

2024SA178 (1 HOUR)

Plaintiff-Appellee/Cross-Appellant:

MetroPCS California, LLC,

v.

Defendant-Appellant/Cross-Appellee:

City of Lakewood, Colorado.

For Defendant-Appellant/Cross-Appellee:

David G. Mayhan
Sarah Smyth O'Brien
Dalton Kelley
Amanda G. Taylor
Melissa A. Lorber
Thomas DiStanislao
BUTLER SNOW LLP
and
Alison McKenney Brown
John Allen VanLandschoot
Patrick Theodore Freeman
OFFICE OF THE LAKEWOOD CITY ATTORNEY

For Plaintiff-Appellee/Cross-Appellant:

Neil I. Pomerantz
Mark E. Medina
Michelle Bush
SILVERSTEIN & POMERANTZ LLP

For Amicus Curiae Colorado Chamber of Commerce:

Ted W. Friedman
Elizabeth S. Cha
Eric S. Tresh
EVERSHEDS SUTHERLAND (US) LLP

For Amicus Curiae Colorado Municipal League:

Robert D. Sheesley
Rachel Bender
COLORADO MUNICIPAL LEAGUE

For Amicus Curiae Colorado Department of Revenue:

Emma Garrison
Kevin Chen
OFFICE OF THE ATTORNEY GENERAL

(Civil Appeal - Constitutional Challenge) Appeal from the District Court, Jefferson County, 2022CV30412
Docketed: June 03, 2024
At Issue: March 18, 2025

ISSUE(S):

Whether the district court erred in declaring Lakewood, Colorado's 1996 and 2015 business and occupation tax ordinances unconstitutional "beyond a reasonable doubt" under the Taxpayer's Bill of Rights ("TABOR") because they allegedly were "new taxes," even though:

- (a) they did not enact a new charge but merely clarified the application of a 55-year-old telecommunications business and occupation tax; and
- (b) the plaintiff did not establish the subsequent revenue increases were not incidental to the ordinances' stated primary purposes and de minimis to Lakewood's overall revenues and annual budgets.

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ISSUE(S):

Whether the district court erred in finding the ordinances enacted new taxes instead of tax policy changes, which could not violate TABOR because Lakewood's voters waived revenue limits when they chose to debruce.

Whether, as independent or additional grounds for affirming the district court's ruling, the 1996 ordinance produced revenue increases that were not de minimis.

Whether, in addition to violating TABOR by enacting "new taxes" without advance voter approval, the ordinances violated TABOR by enacting "tax rate increases" without advance voter approval.

2023SC942 (40 MINUTES)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Gary Allen Hudson.

For the Petitioner:

Joshua J. Luna
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Suzan Trinh Almony
LAW OFFICE OF SUZAN TRINH ALMONY

Certiorari to the Court of Appeals, 2021CA749
Docketed: December 20, 2023
At Issue: March 31, 2025

ISSUE(S):

Whether the court of appeals erred by holding that to prove criminal possession of a financial device, the prosecution must separately prove that an enumerated financial device is capable of use at the time of possession.

2023SC959 (1 HOUR)

Petitioner:

Banner Health, d/b/a North Colorado Medical Center.

v.

Respondents:

Chance Gresser, individually and as parent, natural guardian, next of friend and on behalf of his daughter, C.G. and Erin Gresser, individually and as parent, natural guardian, next of friend and on behalf of her daughter, C.G.

For Petitioner:

Richard J. Montes
MAURO LILLING NAPARTY LLP
and
ELIZABETH MORAN
RODRIGO LUGO
HALL BOOTH SMITH P.C.

For the Respondents:

Darin L. Schanker
J. Howard Thigpen
BACHUS & SCHANKER LLC

For Amicus Curiae the American Association for Justice:

Nelson Boyle
5280 APPELLATE GROUP, A DIVISION OF THE
PAUL WILKINSON LAW FIRM LLC

For Amicus Curiae Colorado Defense Lawyers' Association:

Jordan L. Lipp
Corinne C. Miller
CHILDS MCCUNE LLC

For Amici Curiae Colorado Medical Society and American Medical Association in Support of Petitioner:

Daniel E. Rohner
SHOOK HARDY & BACON LLP

For Amicus Curiae Coloradans Protecting Patient Access:

Kendra N. Beckwith
LEWIS ROCA ROTHGERBER CHRISTIE LLP

For Amicus Curiae Colorado Trial Lawyers Association:

Megan K. Matthews
Karman J. Reed
WAHLBERG WOODRUFF NIMMO & SLOANE LLP

Certiorari to the Court of Appeals, 2022CA1502
Docketed: December 28, 2023
At Issue: February 28, 2025

ISSUE(S):

Whether the court of appeals erred in concluding that a trial court is limited to reviewing damages under a remittitur standard if the court finds grounds to exceed the damages cap set forth in section 13-64-302(1)(

2023SC956 (1 HOUR)

Petitioners:

By the Rockies, LLC and Duane Layton,

v.

