

2022SC119 (1 HOUR)

Petitioner:

The State of Colorado,

v.

Respondent:

Roger Hill.

For the Petitioner:

Scott Steinbrecher
Olivia Daryl Probetts
Grant Thomas Sullivan
Daniel E Steuer
Eric R Olson
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Alexander Neville Hood
TOWARDS JUSTICE
and
Mark Stephen Squillace
UNIVERSITY OF COLORADO LAW SCHOOL

**For Amici Curiae American Whitewater,
Backcountry Hunters and Anglers, Colorado
River Outfitters Association**

Lori J Potter
Samantha Rachel Caravello
KAPLAN KIRSCH ROCKWELL LLP

**For Amici Curiae Colorado Farm Bureau,
Crystal Creek Homeowners Association, Inc.,
Jackson Shaw/Taylor RiverRanch, LLC,
Taylor Placer, Ltd., Wilder Association**

David S Hayes
HAYES POZNANOVIC KORVER LLC

For Amicus Curiae Colorado Water Congress

Peter Daniel Jaacks
Stephen Hunter Leonhardt
April Denise Hendricks
BURNS FIGA WILL P.C.

For Amicus Curiae Law Professors

Kevin J Lynch
Wyatt Gregory Sassman
UNIVERSITY OF DENVER STURM COLLEGE

**For Amici Curiae Linda Joseph, Mark
Warsewa**

Kirk Bradford Holleyman
KIRK HOLLEYMAN PC

For Amicus Curiae Pacific Legal Foundation

Jeffrey Wilson McCoy
Deborah J. La Fetra
PACIFIC LEGAL FOUNDATION

SUPREME COURT, STATE OF COLORADO
Oral Argument: Tuesday, May 2, 2023
Bailiff: Chambers of Justice Gabriel

9:00 a.m.
EN BANC

Certiorari to the Colorado Court of Appeals, 2020CA1780
Docketed: February 18, 2022
At Issue: March 13, 2023

ISSUE(S):

Whether an individual has standing to seek a declaratory judgment that a river segment was navigable for title at statehood and belongs to the State.

2021SC765 (1 HOUR)

Petitioner:

Delano Marco Medina,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Krista Ann Schelhaas
SCHELHAAS LAW LLC

For the Respondent:

Grant R Fevurly
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2013CR52
Docketed: October 20, 2021
At Issue: March 13, 2023

ISSUE(S):

Whether a guilty plea entered pursuant to North Carolina v. Alford, 400 U.S. 25 (1970), but without strong evidence of guilt, violates due process.

2021SC749 (1 HOUR)

Petitioner:

Constance Eileen Caswell,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Jessica A Pitts
OFFICE OF THE PUBLIC DEFENDER

For the Respondent:

Olivia Daryl Probetts
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2018CA464
Docketed: October 13, 2021
At Issue: March 13, 2023

ISSUE(S):

Whether the prior-conviction provision of the animal cruelty statute is a sentence enhancer or an element of the offense.

Whether a fact that transforms a misdemeanor into a felony must be found by a jury beyond a reasonable doubt.

2021SC856 (1 HOUR)

Petitioner:

Charles K. Dorsey,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Meredith K Rose
OFFICE OF THE PUBLIC DEFENDER

For the Respondent:

Frank Ryan Lawson
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2018CA2333
Docketed: November 29, 2021
At Issue: March 13, 2023

ISSUE(S):

Whether, even assuming the recidivist provision in subsection 18-3-412.5(2)(a) C.R.S. (2022), is a sentence enhancer, allowing a judge to elevate the class or level of offense based on recidivism violates a defendant's Sixth Amendment right to a jury trial.

Whether the division erred in concluding that the recidivist provision in subsection 18-3-412.5(2)(a), C.R.S. (2022)(failure to register as a sex offender's second or subsequent offense) is a sentence enhancer, not an element of the criminal offense.

Courts in the Community - Colorado Mesa University, Grand Junction

2023SA2 (1 HOUR)

In Re:

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Jerrelle Aireine Smith.

For the Plaintiff:

Todd Everet Bluth
Sarah Elizabeth Stout
Cameron M Munier
OFFICE OF THE 17TH JUDICIAL DISTRICT
ATTORNEY

For the Defendant:

Adrienne Roselle Teodorovic
TEODOROVIC LAW, P.C.

**For the Respondents Adams County District
Court, Colorado Court of Appeals:**

Michael Kotlarczyk
OFFICE OF THE ATTORNEY GENERAL

**For Amici Curiae Alternate Defense Counsel,
Colorado Criminal Defense Bar**

Antony Mark Noble
Samantha Taylor Ivy
THE NOBLE LAW FIRM LLC

Original Proceeding, District Court, Adams County, 2022CR1524

Docketed: January 3, 2023

At Issue: March 17, 2023

ISSUE(S):

Whether, following the repeal of the death penalty in Colorado, a class 1 felony related to conduct occurring on or after July 1, 2020, constitutes a "capital offense."

Whether, following the repeal of the death penalty, those charged with class 1 felonies have an absolute right to bail.

Whether the court of appeals erred in dismissing Smith's appeal taking pursuant to section 16-4-204, C.R.S.

Courts in the Community - Colorado Mesa University , Grand Junction

2023SA12 (1 HOUR)

In Re:

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Gavin Seymour.

For the Plaintiff:

Courtney Leigh Johnston
Joseph M Morales
Katherine A Hansen
OFFICE OF THE DENVER DISTRICT
ATTORNEY

For the Defendant:

Michael Price
NATIONAL ASSOCIATION OF CRIMINAL
DEFENSE LAWYERS
and
Jenifer Elizabeth Stinson
STINSON LAW OFFICE
and
Michael Stevens Juba
THE JUBA LAW OFFICE PLLC

For the Respondent:

Trina K Kissel
Peter Baumann
OFFICE OF THE ATTORNEY GENERAL

**For Amicus Curiae Colorado Attorney
General**

Matthew John Worthington
Jillian J Price
Brock J Swanson
Helen Norton
OFFICE OF THE ATTORNEY GENERAL

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

Thomas R Raynes
COLORADO DISTRICT ATTORNEY'S
COUNCIL
and
Kevin E McReynolds
OFFICE OF THE FIRST JUDICIAL DISTRICT
ATTORNEY

**For Amicus Curiae Electronic Frontier
Foundation**

Jennifer Lynch
ELECTRONIC FRONTIER FOUNDATION
and
Hannah Seigel Proff
PROFF LAW LLC

SUPREME COURT, STATE OF COLORADO
Oral Argument: Thursday, May 4, 2023
Bailiff: Chambers of Justice Hart

10:30 a.m.
EN BANC

**For Amicus Curiae Electronic Privacy
Information Center**
Calli Schroeder
ELECTRONIC PRIVACY INFORMATION CENTER

Original Proceeding, District Court, Denver District Court, 2021CR20001
Docketed: January 11, 2023
At Issue: March 29, 2023

ISSUE(S):

Whether a “reverse keyword warrant” violates the Fourth Amendment of the United States Constitution and article II, section 7 of the Colorado Constitution.
