
Courts in the Community - Westminster High School

2016SC267 (1 HOUR)

Petitioner:

Randy Campbell,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

M. Shelby Deeney
OFFICE OF THE PUBLIC DEFENDER

For the Respondent:

Susan Joyce Trout
OFFICE OF THE DISTRICT ATTORNEY

For Amicus Curiae Colorado Criminal Defense Bar

Antony Mark Noble
Samantha Taylor Ivy
Matthew Roy Fredrickson
THE NOBLE LAW FIRM LLC

**For Amicus Curiae Colorado District Attorneys'
Council**

Thomas R Raynes
Jennifer R Knudsen
COLORADO DISTRICT ATTORNEYS COUNCIL
and
Katherine A Hansen
DENVER DISTRICT ATTORNEYS OFFICE

Certiorari to the District Court, Arapahoe County, 2014CV31572

Docketed: April 5, 2016

At Issue: March 11, 2019

ISSUE(S):

[REFRAMED] Whether the trial court abused its discretion in permitting a police officer to testify regarding the results of a Horizontal Gaze Nystagmus test, without first qualifying that officer as an expert witness under CRE 702 and this Court's decision in Venalanzo v. People, 2017 CO 9, 388 P.3d 868.

Courts in the Community - Westminster High School

2017SC116 (1 HOUR)

Petitioner:

The People of the State of Colorado,

In the Interest of

Respondent:

R. D..

For the Petitioner:

Joseph G Michaels
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

James Steiner Hardy
OFFICE OF THE PUBLIC DEFENDER

Certiorari to the Colorado Court of Appeals, 2014CA1800
Docketed: February 9, 2017
At Issue: March 11, 2019

ISSUE(S):

[REFRAMED] Whether the court of appeals erred in determining that the defendant's comments, made on Twitter, were protected by the First Amendment.

2018SC54 (1 HOUR)

Petitioner:

Eman Ali,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

John Byram Plimpton
OFFICE OF THE PUBLIC DEFENDER

For the Respondent:

Carmen Moraleda
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2015CA1798

Docketed: January 22, 2018

At Issue: March 11, 2019

ISSUE(S):

[REFRAMED] Whether a self-defense instruction modeled on the self-defense statute which refers to a single assailant is, by itself, sufficient to inform the jury to consider the totality of the circumstances, including multiple assailants.

[REFRAMED] Whether a preserved challenge to a self-defense instruction is reviewed for constitutional or nonconstitutional harmless error.

[REFRAMED] Whether the trial court's failure to instruct the jury to consider multiple assailants in evaluating petitioner's self-defense claim was harmless.

2017SC29 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Johnny Guillermo Delgado.

For the Petitioner:

Kevin E McReynolds
COLORADO ATTORNEY GENERALS OFFICE

For the Respondent:

Elizabeth F Griffin
COLO STATE PUBLIC DEFENDER

Certiorari to the Colorado Court of Appeals, 2013CA2024
Docketed: January 12, 2017
At Issue: March 11, 2019

ISSUE(S):

[REFRAMED] Whether the court of appeals erred in concluding the jury's verdicts finding defendant guilty of both robbery and theft were inconsistent under People v. Frye, 898 P.2d 559 (Colo. 1995).

[REFRAMED] Whether the court of appeals erred by reversing for a new trial for inconsistent jury verdicts, instead of maximizing the jury verdicts by affirming the most serious conviction.

2018SA215 (1 HOUR)

Plaintiff-Appellant:

The Luskin Daughters 1996 Trust for the benefit of
Lyndell Joy Luskin Ackerman, Matthew Riley, Trustee,

v.

Defendants-Appellees:

Steve Young a/k/a Stephen W. Young and Heather
Young a/k/a Heather A. Young,

and

Appellee Pursuant to C.A.R. 1(e):

Corey DeAngelis, Division Engineer, Water Division 1.

For the Plaintiff-Appellant:

Gilbert Y Marchand
ALPERSTEIN COVELL P. C.

For the Defendants-Appellees:

Kevin J Kinnear
PORZAK BROWNING BUSHONG LLP

Appeal from the District Court, , 2018CW3063
Docketed: August 28, 2018
At Issue: March 11, 2019

ISSUE(S):

Whether the water judge erred as a matter of law in finding that the water court did not have subject matter jurisdiction over the water matters described in the complaint and ancillary jurisdiction over the ditch easement and damage claims

Whether the water judge erred as a matter of law in finding that, since an undecreed water right was involved, the complaint failed to state a claim upon which relief can be granted and that, in order to seek its declaratory and injunctive relief and damages, Luskin must first file and publish notice of a water court application pursuant to §37-92-302, C.R.S. (2018).

Whether the water judge erred as a matter of law in finding that the water court did not have personal jurisdiction over the Youngs.

2018SC394 (1 HOUR)

Petitioner:

Lance Webster Margerum,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Meredith K Rose
OFFICE OF THE PUBLIC DEFENDER

For the Respondent:

Gabriel P Olivares
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2014CA1392
Docketed: May 30, 2018
At Issue: March 14, 2019

ISSUE(S):

Whether the court of appeals erred by announcing a new rule that a witness's probationary status is not admissible to impeach that witness for bias unless there is a 'logical connection' between the probationary status and the witness's potential motive for testifying.

