

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, MAY 22, 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.

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**OPINIONS**

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[2023 CO 25](#)

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**Supreme Court Case No. 23SA30**  
*Original Proceeding Pursuant to C.A.R. 21*  
Weld County Court Case No. 2021T5286  
Honorable John Briggs, Judge

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**In Re  
Plaintiff:**

The People of the State of Colorado,

v.

**Defendant:**

Jacob Woodside.

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**Rule Discharged**  
*en banc*

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

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**ORIGINAL PROCEEDING**

[23SA126](#)      In Re People in the interest of Children  
Order to Show Cause issued on May 18, 2023

**GRANTED PETITIONS FOR WRIT OF CERTIORARI**

**No. 22SC682, Court of Appeals Case No. 21CA111**

**Petitioner:**

Daniel Wolf,

v.

**Respondents:**

Michael J. Brenneman and Jeffrey B. Selby.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the holding in *Allison v. Engel*, 2017 COA 43, 395 P.3d 1217, regarding what constitutes a sufficient justification for certification of final orders under C.R.C.P. 54(b) should be overturned.

DENIED AS TO ALL OTHER ISSUES.

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**No. 22SC787, Court of Appeals Case No. 21CA109**

**Petitioner:**

Mark Kinslow,

v.

**Respondent:**

Daniala Mohammadi.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether section 13-81-103(1)(c), C.R.S. (2022), tolls the otherwise applicable statute of limitations for a minor's bodily injury claim until the minor's eighteenth birthday, even if the minor turns eighteen before the otherwise applicable statute of limitations expires.

DENIED AS TO ALL OTHER ISSUES.

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**No. 22SC852, Court of Appeals Case No. 19CA768**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Raeaje Resshaud Johnson.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether citing a Black juror’s expression of concern that police do not treat minority persons equally constitutes a race-neutral justification for the purposes of *Batson*’s second step.

Whether the court of appeals erred in departing from supreme court precedent in adopting for the first time a “per se” test mandating a trial court to sustain a *Batson* objection when the challenged peremptory strike is supported by justification both race-neutral and race-based without regard to whether the strike was based on purposeful discrimination.

DENIED AS TO ALL OTHER ISSUES.

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**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 22SC599, Court of Appeals Case No. 19CA1364**

**Petitioner:**

Ashford Nathaniel Archer,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC696, Court of Appeals Case No. 21CA1006**

**In re the Marriage of**

**Petitioner:**

James Michael Thorburn,

and

**Respondent:**

Danielle Jeanette Thorburn.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC710, Court of Appeals Case No. 19CA1462**

**Petitioner:**

Josiah Seth Ivy,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC749, Court of Appeals Case No. 20CA1649**

**Petitioner:**

Shade Thomas Trimble,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC757, Court of Appeals Case No. 21CA633**

**Petitioner:**

Brian Ping,

v.

**Respondents:**

Timothy Bounds and Evans Case, LLP.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC831, Court of Appeals Case No. 21CA162**

**Petitioners:**

Judith A. Zallaps, individually as the Insured under the Sun Life Assurance Company of Canada Futurity Accumulator Flexible Premium Variable Universal Life Insurance Policy No. 2220001483, and as a Trustee for and on behalf of the Ilgvars J. Zallaps Family Trust, a Colorado trust and Ilgvars J. Zallaps Family Trust, a Colorado trust, v.

**Respondents:**

Merrill Lynch, Pierce, Fenner & Smith, Inc., a Delaware Corporation; Wells Fargo Advisors Financial Network, LLC, a Delaware limited liability company; Garner Allen Mabry, IV; Todd Michael Schwartz; and Schwartz Mabry Private Wealth Advisory, LLC, a Colorado limited liability company.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC873, Court of Appeals Case No. 21CA343**

**Petitioner:**

James Woo,

v.

**Respondents:**

Jose Angel Baez, Michelle Medina, and Richard Bednarski.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC879, Court of Appeals Case No. 19CA2189**

**Petitioner:**

Constance M. Volz,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC964, Court of Appeals Case No. 19CA1735**

**Petitioner:**

Jeremiah Eli Garcia,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC965, Court of Appeals Case No. 19CA322**

**Petitioner:**

Marcello Jose Rodriquez, Jr.,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC970, Court of Appeals Case No. 21CA1906**

**Petitioner:**

Christine Allison Robinson,

v.

**Respondent:**

M.J. Coon.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC971, District Court, City and County of Denver Case No. 21CV33710**

**Petitioner:**

Yam Chapagai,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC972, Court of Appeals Case No. 20CA276**

**Petitioner:**

Omar Sharese Gholston,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC973, Court of Appeals Case No. 20CA360**

**Petitioner:**

Angelo Quintana,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC974, Court of Appeals Case No. 20CA422**

**Petitioner:**

Stevie A. Rodriguez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC975, Court of Appeals Case No. 21CA855**

**Petitioner:**

William G. Webb,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC977, Court of Appeals Case No. 19CA1969**

**Petitioner:**

Brent Snook,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 22SC981, Court of Appeals Case No. 21CA1020**

**Petitioner:**

Erren Culton Taylor,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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