

<p>SUPREME COURT OF COLORADO  2 East 14th Ave.  Denver, CO 80203</p>	<p>DATE FILED: May 1, 2024 7:46 PM</p>
<p>Original Proceeding  Pursuant to Colo. Rev. Stat. § 1-40-107(2)  Appeal from the Ballot Title Board</p>	
<p>In the Matter of the Title, Ballot Title, and  Submission Clause for Proposed Initiative  2023-2024 #290</p> <p><b>Petitioner:</b> Jessica Goad</p> <p>v.</p> <p><b>Respondents:</b> Suzanne Taheri and Steven  Ward,</p> <p><b>and</b></p> <p><b>Title Board:</b> Theresa Conley, Jeremiah Barry,  and Kurt Morrison</p>	<p><b>▲ COURT USE ONLY ▲</b></p>
<p>Attorneys for Petitioner:</p> <p>Martha M. Tierney, #27521  Tierney Lawrence Stiles LLC  225 E. 16<sup>th</sup> Avenue, Suite 350  Denver, Colorado 80203  303-356-4870 (telephone)  mtierney@tls.legal</p>	<p>Case Number:</p>
<p><b>PETITION FOR REVIEW OF FINAL ACTION OF BALLOT TITLE  SETTING BOARD CONCERNING  PROPOSED INITIATIVE 2023-2024 #290</b></p>	

Jessica Goad, registered elector of the State of Colorado, (“Petitioner”), through undersigned counsel, respectfully petitions this Court pursuant to C.R.S. § 1-40-107(2), to review the actions of the Title Setting Board with respect to the title, ballot title, and submission clause set for Initiative #290.

## **STATEMENT OF THE CASE**

### **A. Procedural History of Proposed Initiative #290.**

Suzanne Taheri and Steven Ward (hereafter “Proponents”) proposed Initiative #290. A review and comment hearing was held before representatives of the Offices of Legislative Council and Legislative Legal Services on April 2, 2024.

A Title Board hearing was held on April 17, 2024, at which time the Title Board found that Initiative #290 contained a single subject and set a title. On April 24, 2024, Petitioner Jessica Goad filed a Motion for Rehearing, alleging that Initiative #290 contained multiple subjects, contrary to Colo. Const. art. V, sec. 1(5.5), and that the title set by the Title Board was misleading. The Title Board held a rehearing on April 25, 2024, at which time the Title Board granted the Motion for Rehearing only to the extent that it made some changes to the title.

### **B. Jurisdiction**

Petitioner is entitled to review before the Colorado Supreme Court pursuant

to C.R.S. § 1-40-107(2). Petitioner timely filed this Petition for Review within seven days from the date of the hearing on the Motion for Rehearing. C.R.S. § 1-40-107(2).

As required by C.R.S. § 1-40-107(2), attached to this Petition for Review are certified copies of: (1) the draft, amended, final, second amended, and second final version of the initiative filed by the Proponents; (2) the original ballot title set for this measure; (3) the Motion for Rehearing filed by the Petitioner; and (4) the ruling on the Motion for Rehearing. Petitioner believes that the Title Board erred in denying her Motion for Rehearing by finding the measure contains a single subject, and by setting a misleading title. The matter is properly before this Court.

### **GROUND FOR APPEAL**

The issues to be addressed in this appeal are whether the Title Board erred in finding that Initiative #290 contains a single subject, and whether the title as set by the Title Board is misleading.

### **PRAYER FOR RELIEF**

Petitioners respectfully request that, after consideration of the parties' briefs, this Court determine that Initiative #290 does not contain a single subject.

Respectfully submitted this 1<sup>st</sup> day of May, 2024.

*s/ Martha M. Tierney*

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**ATTORNEYS FOR PETITIONER**

## **CERTIFICATE OF SERVICE**

The undersigned hereby affirms that a true and accurate copy of the **PETITION FOR REVIEW OF FINAL ACTION OF BALLOT TITLE SETTING BOARD CONCERNING PROPOSED INITIATIVE 2023-2024 #290** was sent electronically via Colorado Courts E-Filing this day, May 1, 2024, to the following:

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*/s Martha M. Tierney* \_\_\_\_\_