

In the Supreme Court of the United States

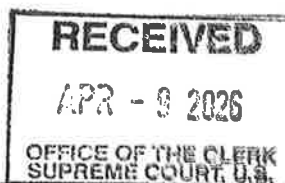
DELMART EDWARD VREELAND, Petitioner,

v.

THE PEOPLE OF THE STATE OF COLORADO, Respondent.

**On Petition for a Writ of Certiorari
to the Supreme Court of Colorado**

**Delmart Edward Vreeland
#143539
P.O. Box 6000
Sterling, CO 80751
Pro Se**



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SUPPLEMENTAL BRIEF PURSUANT TO RULE 15(8)

Pursuant to Supreme Court Rule 15.8, Petitioner Delmart Edward Vreeland respectfully submits this supplemental brief to call the Court's attention to intervening decisions and developments that sharpen and reinforce the questions presented in his pending petition for a writ of certiorari. This filing is strictly limited to "new matter" within the meaning of Rule 15.8 and does not repeat the arguments already set out in the petition and its appendix. Instead, it explains how *People v. Fields*, 2025 COA 84 (Colo. App. 2025) (Supp. App. A), *People v. Gregg*, 2025 CO 57 (Colo. 2025) (Supp. App. B), and the Colorado Court of Appeals' most recent order in *People v. Vreeland*, No. 22CA1704 (Colo. App. Oct. 16, 2025) (Supp. App. C) interact with *Erlinger v. United States*, 602 U.S. 821 (2024), *Apprendi v. New Jersey*, 530 U.S. 466 (2000), and *Blakely v. Washington*, 542 U.S. 296 (2004), to demonstrate both that Colorado continues to defy this Court's Sixth Amendment jurisprudence and that

Petitioner's case is an ideal vehicle to resolve an issue of recurring importance. These new authorities, together with the persuasive harmless-error analysis in *People v. O'Neil*, 2025 Cal. App. Unpub. LEXIS 7123 (Cal. Ct. App. Nov. 7, 2025), confirm that Petitioner's habitual criminal adjudication and resulting de facto life sentence cannot be allowed to stand under the Fifth and Sixth Amendments, and that any attempt to apply a harmless-error gloss in this context is inconsistent with *Chapman v. California*, 386 U.S. 18 (1967), and *Erlinger* itself.

Although *Erlinger* was decided before Petitioner filed his certiorari petition, Colorado has, in the interval, issued a series of decisions that both concede the breadth of *Erlinger*'s rule and then immediately constrict its practical reach. In *Fields*, the Colorado Court of Appeals acknowledged that *Erlinger* squarely requires a jury finding beyond a reasonable doubt that prior offenses were "separately brought and tried" and arose from "separate and distinct criminal episodes," and that Colorado's habitual criminal statute presents the same kind of fact-laden inquiry that *Erlinger* held must be made by a jury. Yet the court declared the *Erlinger* violation "harmless" on the theory that no rational jury could have reached a different conclusion, even while conceding that the defendant had never had a jury determine those facts at all. *Gregg*, for its part, candidly recognized that the pre-2025 version of Colorado's habitual criminal procedure statute assigned the decisive factfinding role to the judge, "not a jury," concerning whether prior convictions were "separately brought and tried, and arising out of separate and distinct criminal episodes," and further recognized that *Erlinger* holds the opposite—that the Constitution requires a jury, not a judge, to make those findings. At the same time, the Colorado legislature has now amended the statute to restore a jury-trial requirement for habitual determinations going forward, tacitly admitting that earlier practice was constitutionally infirm.

Finally, in Petitioner's own case, the Colorado Court of Appeals' October 16, 2025 order in *People v. Vreeland*, No. 22CA1704, doubles down on procedural barriers to any merits review of his venue and jurisdiction claims, holding that his challenge to Douglas County

venue was “too late” and therefore barred, even as the record now shows that venue motions long denied to exist were in fact filed, suppressed for years, and later rediscovered, and that the State itself waived any timeliness objection in an unopposed Rule 50 petition for certiorari to the Colorado Supreme Court (Cert. Pet. App. 4-A). When one combines these new state-court decisions with the record already before this Court—especially Petitioner’s April 2, 2007 Motion for Trial by Jury on Habitual Criminal Counts (Cert. Pet. App. 1-A), the August 17, 2007 hearing in which the trial judge flatly declared “there is no right to a jury trial on habitual counts” (Cert. Pet. App. 1-B), and the opening brief on direct appeal by Michael Heher (Cert. Pet. App. 1-C) that meticulously attacked the sufficiency and legality of the habitual findings—it becomes unmistakable that Petitioner was given a life sentence as punishment for making the very Apprendi and Blakely arguments that Erlinger has now vindicated, and that Colorado’s post-Erlinger course of decisions threatens to insulate such constitutional violations from effective review.

