

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Shana Griggs v. 20 Mile Road Parker CO LLC, and Thompson Thrift Development Inc.

Civil Action No. 24-cv-00410-CYC · No. 24-cv-00410-CYC · Decided February 27, 2026

SUMMARY

The United States District Court for the District of Colorado grants in part and denies in part the defendants’ partial motion for summary judgment concerning the plaintiff’s January 25, 2022 slip-and-fall incident. The court grants summary judgment on the Colorado Premises Liability Act claim, finding no genuine dispute that the defendants’ snow-removal actions were unreasonable. It denies summary judgment on the common-law negligence claim because the parties did not adequately address whether that claim was preempted or otherwise subject to judgment.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Cyrus Y. Chung
JURISDICTION	United States District Court for the District of Colorado
DECIDED	February 27, 2026
DOCKET	24-cv-00410-CYC
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for partial summary judgment on claims arising from the plaintiff’s January 25, 2022 fall at an apartment complex.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law. The court views the record and draws favorable inferences for the nonmoving party, but the nonmoving party must identify specific, admissible evidence showing a genuine issue for trial after the movant meets its initial burden.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Shana Griggs v. 20 Mile Road Parker CO LLC, Thompson Thrift Development Inc.

TOPICS

summary judgment

premises liability

standard of care

negligence

civil procedure

PRACTICE AREAS

civil procedure

premises liability

negligence

real estate

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment on Griggs's Colorado Premises Liability Act claim because the undisputed evidence established that they exercised reasonable care in removing snow during an ongoing storm.
2. Whether defendants were entitled to summary judgment on Griggs's common-law negligence claim based on CPLA preemption or the merits when defendants did not address those issues in their motion.

HOLDINGS

1. Defendants were entitled to summary judgment on the CPLA claim because Griggs failed to raise a genuine dispute of material fact as to whether defendants unreasonably failed to exercise reasonable care in protecting her from the snow-related danger.
2. Summary judgment was denied as to the common-law negligence claim because defendants did not establish or brief either CPLA preemption or the merits of that claim, and the court would not construct arguments for them.

KEY QUOTATIONS

“Because the plaintiff fails to raise a genuine dispute of material fact as to whether the defendants’ snow-removal actions that day were unreasonable, the Court grants the motion as to the plaintiff’s claim brought under the Colorado Premises Liability Act. But because the parties do not address the plaintiff’s common-law negligence claim, the Court denies the motion to the extent it seeks summary judgment on that claim.”

FACTUAL BACKGROUND

On January 25, 2022, Griggs, an apartment-complex resident and invitee, walked down an inclined driveway after taking her daughter to a school bus stop and slipped and fell while it was actively snowing. Snow had been falling since before 5:00 a.m., approximately 2.1 inches had accumulated by the time of the fall, and snow had fallen at approximately 1.5 inches per hour during the preceding hour. The defendants had maintenance employees assigned to snow removal, had contracted with Land Tech under a two-inch snow-removal trigger, and Griggs observed a maintenance worker clearing a sidewalk before her fall. An expert opined that defendants' snow-removal efforts were consistent with the contract and industry standards for an ongoing storm.

PROCEDURAL HISTORY

Griggs asserted claims under the Colorado Premises Liability Act and for common-law negligence arising from a slip-and-fall incident. Defendants moved for summary judgment, arguing that the evidence could not establish that their snow-removal conduct was unreasonable. The court granted the motion as to the CPLA claim but

denied it as to the common-law negligence claim because defendants did not address that claim's preemption or merits.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247–48, 248 (1986)
- Wright ex rel. Tr. Co. of Kan. v. Abbott Lab'ys, Inc., 259 F.3d 1226, 1231–32 (10th Cir. 2001)
- Kannady v. City of Kiowa, 590 F.3d 1161, 1169 (10th Cir. 2010)
- Libertarian Party of N.M. v. Herrera, 506 F.3d 1303, 1309 (10th Cir. 2007)
- Tucker v. Faith Bible Chapel Int'l, 36 F.4th 1021, 1030–31 (10th Cir. 2022)
- Pepsi-Cola Bottling Co. of Pittsburg, Inc. v. PepsiCo, Inc., 431 F.3d 1241, 1255 (10th Cir. 2005)
- Lombard v. Colo. Outdoor Educ. Ctr., Inc., 187 P.3d 565, 570, 574–75 (Colo. 2008)
- Vigil v. Franklin, 103 P.3d 322, 328 (Colo. 2004)
- Kappius v. EQR-SWN Line Vistas, Inc., No. 04 CV 3121 (Colo. Dist. Ct. July 25, 2005)
- Johnson v. Liberty Mut. Fire Ins. Co., 648 F.3d 1162, 1165 (10th Cir. 2011)
- Axelrod v. Cinemark Holdings, Inc., 65 F. Supp. 3d 1093, 1102 (D. Colo. 2014)
- Richardson v. DHS Drilling Co., No. 13-cv-01583-PAB-KMT, 2015 WL 1378975, at *5–6 (D. Colo. Mar. 24, 2015)
- Henderson v. Master Klean Janitorial, Inc., 70 P.3d 612, 616 (Colo. App. 2003)
- Wyle v. Skiwatch Condo. Corp., 183 F. App'x 760, 761 (10th Cir. 2006)
- Tavernetti v. Coogan, No. 20-cv-00853-STV, 2020 WL 5321274, at *4 (D. Colo. Sept. 4, 2020)
- Danielson v. Wal-Mart Stores, Inc., No. 06-cv-00053-EWN-PAC, 2006 WL 2385215, at *5 (D. Colo. Aug. 17, 2006)
- Casey v. Christie Lodge Owners Ass'n, 923 P.2d 365, 367–68 (Colo. App. 1996)
- Hall v. Marriott Hotel Servs., LLC, No. 23-cv-02050-GPG-TPO, 2024 WL 5245434, at *2 (D. Colo. Nov. 25, 2024)
- Drake v. City of Fort Collins, 927 F.2d 1156, 1159 (10th Cir. 1991)
- Gould v. Union Pac. R.R. Co., No. 19-cv-02326-PAB-NRN, 2021 WL 1192925, at *5 (D. Colo. Mar. 30, 2021)