

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: October 27, 2016
Original Proceeding District Court, Mesa County, 2011DR593	
In re the Marriage of	Supreme Court Case No: 2016SA234
Petitioner: Tracy Hokanson,	
and Respondent: Edward William Hokanson, III.	
ORDER OF COURT	

Upon consideration of the Petition for Rule to Show Cause for Relief in the Nature of a Writ of Mandamus, the Response to Rule to Show Cause Re: Petition for Rule to Show Cause for Relief in the Nature of a Writ of Mandamus, and the Petitioner's Reply filed in the above cause, and now being sufficiently advised in the premises, the Court finds as follows,

The Petitioner and Respondent obtained a decree of dissolution and permanent orders on April 13, 2012. On December 3, 2015, over three years after the decree of dissolution, the Petitioner filed a motion for Post-Trial Relief under C.R.C.P. 59(a). On February 26, 2016, eighty-five days after the filing of the

Motion for Post-Trial Relief, the trial court reserved ruling on the motion for and requested clarification from the Petitioner.

The Motion for Post-Trial relief was filed outside the 14-day time frame provided for in C.R.C.P. 59 (a). Further, the motion was not determined by the trial court within the 63-day time period set forth in C.R.C.P. 59(j) and accordingly, pursuant to C.R.C.P. 59(j) without further action, the motion was deemed denied for all purposes.

Thus, the trial court lacked jurisdiction pursuant to C.R.C.P. 59 to consider the Petitioner's Motion for Post-Trial Relief; we make our rule to show cause absolute and remand the case for further proceedings consistent with this order.

BY THE COURT, EN BANC, October 27, 2016.