

2020SC533 (1 HOUR)

Petitioner/Cross-Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

K. C. and L. C.,

v.

Respondents/Cross-Petitioners:

K. C. and L. C.,

and Concerning

Respondent:

D. C..

For the Petitioner/Cross-Respondent The People of the State of Colorado:

Kimberlee Rae Keleher
LOGAN COUNTY ATTORNEYS OFFICE

For the Respondent/Cross-Petitioner K. C. and L. C.:

Josi Anne McCauley Guardian Ad Litem
JOSI MCCAULEY LLC

For the Respondent D. C.:

Debra Westhoff Dodd
DEBRA W. DODD PC

For Amicus Curiae Chickasaw Nation

Debra Gee
Chickasaw Nation Legal Division
and
Kathryn Fort
Indian Law Clinic, Michigan State U
and
Laura E Jones
VAN NESS FELDMAN LLP

For Amicus Curiae Office of Respondent Parents Counsel

Melanie L Jordan
OFFICE OF RESPONDENT PARENTS COUNSEL

Certiorari to the Colorado Court of Appeals, 2019CA1682
Docketed: June 25, 2020
At Issue: January 20, 2021

ISSUE(S):

[REFRAMED] Whether the Indian Child Welfare Act ('ICWA') requires the trial court to hold a 'tribal enrollment hearing' to determine whether it is in the children's best interest to become Indian Children as a pre-requisite to termination of parental rights.

Whether the trial court can order the Department to enroll children in an Indian tribe over a parent's objection during a 'tribal enrollment hearing.'

Whether the Court of Appeals, in departing from decisions of other divisions, erred in reversing the judgment of the trial court rather than limitedly remanding the proceedings for further determinations.

Vacated

2019SC631 (1 HOUR)

Petitioners:

Francis Rudnicki and Pamela Rudnicki, as parents,
guardians and next friends of Alexander Rudnicki, a minor
child,

v.

Respondent:

Peter Bianco, D.O..

For the Petitioners:

Henry Minitier
DAN CAPLIS LAW
and
Clayton Earl Wire
Thomas Dean Neville
OGBORN MIHM LLP
and
David Scott Woodruff
WAHLBERG WOODRUFF NIMMO SLOANE LLP

For the Respondent:

Kendra Nychel Beckwith
MESSNER REEVES LLP

**For Amicus Curiae American Property Casualty
Insurance Association; Colorado Defense Lawyers
Association; Colorado Civil Justice League**

Margrit Alice Lent Parker
LENT PARKER LAW LLC

For Amicus Curiae Childrens Hospital Colorado

Marjorie Taylor Smith
Traci L Van Pelt
MCCONNELL VAN PELT, LLC

**For Amicus Curiae Colo Dept of Health Care Policy
and Fina**

Alisa Ann Campbell
OFFICE OF THE ATTORNEY GENERAL

**For Amicus Curiae Coloradans Protecting Patient
Access**

Shawn Kimberly Neal
Theresa Wardon Benz
WHEELER TRIGG O'DONNELL LLP

SUPREME COURT, STATE OF COLORADO
Oral Argument: Tuesday, March 9, 2021
continued

10:15 a.m.
EN BANC

**For Amicus Curiae Colorado Trial Lawyers
Association**

Kylie Marie Schmidt
DARLING MILLIGAN PC
and
Molly Lee Greenblatt
Julia Treacy Thompson
LEVENTHAL PUGA BRALEY P.C.
and
David P Mason
THE KOMYATTE LAW FIRM LLC

Certiorari to the Colorado Court of Appeals, 2018CA215
Docketed: August 22, 2019
At Issue: January 20, 2021

ISSUE(S):

[REFRAMED] Whether the court of appeals erred in concluding that the Department of Healthcare Policy and Financing does not have a valid lien against the minor child plaintiff's recovery.

[REFRAMED] Whether this court should abandon the common law rule that tort damages for medical expenses incurred by an unemancipated minor may be recovered only through a derivative claim brought by the minor's parents.

Vacated

2019SC249 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Kerry Lee Cooper.

For the Petitioner:

Katharine Jackson Gillespie
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Tracy C Renner
COLORADO STATE PUBLIC DEFENDER

Certiorari to the Colorado Court of Appeals, 2015CA576
Docketed: April 4, 2019
At Issue: December 14, 2020

ISSUE(S):

[REFRAMED] Whether the court of appeals erred in concluding that blind expert testimony on domestic violence was inadmissible because the charged act was the first act of domestic violence in the relationship.

[REFRAMED] Whether the court of appeals erred in concluding that blind expert testimony on domestic violence must be limited to those facets of a subject that are specifically tied to the particular facts of the case.

Whether the court of appeals erred in finding that the admission of the expert testimony was not harmless.

Vacated

2019SC485 (30 MINUTES)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Dylan Thomas Coons.

For the Petitioner:

William George Kozeliski
COLORADO DEPARTMENT OF LAW

For the Respondent:

Britta Kruse
OFFICE OF THE PUBLIC DEFENDER

Certiorari to the Colorado Court of Appeals, 2015CA1922

Docketed: June 26, 2019

At Issue: December 14, 2020

ISSUE(S):

Whether the court of appeals erred in finding the entirety of a blind expert's testimony under CRE 702 must be limited to occurrences that are specifically tied to the particular facts of the case.

Whether the court of appeals erred in finding the admission of the expert testimony was not harmless.

2020SC6 (30 MINUTES)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Elmo Jesse Johnson.

For the Petitioner:

William George Kozeliski
COLORADO DEPARTMENT OF LAW

For the Respondent:

Stephen Carl Arvin
OFFICE OF THE STATE PUBLIC DEFENDER

Certiorari to the Colorado Court of Appeals, 2016CA152

Docketed: January 3, 2020

At Issue: January 20, 2021

ISSUE(S):

[REFRAMED] Whether the court of appeals erred in holding that the exclusionary rule precludes the prosecution from offering constitutionally suppressed evidence in response to defense-elicited truthful, yet incomplete evidence that may mislead the jury.

2020SA375 (ONE HOUR)

In Re:

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Michael Anthony Manaois.

For the Plaintiff:

Richard Fuller Lee
DENVER DISTRICT ATTORNEYS OFFICE

For the Defendant:

Colleen Kelley
WOLF LAW LLC

Original Proceeding, District Court, Denver District Court, 2009CR2924

Docketed: November 4, 2020

At Issue: January 21, 2021

ISSUE(S):

Whether a district court may sentence a defendant to consecutive terms of prison and SOISP in the same case.

Whether the court of appeals erred in invalidating the defendant's guilty plea based on its finding that his sentence was illegal.

2020SA423 (ONE HOUR)

In Re:

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Patrick S. Keen.

For the Plaintiff:

Richard Fuller Lee
DENVER DISTRICT ATTORNEYS OFFICE

For the Defendant:

Robert Edward Halpern
David Rosen
OFFICE OF THE PUBLIC DEFENDER

Original Proceeding, District Court, Denver District Court, 2011CR2046

Docketed: December 22, 2020

At Issue: February 12, 2021

ISSUE(S):

Whether a district court may sentence a defendant to consecutive terms of prison and determinate SOISP in the same case.

Whether the defendants' guilty pleas are valid, and if not, whether they are merely voidable or void ab initio.
