

LAW WEEK COLORADO

Case of the Year Goes to Clemency Grant Over Life Without Parole Sentence

CTLA recognizes civil rights, personal injury attorneys at annual spring dinner

BY JULIA CARDI
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Civil rights and personal injury law had a big night at the Colorado Trial Lawyers Association's annual spring dinner on Thursday.

The night's Case of the Year Award went to the team of attorneys who worked to get clemency for Curtis Brooks, who received a life sentence without parole for felony murder as a teenager for his involvement in a car-jacking that led to one of the people he was with killing the man.

Leventhal & Puga's Hollynd Hoskins first represented Brooks in his original trial 24 years ago as a young public defender, and reconnected with him in 2012 when the U.S. Supreme Court ruled mandatory life without parole sentences for underage people are unconstitutional. Then came six more years of obstacles between 2012 and when Brooks ultimately received clemency from then-Gov. John Hickenlooper in 2018: A Colorado Supreme Court ruling that *Miller v. Alabama* did not apply retroactively, though the U.S. Supreme Court later ruled in *Montgomery v. Alabama* that it did. Brooks' ineligibility to apply for clemency because he had not yet exhausted his appeals. A constitutional challenge by 18th District Attorney George Brauchler to a 2016 changed Colorado sentencing law for juveniles convicted of felony murder, and an order from then-Chief Judge Carlos Samour deeming the law unconstitutional.

The legal team for Brooks' clemency also included Dru Nielsen of Eytan Nielsen, Ashley Ratliff of Ratliff Law firm and Sean Connelly, who argued the constitutionality of Colorado's sentencing law before the Colorado Supreme Court in 2018.

Hoskins dedicated the award to Brooks, speaking about his transformation into a compassionate and reflective person despite what she previously characterized as being "thrown away" by society when he received his life without parole sentence as a teenager.

"Curtis Brooks, against all odds, transformed himself specifically in memory of the victim of the crime in this case, Christopher Ramos. He wanted his death not to be in vain," Hoskins said.

The other nominees for Case of the Year included a medley of civil rights,

personal injury and insurance bad faith wins: A nearly \$16 million premises liability verdict for Zaner Harden Law, a settlement with the Colorado Department of Human Services between Killmer Lane & Newman and a case that contributed to a landmark interpretation of Colorado's insurance bad faith statute for attorneys at Levin Sitcoff and Keating Wagner Polidori Free.

