CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, NOVEMBER 4, 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 89

Supreme Court Case No. 14SC282
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 11CA225

Petitioner:

Johnny Maurice Melton,

v.

Respondent:

The People of the State of Colorado.

Judgment Reversed
en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
JUSTICE BOATRIGHT concurs in the judgment.
CHIEF JUSTICE COATS dissents.

2019 CO 90

Supreme Court Case No. 16SC592
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 13CA1216

Petitioner:

Belinda May Wells-Yates,

v.

Respondent:

The People of the State of Colorado.

Judgment Reversed
en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
JUSTICE BOATRIGHT concurs in the judgment.
CHIEF JUSTICE COATS dissents.

2019 CO 91

Supreme Court Case No. 16SC753
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 15CA545

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Clifton Eugene McRae.

Judgment Reversed
en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
JUSTICE BOATRIGHT concurs in the judgment.
CHIEF JUSTICE COATS concurs in part and dissents in part.

PETITIONS FOR REHEARING

2019 CO 86M

Supreme Court Case No. 18SC225
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 15CA126

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Brooke E. Rojas.

Opinion modified, and as modified, petition for rehearing DENIED. EN BANC.

2019 CO 87

Supreme Court Case No.17SC692
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 14CA986

Petitioner:

Caleb Charles Butler,

v.

Respondent:

The People of the State of the Colorado.

Petition for Rehearing DENIED. EN BANC.

ORIGINAL PROCEEDING

19SA234, In Re People in the Interest of E.R.G.
District Court, Adams County, 18JD571
Order to Show Cause issued on October 25, 2019.

CERTIORARI CASE DISMISSED

Case No. 18SC180, Court of Appeals No. 15CA354
Petitioner:
Raymond Muniz,
v.
Respondent:
The People of the State of Colorado.

In light of this Court's Opinion in *Carrera v. People,* 2019 CO 83, ____P.3d____, announced on September 30, 2019, certiorari in this case was DISMISSED on October 24, 2019.

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 19SC237, Court of Appeals Case No. 17CA1623
Petitioners:
The People of the State of Colorado, Colorado Bureau of Investigation for the State of Colorado, and Office of State Court Administrator for the State of Colorado,
v.
Respondent:
Joshua J. Ray, Sr.

Petitions for Writ of Certiorari GRANTED. EN BANC.

Whether a court-filed Notice of Short Term Mental Health Certification constitutes a court order for purposes of Colorado's National Criminal Instant Background Check System reporting statutes, or, alternatively, whether the court of appeals erred in failing to apply the scrivener's error doctrine.

DENIED AS TO ALL OTHER ISSUES.

No. 19SC396, Court of Appeals Case No. 17CA1924
Petitioner:
The People of the State of Colorado,
In the Interest of
Respondent:
B.D.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the court of appeals erred in holding that, before a court can impose an enhanced sentence under the at-risk person statute, there must be evidence that the complicitor had an awareness of the fact that an at-risk person was present during the commission of the offense.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 19SC109, Court of Appeals Case No. 16CA1503
Petitioner/Cross-Respondent:
The People of the State of Colorado,
In the Interest of
Respondent/Cross-Petitioner:
J.J.S.

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

No. 19SC230, Court of Appeals Case No. 17CA2106
Petitioners:
Amaresh Chukkapalli,
v.
Respondent:
American Family Mutual Insurance Company.

Petition for Writ of Certiorari DENIED. EN BANC.

19SC374, Arapahoe County District Court Case No. 17CV31430
Petitioner:
Elizabeth Treece,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC383, Court of Appeals Case No. 15CA1992
Petitioner:
John Edward Lorenz,
v.
Respondents:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC394, Court of Appeals Case No. 16CA1258
Petitioner:
Georgie Louise Hand,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL would grant as to the following issue:

Whether an appellate court may affirm a conviction on complicity grounds when the prosecution explicitly removed complicity from the jurors' consideration.

No. 19SC395, Court of Appeals Case No. 16CA43
Petitioner:
Seth Erin Wilkinson,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC466, Court of Appeals Case No. 16CA157
Petitioner:
Christopher Edward Butler,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC469, Court of Appeals Case No. 15CA1823
Petitioner:
Esteban Ceballos-Rios,
v.
Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC480, El Paso County District Court Case No. 18CV32792
Petitioner:
Wyatt Robert Lintz,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC493, Court of Appeals Case No. 15CA2104
Petitioner:
Daijon Tauron Tyler,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC494, Court of Appeals Case No. 17CA628
Petitioner:
The People of the State of Colorado,
v.
Respondent:
Ricardo Chalchi-Sevilla.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC509, Court of Appeals Case No. 17CA806
Petitioner:
James Nash,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC520, Court of Appeals Case No. 17CA9
Petitioner:
Bobby Farwell,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC524, Court of Appeals Case No. 17CA2078
In re the Marriage of
Petitioner:
Todd Wensler,
and
Respondent:
Loura Wensler.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC535, Court of Appeals Case No. 16CA2064
Petitioner:
Russell Boles,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC545, Court of Appeals Case No. 16CA1170
Petitioner:
Brandon Michael Foote,
v.
Respondent:
The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 19SC717, Court of Appeals Case No. 18CA1787
Petitioners:
M. A. M.-M. and F. N. A.,
v.
Respondent:
The People of the State of Colorado,

In the Interest of Minor Children:
T. F. M.-A. and J. K. M.-M.

Petitions for Writ of Certiorari DENIED. EN BANC.

No. 19SC760, Court of Appeals Case No. 19CA951
Petitioner:
R. L.,
v.
Respondent:
The People of the State of Colorado,
In the Interest of Minor Child:
N. M. M.

Petition for Writ of Certiorari DENIED. EN BANC.