

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, FEBRUARY 5, 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.

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**OPINIONS**

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[\*\*2024 CO 6\*\*](#)

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**Supreme Court Case No. 22SC272**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 19CA1308

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**Petitioner:**

Arnold Roman Martinez,

v.

**Respondent:**

The People of the State of Colorado.

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**Judgment Affirmed**  
*en banc*

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

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
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[2024 CO 7](#)

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**Supreme Court Case No. 22SC632**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 21CA439

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**Petitioner:**

County of Jefferson,

v.

**Respondent:**

Beverly Stickle.

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**Judgment Affirmed**  
*en banc*

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

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
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**PETITION FOR REHEARING**

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**2024 CO 2**

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**Supreme Court Case No. 23SA140**  
*Original Proceeding Pursuant to C.A.R. 21*  
Weld County District Court Case No. 21CR586  
Honorable Marcelo Adrian Kopcow, Judge

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**In Re**  
**Plaintiff:**

The People of the State of Colorado,

v.

**Defendant:**

James Herman Dye.

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Petition for Rehearing DENIED. EN BANC.

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
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**RULE CHANGE**

[RULE CHANGE 2024\(05\)](#)

COLORADO RULES OF CIVIL PROCEDURE

Chapter 25 Colorado Rules of County Court Civil Procedure

Rule 343

**Amended and Adopted by the Court, En Banc, February 1, 2024, effective immediately.**

**ORIGINAL PROCEEDING**

[24SA34](#)

In Re Jordan, Ann v. Terumo BCT

Order to Show Cause issued January 30, 2024

**GRANTED PETITION FOR WRIT OF CERTIORARI**

**No. 23SC267, Court of Appeals Case No. 21CA1393**

**Petitioner:**

Mid-Century Insurance Company, a California corporation, as subrogee of Masterpiece Kitchen,

v.

**Respondent:**

HIVE Construction, Inc., a Colorado corporation.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the division erred in concluding that Colorado's economic loss rule precludes Mid-Century Insurance Company's negligence claim alleging that HIVE Construction, Inc.'s willful and wanton conduct resulted in a fire and property damage.

DENIED AS TO ALL OTHER ISSUES.

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

**No. 23SC299, Court of Appeals Case No. 21CA1881**

**Petitioner:**

Carter Holdings Inc., d/b/a Carter Homes,

v.

**Respondent:**

Danene Nicole Carter.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC361, Court of Appeals Case No. 22CA138**

**Petitioner:**

Project Resources Group Inc.,

v.

**Respondent:**

USIC Locating Services LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC428, Court of Appeals Case No. 20CA920**

**Petitioner:**

Chad Ray Hovet,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL and JUSTICE HART would grant as to the following issues:

Whether a trial court's error in misapplying settled legal principles is not "obvious" for purposes of the plain-error standard where a case requires the application of settled legal principles to new factual contexts that can be analogized to existing precedent.

Whether there was a "reasonable possibility" that the trial court's erroneous admission of GPS evidence constituting the cornerstone of the prosecution's case contributed to the defendant's conviction, thereby resulting in plain error.

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**No. 23SC450, Court of Appeals Case No. 22CA97**

**Petitioner:**

Mt. Zion Lutheran Church,

v.

**Respondent:**

Board of Assessment Appeals and State Property Tax Administrator.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC460, Court of Appeals Case No. 19CA1928**

**Petitioner:**

Todd Kenneth Grudznske,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRRIGHT does not participate.

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**No. 23SC596, Court of Appeals Case No. 22CA1663**

**Petitioner:**

Keith Rosten,

v.

**Respondents:**

Industrial Claim Appeals Office of the State of Colorado, City of Durango, and  
Colorado Intergovernmental Risk Sharing Agency.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC640, Court of Appeals Case No. 21CA1754**

**Petitioner:**

Roy Saldivar,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
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**No. 23SC641, Court of Appeals Case No. 21CA1981**

**Petitioner:**

Grayson Jeffrey Gopp,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC642, District Court, City and County of Denver Case No. 21CV31721**

**Petitioner:**

Soki Pande,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC644, Court of Appeals Case No. 21CA978**

**Petitioner:**

Joseph Keith Ribble,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC645, Court of Appeals Case No. 20CA2040**

**Petitioner:**

Miguel Gutierrez-Chavez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
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**No. 23SC646, District Court, City and County of Denver, 22CV31932**

**Petitioner:**

Kyle Shockley,

v.

**Respondent:**

The People of the City and County of Denver.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC649, Court of Appeals Case No. 21CA1667**

**Petitioner:**

Michael Jarrod Simmons,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC650, Court of Appeals Case No. 22CA1102**

**Petitioner:**

Gabriel Samuel Salazar,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC651, Court of Appeal Case No. 21CA1867**

**Petitioner:**

Darren Everett Heimann,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC658, Court of Appeals Case No. 23CA170**

**Petitioner:**

Veronica Kehler,

v.

**Respondents:**

Industrial Claim Appeals Office; Labor Etc., Inc; and Pinnacol Assurance.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC909, Court of Appeals Case No. 23CA336**

**Petitioners:**

R.B. and J.J.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

K.B., A.B., B.S., N.J., and L.J.

Petitions for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC5, Court of Appeals Case No. 23CA620**

**Petitioner:**

T.H.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

A.H., H.H., and C.H.,

and Concerning

M.H.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC6, Court of Appeals Case No. 23CA916**

**Petitioner:**

R.C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

L.C.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC9, Court of Appeals Case No. 23CA818**

**Petitioner:**

S.S.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

D.S.

Petition for Writ of Certiorari DENIED. EN BANC.

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