

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
TUESDAY, NOVEMBER 14, 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 56\*\*](#)

---

**Supreme Court Case No. 21SC895**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 17CA1381

---

**Petitioner:**

Jose Garcia,

v.

**Respondent:**

Colorado Cab Company, LLC, a Colorado limited liability company d/b/a Denver  
Yellow Cab.

---

**Judgment Reversed**  
*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**  
**TUESDAY, NOVEMBER 14, 2023**

---

---

[2023 CO 57](#)

---

**Supreme Court Case No. 23SA126**  
*Original Proceeding Pursuant to C.A.R. 21*  
Washington County District Court Case No. 22JV30004  
Honorable Justin B. Haenlein, Judge

---

**In Re**  
**Petitioner:**

The People of the State of Colorado,

**In the Interest of Children:**

J. P., J. P., and J. P.,

**and concerning Respondents:**

J. L. M. and J. P.

---

**Rule Discharged**  
*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  
TUESDAY, NOVEMBER 14, 2023*

---

---

**RULE CHANGE**

[RULE CHANGE 2023\(14\)](#)

COLORADO RULES OF CIVIL PROCEDURE

Rule 10

**Amended and Adopted by the Court, En Banc, November 13, 2023, effective immediately.**

**ORIGINAL PROCEEDING**

23SA289      In Re City of Rifle v. Mobley, Jeremiah  
Show Cause Order issued on November 9, 2023

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
**TUESDAY, NOVEMBER 14, 2023**

---

---

**GRANTED PETITIONS FOR WRIT OF CERTIORARI**

**No. 23SC328, Court of Appeals Case No. 20CA1921**

**Petitioner:**

David L. Ward,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether *Wells-Yates v. People*, 2019 CO 90M, 454 P.3d 191, announced a new, substantive rule of constitutional law that applies retroactively.

---

**No. 23SC381, Court of Appeals Case No. 21CA750**

**Petitioner:**

Rodney Dewayne McDonald,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether *Wells-Yates v. People*, 2019 CO 90M, 454 P.3d 191, announced a new, substantive rule of constitutional law that applies retroactively.

DENIED AS TO ALL OTHER ISSUES.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
TUESDAY, NOVEMBER 14, 2023*

---

---

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 22SC685, Court of Appeals Case No. 20CA441**

**Petitioner:**

Stacey Luree Lambert,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC145, Court of Appeals Case No. 20CA1864**

**Petitioner:**

The People of the State of Colorado,

**In the Interest of**

**Respondent:**

C.M.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC219, Court of Appeals Case No. 21CA969**

**Petitioner:**

North Mountain Group, LLC,

v.

**Respondent:**

L'Eagle Services, LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC283, Court of Appeals Case No. 20CA1998**

**Petitioners:**

Air Solutions, Inc., d/b/a Airpro Incorporated, a Colorado corporation and Benjamin D. Vrbancic, an individual,

v.

**Respondent:**

Christopher R. Spivey.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
TUESDAY, NOVEMBER 14, 2023*

---

---

**No. 23SC316, Court of Appeals Case No. 22CA55**

**Petitioner:**

Stacy Gery,

v.

**Respondent:**

State Farm Mutual Automobile Insurance Company.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC355, Court of Appeals Case No. 22CA495**

**Petitioner:**

Gerdur Kristjansdottir,

v.

**Respondent:**

Sousan Abadian.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC366, Court of Appeals Case No. 21CA1777**

**Petitioner:**

Sterling Consulting Corporation,

v.

**Respondents:**

Kelsey M. Yates and Mark Ferrandino, in his official capacity as Executive Director of the Colorado Department of Revenue and the State Licensing Authority for the Marijuana Enforcement Division.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC379, Court of Appeals Case No. 20CA2119**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Jamie Edward Bock.

Petition for Writ of Certiorari DENIED. EN BANC.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
TUESDAY, NOVEMBER 14, 2023*

---

---

**No. 23SC393, Court of Appeals Case No. 19CA2404**

**Petitioner:**

Aichardo Mandez-Ramirez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC423, Court of Appeals Case No. 21CA2102**

**Petitioner:**

Toi Gillies,

v.

**Respondent:**

Support Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC424, Court of Appeals Case No. 22CA1337**

**In re the Marriage of**

**Petitioner:**

Andrew Blake Wyatt,

and

**Respondent:**

Peggy Louise Wyatt.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC425, Court of Appeals Case No. 21CA1377**

**Petitioner:**

Jason Matthew Karr,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
TUESDAY, NOVEMBER 14, 2023*

---

---

**No. 23SC432, Court of Appeals Case No. 20CA1328**

**Petitioner:**

James Paul Hughes,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC434, Court of Appeals Case No. 21CA1399**

**Petitioner:**

Nicholas Lee Shauley,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC435, Court of Appeals Case No. 21CA446**

**Petitioner:**

Consepcion Rascon,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC437, Court of Appeals Case No. 20CA222**

**Petitioner:**

Jason Todd Aplin,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---



*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
TUESDAY, NOVEMBER 14, 2023*

---

---

**No. 23SC438, Court of Appeals Case No. 19CA2034**

**Petitioner:**

Jared Lee Chavez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 23SC512, Court of Appeals Case No. 22CA805**

**Petitioner:**

Abraham Hagos,

v.

**Respondent:**

The People of the State of Colorado.

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

---

**No. 23SC696, Court of Appeals Case No. 20CA1524**

**Petitioner:**

E.R.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

S.M. and E.M.

Petition for Writ of Certiorari DENIED. EN BANC.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
TUESDAY, NOVEMBER 14, 2023*

---

---

**No. 23SC722, Court of Appeals Case No. 23CA9**

**Petitioners:**

C.H. and D.E.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

E.E. and A.E.

Petitions for Writ of Certiorari DENIED. EN BANC.

---

---

**No. 23SC735, Court of Appeals Case No. 22CA2185**

**Petitioners:**

J.T. and A.P.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

S.T.

Petitions for Writ of Certiorari DENIED. EN BANC.

---

---

**No. 23SC761, Court of Appeals Case No. 23CA214**

**Petitioner:**

M.C-M.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

Az.C-M. and Y.C-M.,

and Concerning

A.C-M. and N.C.

Petition for Writ of Certiorari DENIED. EN BANC.

---

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
TUESDAY, NOVEMBER 14, 2023*

---

---

**No. 23SC763, Court of Appeals Case No. 23CA272**

**Petitioner:**

B.F-C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

X.F-C.

Petition for Writ of Certiorari DENIED. EN BANC.

---