

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, JUNE 5, 2023**

"Slip opinions" are the opinions delivered by the Supreme Court Justices and are subject to modification, rehearing, withdrawal, or clerical corrections. Modifications to previously posted opinions will be linked to the case number in the petition for rehearing section the day the changes are announced.

Click on the case number to view the opinion in pdf format.

OPINIONS

[2023 CO 30](#)

Supreme Court Case No. 21SC564
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 17CA1910

Petitioner:

Cristobal Fernando Garcia,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed
en banc

JUSTICE HOOD delivered the Opinion of the Court, in which **CHIEF JUSTICE BOATRIGHT, JUSTICE MÁRQUEZ, JUSTICE GABRIEL, JUSTICE HART, JUSTICE SAMOUR,** and **JUSTICE BERKENKOTTER** joined.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JUNE 5, 2023

[2023 CO 31](#)

Supreme Court Case No. 22SC119
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 20CA1780

Petitioner:

The State of Colorado,

v.

Respondent:

Roger Hill.

Judgment Reversed
en banc

JUSTICE HART delivered the Opinion of the Court, in which **CHIEF JUSTICE BOATRIGHT, JUSTICE MÁRQUEZ, JUSTICE HOOD, JUSTICE GABRIEL, JUSTICE SAMOUR,** and **JUSTICE BERKENKOTTER** joined.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JUNE 5, 2023

[2023 CO 32](#)

Supreme Court Case No. 22SA874
Original Proceeding Pursuant to C.A.R. 21
Arapahoe County District Court Case No. 21CR2305
Honorable Eric Barclay White, Judge

In Re
Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Noelle Dawn Kelley.

Rule Discharged
en banc

JUSTICE BERKENKOTTER delivered the Opinion of the Court, in which **CHIEF JUSTICE BOATRIGHT, JUSTICE MÁRQUEZ, JUSTICE HOOD, JUSTICE GABRIEL, JUSTICE HART,** and **JUSTICE SAMOUR** joined.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JUNE 5, 2023*

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 22SC590, Court of Appeals Case No. 21CA466

Petitioners:

Brian Jerome Cole, Non-resident Insurance Producer No. 475734 and Statewide Bonding, Inc., Non-resident Insurance Producer No. 476070,

v.

Respondent:

Colorado Division of Insurance.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC775, Court of Appeals Case No. 20CA1621

Petitioner:

Cody Shaw,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC789, Court of Appeals Case No. 18CA156

Petitioner:

Wesley Richard DePriest,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC931, Court of Appeals Case No. 19CA1251

Petitioner:

Devon Drizzt Howard,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JUNE 5, 2023*

No. 23SC5, Court of Appeals Case No. 20CA1121

Petitioner:

William Benjamin Cline VI,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC16, Court of Appeals Case No. 21CA841

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Mack James Downey.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC17, Court of Appeals Case No. 21CA838

Petitioner:

Anita Sandoval,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC19, Routt County District Court Case No. 22CV30009

Petitioner:

Kathleen Fitzsimmons,

v.

Respondent:

The People of State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 23SC20, Court of Appeals Case No. 21CA1367

Petitioner:

Bryan Lee Bunning,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC22, Court of Appeals Case No. 19CA715

Petitioner:

Mussie Ablel,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC23, Court of Appeals Case No. 22CA1116

Petitioner:

Toi Gillies,

v.

Respondent:

Support, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC24, Court of Appeals Case No. 19CA1766

Petitioner:

Felix Antonio Fuentes,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 23SC25, Court of Appeals Case No. 22CA1924

Petitioner:

Joseph Scott Carter,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC28, Court of Appeals Case No. 21CA461

Petitioner:

Michael Farrow,

v.

Respondents:

Executive Director of Colorado Department of Corrections and Warden of Sterling Correctional Facility.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC29, Court of Appeals Case No. 20CA600

Petitioner:

Derrick Nicholas Johnson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JUNE 5, 2023

No. 23SC307, Court of Appeals Case Nos. 22CA1817 & 22CA1450

Petitioner:

C.G.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

J.G.,

and Concerning

T.J.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC322, Court of Appeals Case No. 22CA1537

Petitioner:

K.R.T.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

H.O.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC323, Court of Appeals Case Nos. 22CA1042 & 22CA1045

Petitioner:

D.A.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

Ke.W.; Ka.W.; and K.W., Jr.

Petition for Writ of Certiorari DENIED. EN BANC.