I. INTERVENING STATE-COURT DECISIONS AFTER ERLINGER AND AFTER THE PETITION WAS FILED

Petitioner’s certiorari petition explained that Colorado’s habitual offender scheme mirrors the inquiry under ACCA’s “occasions different from one another” clause, and that under Erlinger, any determination that prior convictions arose from “separate and distinct criminal episodes” necessarily requires jury factfinding beyond a reasonable doubt. Cert. Pet. pp. 2–3; Cert. Pet. App. 1-A, 1-B, 1-C. Erlinger itself described the ACCA “separate occasions” determination as a “fact-laden task” involving questions like whether offenses were close in time, where they occurred, whether they involved different victims, and whether they were intertwined in purpose and character. 602 U.S. at 841–52; see Cert. Pet. pp. 16–19 (summarizing Erlinger). Petitioner’s motion for a jury trial on the habitual counts, filed in April 2007, made the same point: that determining whether his prior convictions were “separately brought and tried, and arising out of separate and distinct criminal episodes” under

Colorado law required a jury to resolve contested fact questions beyond the bare elements of the prior offenses. Cert. Pet. App. 1-A. The trial court rejected that motion in an August 17, 2007 hearing, declaring that Colorado courts had “already rejected Blakely arguments” and that “there is no right to a jury trial on habitual counts,” and then treating Petitioner’s insistence on that right as “specious” and frivolous. Cert. Pet. App. 1-B.

After Erlinger and after Petitioner filed his certiorari petition, the Colorado Court of Appeals in *Fields* confronted a closely analogous scenario. There, the court held that under § 18-1.3-801(2)(a)(I), the State must prove beyond a reasonable doubt that prior convictions were “separately brought and tried, and arising out of separate and distinct criminal episodes,” and it acknowledged that Erlinger requires a jury to decide those questions because they “require more than a mere determination of ‘what crime, with what elements, the defendant was convicted of.’” *People v. Fields*, 2025 COA 84, ¶¶ 14–18 (Supp. App. A) (quoting Erlinger, 602 U.S. at 838). The court further recognized that Colorado’s habitual statute and ACCA share the same core inquiry: whether prior offenses were genuinely distinct in time, place, and victim, and whether proof of one would substantially overlap with proof of another. Supp. App. A; Cert. Pet. App. 16–19. At the same time, *Fields* disclosed a crucial legislative development: the Colorado General Assembly has amended the habitual criminal statute to “once again require a jury trial on habitual criminal charges,” effective June 2, 2025, thereby returning to a jury-based factfinding model for future cases. Supp. App. A, ¶ 8 n.2. In other words, Colorado has tacitly conceded that a jury must determine the same separate-episode facts that Petitioner asked a jury to decide nearly two decades ago and was punished for raising.

Gregg, decided by the Colorado Supreme Court, reinforces this point. The majority there addressed whether double jeopardy barred the State from impaneling a new jury to decide habitual counts when the original jury had been discharged, but the opinion’s most important feature for present purposes is its candid exposition of the statutory framework. *Gregg* explains that Colorado’s habitual sentencing scheme, § 18-1.3-801, “mandates an enhanced sentence for

felony offenders who have been previously convicted of three felonies ‘upon charges separately brought and tried, and arising out of separate and distinct criminal episodes.’ 2025 CO 57, ¶ 47 (Supp. App. B). It further explains that § 18-1.3-803 historically bifurcated the trial: the jury decided guilt on the substantive offenses, and then, under the pre-2025 version, “the trial judge” alone “tr[ie]d] the issues of whether the defendant has been previously convicted as alleged,” which necessarily included deciding whether the prior convictions were “separately brought and tried, and arising out of separate and distinct criminal episodes.” *Id.* at ¶¶ 47–50. Gregg observes that this procedure was not accidental; the legislature in 1995 deliberately amended the statute to strike “jury” as the factfinder and replace it with “trial judge.” *Id.* ¶¶ 47–50. And, crucially, Gregg acknowledges that Erlinger “expressly holds that the U.S. Constitution requires that a jury, not a judge, make such findings.” *Id.* ¶¶ 47–49.