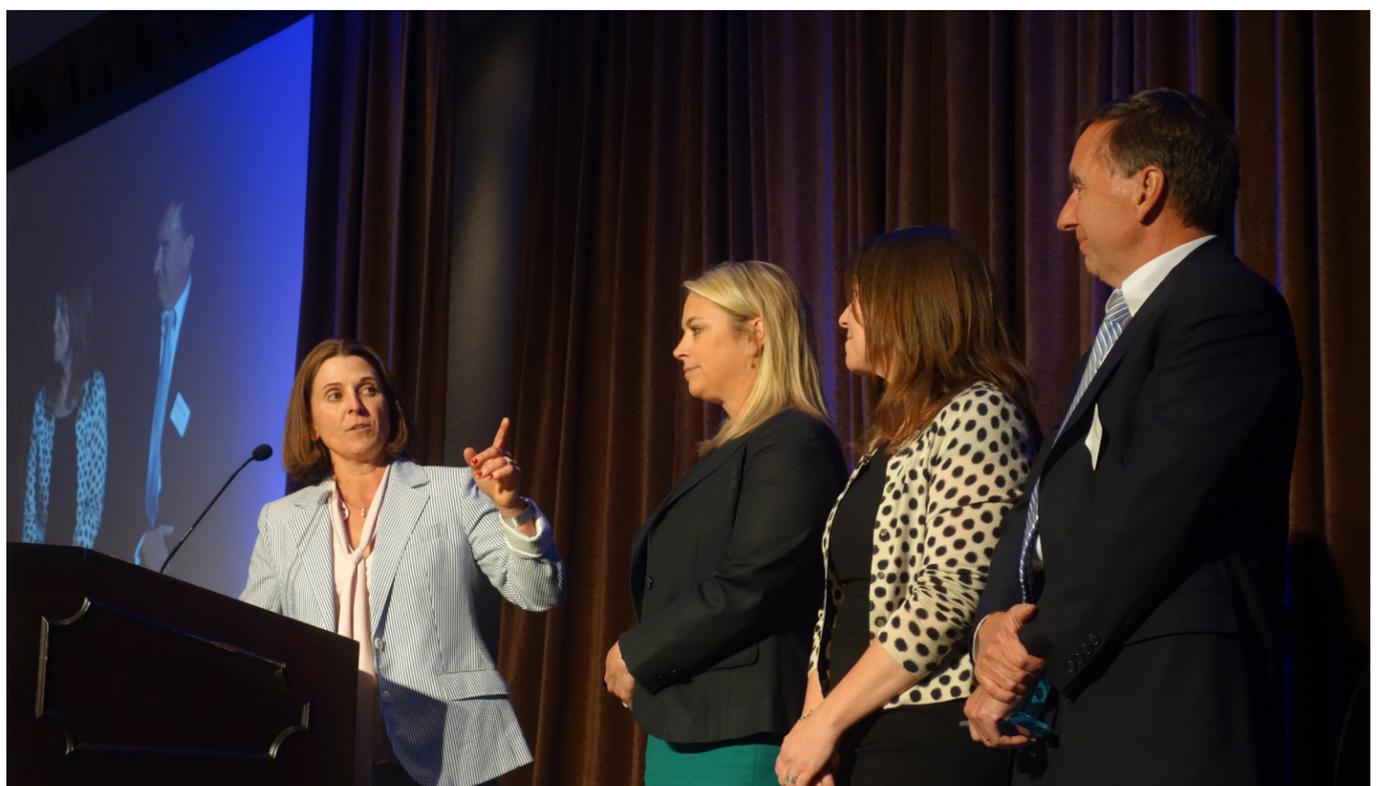
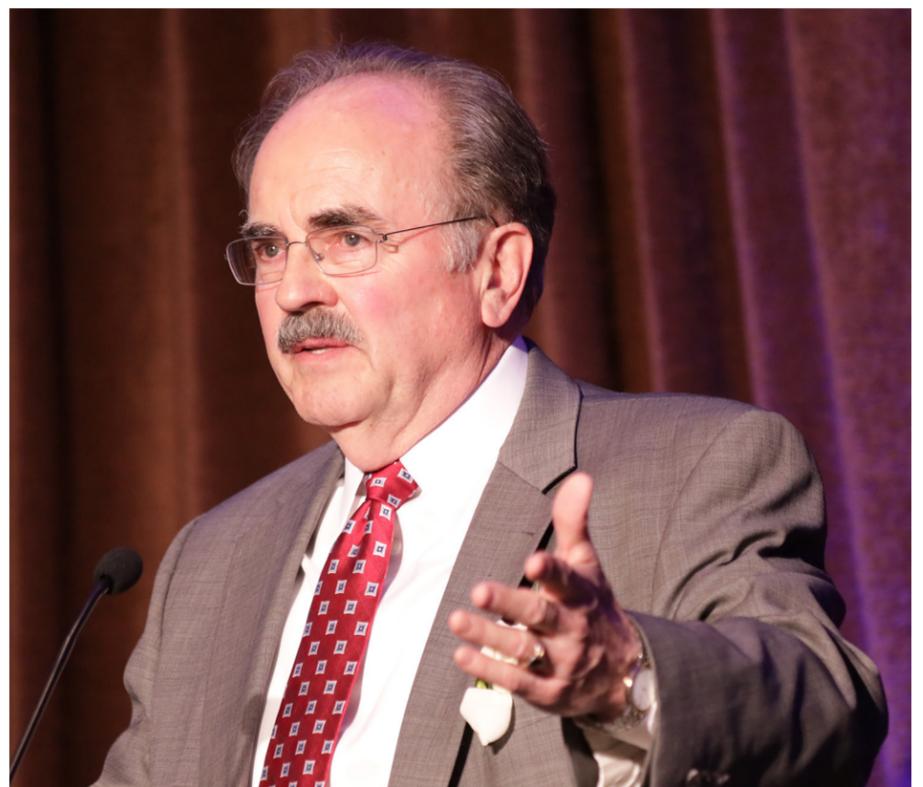
The evening's other honorees included Kurt Zaner for New Trial Lawyer of the Year, Pamela Maass for the Access to Justice Award, and Burg Simpson Eldredge Hersh & Jardine for Outstanding Service to CTLA. Larry Lee received the Lifetime Achievement Award.

Lee represents plaintiffs in cases such as personal injury, premises liability and insurance bad faith. He's created CTLA CLE programs, including the yearly Blockbuster Auto Seminar. But he spent much of his award speech recognizing the work of other CTLA attorneys: They've represented people detained at Guantanamo Bay, helped people with insurance cases in disaster areas and aided Somali refugees pro bono.

"Every one of you are trial lawyers, and are special people ... and when you talk, people listen," he said. "Why? Be-

cause you have the moral authority of being right." •

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TOP: Larry Lee, recipient of the Norman Kripke Lifetime Achievement Award, represents individual plaintiffs in personal injury, premises liability and insurance cases. He also created the annual Blockbuster Auto CLE. He spent much of his speech talking about the achievements of other attorneys in the CTLA. **BOTTOM:** Case of the Year winner Hollynd Hoskins speaks about her work to secure clemency for Curtis Brooks, a man sentenced to life without parole as a teenager before the U.S. Supreme Court ruled such sentences for underage people are unconstitutional. Dru Nielsen, Ashley Ratliff and Sean Connelly also received the award for their work on Brooks' case. / **COURTESY PHOTOS**