

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, JUNE 17, 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.

OPINIONS

[2024 CO 42](#)

Supreme Court Case No. 23SA227
Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 23CR1001
Honorable Adam J. Espinosa, Judge

In Re
Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Joseph M. Howell.

Rule Discharged
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.

Supreme Court Case No. 22SA317

Appeal from the District Court

District Court, Water Division 5, Case No. 13CW3077

Honorable James Berkley Boyd, Water Judge

Concerning the Application of United States of America; City and County of Denver, acting by and through its Board of Water Commissioners; City of Colorado Springs, acting through its enterprise Colorado Springs Utilities; Colorado River Water Conservation District; Northern Colorado Water Conservancy District; Middle Park Water Conservancy District; Grand Valley Water Users Association; Orchard Mesa Irrigation District; Grand Valley Irrigation Company; Palisade Irrigation District; and Climax Molybdenum Company for a Determination of Water Rights in Summit, Grand, Garfield, Eagle, Pitkin, Routt, Gunnison, Rio Blanco, and Mesa Counties, Colorado.

Applicants-Appellees:

United States of America; City and County of Denver, acting by and through its Board of Water Commissioners; City of Colorado Springs, acting through its enterprise Colorado Springs Utilities; Colorado River Water Conservation District; Northern Colorado Water Conservancy District; Middle Park Water Conservancy District; Orchard Mesa Irrigation District; Grand Valley Water Users Association; Grand Valley Irrigation Company; Palisade Irrigation District; and Climax Molybdenum Company,

v.

Opposer-Appellant:

City of Golden,

Opposers-Appellees:

Ute Water Conservancy District; Grand County Board of Commissioners; City of Aurora; Clinton Ditch and Reservoir Company; Eagle River Water and Sanitation District; Upper Eagle Regional Water Authority; Eagle Park Reservoir Company; Summit County Board of Commissioners; Public Service Company of Colorado; Town of Gypsum; Chimney Rock Ranch, LLC; and Snake River Water District,

and

Appellee Pursuant to C.A.R. 1(e):

James Heath, in his capacity as the Division Engineer for Water Division No. 5.

Judgment Affirmed

en banc

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

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Supreme Court Case No. 23SA332
Original Proceeding Pursuant to C.A.R. 21
Larimer County District Court Case No. 19DR30568
Honorable Kandace Bradner Majoros, Magistrate

**In re the Marriage of
Petitioner:**

Amanda Wynell Conners,

and

Respondent:

Andrew Brian Conners.

Rule Made Absolute
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. **JUSTICE HART** specially concurred.

Supreme Court Case No. 22SC869
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 20CA1565

Petitioner:

Kevin Matthew Dhyne,

v.

Respondent:

The People of the State of Colorado.

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.

[2024 CO 46](#)

Supreme Court Case No. 22SC293
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 20CA2088

Petitioner/Cross-Respondent:

City of Aspen, a municipal corporation,

v.

Respondent/Cross-Petitioner:

Burlingame Ranch II Condominium Owners Association, Inc., a nonprofit corporation.

Judgment Reversed
en banc

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

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Supreme Court Case No. 23SA293
Interlocutory Appeal from the District Court
Adams County District Court Case No. 22CR1144
Honorable Brett M. Martin, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Sean Terrance Johnson.

Order Reversed

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.

ORIGINAL PROCEEDING

[24SA183](#) In Re People v. Quiroz, Victor
Order to Show Cause Issued on June 13, 2024

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 23SC871, Court of Appeals Case No. 22CA1246

Petitioner:

Peter Bianco, D.O.,

v.

Respondents:

Alexander Rudnicki; Francis Rudnicki, as parents, guardians, and next friends; and Pamela Rudnicki, as parents, guardians, and next friends.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether, under the HCAA, pre-filing, prejudgment interest on past and future economic damages may exceed the statutory damages limitation.

DENIED AS TO ALL OTHER ISSUES.

HELD PETITION FOR WRIT OF CERTIORARI

23SC767, Lagunas v. People

Held pending 23SC168, *Tennyson v. People*; 23SC525, *Johnson v. People*; 23SC583, *Babcock v. People*; 23SC622, *People v. Roberson*.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 23SC652, Court of Appeals Case No. 22CA122

Petitioner:

Allen Anderson,

v.

Respondents:

Shorter Arms Investors, LLC and PK Management, LLC.

Petition for Writ of Certiorari DENIED. EN BANC.
CHIEF JUSTICE BOATRIGHT does not participate.

No. 23SC872, Court of Appeals Case No. 21CA1396

Petitioner:

Drelan Deshawn Lovato,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC880, Court of Appeals Case No. 22CA739

Petitioner:

Juan Cartaya,

v.

Respondent:

Travelers Indemnity Company.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC889, Court of Appeals Case No. 22CA1716

In re the Marriage of

Petitioner:

Mehrnaz Mashhadi,

and

Respondent:

Ali Ghamkhar.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC63, Court of Appeals Case No. 23CA229

Petitioner:

Craig Martin Stice,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC64, Larimer County District Court Case No. 23CV30725

Petitioner:

Ryan Alexander Sparks,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC65, Court of Appeals Case No. 21CA714

Petitioner:

Enrique Echevarria-Castro,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC66, Court of Appeals Case No. 22CA1361

Petitioner:

Rodney Douglas Eaves,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC72, Court of Appeals Case No. 19CA1539

Petitioner:

Jeffrey Allen Barela,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.
JUSTICE BERKENKOTTER does not participate.

No. 24SC74, Court of Appeals Case No. 22CA1353

Petitioner:

Thomas Edward Leach,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC77, Court of Appeals Case No. 21CA796

Petitioner:

Darrell Gene Wall II,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC78, Court of Appeals Case No. 22CA512

Petitioner:

Fermin Gonzalez-Flores,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC79, Alamosa County District Court Case No. 23CV30002

Petitioner:

Daniel Nations,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC80, Court of Appeals Case Nos. 22CA1670 & 22CA1672

Petitioner:

Elias Paul Trujillo,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC332, Court of Appeals Case No. 23CA1731

Petitioner:

L.G.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

E.B. and G.B.,

and Concerning

R.B.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC336, Court of Appeals Case No. 23CA1758

Petitioner:

J.W.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

R.M.S.

Petition for Writ of Certiorari DENIED. EN BANC.
