

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS  
MONDAY, DECEMBER 23, 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 77](#)**

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**Supreme Court Case No. 23SC333**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 21CA2023

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**Petitioner:**

Marcus A. Fear,

v.

**Respondent:**

GEICO Casualty Company.

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**Judgment Affirmed**

*en banc*

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

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[2024 CO 78](#)

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**Supreme Court Case No. 23SC420**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 21CA1880

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**Petitioners:**

The Gazette; Christopher N. Osher, reporter for The Gazette; and the Invisible Institute,

v.

**Respondent:**

Erik Bourgerie, in his official capacity as the Director of the Colorado Peace Officer Standards and Training Board.

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**Judgment Affirmed**  
*en banc*

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

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## RULE CHANGES

Rule Changes 2024(19), (20), and (21) have been issued and are accessible [here](#).

### RULE CHANGE 2024(19)

COLORADO LICENSED LEGAL PARAPROFESSIONAL RULES OF PROFESSIONAL CONDUCT

Rules 1.15B, 5.4, and 8.4

Amended and Adopted by the Court, En Banc, December 12, 2024, effective immediately.

### RULE CHANGE 2024(20)

COLORADO RULES OF CIVIL PROCEDURE

Rules 4, 11, and 121 §1-1

Amended and Adopted by the Court, En Banc, December 19, 2024, effective immediately.

### RULE CHANGE 2024(21)

COLORADO RULES OF CIVIL PROCEDURE

Chapter 25 Colorado Rules of County Court Civil Procedure

Rule 304 and 311

Amended and Adopted by the Court, En Banc, December 19, 2024, effective immediately.

## ORIGINAL PROCEEDING

[24SA326](#)

In Re People v. Tellers, Laura

Order to Show Cause issued on December 19, 2024

GRANTED PETITIONS FOR WRIT OF CERTIORARI

**No. 24SC16, Court of Appeals Case No. 20CA1717**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Maria Laida Day.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the court of appeals erred by holding that the trial court abused its discretion in considering respondent's non-cooperation with the court-ordered mental condition examination.

[REFRAMED] Whether the court of appeals improperly expanded *People v. Moore*, 2021 CO 26, 485 P.3d 1088, to preclude consideration of the purpose for which mental condition evidence is offered when evaluating the admissibility of such evidence under CRE 403.

DENIED AS TO ALL OTHER ISSUES.

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**No. 24SC183, Court of Appeals Case No. 23CA117**

**Petitioner:**

Hertz Corporation,

v.

**Respondents:**

Stanislav Babayev and Oleg Chikov.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether, after the legislative abrogation of *Passamano v. Travelers Indemnity Co.*, 882 P.2d 1312 (Colo. 1994), a "motor vehicle rental company" may be considered a statutory or de facto "insurer," where its rental agreement incidentally offers customers the option of purchasing insurance coverage provided by a licensed, third-party insurer under the rental company's own pre-existing policy with that insurer.

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**No. 24SC244, Court of Appeals Case No. 19CA2313**

**Petitioner:**

Gustavo Lopez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether a criminal defendant can open the door to expert witness testimony that another witness told the truth on a particular occasion.

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**No. 24SC319, Court of Appeals Case No. 21CA1144**

**Petitioner/Cross-Respondent:**

The People of the State of Colorado,

v.

**Respondent/Cross-Petitioner:**

Javier Vega Dominguez.

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

Whether the court of appeals improperly held that Colorado's equal protection doctrine was plainly violated by respondent's conviction for attempted patronizing a prostituted child because it prohibited the same conduct as attempted inducement of child prostitution.

Whether the trial court reversibly erred by failing to instruct the jury on a required mental state for the crime of soliciting for child prostitution, and whether the required mental state for soliciting for child prostitution is intentionally.

DENIED AS TO ALL OTHER ISSUES.

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**No. 24SC513, Court of Appeals Case No. 23CA106**

**Petitioner:**

Michael Thomas Hupke,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the court of appeals incorrectly held that a violation of section 18-8-306, C.R.S. (2024) can be accomplished through a third party's deceit.

DENIED AS TO ALL OTHER ISSUES.

**HELD PETITIONS FOR WRIT OF CERTIORARI**

**No. 24SC196, Brassill v. People**

**Held pending 23SC525, *Johnson v. People***

**No. 24SC347, Harrison v. People**

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

**No. 24SC384, Assefa v. People**

**Held pending 23SC583, *People v. Babcock***

**No. 24SC390, Lewicke v. People**

**Held pending 23SC168, *Tennyson v. People*; 23SC775, *Snow v. People*; 23SC525, *Johnson v. People*; 23SC583 *Babcock v. People***

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 24SC242, Court of Appeals Case No. 20CA1409**

**Petitioner:**

Nicholas Edward Brown,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC266, Court of Appeals Case No. 23CA39**

**Petitioner:**

Dennis Anaya,

v.

**Respondent:**

School District No. 1 in the City and County of Denver d/b/a Denver Public Schools.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC304, Court of Appeals Case No. 23CA32**

**Petitioner:**

Stephen Michael Pollock,

v.

**Respondents:**

John Dorsey and LAD Holdings, LLLP.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC432, Court of Appeals Case No. 23CA671**

**Petitioner:**

Dochtor Kennedy,

v.

**Respondents:**

FA Expungement, LLC, a Colorado limited liability company; Estate of Charles Sisk; Bridget L. Schaan; and Tosh D. Grebenik.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC580, Court of Appeals Case No. 22CA370**

**Petitioner:**

Mario Lopez-Ramirez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC581, Court of Appeals Case No. 24CA1306**

**Petitioner:**

Charity Merrill,

v.

**Respondent:**

Garfield Hecht PC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC583, Court of Appeals Case No. 22CA2077**

**Petitioner:**

Robert Rose,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC589, Court of Appeals Case No. 22CA634**

**Petitioner:**

Michael Milligan,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD does not participate.

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**No. 24SC592, Court of Appeals Case No. 23CA1176**

**Petitioner:**

Erik Shane Craig,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC605, Court of Appeals Case No. 21CA1711**

**Petitioner:**

Scott Robin Day,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BOATRRIGHT does not participate.

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**No. 24SC626, Court of Appeals Case No. 22CA2110**

**Petitioner:**

Tyler Madison Woodford,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC646, Court of Appeals Case No. 22CA1968**

**Petitioner:**

Dennis J. Gist,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC649, Court of Appeals Case No. 22CA1035**

**Petitioner:**

Shannon Evette Burton,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC717, Court of Appeals Case No. 24CA567**

**Petitioner:**

S.T.S.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

B.T.R-S.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC727, Court of Appeals Case No. 24CA569**

**Petitioners:**

J.R.A. and A.M.P.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

V.F-M.A.

Petitions for Writ of Certiorari DENIED. EN BANC.

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