

Colorado Court of Appeals

2 East 14th Avenue

Denver, CO 80203

Appeal from:

Jefferson County District Court

District Court Judge: The Hon. Christopher Zenisek

District Court Case Number: 2023CV226

In the Case of:

Plaintiff/Petitioner: WILLIAM MONTGOMERY,

Appellant or Appellee

&

Defendant/Respondent: BEST BUY STORES, L.P.

Appellant or Appellee

Filing Party Name: William Montgomery

Street Address: 2443 S University Blvd # 129

City: Denver State: CO Zip: 80210

Phone: (970) 412-5463

E-Mail: zoinbergs@gmail.com

▲ FOR COURT USE ▲

Court of Appeals' Case
Number: _____

Notice of Appeal

I. Case Background

In one page or less, give the court a brief description of this case and why you are appealing:

On November 21, 2023, WILLIAM MONTGOMERY filed a lawsuit against BEST BUY STORES, L.P., alleging that three of its employees false imprisoned, assaulted, and slandered him outside of a BEST BUY STORE located in Jefferson County, CO.

In the matter, the District Court Judge granted the Defendant's MOTION FOR SUMMARY JUDGMENT, dismissing Plaintiff's three-claim case. The Judge made errors of fact and/or law when making its ruling, however, and incorrectly granted the MOTION in contravention of clearly-established rules and law on the subject.

Plaintiff MONTGOMERY now seeks appellate review of the District Court Judge's ORDER granting Defendant's MSJ, as well as its subsequent two ORDERS denying Plaintiff's MOTION FOR RECONSIDERATION and SECOND MOTION FOR RECONSIDERATION. He seeks to have the ORDER granting Defendant's MSJ be REVERSED, so that his case may be REINSTATED and REMANDED to the Jefferson County District Court for further proceedings not inconsistent with its opinion.

II. Final Order on Appeal

1. Final Order: I am appealing the final order or judgment issued on
(date) November 19, 2024

2. Remaining Issues:

All the issues in the case have been decided.

OR

Not all of the issues in the case have been decided. The following issues are
still undecided: _____.

3. Attorney Fees and Costs:

Any request for attorney fees and costs have been resolved.

OR

The District Court needs to resolve a request for attorney fees and costs.

III. Post-Trial Motions

1. Motions Filed: Did any party file a post-trial motion?

No (If this is checked, you may skip to the section IV. - Extension of Time
to File the Notice of Appeal).

OR

Yes. A post-trial motion was filed on: (date) December 3, 2024 and
January 21, 2025.

2. Extensions of Time: Did a party request an extension of time to file a motion for post-trial relief?

No party asked for an extension of time to file a post-trial motion, or the request was denied.

OR

A request for extension of time to file a post-trial motion was filed on (date) _____ . The District Court granted the motion on (date) _____ and extended the deadline to file a post-trial motion to (date) _____ .

3. Ruling on Post-Trial Motion:

The district court ruled on the motion on (date) January 6, 2025 and
February 18, 2025.

OR

The post-trial motion has not been decided by the district court.

IV. Extension of Time to File the Notice of Appeal:

There were no requests to extend the deadline to file this notice of appeal.

OR

A request to extend the deadline was filed on (date) _____.

V. Magistrate Order:

Check here if your case was decided by a magistrate.

VI. Issues on Appeal:

List the legal questions you want the court of appeals to decide.

Did the District Court err in granting Defendant's MOTION FOR SUMMARY JUDGMENT, which dismissed Plaintiff's case in its entirety?

Did the District Court err in denying Plaintiff's MOTION FOR RECONSIDERATION and SECOND MOTION FOR RECONSIDERATION?

VII. Necessity of Transcript:

A transcript is not necessary to review the issues on appeal.

OR

A transcript of the hearing or trial is necessary to review the issues on appeal.

VIII. Lawyer or Party Information

1. My lawyer: I do not have a lawyer at this time.

2. The lawyer for the other side:

The other side does not have a lawyer. Their contact information is:

Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

E-Mail Address: _____

OR

The other side has a lawyer. That lawyer's contact information is:

Attorney Name: Stephanie E. Boutsicaris & Lori K. Bell

Registration Number: No. 51297 (Boutsicaris) & No. 31714 (Bell)

Name of Law Firm: Montgomery | Amatuzio

Street Address: 4100 E Mississippi Ave Ste 1600

City: Denver State: CO Zip: 80246

Phone Number: (303) 592-6600

E-Mail Address: sboutsicaris@mac-legal.com & lbell@mac-legal.com

For all of the other parties to this appeal, list each person, state whether they have a lawyer, and if so, add that lawyer's contact information here:

IX. Attachments

Please see the documents I attached to this notice:

1. A copy of the judgment or order being appealed.
2. A copy of the district court order, if any, waiving my filing fees on appeal.

Dated: February 24, 2025

Respectfully submitted,

Signature: 
Print Name: William Montgomery

Certificate of Service

I certify that on (date) February 24, 2025 I filed this Notice of Appeal with the Court of Appeals. I sent a copy, along with any attachments, to the people listed below:

Name of Party Served: BEST BUY STORES, L.P.

Sent by (Check One): U.S. Mail; OR In-Person Hand Delivery Email

Email: sboutsicaris@mac-legal.com & lbell@mac-legal.com

City: _____ State: _____ Zip: _____

Enter the names and address of any other parties served here:

And filed with the:

Jefferson County _____ District Court

Street Address: 100 Jefferson County Pkwy

City: Golden State: CO Zip: 80401

Signature: *William Montgomery*

Print Name: William Montgomery