

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, DECEMBER 19, 2022**

"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.

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**OPINIONS**

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**[2022 CO 57](#)**

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**Supreme Court Case No. 21SC390**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 20CA205  
Arapahoe County District Court Case No. 19CV32190  
Honorable Elizabeth Weishaupl

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**Petitioner:**

Marshall P. Brown, in his official capacity as Director of Water of the City of Aurora,  
Colorado,

v.

**Respondent:**

Walker Commercial, Inc., a Colorado corporation.

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**Judgment Reversed**

*en banc*

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

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**[2022 CO 58](#)**

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**Supreme Court Case No. 22SC135**  
*C.A.R. 50 Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 21CA2019  
Adams County District Court Case No. 21CV30611  
Honorable Teri L. Vasquez, Judge

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**Petitioners:**

Jan Kulmann, in her official capacity as Mayor of the City of Thornton; and the City of Thornton, Colorado, a Colorado municipal corporation,

v.

**Respondent:**

Cherish Salazar.

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**Judgment Reversed**  
*en banc*

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

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**[2022 CO 59](#)**

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**Supreme Court Case No. 22SA290**  
*Original Proceeding Pursuant to C.A.R. 21*  
Mesa County District Court Case No. 22CV10  
Honorable Paul R. Dunkelman, Chief Judge

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**In Re**  
**Plaintiff:**

The People of the State of Colorado,

v.

**Defendant:**

Belinda Knisley,

**and Concerning:**

Tina Peters.

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**Rule Made Absolute**  
*en banc*

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

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**RULE CHANGES**

[RULE CHANGE 2022\(17\)](#)

UNAUTHORIZED PRACTICE OF LAW RULES

Rules 228, 229, 230, 231, 232, 232.1, 232.2, 232.3, 232.4, 232.5, 232.6, 232.7, 232.8, 232.9, 232.10, 232.11, 232.12, 232.13, 232.14, 232.15, 232.16, 232.17, 232.18, 232.19, 232.20, 232.21, 232.22, 232.23, 232.24, 232.25, 232.26, 232.27, 232.28, 232.29, 232.30, 234, 235, 236, 237, 238, 239, 240, 240.1, and 240.2

**Amended and Adopted by the Court, En Banc, December 15, 2022, effective immediately.**

[RULE CHANGE 2022\(18\)](#)

RULES GOVERNING LAWYER DISCIPLINE AND DISABILITY PROCEEDINGS, PROTECTIVE APPOINTMENT OF COUNSEL, CONTINUING LEGAL AND JUDICIAL EDUCATION, ATTORNEYS' FUND FOR CLIENT PROTECTION, AND LAWYER ASSISTANCE PROGRAMS

Rule 255

**Amended and Adopted by the Court, En Banc, December 15, 2022, effective immediately.**

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
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**GRANTED PETITION FOR WRIT OF CERTIORARI**

**No. 21SC920, Court of Appeals Case No. 20CA997**

**Petitioner:**

Jared S. Polis, in his official capacity as Governor of the State of Colorado,

v.

**Respondents:**

Rocky Mountain Gun Owners, a Colorado nonprofit corporation; Patrick Neville, Representative; Lori Saine, House Minority Leader; and Dave Williams, Representative.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the court of appeals misinterpreted *Markwell v. Cooke*, 2021 CO 17, in ruling that the plaintiffs' complaint asserting lack of compliance with the unanimity requirement of the Reading Clause, Colo. Const. art. V, § 22, "doesn't present a nonjusticiable political question."

[REFRAMED] Whether the court of appeals erred in concluding that two of the plaintiff legislators suffered an injury in fact for purposes of standing when their requests to have the "Red Flag Law" bill read in full before it was voted on were denied.

DENIED AS TO ALL OTHER ISSUES.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
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**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 22SC157, Court of Appeals Case No. 17CA1079**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Larry D. Buckner.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE SAMOUR would grant as to the following issue:

Whether a division of the court of appeals misapplied the plain error standard in finding cumulative plain error warranting reversal.

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**No. 22SC308, Court of Appeals Case No. 21CA503**

**In re the Marriage of**

**Petitioner:**

Derek Skellchock,

and

**Respondent:**

Alora-Ann Volz.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC359, Court of Appeals Case No. 20CA2097**

**Petitioner:**

Robins Kaplan, LLP,

v.

**Respondent:**

Gil Gerstein.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC403, Court of Appeals Case No. 21CA177**

**In re the Marriage of**

**Petitioner:**

Martine Bernard,  
and

**Respondent:**

Christopher Hodyl.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC438, Court of Appeals Case No. 20CA1465**

**Petitioners:**

Paul A. Frederiksen and Brenda J. Frederiksen,  
v.

**Respondents:**

Gravina Siding and Windows Company, Larry A. Gravina, Mike Gravina, and Jason Castro.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC470, Court of Appeals Case No. 22CA636**

**Petitioner:**

Tom Macurdy, Personal Representative of Estate of Larry Andrews,  
v.

**Respondents:**

Arbordale Acres, LLC; Pattie Golden; Kingsley Management, Corp.; and Nate Nelson.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC480, Court of Appeals Case No. 22CA752**

**Petitioner:**

Jackie-Devere Allen Cole,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC482, Court of Appeals Case No. 19CA1200**

**Petitioner:**

Jeromie James Rose,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC491, Court of Appeals Case No. 19CA1059**

**Petitioner:**

Raymond Davenport,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC492, Court of Appeals Case No. 19CA767**

**Petitioner:**

Keevin Bell, II,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC493, Court of Appeals Case No. 20CA900**

**Petitioner:**

Joshua Polaske,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**22SC514, Court of Appeals Case No. 19CA650**

**Petitioner:**

Daniel Ramirez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC515, Court of Appeals Case No. 19CA2232**

**Petitioner:**

Felimon Landeros Ramos,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC519, Court of Appeals Case No. 19CA576**

**Petitioner:**

Kenneth Scott Casey,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC528, Court of Appeals Case No. 20CA1143**

**Petitioner:**

Frederick Charles Battle,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC839, Court of Appeals Case No. 21CA1571**

**Petitioners:**

C.C. and B.C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

C.L.C. and B.S.C.

Petitions for Writ of Certiorari DENIED. EN BANC.

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