Together, Fields and Gregg confirm what Petitioner has argued from the outset: Colorado’s habitual criminal scheme rested on a structural allocation of factfinding to the judge that is now openly recognized to be inconsistent with the Sixth Amendment as interpreted in *Apprendi*, *Blakely*, and *Erlinger*. *Cert. Pet.* pp. 12–19. Fields attempts to preserve past judgments by applying a “constitutional harmless error” analysis to *Erlinger* violations, but in doing so it adopts precisely the sort of speculative appellate factfinding that *Erlinger* and *Chapman* forbid. *Supp. App. A*; see *infra* Part III. Gregg, meanwhile, underscores that Petitioner’s trial judge did exactly what the pre-2025 statute commanded: he treated the separate-episode inquiry as a pure question of law for the court, rejected Petitioner’s *Apprendi-Blakely* demand for a jury, and then used that same demand as evidence that he was a frivolous litigant deserving of the ultimate sanction—a *de facto* life sentence that bears no resemblance to the presumptive term for his underlying offenses. *Cert. Pet. App.* 1-A, 1-B, 5-A.

Against this backdrop, *People v. Vreeland*, No. 22CA1704 (*Supp. App. C*), decided just weeks after Petitioner filed his certiorari petition, reveals Colorado’s ongoing resistance to any meaningful remedy. In that unpublished order, the Colorado Court of Appeals rejected

Petitioner's renewed jurisdiction and venue claims not on the merits but on procedural grounds. It held that because Petitioner did not raise venue on direct appeal and because his pretrial venue motion was filed more than twenty-one days after arraignment, he "waived" any venue challenge and could not obtain relief in a Crim. P. 35 proceeding. Supp. App. C ¶¶ 12–15. The court further insisted that venue is not "jurisdictional" and thus cannot be raised "at any time," even where the trial court failed to decide the issue before trial and the underlying pleadings were missing from the record for years. Supp. App. C ¶¶ 13–15. Those conclusions are squarely at odds with the record that Petitioner has already placed before this Court, which shows that two venue motions—long denied to exist—ultimately resurfaced and revealed that state actors had suppressed them while proceeding to trial and sentence in the absence of lawful venue, and that the Colorado Attorney General later agreed, in an unopposed petition for certiorari to the Colorado Supreme Court, that venue and jurisdiction issues warranted review. Cert. Pet. App. 3-I, 4-A.

These post-petition decisions thus strengthen, rather than weaken, the case for this Court's intervention. Colorado now concedes that Erlinger applies to its habitual statute, that the statute required a judge—not a jury—to make the separate-episode findings in Petitioner's case, that the legislature has amended the statute to require a jury going forward, and that in Petitioner's own case the courts will not entertain jurisdictional objections because of supposed procedural defaults, even where the State has waived those objections in an unopposed certiorari petition. The combination of those developments with the existing record makes this an ideal vehicle for the Court to clarify that individuals like Petitioner, who timely requested a jury on habitual counts after Apprendi and Blakely and were denied that request, may not be left serving life-equivalent sentences on the basis of judicial factfinding that Erlinger has now condemned.

II. THE ORIGINAL RECORD—INCLUDING THE HEHER OPENING BRIEF— SHOWS CONTESTED FACTS THAT CANNOT BE DEEMED HARMLESS UNDER ERLINGER

The new decisions must be read in light of the existing record, particularly the Heher opening brief in the original Colorado Court of Appeals case, 08CA2468 (Cert. Pet. App. 1-C). That brief devoted multiple claims (Claims 13–17) to demonstrating that the habitual counts were legally and factually defective: that the information was fatally amended mid-trial; that the State introduced inadmissible hearsay and failed to prove essential documentary facts; that the court allowed probation-revocation dates and warrant dates to stand in for judgments of conviction; and that the trial judge ultimately made only the vaguest of findings that a given count was a “separate incident,” rather than making the detailed episode-by-episode determinations that the habitual statute requires.

Heher's opening brief highlights a particularly stark example: Count 23, where the State initially alleged that Petitioner pled guilty to a breaking-and-entering charge on March 7, 1985 and was “sentenced therefor” on December 20, 1988. As the Heher brief explains, the December 20, 1988 date corresponded not to a judgment of conviction but to a probation-revocation proceeding; the State lacked proof of any specific sentencing date and therefore amended the charge mid-trial to allege that Petitioner was “convicted between and including” March 7, 1985 and December 20, 1988, a span of more than three and a half years. The trial court, recognizing the evidentiary gap, found only that the State had proven what it alleged—that he was “sentenced between 3-7-85 and 12-20-88”—and nonetheless counted the conviction as a valid habitual predicate. As the brief concluded, those habitual findings should have been vacated outright.

