

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, FEBRUARY 27, 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.

OPINION

[2023 CO 9](#)

Supreme Court Case Nos. 22SA347 & 22SA348
Original Proceedings Pursuant to C.A.R. 21
Pueblo County District Court Case Nos. 20CR801 & 21CR137
Honorable Allison Ernst, Judge

**In Re
Plaintiff:**

The People of the State of Colorado,

v.

Defendant:

James Lee Justice.

Rules Made Absolute
en banc

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

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023*

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 22SC450, Court of Appeals Case No. 20CA1356

Petitioner:

Essentia Insurance Company,

v.

Respondent:

Beverly Hughes.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether a specialty antique/classic-car policy's "regular use vehicle" exclusion in its uninsured/underinsured-motorist ("UM/UIM") endorsement is enforceable under section 10-4-609, C.R.S. (2022), where the policy requires the insured to maintain a separate policy for regular-use vehicles providing full UM/UIM coverage.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023

No. 23SC61, Court of Appeals Case No. 22CA1803

Petitioner:

Colorado State Board of Education,

v.

Respondents:

Adams County School District 14 and Board of Education of Adams County School District 14.

Petition for Writ of Certiorari Pursuant to C.A.R. 50 GRANTED. EN BANC.

[REFRAMED] Whether the district court erred in ruling that the political subdivision doctrine precludes Adams 14’s constitutional claims against the State Board because Adams 14 is a subordinate agency under the Education Accountability Act, § 22-11-101, et seq., C.R.S. (2022).

[REFRAMED] Whether the local control provision in Colo. Const. art. IX, § 15, confers on Adams 14 the right to judicial review of the State Board’s acts and conduct under the Education Accountability Act.

[REFRAMED] Whether the district court erred in ruling that Adams 14 cannot assert due process claims against the State Board.

[REFRAMED] Whether the district court erred in ruling that Adams 14 cannot assert third-party claims against the State Board on behalf of its students.

DENIED AS TO ALL OTHER ISSUES.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023*

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 22SC415, Court of Appeals Case No. 19CA259

Petitioner:

David William Wiseman,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC578, Court of Appeals Case No. 19CA1591

Petitioner/Cross-Respondent:

Sontu Saul Garcia,

v.

Respondent/Cross-Petitioner:

The People of the State of Colorado.

Petition and Cross-Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC669, El Paso County District Court Case No. 22CV90

Petitioner:

David Lovingood,

v.

Respondent:

Kyle Getchey Law Firm.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC672, Court of Appeals Case No. 19CA2032

Petitioner:

Mikhail Solomonov,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023*

No. 22SC674, Court of Appeals Case No. 18CA829

Petitioner:

Justin James Mendenhall,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC675, Court of Appeals Case No. 19CA1931

Petitioner:

Robert Michael Durbin,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC677, Court of Appeals Case No. 19CA1447

Petitioner:

Dean Steven Mangeris,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC678, Court of Appeals Case No. 20CA1312

Petitioner:

Roberta D. Blanchard,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023*

No. 22SC679, Court of Appeals Case Nos. 19CA1655, 19CA1656 & 19CA1657

Petitioner:

Jonathan Dean Lowery,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC680, Court of Appeals Case No. 19CA1081

Petitioner:

Kalab Allen Prettyman,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC681, Court of Appeals Case No. 19CA2397

Petitioner:

Marissa Annmarie Valdez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC688, Court of Appeals Case No. 21CA1558

Petitioner:

Hazhar A. Sayed,

v.

Respondent:

Dean Williams, Executive Director of the Colorado Department of Corrections.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023*

No. 22SC690, Court of Appeals Case No. 22CA1168

Petitioner:

Judy Anne Ruth,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC691, Jefferson County District Court Case No. 21CV186

Petitioner:

Andrew Johnson,

v.

Respondent:

Camaros Plus, LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC692, Court of Appeals Case No. 20CA1639

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

S. B.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC695, Court of Appeals Case No. 19CA1898

Petitioner:

Frank Douglas Campbell,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023*

No. 22SC697, Court of Appeals Case No. 18CA1521

Petitioner:

Zachary Vincent Myers,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC700, Court of Appeals Case No. 19CA347

Petitioner:

Donny Ray Pulliam,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC703, Court of Appeals Case No. 20CA1469

Petitioner:

Stephen Eric Peacock,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC704, Court of Appeals Case No. 21CA1170

Petitioner:

Richard Roy Blake,

v.

Respondents:

Ihsan Riahi and Metropolitan Denver North Islamic Center, a nonprofit corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 22SC705, Court of Appeals Case No. 18CA2051

Petitioner:

Raoul Solis Lanius,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC706, Arapahoe County District Court Case No. 21CV30885

Petitioner:

Byamba Ochir Dorjbal,

v.

Respondent:

The People of the City of Aurora, State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC742, Court of Appeals Case No. 22CA1295

Petitioner:

Tina Marie Peters,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC72, Court of Appeals Case No. 22CA621

Petitioner:

A.B.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

J.R. and U.R.

Petition for Writ of Certiorari DENIED. EN BANC.

***COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, FEBRUARY 27, 2023***

No. 23SC76, Court of Appeals Case No. 22CA886

Petitioner:

S.R.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

S.R. and R.R.

Petition for Writ of Certiorari DENIED. EN BANC.
