

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
TUESDAY, FEBRUARY 20, 2024**

"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

[**2024 CO 8**](#)

Supreme Court Case No. No. 23SA146
Original Proceeding Pursuant to C.A.R. 21

**In Re
Petitioners:**

GHP Horwath, P.C.; Nadine Pietrowski; Bohn Aguilar, LLC;
Michael G. Bohn; and Armando Y. Aguilar,

v.

Respondent:

Nina H. Kazazian.

Rule Made Absolute
en banc

PER CURIAM.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024

[2024 CO 9](#)

Supreme Court Case No. 22SC671
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 20CA1603

Petitioners:

Justin Hice and Town of Olathe,

v.

Respondents:

Nichele Giron individually and as Personal Representative of the Estate of Walter Giron; Amanda Giron; and Thomas Short, as Personal Representative of the Estate of Samuel Giron.

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, FEBRUARY 20, 2024

[2024 CO 10](#)

Supreme Court Case No. 08SA402
Certiorari to the District Court
Arapahoe County District Court Case No. 06CR705
Honorable Gerald J. Rafferty, Judge

Plaintiff-Appellee:

The People of the State of Colorado,

v.

Defendant-Appellant:

Sir Mario Owens.

Judgment Affirmed
en banc

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

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024

[2024 CO 11](#)

Supreme Court Case No. 22SC936
Certiorari to the District Court
Adams County District Court Case No. 22CV30680
Honorable Teri L. Vasquez, Judge

Petitioner:

Claire E. Miller,

v.

Respondent:

Jesse A. Amos.

Judgment Reversed
en banc

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

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024

GRANTED PETITION FOR WRIT OF CERTIORARI

No. 23SC775, Court of Appeals Case No. 21CA2074

Petitioner:

Shaun Jeff Snow,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether a postconviction challenge to the timeliness of a restitution order is cognizable as an illegal sentence claim under Crim. P. 35(a).

Whether the court of appeals erred in relying on *People v. Tennyson*, instead of *People v. Weeks*, in denying Snow's restitution claim.

HELD PETITIONS FOR WRIT OF CERTIORARI

23SC588, *People v. Krutitskiy*

Held pending: 22SC589, *People v. Crabtree*

23SC689, *People v. Wright*

Held pending: 22SC816, *People v. Segura*

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024*

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 23SC320, Court of Appeals Case No. 22CA110

Petitioner:

Anthony Scott Falcone, a/k/a Scott Falcone,

v.

Respondent:

Olson Plumbing and Heating Company, a Colorado corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC360, Court of Appeals Case No. 19CA2111

Petitioner:

David Kevin Lake,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC386, Court of Appeals Case No. 20CA290

Petitioner:

Antonio Jose Vargas, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC402, Court of Appeals Case No. 20CA141

Petitioner:

Tristan Troy Vodus Griffin,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024

No. 23SC431, Court of Appeals Case No. 21CA1957

Petitioner:

Blakeland Drive Investors, LLP IV,

v.

Respondents:

Rashid Taghavi and Taghavi, Inc., d/b/a Gas Express, a Colorado corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC469, Court of Appeals Case No. 22CA490

Petitioners:

I.L.M. Properties, LLC, d/b/a Smith Plumbing, Heating, Cooling & Electrical; Mike Robinson; and Eva Robinson;

v.

Respondent:

Elizabeth Tibbetts.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC698, Court of Appeals Case No. 21CA1371

Petitioner:

Rudy R. Herrera,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC699, Court of Appeals Case No. 21CA713

Petitioner:

Adam Everett Brown,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024*

No. 23SC700, Court of Appeals Case No. 21CA1806

Petitioner:

Sidney Eugene Phillips, II,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC701, Court of Appeals Case No. 19CA1540

Petitioner:

Dalani D. Bland,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC703, Court of Appeals Case No. 20CA302

Petitioner:

Michael Christopher Taylor,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC704, Court of Appeals Case No. 23CA692

Petitioner:

Barker Survivors Trust DTD 8/17/2001,

v.

Respondents:

Summit County Board of Equalization and Board of Assessment Appeals.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024*

No. 23SC705, Court of Appeals Case No. 21CA314

Petitioner:

Richard Joey Martinez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC706, Court of Appeals Case No. 22CA1232

Petitioner:

Nicholas Lee Shauley,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC20, Court of Appeals Case No. 23CA755

Petitioner:

B.D.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

J.D-D.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC21, Court of Appeals Case No. 23CA731

Petitioner:

T.J.H.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

B.M. and T.M.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, FEBRUARY 20, 2024

No. 24SC28, Court of Appeals Case No. 23CA1009

Petitioner:

A.R.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

R.R., Jr.; E.R.; L.R.C.; and M.R.C.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC29, Court of Appeals Case Nos. 23CA207, 23CA218 & 23CA237

Petitioners:

C.G. and N.S.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

S.G., K.S., M.L., and O.S.,

and Concerning

J.G.

Petitions for Writ of Certiorari DENIED. EN BANC.

No. 24SC31, Court of Appeals Case No. 23CA826

Petitioner:

L.H-B.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

L.R.,

and Concerning

D.R.

Petition for Writ of Certiorari DENIED. EN BANC.