Respondent:

Samuel Perez.

For the Petitioners:

Veronica T. Hunter
Melisa H. Panagakos
JACKSON LEWIS P.C.

For the Respondent:

Brian D. Gonzales
BRIAN D. GONZALES PLLC

**For Amici Curiae the Chamber of Commerce of the
United States of America and Colorado Chamber of
Commerce:**

Stephen G. Masciocchi
Aja R. Robbins
Mary Elizabeth Beasley
HOLLAND & HART LLP

**For Amici Curiae the Colorado Hotel & Lodging
Association and the Colorado Restaurant
Association:**

Micah D. Dawson
Hillary R. Ross
James S. Bradbury
FISHER & PHILLIPS LLP

Certiorari to the Court of Appeals, 2022CA1791

Docketed: December 26, 2023

At Issue: February 28, 2025

ISSUE(S):

Whether the court of appeals erred in holding the statute of limitations in the Colorado Wage Claim Act, § 8-4-122, C.R.S. 2023, does not apply to claims brought under the Minimum Wage Act.

2025SA29 (1 HOUR)

In Re

Petitioner:

The People of the State of Colorado,

In the Interest of

Juvenile:

S.G.H.

and Concerning

Respondent:

C.H.

For the Petitioner:

Madison M. Linton
OFFICE OF THE MORGAN COUNTY DISTRICT
ATTORNEY

For the Juvenile-Petitioner:

Michael S. Juba
THE JUBA LAW OFFICE PLLC

For Amici Curiae Colorado Criminal Defense Bar:

Tara Jorfald
Heidi Tripp
THE NOBLE LAW FIRM LLC

**For Amici Curiae Colorado District Attorneys'
Council:**

Doyle Baker
OFFICE OF THE EL PASO COUNTY DISTRICT
ATTORNEY
and
Arnold Hanuman
COLORADO DISTRICT ATTORNEYS COUNCIL

Original Proceeding, District Court, Morgan County, 2024JD11
Docketed: February 01, 2025
At Issue: April 18, 2025

ISSUE(S):

Whether the use of artificial intelligence to digitally create intimate parts can qualify as “sexually exploitative material” for purposes of a charge of sexual exploitation of a child.

Whether there is probable cause in this case for sexual exploitation of a child, where S.G.H. is accused of using artificial intelligence to digitally create intimate parts.

2025SA58 (40 MINUTES)

In Re

Petitioner:

The People of the State of Colorado,

v.

Defendant:

Clayshjon Eugene Clark-Collins.

For the Petitioner:

Alison Suthers
John Walsh
OFFICE OF THE DENVER DISTRICT ATTORNEY

For the Defendant-Petitioner:

Priscilla Gartner
Efosa Akenzua
OFFICE OF THE PUBLIC DEFENDER

For Respondent Denver County District Court:

Lily E. Nierenberg
OFFICE OF THE ATTORNEY GENERAL

Original Proceeding, District Court, Denver County, 2024CR15020
Docketed: February 25, 2025
At Issue: April 18, 2025

ISSUE(S):

Whether the district court erred by prematurely and unduly limiting the scope and duration of the reverse transfer in violation of the Juvenile's constitutional rights to due process, fundamental fairness, equal protection, and effective assistance of counsel.

Whether the district court's finding of waiver of the juvenile's psychotherapist and physician patient-privileges thirty days before a preliminary hearing and a reverse transfer hearing conflicts with People v. Johnson, 2016 CO 69, 381 P.3d 316.

Whether a juvenile charged as an adult in district court waives his constitutionally and statutorily protected rights to confidentiality in his educational records simply because he requests transfer of the proceedings to juvenile court.

Whether an interpretation that the direct file statute allows a court to order a juvenile to disclose privileged and confidential records before a preliminary hearing would render the statute unconstitutional.

Whether the district court erred by ruling that a juvenile charged as an adult must disclose witnesses, summaries of witnesses' anticipated testimony, expert opinions, and exhibits thirty days before a preliminary hearing, notwithstanding this court's decision in People v. Kilgore, 2020 CO 6, 455 P.3d 746.