

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, FEBRUARY 1, 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.

OPINIONS

[2021 CO 7](#)

Supreme Court Case No. 19SC548
Certiorari to the District Court
El Paso County District Court Case No. 18CV30268

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Michael Garcia.

Judgment Reversed
en banc

JUSTICE HOOD delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 8](#)

Supreme Court Case No. 20SA321
Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 19CV34492
Honorable Brian R. Whitney, Judge

In Re
Plaintiffs:

Kandice Raven, Jane Gallentine, Taliyah Murphy, Amber Miller, Megan Gulley, Lavenya Karpierz, and Cupcake Rivers, as representatives of themselves and all others similarly situated in this class action,

v.

Defendants:

Jared Polis, Governor of Colorado; Colorado Department of Corrections; Dean Williams, Executive Director of the Colorado Department of Corrections; Travis Trani, Director of Prisons; Randolph Maul, M.D., Colorado Department of Corrections Chief Medical Officer; Sarah Butler, M.D., Chief of the Gender Dysphoria Committee and Chief of Psychiatry; William Frost, M.D., former Colorado Department of Corrections Chief Medical Officer; and Darren Lish, M.D., former Chief of Psychiatry.

Rule Discharged
en banc

JUSTICE HART delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 9](#)

Supreme Court Case No. 19SC573
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 17CA204

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Phillip L. Ross.

Judgment Affirmed
en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
JUSTICE MÁRQUEZ does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

PETITIONS FOR REHEARING

[2021 CO 4M](#)

Supreme Court Case No. 20SC225
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 18CA2136

Petitioners:

Richard Schaden; MCE-DIA, LLC, a Michigan limited liability company; Midfield Concessions Enterprises, Inc. a Michigan limited liability company; Andrea Hachem; Nouredine “Dean” Hachem; Samir Mashni; Simrae Solutions LLC, a Colorado limited liability company; Sudan I. Muhammad; Pangea Concessions Group LLC, a Florida limited liability company; Niven Patel; and Rohit Patel,

v.

Respondent:

DIA Brewing Co., LLC, a Colorado limited liability company.

Opinion modified, and as modified, Petition for Rehearing DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

ORIGINAL PROCEEDING

[21SA26](#)

In Re Henry, Kevin v Bank of New York
Order to Show Cause issued on January 25, 2021

GRANTED PETITION FOR WRIT OF CERTIORARI

No. 20SC811, Court of Appeals Case No. 17CA1395

Petitioner:

Carlos Raye Trusty,

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 *Linnebur v. People*, 18SC884, 2020 CO 79M. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 20SC752, District Court, City and County of Denver Case No. 19CV32569

Petitioner:

Candice Moore,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC756, Court of Appeals Case No. 18CA844

Petitioner:

James Henry Alexander,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC762, Court of Appeals Case No. 18CA1683

Petitioner:

Anthony Rocha,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC766, Court of Appeals Case No. 18CA76

Petitioner:

David Buskey,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 20SC767, Court of Appeals Case No. 18CA1777

Petitioner:

Thomas Mark Hild,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC774, Court of Appeals Case No. 16CA1008

Petitioner:

Dynel Catrece Lane,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 20SC777, Court of Appeals Case No. 17CA1909

Petitioner:

Brian Scott Pattison,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC780, Court of Appeals Case No. 18CA460

Petitioner:

Ryan Krueger,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 20SC787, Court of Appeals Case No. 17CA2177

Petitioner:

Aaron Romero,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC798, Court of Appeals Case No. 17CA2239

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

O. A. M.- L.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC807, La Plata County District Court Case No. 19CV30130

Petitioner:

The People of the State of Colorado,

v.

Respondent:

David Cortez.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRIGHT would grant as to the following issue:

Whether the propriety condition in a criminal protection order is an element of the offense of violation of a protection order that must be proven beyond a reasonable doubt.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 20SC980, Court of Appeals Case No. 20CA858

Petitioner:

D. W.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

J. W. and Z. G.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 20SC1006, Court of Appeals Case No. 20CA10

Petitioners:

B. M. and K. T.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

S. M.

Petitions for Writ of Certiorari DENIED. EN BANC.

No. 21SC14, Court of Appeals Case No. 20CA479

Petitioner:

P. C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

H. R. C.,

and Concerning

D. C.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC16, Court of Appeals Case No. 20CA985

Petitioner:

Z. K.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

Z. K., E. K., and O. K.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC17, Court of Appeals Case No. 20CA817

Petitioner:

R. C. C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

N. R. C.

Petition for Writ of Certiorari DENIED. EN BANC.