The same opening brief showed that other alleged prior convictions were all obtained on the same day, in the same court, before the same judge, in a single case, yet were treated as “separate” convictions and “separate and distinct criminal episodes” based on nothing more

than the State’s argument and the trial judge’s own evaluation of probation-revocation paperwork. In other words, the record that Fields would later describe as “overwhelming” in that case is anything but overwhelming here. The factual questions that Erlinger identifies—whether prior offenses were close in time, involved the same victims, arose from a continuous course of conduct, or were so intertwined that proof of one would substantially overlap with proof of another—are hotly contested on this record, and the only adjudicator to resolve them was a judge acting under an express statutory directive that the court, not a jury, decide the habitual issues. Cert. Pet. App. 1-B, 1-C; Supp. App. B.

Petitioner’s original certiorari petition further explained that the Colorado Court of Appeals forced appellate counsel to excise twenty-one claims, including additional challenges to the habitual counts, by denying a motion to exceed word limits under C.A.R. 28(g), which left Petitioner’s full constitutional arguments about the habitual adjudication underdeveloped in the replacement opening brief. Cert. Pet. App. 1-C, 1-D, 1-E, 1-F. That history underscores why the State’s post-Erlinger suggestion that the record is so lopsided that no rational jury could find in Petitioner’s favor is inappropriate. It was precisely because the trial judge and the appellate courts refused to allow a jury to assess the habitual allegations—and then restricted the ability of appellate counsel to fully brief those issues—that the record looks the way it does. To now characterize that judge-made record as “overwhelming” proof beyond a reasonable doubt is to convert the constitutional violation itself into the basis for finding harmlessness.

The Heher brief also anticipated, in substance, the reasoning later adopted in Erlinger. It stressed that Colorado’s habitual statute, like ACCA, requires proof that prior offenses were “separately brought and tried, and arising out of separate and distinct criminal episodes,” and that the time of conviction for habitual purposes is the date of judgment, not the date of arrest, warrant, or probation violation. Those are precisely the types of factual distinctions that Erlinger held must be resolved by a jury, not by a sentencing judge, because they go beyond “the bare fact of a prior conviction” and directly expose the defendant to a substantially greater

sentence. Erlinger, 602 U.S. at 837–38; see also Apprendi, 530 U.S. at 490; Blakely, 542 U.S. at 303–05. Petitioner therefore finds himself in the paradigm case Erlinger envisioned: a defendant whose habitual exposure turns entirely on disputed facts about the timing, grouping, and character of prior convictions, and whose fate was sealed by a judge’s unilateral resolution of those disputes, despite his repeated, timely demands for a jury trial on the habitual counts.

III. THE HARMLESS-ERROR FRAMEWORK ADOPTED IN FIELDS CANNOT BE APPLIED TO THIS CASE, AND PEOPLE v. O’NEIL SHOWS HOW CHAPMAN SHOULD OPERATE

Fields holds that Erlinger errors are subject to constitutional harmless-error review and concludes that the violation there was harmless because the documentary record of the prior convictions was so clear that no rational jury could find otherwise. Supp. App. A ¶¶ 8–16. Petitioner does not dispute that Apprendi-type errors are generally reviewed under Chapman; this Court has so held in cases like *Washington v. Recuenco*, 548 U.S. 212 (2006), and *Neder v. United States*, 527 U.S. 1 (1999). But Fields illustrates why applying Chapman in a manner that simply substitutes an appellate court’s evaluation of “overwhelming evidence” for a missing jury verdict is particularly problematic in the context of habitual criminal adjudications. Erlinger emphasized that there is “no efficiency exception to the Fifth and Sixth Amendments,” and that even where the separate-episode inquiry might appear straightforward, the Constitution still requires that a jury—not a judge or appellate court—make the determination. 602 U.S. at 842. Any Chapman analysis must therefore be tightly constrained: a reviewing court may not simply say that, based on the cold record, it is “sure” the jury would have agreed with the trial judge; rather, it must ask whether the government has proved beyond a reasonable doubt that no rational jury could reasonably reach a different conclusion on the disputed factual questions.

