Court of Appeals Case No. 16CA192**

**Petitioner:**

Edward Madison,

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. 18SC586, Court of Appeals Case No. 15CA100**

**Petitioner:**

Dennis Walker,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC660, Court of Appeals Case No. 16CA11**

**Respondent:**

The People of the State of Colorado,

**In the Interest of**

**Petitioner:**

M. P. P.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 18SC671, Court of Appeals Case No. 17CA741**

**Petitioner:**

Jean Marchant, as guardian of Krista Marchant,

v.

**Respondents:**

Boulder Community Health, Inc. and Cardon Outreach LLC, a foreign corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

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**No. 18SC847, Court of Appeals Case No. 14CA1288**

**Petitioner:**

Larry Ray Porter,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC864, Gilpin County District Court Case No. 18CV30009**

**Petitioner:**

Marlen Turner,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC897, Court of Appeals Case No. 17CA600**

**Petitioner:**

Carlton L. Yazzie,

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. 18SC906, Court of Appeals Case No. 16CA1513**

**Petitioner:**

Robert Samuel Leibensperger,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC907, Court of Appeals Case No. 16CA2038**

**Petitioner:**

Jesse Gene Sanchez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC918, Court of Appeals Case No. 17CA622**

**Petitioner:**

Ernest Joseph Tibbels,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC922, Court of Appeals Case No. 17CA1130**

**Petitioner:**

Kevin Robert Faulkner,

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. 18SC924, Court of Appeals Case No. 13CA979**

**Petitioner:**

Roberto Monroy-Enriquez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC925, Court of Appeals Case No. 15CA1872**

**Petitioner:**

Lee George McDonald,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 18SC926, Court of Appeals Case No. 16CA1538**

**Petitioner:**

Michael Orlando Rollie,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 19SC35, Court of Appeals Case No. 17CA2174**

**Petitioner:**

R. L. II,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

R. L., III and K. D. L.,

and Concerning

C. L.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 19SC36, Court of Appeals Case No. 18CA540**

**Petitioner:**

R. H.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

Y. H.-F.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 19SC59, Court of Appeals Case No. 17CA1177**

**Petitioner:**

N. C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

L. C. and H. C.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 19SC60, Court of Appeals Case No. 17CA2063**

**Petitioner:**

P. G.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

L. J. W.,

and Concerning

J. W.

Petition for Writ of Certiorari DENIED. EN BANC.

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