

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, APRIL 15, 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.

OPINION

[2024 CO 20](#)

Supreme Court Case No. 22SC580
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 18CA1409

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Glen Gary Montoya.

Judgment Affirmed in Part and Reversed in Part
en banc

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

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 15, 2024

PETITIONS FOR REHEARING

2024 CO 13

Supreme Court Case No. 22SC399
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 20CA1694

Petitioner:

Karyn Gregory,

v.

Respondent:

Safeco Insurance Company of America.

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COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 15, 2024

Supreme Court Case No. 22SC563
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 21CA173

Petitioners:

Lisa Runkel and Sylvan T. Runkel, III,

v.

Respondent:

Owners Insurance Company.

Petitions for Rehearing DENIED. EN BANC.
CHIEF JUSTICE BOATRIGHT, JUSTICE MÁRQUEZ, and JUSTICE HART would grant the petitions.

HELD PETITIONS FOR WRIT OF CERTIORARI

23SC629, *Brannon v. People*
Held pending No. 23SC168, *Tennyson v. People*; 23SC525, *Johnson v. People*; 23SC583, *Babcock v. People*; and 23SC622, *People v. Roberson*.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 23SC589, Court of Appeals Case No. 21CA1943

Petitioners:

Ellen Tate and Thomas Carroll,

v.

Respondent:

Marsha Tate, a/k/a Tolly Tate.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC648, Court of Appeals Case No. 22CA645

Petitioner:

Out of Bounds LLC, a Delaware limited liability company,

v.

Respondent:

Indian Creek Townhomes Association, a Colorado non-profit corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC831, Court of Appeals Case No. 21CA521

Petitioner:

Robert Eulogio Vigil,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC833, Court of Appeals Case No. 21CA1786

Petitioner:

Cristipher Lawrence Shafer,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 15, 2024

No. 23SC835, Court of Appeals Case No. 22CA1030

Petitioner:

Duncan Ryon Jerman, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC837, Court of Appeals Case No. 22CA15

Petitioner:

Brian Paul Mackenzie,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC841, Court of Appeals Case No. 20CA288

Petitioner:

Jackie Allen Cole,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC843, Court of Appeals Case No. 21CA1576

Petitioner:

Billy Edwin Reid,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 15, 2024

No. 23SC844, Court of Appeals Case No. 22CA349

Petitioner:

Caine Matthew Gonzales,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC845, Court of Appeals Case No. 23CA308

Petitioner:

Julie C. Abril, Ph.D.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC848, Court of Appeals Case No. 20CA506

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Roger O. McPherson.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ and JUSTICE SAMOUR would grant as to the following issues:

Whether the court of appeals violated this Court’s holding in *People v. Vigil*, 2021 CO 46, by (1) focusing on indicia of the victim’s injury rather than the actual injury, and (2) requiring specific testimony to establish “substantial risk,” in finding insufficient evidence of serious bodily injury as to first-degree assault.

Whether the court of appeals reweighed the evidence and failed to draw all reasonable inferences in favor of the prosecution in finding insufficient evidence of serious bodily injury as to first-degree assault.

***COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 15, 2024***

No. 23SC849, Court of Appeals Case No. 20CA1382

Petitioner:

Benjamin Eugene Hall,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC852, Court of Appeals Case No. 18CA1795

Petitioner:

Tyler Jay Haakenson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC146, Court of Appeals Case No. 23CA386

Petitioner:

D.C. II,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

E.B., E.C., D.C. III, A.C., and A.A.K.C.,

and Concerning

A.B.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 15, 2024

No. 24SC147, Court of Appeals Case No. 23CA1132

Petitioner:

C.W.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

E.W. and D.W.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC148, Court of Appeals Case No. 23CA1363

Petitioner:

J.A.W.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

D.Q.W. and E.A.S-W.,

and Concerning

D.M.S.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC149, Court of Appeals Case No. 23CA1187

Petitioner:

M.M.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

A.M.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 15, 2024

No. 24SC150, Court of Appeals Case No. 23CA1361

Petitioner:

M.A.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

D.G. and D.A.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC151, Court of Appeals Case No. 23CA1332

Petitioner:

A.S.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

J.W.

Petition for Writ of Certiorari DENIED. EN BANC.
