

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, FEBRUARY 12, 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.

RULE CHANGE

[RULE CHANGE 2024\(06\)](#)

COLORADO RULES OF PROFESSIONAL CONDUCT

Rules 1.8, 1.13, 1.14, 4.2, 4.5, 5.5, and 6.1

Amended and Adopted by the Court, En Banc, February 8, 2024, effective immediately.

GRANTED PETITION FOR WRIT OF CERTIORARI

No. 23SC605, Court of Appeals Case No. 21CA976

Petitioner/Cross-Respondent:

The People of the State of Colorado,

v.

Respondent/Cross-Petitioner:

Kenneth Alfonso Gallegos.

Petition for Writ of Certiorari GRANTED. Cross-Petition for Writ of Certiorari DENIED. EN BANC.

[REFRAMED] Whether the division erred in concluding that a defendant need not be compelled to admit the predicate felony to raise the statutory felony murder affirmative defense when the evidence conflicted as to whether the defendant was involved in the predicate felony.

DENIED as to all other issues.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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HELD PETITION FOR WRIT OF CERTIORARI

23SC245, Lucero v. People

Held pending: 23SC168, *Tennyson v. People*

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 23SC281, Court of Appeals Case No. 19CA917

Petitioner:

Martin G. Nolting,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC390, Court of Appeals Case No. 22CA652

Petitioner:

Elizabeth Mendoza,

v.

Respondent:

Walmart, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC453, Court of Appeals Case No. 21CA999

Petitioner:

Justin Lynn Edwards,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 23SC466, Court of Appeals Case No. 22CA205

In the Matter of the Estate of

James Raymond Garcia, deceased,

Petitioner:

Brittany Thibedeau,

v.

Respondents:

Stephanie Garcia, Kaylee Garcia, and Saydee Garcia.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC529, Court of Appeals Case No. 22CA420

Petitioner:

Kim Gunderson,

v.

Respondent:

Jerry Gunderson.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC643, Court of Appeals Case No. 21CA1574

Petitioner:

Trinidad Renay Marquez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRIGHT and JUSTICE HART would grant as to the following issue:

Whether the court of appeals erred in finding the trial court properly increased the defendant's sentence after the defendant exercised his United States and Colorado Constitutional right to privilege against self-incrimination.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 23SC663, Court of Appeals Case No. 21CA1105

Petitioner:

Jose M. Armenta-Vazquez,

v.

Respondent:

The People of the State of Colorado.

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

No. 23SC664, Court of Appeals Case No. 19CA1606

Petitioner:

James Ashley Sampson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC667, Court of Appeals Case No. 21CA763

Petitioner:

Seane Paul Volin,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC668, Court of Appeals Case No. 19CA2402

Petitioner:

Camille Rose Wasinger-Konrad,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 23SC670, Court of Appeals Case No. 21CA912

Petitioner:

Tony Marcell Singleton,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC673, Court of Appeals Case No. 22CA159

Petitioner:

Peter F. Gary,

v.

Respondent:

JTC Holdings, LLC, a Colorado limited liability company.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC674, Court of Appeals Case No. 20CA2074

Petitioner:

Jose Manuel Morales-Reyes,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD does not participate.

No. 23SC684, Court of Appeals Case No. 22CA1026

In re the Marriage of

Petitioner:

Kenneth Curfman,

and

Respondent:

Mariana Cantir.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 23SC690, Court of Appeals Case No. 20CA1327

Petitioner:

Husham W. Al Kinani,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC697, Court of Appeals Case No. 20CA1084

Petitioner:

Ronald Leon Thompson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.
