

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, SEPTEMBER 7, 2021**

"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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**ORIGINAL PROCEEDING**

[21SA260](#)      In Re the Marriage of Nicole Flores and Hakiowskie Flores  
Order to show cause issued on September 1, 2021

**HELD PETITIONS FOR WRIT OF CERTIORARI**

No. 21SC81, Specht v. People  
Held pending 19SC249, *People v. Cooper*.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 20SC770, Court of Appeals Case No. 19CA860**

**Petitioner:**

Colorado Department of Public Health and Environment,

v.

**Respondent:**

Heartland Biogas, LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 20SC776, Court of Appeals Case No. 17CA972**

**Petitioner:**

Timothy C. Houser,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 20SC910, Court of Appeals Case No. 19CA537**

**Petitioners:**

RF Elati 4125 LTD, RF Colorado 4715 LTD, and RF Smith 7200 LTD,

v.

**Respondents:**

Anthony Sauro, Matthew Aiken, and Christian Johnson.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC24, Court of Appeals Case No. 17CA443**

**Petitioner:**

Jeremy Douglas Ervin,

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. 21SC40, Court of Appeals Case No. 19CA987**

**Petitioners:**

Mareca Pallister, M.D., and Catholic Health Initiatives Colorado, d/b/a Centura Health-Mercy Regional Medical Center of Durango,

v.

**Respondent:**

Abigail Dean, a minor, by and through her parent and next friend, Oriel Kaminky.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

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**No. 21SC51, Custer County District Court Case No. 20CV30013**

**Petitioner:**

Matthew Ferry,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC57, Court of Appeals Case No. 18CA1357**

**Petitioner:**

N'Neka L. Crews,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL and JUSTICE BERKENKOTTER would grant as to the following issue:

Whether the leaving the scene conviction was entered in violation of due process when the State did not prove beyond a reasonable doubt the driver knew of her involvement in an accident resulting in injury to a person.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC73, Court of Appeals Case No. 19CA1554**

**Petitioner:**

Michael L. Bensen,

v.

**Respondents:**

Executive Director of Colorado Department of Corrections and Warden of Crowley County Corrections Facility.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC89, Court of Appeals Case No. 17CA2200**

**Petitioner:**

George Osonau Tiba,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC94, Court of Appeals Case No. 19CA512**

**Petitioner:**

Charlotte Redden,

v.

**Respondent:**

Clear Creek Skiing Corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD would grant as to the following issue:

Whether a ski area operator can contractually exculpate itself from the statutory duties and liabilities imposed on it by the General Assembly in the Ski Safety Act (“SSA”) and the Passenger Tramway Safety Act (“PTSA”).

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**No. 21SC107, Court of Appeals Case No. 19CA1537**

In re the Parental Responsibilities Concerning A.F., a Child,

**Petitioner:**

Monique Cressey,  
and

**Respondent:**

Converse Smith Fields,

**and Concerning**

**Intervenors:**

Bryan C. Cressey and Christina Cressey.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC109, Court of Appeals Case Nos. 19CA978 & 15CA772**

**Petitioners:**

Lamar Guthrie and Gail Guthrie,  
v.

**Respondent:**

Highline Court Homeowners' Association.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC123, Court of Appeals Case No. 18CA2401**

**Petitioner:**

The People of the State of Colorado,  
v.

**Respondent:**

James Edward Patton.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRIGHT would grant as to the following issue:

Whether the court of appeals violated the party presentation principle by expanding *People v. Bergerud*, 223 P.3d 686 (Colo. 2010) to require trial courts to affirmatively produce evidence regarding a party's motion to substitute counsel.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC133, Court of Appeals Case No. 19CA42**

**Petitioner:**

Matthew Heath Rampy,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC150, Court of Appeals Case No. 19CA27**

**Petitioner:**

Johnathon Allen Beach,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC152, Summit County District Court Case No. 16CV12**

**Petitioner:**

Michael Tsivyan,

v.

**Respondent:**

Quiet Pines, LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC153, Court of Appeals Case No. 18CA1879**

**Petitioner:**

Shawn Patrick Marston,

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. 21SC155, Court of Appeals Case No. 19CA1876**

**Petitioners:**

Crea J. McMullin and Martha E. McMullin,

v.

**Respondents:**

Joseph Conrado and Kelly Conrado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC164, Court of Appeals Case No. 17CA2281**

**Petitioner:**

Kevin Leroy Taylor,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC168, Court of Appeals Case No. 20CA991**

**Petitioner:**

G. T.,

v.

**Respondents:**

L. R. and A. V.,

**for the adoption of a Child**

E. G. T.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC171, Court of Appeals Case No. 19CA1289**

**Petitioner:**

Pacific Express Stables LLC,

v.

