

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, JANUARY 30, 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 4](#)

Supreme Court Case No. 21SC236
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 16CA441

Petitioner:

Elliott J. Forgette,

v.

Respondent:

The People of the State of Colorado.

Judgment Vacated in Part and Affirmed in Part
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.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023

[2023 CO 5](#)

Supreme Court Case No. 22SA172
Original Proceeding Pursuant to C.A.R. 21
Larimer County District Court Case No. 21CR1567
Honorable Sarah B. Cure, Judge

In Re
Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Timothy Albert Kembel.

Rule Made Absolute
en banc

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COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023

Supreme Court Case No. 22SA173
Original Proceeding Pursuant to C.A.R. 21
Larimer County District Court Case No. 20CR2485
Honorable Sarah B. Cure, Judge

In Re
Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Kerrie Lyn Dexter.

Rule Made Absolute
en banc

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

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023

[2023 CO 6](#)

Supreme Court Case No. 22SA272
Original Proceeding Pursuant to C.A.R. 21
Pueblo County District Court Case No. 21CR1517
Honorable Amiel Markenson, Judge

In Re
Plaintiff:

The People of the State of Colorado,

v.

Defendant:

John Robert Hacke.

Rule Discharged
en banc

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

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023*

ORIGINAL PROCEEDINGS

[23SA7](#) In Re People v. Speed, Cori
Order to Show Cause issued on January 23, 2023

[23SA30](#) In Re People v Woodside, Jacob
Order to Show Cause issued on January 25, 2023

GRANTED PETITION FOR WRIT OF CERTIORARI

No. 22SC563, Court of Appeals Case No. 21CA173

Petitioners:

Lisa Runkel and Sylvan T. Runkel, III,

v.

Respondent:

Owners Insurance Company.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the notice-prejudice rule applies to homeowner's property insurance policies.

DENIED AS TO ALL OTHER ISSUES.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023*

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 22SC371, Court of Appeals Case No. 20CA988

Petitioner:

The People of the State of Colorado,
v.

Respondent:

Garrett Matthew Coughlin.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC490, Court of Appeals Case No. 21CA962

Petitioner:

William Robert Eason,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC524, Court of Appeals Case No. 20CA1955

Petitioner:

Brandon Joseph Clements,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023*

No. 22SC573, Court of Appeals Case No. 19CA694

Petitioner:

Thomas Rojas,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC575, District Court, City and County of Denver Case No. 22CV30006

Petitioner:

Eric Sysyn,

v.

Respondent:

The People of City and County of Denver.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC576, Teller County District Court Case No. 22CV30006

Petitioner:

Shawn Wilhite,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC577, Court of Appeals Case No. 19CA1372

Petitioner:

Yevgeniy Vladimirovch Melnikov,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023*

No. 22SC581, Jefferson County District Court Case No. 21CV30518

Petitioner:

Amanda Plumley,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC582, Court of Appeals Case No. 19CA2216

Petitioner:

David Wayne Robinson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC583, Court of Appeals Case No. 20CA710

Petitioner:

Sean Vincent Carpenter,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC584, Court of Appeals Case No. 19CA532

Petitioner:

Arquinn Deandre Stafford,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JANUARY 30, 2023*

No. 22SC585, Court of Appeals Case No. 19CA1927

Petitioner:

James A. Vigil,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC588, Court of Appeals Case No. 19CA1809

Petitioner:

Isaiah G. Davis,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC976, Court of Appeals Case No. 22CA241

Petitioner:

S.S.M.S.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

S.A.B. and D.R.B.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC986, Court of Appeals Case No. 21CA454

Petitioner:

A.M.C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

T.D.J.

Petition for Writ of Certiorari DENIED. EN BANC.