Whether a single physical act of assault, with no additional physical action or verbal threat, can be sufficient to support both an assault conviction and a menacing conviction.

2017SC815 (1 HOUR)

Petitioner:

Alfredo Juarez,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

John Byram Plimpton
OFFICE OF THE PUBLIC DEFENDER

For the Respondent:

Carmen Moraleda
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2013CA1296
Docketed: November 28, 2017
At Issue: March 11, 2019

ISSUE(S):

[REFRAMED] Whether plea counsel provides 'correct advice' within the meaning of Padilla v. Kentucky, and therefore competent assistance, by advising a defendant who pleads guilty to a deportable crime as defined in 8 U.S.C. § 1227(a)(2)(B)(i) merely that the plea carries a risk of deportation, rather than advising the defendant that federal law mandates his removal.

[REFRAMED] Whether plea counsel's advice regarding the risk of deportation, if incorrect within the meaning of Padilla v. Kentucky and, therefore, deficient within the meaning of Strickland v. Washington, prejudiced the defendant such that defense counsel provided ineffective assistance of counsel.

2018SC287 (1 HOUR)

In re the Marriage of

Petitioner:

Ryan E. Boettcher,

and

Respondent:

Christina L. Boettcher.

For the Petitioner:

John Loren Eckelberry
ECKELBERRY LAW FIRM LLC

For the Respondent:

Sharlene Jannette Aitken
AITKEN LAW LLC
and
Amanda Marie Peek
Monique B Dupont
PEEK GOLDSTONE LLC

Certiorari to the Colorado Court of Appeals, 2017CA262

Docketed: April 19, 2018

At Issue: March 13, 2019

ISSUE(S):

[REFRAMED] Whether section 14-10-115, C.R.S. (2018), provides for the Colorado Child Support Guidelines to be the rebuttable presumption in all cases, including those where incomes exceed the uppermost threshold, which must be overcome by evidence that a deviation from the guideline amount is necessary to meet the needs of the children.

2016SC546 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Christopher Anthon Mazzaelli.

For the Petitioner:

Jennifer Louise Darby
Deborah Farlow Pearson
Doyle Jon Baker
OFFICE OF THE DISTRICT ATTORNEY

For the Respondent:

Britta Kruse
COLORADO OFFICE OF THE PUBLIC DEFEN

For Amicus Curiae Colorado Attorney General's Office

Joseph G Michaels
STATE OF COLORADO OFFICE OF THE ATT

Certiorari to the Colorado Court of Appeals, 2014CA1719
Docketed: July 12, 2016
At Issue: April 1, 2019

ISSUE(S):

Whether the court of appeals erred in upholding the trial court's actions as a matter of law and finding that it could sentence the defendant outside the stipulated sentencing range contained in a plea agreement and accepted by all parties.

[REFRAMED] Whether the court of appeals erred in failing to answer the question about prosecutorial misconduct when the trial court specifically used the prosecutorial misconduct as a rationale for the sentence.

Whether the court of appeals erred in barring remand by holding that double jeopardy bars reversal of sentence and remand for resentencing since the defendant started serving his sentence.

2018SC186 (1 HOUR)

Petitioner:

Town of Breckenridge,

v.

Respondents:

Egencia, LLC; Expedia, Inc.; Hotels.com GP, LLC;
Hotwire, Inc.; Internetwork Publishing Corporation d/b/a
Lodging.com; Lowestfare.com, Inc.; Orbitz, Inc.; Orbitz,
LLC; Priceline.com, Incorporated; Site59.com, LLC;
Travelnow.com, LP; Travelport, Inc. f/k/a Cendant Travel
Distribution Services Group, Inc.; Travelscape, LLC.;
Travelweb, LLC.; and Trip Network, Inc. d/b/a
Cheaptickets.com.

For the Petitioner:

Michael Douglas Plachy
Amy Danielle Wills
Joy Tacy Allen Woller
LEWIS ROCA ROTHGERBER CHRISTIE LLP
and
Thomas M Rogers
RECHT KORNFELD, P.C.

For the Respondents:

Sean Connelly
CONNELLY LAW LLC

**For Amicus Curiae American Society of Travel
Advisors Inc**

Blain David Myhre
BLAIN MYHRE LLC

**For Amici Curiae Colorado Association of Ski Towns
and Colorado Hotel and Lodging Association**

Richard B Benenson
Justin L Cohen
BROWNSTEIN HYATT FARBER SCHRECK LLP

For Amicus Curiae Colorado Department of Revenue

Russell D Johnson
Scott R Bauer
COLORADO DEPT. OF LAW

Certiorari to the Colorado Court of Appeals, 2016CA1901
Docketed: March 16, 2018
At Issue: March 11, 2019

ISSUE(S):

[REFRAMED] Whether the court of appeals erred in holding that the online travel companies are not required to collect the Town of Breckenridge's accommodation tax from their customers under the town's town code.
