

2023SA277 (1 HOUR)

Petitioner-Appellant:

Omar Ricardo Godinez,

v.

Respondents-Appellees:

Dean Williams, Executive Director, Colorado Department of Corrections; Terry Jaques, Warden, Limon Correctional Facility; and Phil Weiser, Attorney General, State of Colorado.

For the Petitioner-Appellant:

Jonathan D. Reppucci
REPPUCCI LAW FIRM P.C.

For the Respondents-Appellees:

John T. Lee
Brian M. Lanni
Ryan Crane
COLORADO DEPARTMENT OF LAW

Original Proceeding - Certification of Question of Law, U.S. Court of Appeals for the Tenth Circuit, No. 22-1194

Docketed: October 23, 2023

At Issue: October 26, 2023

ISSUE(S):

Whether SOLSA requires, permits, or prohibits parole boards from considering maturity [and] rehabilitation.

2022SC633 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Donald L. Garcia.

For the Petitioner:

Brittany Limes Zehner
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Jeffrey A. Wermer
OFFICE OF THE PUBLIC DEFENDER

Certiorari to the Colorado Court of Appeals, 2019CA1629

Docketed: August 31, 2022

At Issue: August 18, 2023

ISSUE(S):

Whether a defendant waives or forfeits a claim that the trial judge was statutorily disqualified under section 16-6-201, C.R.S. (2022), when the record shows the defense knew of the grounds for potential disqualification but failed to object, move for disqualification, or move for recusal.

2023SC51 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

James Clayton Johnson.

For the Petitioner:

Grant R. Fevurly
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Nicole M. Mooney
MOONEY LAW OFFICE

Certiorari to the Colorado Court of Appeals, 2020CA764
Docketed: January 19, 2023
At Issue: October 20, 2023

ISSUE(S):

Whether the court of appeals erred when it concluded that seeking out a 10-year old victim, driving up to her, and engaging her in a sexually charged conversation did not constitute an attempt to invite the child to enter the vehicle with the intent to commit sexual assault or unlawful sexual contact for purposes of the enticement-of-a-child statute.

2022SC673 (1 HOUR)

Petitioner:

Taunia Marie Whiteaker,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Leah Scaduto
OFFICE OF THE PUBLIC DEFENDER

For the Respondent:

Grant R. Fevurly
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2020CA1339
Docketed: September 08, 2022
At Issue: October 26, 2023

ISSUE(S):

Whether the clarified elements test announced in *Reyna-Abarca v. People*, 2017 CO 15, 390 P.3d 816, and applied in *People v. Rock*, 2017 CO 84, 402 P.3d 472, abrogated the holding in *People v. Garcia*, 940 P.2d 357 (Colo. 1997), as modified on denial of reh'g (Aug. 4, 1997), that first degree trespass of a dwelling is not a lesser-included offense of second degree burglary.

2022SC589 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Charles James Crabtree.

For the Petitioner:

Carmen Moraleda
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Mallika L. Magner
LAW OFFICE OF MALLIKA MAGNER LLC

Certiorari to the Colorado Court of Appeals, 2020CA629
Docketed: August 12, 2022
At Issue: November 08, 2023

ISSUE(S):

Whether the court of appeals erred in using a plain-error standard in light of *Linnebur v. People*, 2020 CO 79M, 476 P.3d 734.

Whether the court of appeals erred in holding that under plain error, it does not matter whether the law was settled at the time the error occurred, so long as the error is "obvious" at the time of appeal, in contravention of this court's holding in *Scott v. People*, 2017 CO 16.

2022SC787 (1 HOUR)

Petitioner:

Mark Kinslow,

v.

Respondent:

Daniala Mohammadi.

For the Petitioner:

Evan B. Stephenson
SPENCER FANE LLP
Andrew Lafontaine
JEREMY R. MALINE ASSOCIATES

For the Respondent:

Anthony Viorst
David Chambers
THE VIORST LAW OFFICES P.C.

**For Amicus Curiae Colorado Trial
Lawyers Association:**

S. Paige Singleton
RAMOS LAW

Certiorari to the Colorado Court of Appeals, 2021CA109
Docketed: October 18, 2022
At Issue: November 10, 2023

ISSUE(S):

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.
