

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, NOVEMBER 20, 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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**OPINION**

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[\*\*2023 CO 58\*\*](#)

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**Supreme Court Case No. 21SC477**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 19CA2040

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**Petitioner:**

Board of County Commissioners of Boulder County, Colorado,

v.

**Respondent:**

Crestone Peak Resources Operating LLC.

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**Judgment Affirmed**  
*en banc*

**JUSTICE MÁRQUEZ** delivered the Opinion of the Court, in which **CHIEF JUSTICE BOATRIGHT, JUSTICE HOOD, JUSTICE GABRIEL, JUSTICE SAMOUR,** and **JUSTICE BERKENKOTTER** joined.  
**JUSTICE HART** did not participate.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
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**RULE CHANGES**

[RULE CHANGE 2023\(15\)](#)

RULES GOVERNING ADMISSION TO THE PRACTICE OF LAW IN COLORADO

Rule 207.1

**Amended and Adopted by the Court, En Banc, November 16, 2023, effective immediately.**

[RULE CHANGE 2023\(16\)](#)

COLORADO LICENSED LEGAL PARAPROFESSIONAL RULES OF PROFESSIONAL CONDUCT

Rules 3.1, 3.3, 3.7, and 3.9

**Amended and Adopted by the Court, En Banc, November 16, 2023, effective immediately.**

[RULE CHANGE 2023\(17\)](#)

COLORADO RULES OF PROFESSIONAL CONDUCT

Preamble and Rules 1, 3.4, 3.7, 4.2, 4.3, 5.1, 5.3, 5.3A, 5.4, 5.5, 5.6, 7.3, 8.3, and 8.4

**Amended and Adopted by the Court, En Banc, November 16, 2023, effective immediately.**

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

**No. 23SC272, Court of Appeals Case No. 21CA1856**

**Petitioners:**

Terra Management Group, LLC and Littleton Main Street LLC d/b/a Main Street Apartments,

v.

**Respondents:**

Kathleen Keaten and Delaney Keaten.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the common law requires a clear showing that a prelitigation party knew litigation would be filed or learned litigation was likely to trigger a precomplaint duty to preserve evidence, or only requires that a prelitigation party should have known of the other party's potential damage and its potential liability.

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

**No. 23SC397, Court of Appeals Case No. 20CA507**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Michelle Nicole Couch.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC440, Court of Appeals Case No. 22CA905**

**In re the Marriage of**

**Petitioner:**

Terry W. Mobley,

and

**Respondent:**

Cheryl E. Mobley.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC441, Court of Appeals Case No. 19CA1082**

**Petitioner:**

Kelly Ray Kerr,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC442, Court of Appeals Case No. 20CA1284**

**Petitioner:**

William Loyd Jokay-Szilagji,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC443, Court of Appeals Case No. 20CA184**

**Petitioner:**

Jose J. Pinon Pol,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC444, Court of Appeals Case No. 20CA1749**

**Petitioner:**

Scott William Wyban,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

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**No. 23SC449, Court of Appeals Case No. 20CA737**

**Petitioner:**

Joshua Swan,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE SAMOUR does not participate.

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**No. 23SC451, Court of Appeals Case No. 21CA935**

**Petitioner:**

Scott L. Shorts,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC459, Court of Appeals Case No. 21CA1351**

**Petitioner:**

Dale S. Stone,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC462, Court of Appeals Case No. 21CA981**

**Respondent:**

The People of the State of Colorado,

**In the Interest of**

**Petitioner:**

B.H., a Juvenile.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC464, Court of Appeals Case No. 19CA491**

**Petitioner:**

Tina Marie Black,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC771, Court of Appeals Case No. 22CA2074**

**Petitioner:**

J.L.P.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

C.D.P.

Petition for Writ of Certiorari DENIED. EN BANC.

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
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**No. 23SC779, Court of Appeals Case No. 23CA388**

**Petitioners:**

N.B. and D.W.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

B.W.

Petitions for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC785, Court of Appeals Case No. 22CA1995**

**Petitioners:**

J.S. and S.H.,

v.

**Respondents:**

The People of the State of Colorado, L.C., and D.C.,

**In the Interest of Minor Children:**

S."H."C., K.S., and E.H.,

**and Concerning**

C.C.

Petitions for Writ of Certiorari DENIED. EN BANC.

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