

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
TUESDAY, JUNE 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 36](#)

Supreme Court Case No. 20SA103

Appeal from the District Court

District Court, City and County of Denver, Case No. 19CV31602

Honorable Eric M. Johnson, Judge

Petitioner-Appellant:

San Isabel Electric Association, Inc.,

v.

Respondents-Appellees:

The Public Utilities Commission of the State of Colorado; Jeffrey Ackermann, in his official capacity as Chairman of the Public Utilities Commission of the State of Colorado; Frances A. Koncilja, in her official capacity as a member of the Public Utilities Commission of the State of Colorado; John Gavan, in his official capacity as a member of the Public Utilities Commission of the State of Colorado; Black Hills Colorado Electric, LLC; and Black Hills Colorado Wind, LLC.

Judgment Affirmed

en banc

JUSTICE MÁRQUEZ delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 37](#)

Supreme Court Case No. 21SA146
*Original Proceeding Pursuant to Article VI, Section 3 of the
Constitution of the State of Colorado*

**In Re: Interrogatories on Senate Bill 21-247 Submitted by the Colorado General
Assembly**

General Assembly's Interrogatories Answered
en banc

JUSTICE MÁRQUEZ delivered the Opinion of the Court.
JUSTICE HOOD dissents, and **JUSTICE GABRIEL** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 38](#)

Supreme Court Case No. 20SC314
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 19CA991

Petitioners:

The People of the State of Colorado,

In the Interest of Minor Child: S.A.G.;

and

S.A.G., Minor Child,

v.

Respondents:

B.A.G. and A.W.D.

Judgment Affirmed in Part and Reversed in Part
en banc

JUSTICE HOOD delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 39](#)

Supreme Court Case No. 20SC498
C.A.R. 50 Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 19CA2286
Arapahoe County District Court Case No. 18JV623
Honorable Natalie T. Chase, Judge

Petitioners:

The People of the State of Colorado,

In the Interest of Minor Child: B.H.;

and

B.H., Minor Child,

v.

Respondent:

D.H.

Judgment Affirmed in Part and Vacated in Part
en banc

JUSTICE HOOD delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 40](#)

Supreme Court Case No. 20SC438
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 18CA156

Petitioner:

Wesley Richard DePriest,

v.

Respondent:

The People of the State of Colorado.

Judgment Vacated
en banc

JUSTICE BERKENKOTTER delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

PETITIONS FOR REHEARING

2021 CO 25

Supreme Court Case No. 19SC933
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 18CA32

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Alma Vidauri.

Petition for Rehearing DENIED. EN BANC.
JUSTICE MÁRQUEZ, JUSTICE HART, and JUSTICE BERKENKOTTER would grant
the petition.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2021 CO 27

Supreme Court Case No. 19SC986
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 18CA1131

Petitioners:

State of Colorado, Department of Natural Resources; and Parks and Wildlife
Commission and Division of Parks and Wildlife,

v.

Respondent:

5 Star Feedlot, Inc.

Petition for Rehearing DENIED. EN BANC.

JUSTICE HOOD, JUSTICE HART, and JUSTICE BERKENKOTTER would grant the
petition.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2021 CO 28

Supreme Court Case No. 19SC556
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 16CA1145

Petitioner:

Shaun David Keller Lawrence,

v.

Respondent:

The People of the State of Colorado.

Petition for Rehearing DENIED. EN BANC

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

ORIGINAL PROCEEDING

[21SA79](#) In Re People v. Brown, George
Order issued on May 27, 2021

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 21SC13, Court of Appeals Case No. 18CA2245

Petitioner:

Jason Alan Cappelli,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC98, Court of Appeals Case No. 18CA2104

Petitioner:

Joseph Gilbert Lucero, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC105, Court of Appeals Case No. 17CA2278

Petitioner:

Daniel Lee Tatro,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC110, El Paso County District Court Case No. 20CV31104

Petitioner:

Laura Herman,

v.

Respondent:

Colorado Department of Revenue, Motor Vehicle Division.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC120, Court of Appeals Case No. 17CA2277

Petitioner:

Eli Swazo,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC121, Court of Appeals Case No. 16CA138

Petitioner:

Derek Michael Rigsby,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 21SC128, Court of Appeals Case No. 19CA711

Petitioner:

William Frederick Stock,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC131, San Miguel County District Court Case No. 19CV30028

Petitioner:

Brian Ahern,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC137, Court of Appeals Case No. 16CA869

Petitioner:

Alan Eugene DeAtley,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC138, Court of Appeals Case No. 18CA2237

Petitioner:

Angelo Emilio Montoya,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC328, Court of Appeals Case No. 20CA1506

Petitioner:

M. D.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

H. E.

Petition for Writ of Certiorari DENIED. EN BANC.