People v. O’Neil provides a useful comparative model for how Chapman should be applied in this setting. There, the California Court of Appeal confronted a post-Erlinger

challenge to an upper-term sentence imposed by a judge on aggravating factors not found by a jury. The court recognized that, under California's statute and this Court's cases, "with the exception of prior conviction allegations, under the Sixth Amendment, any fact that exposes a defendant to a greater potential sentence must be found by a jury and established beyond a reasonable doubt," and that reliance on non-jury aggravating facts violates the Sixth Amendment even if some aggravating facts were properly established. O'Neil then carefully applied Chapman, emphasizing that the proper inquiry is whether any rational factfinder could have reached the opposite conclusion, and holding that where the aggravating circumstances rest on "somewhat vague or subjective" standards, and where the defendant may not have had the same incentive to contest them at sentencing, a reviewing court cannot conclude, beyond a reasonable doubt, that a properly instructed jury would have found them true. Because it could not say so with that degree of confidence, the court vacated the sentence and remanded for jury factfinding and resentencing.

Petitioner's case sits much closer to O'Neil than to Fields. Here, the "aggravating fact" that transformed his sentence from an ordinary term within Colorado's presumptive range into a de facto life sentence was the judge's determination that his prior convictions were "separately brought and tried, and arising out of separate and distinct criminal episodes." Cert. Pet. App. 5-A; Supp. App. B. That determination depended on nuanced, disputed questions about the timing of convictions as opposed to probation-revocation hearings, the grouping of multiple counts in a single case, and whether episodes that shared the same court, same judge, and same date were nonetheless distinct criminal events. Those are quintessential fact-laden issues of the sort Erlinger describes and O'Neil treats as unsuitable for appellate speculation under Chapman. If anything, the fact that the trial judge here treated a probation-revocation date as a separate habitual conviction, and that the State's proof failed to show a specific judgment date for at least one count, underscores that a rational jury could well have found that the statutory separate-episode requirement was not met beyond a reasonable doubt.

Moreover, the stakes of the error in this case make it especially ill-suited for a forgiving harmless-error analysis. The difference between a lawful sentence within the presumptive range for Petitioner's underlying offenses and the habitual-enhanced term actually imposed is not a marginal increase; it is the difference between a finite term of years and what is effectively life without parole. Cert. Pet. App. 5-A; Cert. Pet. pp. 10–11. When a defendant's liberty interest is that extreme, and when the enhancement rests entirely on disputed factual questions beyond the elements of the underlying offenses, the argument that a jury trial denial can be harmless in any ordinary sense becomes strained. At the very least, where (1) the defendant explicitly requested a jury on the habitual counts; (2) the trial court denied that request and punished him for insisting on it; (3) the factual record concerning the prior convictions is messy, contested, and intertwined with probation-revocation proceedings; and (4) the resulting sentence is effectively life, no reviewing court should declare, beyond a reasonable doubt, that no rational jury could possibly have found the habitual criteria unmet.

Petitioner respectfully suggests that the Court should adopt a clear rule in line with both Erlinger and O'Neil: when a defendant has been denied a jury trial on habitual or recidivist factfinding after Apprendi and Blakely, and the resulting sentence is a qualitatively different, life-equivalent punishment, Chapman cannot be satisfied by an appellate conclusion that the evidence looked "overwhelming" to a judge. Instead, the error should be presumed prejudicial absent a jury verdict, or, at minimum, remedied by vacating the habitual adjudication and remanding to the sentencing court for resentencing within the presumptive range authorized by Colorado Statute. That approach would align with O'Neil's careful application of Chapman, give practical effect to Erlinger's rejection of an "efficiency exception," and prevent the kind of post-hoc rationalization that now threatens to insulate Petitioner's unconstitutional life sentence from meaningful review.

**IV. VENUE, JURISDICTION, AND THE STATE'S UNOPPOSED POSITION
CONFIRM THAT PETITIONER'S CASE PRESENTS AN EXCEPTIONAL POSTURE
FOR RELIEF**

The newly issued order in 22CA1704 and the record surrounding the Colorado Supreme Court's docket 25SC147 also bear on the propriety of relief in this Court. The 22CA1704 division acknowledged that Petitioner had challenged venue in Douglas County before trial but noted that the trial court rejected his challenge and that he did not raise venue on direct appeal. It therefore declined to reach the merits of the venue argument in the postconviction appeal, treating the claim as forfeited under Crim. P. 35(c)(3)(VII), and further held that venue is not a jurisdictional defect. Supp. App. C ¶¶ 12–15. The court also concluded that any venue claim was “too late” under § 18-1-202(11) because Petitioner's written motion came more than twenty-one days after arraignment and he had not shown good cause. Supp. App. C ¶ 14.

