

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
**MONDAY, JUNE 10, 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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**Supreme Court Case No. 24SA34**  
*Original Proceeding Pursuant to C.A.R. 21*  
Jefferson County District Court Case Nos. 20CV31457 & 20CV31481  
Honorable Lindsay L. VanGilder, Judge

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**In Re**

**Plaintiffs:**

Ann Jordan; Bruce Howard Brown; David Gutierrez; Amber Tuffield; Geraldine Valdez; Martha Ann Ratzloff; Daniel Ratzloff; Bradley Schaak; Cindy Fuhrmann; Kenneth Noble, in his individual capacity and on behalf of decedent Kay Noble; Cynthia Bauman; Susan Kaberline; and Blake Richard Darnell,

v.

**Defendants:**

Terumo BCT, Inc.; Terumo BCT Sterilization Services, Inc.; and John Does 1-20.

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**Rule Made Absolute**  
*en banc*

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

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**Supreme Court Case No. 24SA19**  
*Original Proceeding Pursuant to C.A.R. 21*  
Weld County District Court Case No. 23PR30198  
Honorable Julie C. Hoskins, Judge

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**In Re**

**In the Matter of the Estate of:**

Robert Harrison Ashworth, Deceased.

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**Rule Discharged**  
*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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**Supreme Court Case No. 22SC589**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 20CA629

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**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Charles James Crabtree.

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**Judgment Reversed**  
*en banc*

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

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**Supreme Court Case No. 22SC633**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 19CA1629

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**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Donald L. Garcia.

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**Judgment Reversed**

*en banc*

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

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**GRANTED PETITION FOR WRIT OF CERTIORARI**

**No. 23SC784, Court of Appeals Case No. 21CA137**

**Petitioner:**

Ryan Wallace Bonde,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether an offender who is being resentenced from a community corrections program to the department of corrections is entitled to presentence confinement credit for time served in a nonresidential community corrections program, overruling *People v. Hoecher*, 822 P.2d 8 (Colo. 1991).

DENIED AS TO ALL OTHER ISSUES.

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 23SC692, Court of Appeals Case No. 22CA1443**

**Petitioner:**

Ethan Kotiaho,

v.

**Respondents:**

Herbert Ogden, Jr. MD, and Alexander Bromfield, MD.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 23SC718, Court of Appeals Case No. 21CA1759**

In the Matter of Sheldon K. Beren, deceased.

**Petitioner:**

David I. Beren,

v.

**Respondents:**

Miriam Beren; Dena Grossman; Joshua Beren; Estate of Cheryl Beren Feldberger; Zev Beren; Jonathan Beren; Daniel Beren; Generation Skipping Trust; CJD Investors Limited Partnership, a Colorado Limited Partnership; and Robert M. Goodyear, Jr. in his capacity as Personal Representative of the Estate of Sheldon K. Beren and David I. Beren.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC36, Arapahoe County District Court Case No. 23CV148**

**Petitioner:**

Optima Solutions, LLC,

v.

**Respondent:**

CD Automotive, DBA Infiniti of Denver.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC37, Court of Appeals Case No. 17CA1133**

**Petitioner:**

Robert James Rainey,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC41, Court of Appeals Case No. 21CA1664**

**Petitioner:**

Brandt Owen Deboard,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC44, Court of Appeals Case No. 22CA632**

**Petitioner:**

Samuel Edward Wise,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC45, Court of Appeals Case No. 20CA1567**

**Petitioner:**

Michael Martin Clark,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC47, Court of Appeals Case No. 21CA1117**

**Petitioner:**

Deshawn Travon Watson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC54, Court of Appeals Case No. 21CA1151**

**Petitioner:**

Suzanna Neeley,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC55, District Court, City and County of Denver Case No. 22CV33579**

**Petitioner:**

Keith Childs,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC56, Court of Appeals Case No. 22CA519**

**Petitioner:**

Dwight Gordon,

v.

**Respondent:**

The People of the State of Colorado.

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

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**No. 24SC306, Court of Appeals Case No. 23CA1693**

**Petitioner:**

N.L.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

P.P.,

and Concerning

C.P.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC311, Court of Appeals Case No. 23CA1457**

**Petitioner:**

C.M.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

N.M.T., J.B.S., I.A.M., and E.T.,

and Concerning

L.T.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC318, Court of Appeals Case No. 23CA1106**

**Petitioner:**

C.A.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

C.R.

Petition for Writ of Certiorari DENIED. EN BANC.

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