**Respondent:**

Signpost Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC182, Arapahoe County District Court Case No. 19CV32948**

**Petitioner:**

Curtis Jackson, Jr.,

v.

**Respondent:**

The People of the City of Aurora.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC186, Court of Appeals Case No. 17CA314**

**Petitioner:**

Byron Glover,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC188, Court of Appeals Case No. 19CA1205**

**In re the Marriage of**

**Petitioner:**

Kathryn Thurman James,

and

**Respondent:**

Reed Brownlee James.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC204, Court of Appeals Case No. 20CA2034**

**Petitioner:**

Muskrat Salvage aka Steven R. Prestash,

v.

**Respondents:**

Greg Labbe, Leadville City Council, and Leadville Lake County Economic Development Corporation a/k/a LLCEDC.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC213, Court of Appeals Case No. 18CA598**

**Petitioner:**

Adam Taft Snider,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL and JUSTICE SAMOUR would grant as to the following issue:

Whether the court violated Mr. Snider's due process rights by refusing to instruct the jury on self-defense with respect to second degree assault.

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**No. 21SC224, Court of Appeals Case No. 16CA1730**

**Petitioner:**

Jessel Roberto Aguilar,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC235, Court of Appeals Case No. 18CA2275**

**Petitioner:**

Paul Griffin Bobb, Jr.,

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. 21SC238, Court of Appeals Case No. 18CA154**

**Petitioner:**

Charles Moises Gonzales,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC258, Court of Appeals Case No. 17CA680**

**Petitioner:**

Randy Vasquez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC260, Court of Appeals Case No. 20CA691**

**Petitioner:**

Prairie Mountain Publishing Company, LLP, d/b/a Daily Camera,

v.

**Respondent:**

Regents of the University of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC263, District Court, City and County of Denver Case No. 20CV31082**

**Petitioner:**

Ann Marie Clark,

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. 21SC265, Court of Appeals Case No. 17CA2158**

**Petitioner:**

Jose Alfredo Ocampo,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC267, Court of Appeals Case No. 18CA1911**

**Petitioner:**

Jeramie Marrero,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC283, Court of Appeals Case No. 17CA2395**

**Petitioner:**

Adam Joseph Montoya,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC284, Court of Appeals Case No. 18CA436**

**Petitioner:**

Raymonde Ernest Beverly IV,

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. 21SC297, Court of Appeals Case No. 18CA40**

**Petitioner:**

David Blanco,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC303, Court of Appeals Case No. 18CA1847**

**Petitioner:**

Robert M. Perea,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC304, Court of Appeals Case No. 18CA1299**

**Petitioner:**

William Andrew Curtis,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC309, Court of Appeals Case No. 19CA67**

**Petitioner:**

Bradley James Mitchell,

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. 21SC317, Court of Appeals Case No. 16CA1457**

**Petitioner:**

Andrew Bryant Souser,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

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**No. 21SC323, Court of Appeals Case No. 17CA770**

**Petitioner:**

Jonathan Dovann Chavez-Munoz,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC324, Court of Appeals Case No. 19CA2169**

**Petitioner:**

Amberlee Elizabeth Theodoratos,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC330, Court of Appeals Case No. 18CA906**

**Petitioner:**

Dwight Gordon,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC333, Court of Appeals Case No. 21CA434**

**Petitioner:**

Cedric Greene,

v.

**Respondents:**

Bank of America, NA and Office of the Comptroller of the Currency.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC517, Court of Appeals Case No. 20CA2035**

**Petitioner:**

M. D. C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

K.L- M.C.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC521, Court of Appeals Case No. 20CA2006**

**Petitioner:**

G. M.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

Z. M.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC523, Court of Appeals Case No. 21CA790**

**Petitioner:**

C. P. a/k/a K. A.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

K. P., L. P., and M. P.,

and

**Respondent:**

C. P.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC537, Court of Appeals Case No. 20CA1789**

**Petitioner:**

J. C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

K. C. H.,

**and Concerning**

R. H.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC538, Court of Appeals Case No. 20CA1964**

**Petitioner:**

M. M.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

Jam. M., Jac. M., and Jo. M.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC555, Court of Appeals Case No. 20CA1861**

**Petitioner:**

J. B.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

A. E. B.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC557, Court of Appeals Case No. 20CA1940**

**Petitioner:**

R. D.H-J.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

R. M. H-J. II.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC558, Court of Appeals Case No. 20CA2029**

**Petitioner:**

P. M.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

I. M.

Petition for Writ of Certiorari DENIED. EN BANC.

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