The record underlying Petitioner's certiorari petition paints a very different picture. Between the denial of certiorari in an earlier Colorado Supreme Court case and the current proceedings, two venue motions that state actors had long insisted “did not exist” reappeared, revealing that the trial court and prosecutor had proceeded to trial and sentence in the knowledge that venue was contested and that the issue had not been lawfully resolved before the jury was impaneled. Cert. Pet. App. 3-I; 4-A at 13. Petitioner's Rule 50 unopposed petition for certiorari to the Colorado Supreme Court, attached at Cert. Pet. App. 4-A, expressly raised these venue and jurisdiction defects alongside the habitual sentencing and Erlinger claims, and the State did not oppose that petition; indeed, the Attorney General's Office agreed, in contemporaneous filings, that Petitioner should be resentenced and released. Cert. Pet. App. 3-G, 3-F, 4-A.

That combination of facts—suppressed venue motions, a trial conducted in the teeth of a live venue challenge, an unopposed petition for certiorari in which the State accepted that resentencing and release were appropriate, and a subsequent appellate order treating venue as

forfeited and “too late”—constitutes a further, independent reason why this Court’s intervention is warranted. At a minimum, the State’s unopposed position in the Colorado Supreme Court should estop it from now arguing that Petitioner is not entitled to resentencing and release, either on the habitual counts or on venue and jurisdiction grounds. More broadly, the 22CA1704 order illustrates how state procedural rulings can be deployed to insulate serious constitutional errors from meaningful merits review, even when the State itself has essentially conceded that relief is appropriate. This Court has long recognized that it retains the authority, and sometimes the duty, to correct such miscarriages of justice when state courts have failed to provide an adequate forum for vindicating federal rights.

CONCLUSION

The developments since Petitioner filed his certiorari petition do not undermine his case; they crystallize it. Colorado now openly acknowledges that its habitual criminal scheme required judges, not juries, to decide the separate-episode questions that Erlinger holds are for juries alone; that the legislature has amended the statute to restore a jury-trial requirement going forward; that in *Fields*, the Court of Appeals will treat even clear Erlinger violations as “harmless” by speculating about what a hypothetical jury would have done; and that in Petitioner’s own case, the appellate courts will refuse to address venue and jurisdiction defects because of alleged procedural defaults, even where the State itself has waived timeliness objections in an unopposed certiorari petition. The original record, as laid out in the Heher opening brief and the certiorari appendix, shows that Petitioner’s habitual adjudication hinged on the very kind of contested, fact-intensive questions that Erlinger identified as requiring a jury, and that the trial judge’s resolution of those questions transformed his sentence from a presumptive term of years into a life-equivalent punishment imposed only after he chastised him for insisting on his *Apprendi* and *Blakely* rights. In light of *Erlinger*, *Apprendi*, *Blakely*, *Chapman*, and persuasive authority like *O’Neil*, this Court should make clear that such an error cannot be brushed aside as harmless.

Petitioner therefore respectfully renews his request that the Court grant the petition for a writ of certiorari, reverse the judgment below, and remand with instructions to vacate his habitual criminal adjudication and resentence him within the presumptive range under Colorado law. At a minimum, the Court should grant, vacate, and remand for reconsideration in light of Erlinger, Fields, Gregg, and the other intervening developments described in this supplemental brief, with directions that any further application of harmless error conform to Chapman's rigorous standard and to the Sixth Amendment's guarantee that the facts exposing a defendant to a dramatically enhanced sentence be found by a jury, not by a judge.

Respectfully submitted this 24th day of November 23, 2025

CERTIFICATE OF SERVICE

I, Delmart Edward Vreeland, hereby certify that on this 24th day of November, 2025, I caused to be served a true and correct copy of the **Supplemental Brief Pursuant to Supreme Court Rule 15.8 in Delmart Edward Vreeland v. People of the State of Colorado, No. 25A325**, by depositing the same in the United States Mail, first-class postage prepaid, addressed to:

**Office of the Colorado Attorney General
1300 Broadway
Denver, Colorado 80203**

NOVEMBER 2025

**Delmart Edward Vreeland
#143539
P.O. Box 6000
Sterling, CO 80751
Pro Se**