

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
**MONDAY, MAY 6, 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 public domain citation to view the opinion in pdf format.

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**OPINIONS**

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[\*\*2024 CO 23\*\*](#)

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**Supreme Court Case No. 22SA236**  
*Original Proceeding in Discipline*  
Colorado Commission on Judicial Discipline Case Nos. 21-138 and 22-112

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**In the Matter of Complainant:**

The People of the State of Colorado,

and

**Respondent:**

John E. Scipione, a former judge of the Arapahoe County District Court.

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**Public Censure**  
*en banc*

**PER CURIAM**

**CHIEF JUSTICE BOATRIGHT and JUSTICE SAMOUR** did not participate.

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[2024 CO 24](#)

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**Supreme Court Case No. 23SA167**  
*Original Proceeding Pursuant to C.A.R. 21*  
District Court, City and County of Denver, Case No. 22DR30403  
Honorable Christine C. Antoun, Judge

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**In re the Marriage of**

**Petitioner:**

Barbara Henderson Green,

and

**Respondent:**

Jeffry Howard Green

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**Rule Made Absolute**

*en banc*

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

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[2024 CO 25](#)

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**Supreme Court Case No. 22SC673**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 20CA1339

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**Petitioner:**

Taunia Marie Whiteaker,

v.

**Respondent:**

The People of the State of Colorado.

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**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.

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[2024 CO 26](#)

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**Supreme Court Case No. 22SC520**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 19CA1332

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**Petitioner:**

Joseph Wayne Washington,

v.

**Respondent:**

The People of the State of Colorado.

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**Judgment Affirmed**  
*en banc*

**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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[2024 CO 27](#)

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**Supreme Court Case No. 22SC499**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 20CA1545

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**Petitioner:**

University of Denver,

v.

**Respondent:**

John Doe.

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**Judgment Affirmed in Part and Reversed in Part**  
*en banc*

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

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[2024 CO 28](#)

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**Supreme Court Case No. 22SC805**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 21CA700

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**Petitioner:**

Great Northern Properties, LLLP, a Colorado limited liability partnership,

v.

**Respondents:**

Extraction Oil and Gas, Inc.; Richmark Energy Partners, LLC; and Richmark Royalties, LLC.

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**Judgment Affirmed in Part and Reversed in Part**  
*en banc*

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

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**RULE CHANGES**

**[RULE CHANGE 2024\(08\)](#)**

COLORADO RULES OF CIVIL PROCEDURE

Rules 4, 12, and 16.5

**Amended and Adopted by the Court, En Banc, May 2, 2024, effective immediately.**

**[RULE CHANGE 2024\(09\)](#)**

COLORADO RULES OF CIVIL PROCEDURE

Chapter 25 Colorado Rules of County Court Civil Procedure

Rule 312, 312.5, and 316.5

**Amended and Adopted by the Court, En Banc, May 2, 2024, effective immediately.**

**ORIGINAL PROCEEDING**

**[24SA113](#)**

In Re Hill Hotel v. Hanover Ins.

Show Cause issued on April 30, 2024

**GRANTED PETITION FOR WRIT OF CERTIORARI**

**No. 23SC565, Court of Appeals Case No. 22CA1140**

**Petitioner:**

Board of Governors of the Colorado State University,

v.

**Respondent:**

Renee Alderman.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether a student can assert a claim for unjust enrichment based on CSU's campus closure where the relationship between CSU and its students is governed by a contract that permits CSU to close campus in the presence of a fatal disease.

DENIED AS TO ALL OTHER ISSUES.

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**HELD PETITIONS FOR WRIT OF CERTIORARI**

23SC602, Mayes v. People

**Held pending 23SC328, *Ward v. People*; and 23SC381, *McDonald v. People***

23SC713, Stevens v. People

**Held pending No. 23SC525, *Johnson v. People*.**

23SC824, People v. Salazar

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

23SC903, Woodyard v. People

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

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 23SC430, Court of Appeals Case No. 20CA2038**

**Petitioner:**

Roderick D. Myles,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC492, Court of Appeals Case No. 21CA1421**

**Petitioner:**

Cecilia Macasero,

v.

**Respondent:**

ENT Credit Union.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC586, Court of Appeals Case No. 20CA1584**

**Petitioner:**

Joshua Lee Youngblood,

v.

**Respondent:**

The People of The State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC610, Court of Appeals Case No. 22CA441**

In re the Marriage of

**Petitioner:**

Eric Andrew Bochner,

and

**Respondent:**

Melinda Paige Bochner.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC691, Court of Appeals Case No. 20CA1708**

**Petitioner:**

Troy L. Fields,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC695, Court of Appeals Case No. 21CA643**

**Petitioner:**

Clyde R. Morris,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC753, Court of Appeals Case No. 22CA1181**

**Petitioner:**

Frederick Peter Baerenz,

v.

**Respondent:**

Financial Industry Regulatory Authority, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC765, Court of Appeals Case Nos. 22CA271 & 22CA507**

**Petitioner:**

Sandstone Ventures, LLC,

v.

**Respondents:**

Joel A. Davis; George B. Boedecker, Jr.; and Crocodile Distributing, LLC, a Colorado limited liability company, d/b/a Crocodile Distribution LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC832, Court of Appeals Case No. 21CA1932**

**Petitioner:**

Edward K. Reavis-Woody,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC883, Court of Appeals Case No. 21CA1320**

**Petitioner:**

Rocky James Cantrell,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC890, Court of Appeals Case No. 21CA1310**

**Petitioner:**

Phillip Lyle Kolberg,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC891, Court of Appeals Case No. 20CA1716**

**Petitioner:**

Boaz Obadiah Powell,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC895, Court of Appeals Case No. 22CA2026**

**Petitioner:**

Banner Leonel Alonzo-Lopez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC896, Court of Appeals Case No. 22CA1810**

In re the Marriage of

**Petitioner:**

Robert Ray Byrd,

and

**Respondent:**

Zelda Faythe Aaron-Byrd.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC897, Boulder County District Court Case No. 22CV30876**

**Petitioner:**

Donald Cox,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC898, Park County District Court Case No. 22CV30015**

**Petitioner:**

Tracy Proffitt,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC899, Boulder County District Court Case No. 22CV30858**

**Petitioner:**

Guy Curlee,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC900, Court of Appeals Case No. 22CA470**

**Petitioner:**

Andrew James Heller,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC901, Court of Appeals Case No. 22CA1271**

**Petitioner:**

Horacio Javier Pasillas-Rodriguez, Jr.,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC206, Court of Appeals Case No. 23CA867**

**Petitioner:**

A.C.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

K.L.E-B.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC214, Court of Appeals Case No. 23CA896**

**Petitioners:**

M.M.M. and O.S. III,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

K.S. and S.S.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HART would grant as to the following issue:

Whether the Court of Appeals erred when it affirmed an order of the juvenile court that set a standard for unfitness that is broader than the statutory language or purpose of the statute supports, thus improperly terminating Mother's rights.

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