

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, APRIL 14, 2025

"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

[2025 CO 13](#)

Supreme Court Case No. 24SA213

Appeal from the District Court

El Paso County District Court Case No. 23CR4830

Honorable Dinsmore Tuttle, Senior Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Ashley Hernandez.

Appeal Transferred

en banc

PER CURIAM.

2025 CO 14

Supreme Court Case No. 24SA193

Original Proceeding Pursuant to C.A.R. 21

El Paso County District Court Case Nos. 23JD115, 23JD126, 23JD132, 23JD222, 23JD238,
23JD722 & 23JD726

Honorable Linda M. Billings Vela, Judge

Honorable Diana May, Judge

In Re

The People of the State of Colorado,

In the Interest of Juvenile:

J.D.

Order Discharged

en banc

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

JUSTICE BERKENKOTTER concurred in the judgment.

JUSTICE GABRIEL, joined by **JUSTICE HOOD**, dissented.

2025 CO 15

Supreme Court Case No. 24SA257

Original Proceeding Pursuant to C.A.R. 21

District Court, City and County of Denver, Case No. 17CV32645

Honorable Kandace C. Gerdes, Judge

**In Re
Plaintiff:**

Jina Garcia, individually and on behalf of others similarly situated,

v.

Defendant:

Centura Health Corporation.

Order Made Absolute

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.

2025 CO 16

Supreme Court Case No. 24SA255
Interlocutory Appeal from the District Court
Arapahoe County District Court Case No. 22CR1975
Honorable LaQunya L. Baker, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Sheron Mario Furness.

Order Reversed

en banc

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.

HELD PETITION FOR WRIT OF CERTIORARI

No. 24SC519, Martinez-Rubier v. People
Held pending 23SC525, *Johnson v. People*

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 24SC440, Court of Appeals Case No. 23CA292

Petitioner:

Progressive Direct Insurance Company,

v.

Respondent:

Andrew Ortiz.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the court should reconsider the *State Farm Mut. Auto. Ins. Co. v. Brekke*, 105 P.3d 177 (Colo. 2004), standard related to the particularized pleading and timeliness requirements imposed on insurers in UM litigation.

DENIED AS TO ALL OTHER ISSUES.

No. 24SC492, Court of Appeals Case No. 21CA405

Petitioner:

Jason P. Brown,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether *People v. Manzo*, 144 P.3d 551 (Colo. 2006), is no longer good law or distinguishable, and whether the court reversibly erred and violated Brown's right to due process because it allowed the jury to convict him of a class 3 felony for leaving the scene of an accident resulting in death without the prosecution proving he acted with *any* culpable mental state.

Whether Colorado's habitual offender scheme is unconstitutional because it requires a judge-rather than a jury-make findings of fact that increase the sentence, and whether Brown's adjudication as a habitual offender must be vacated because he was deprived of his right to a jury trial.

DENIED AS TO ALL OTHER ISSUES.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 23SC814, Court of Appeals Case No. 21CA52

Petitioner:

Leigha Page Ackerson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 23SC839, Court of Appeals Case No. 18CA2299

Petitioner:

Demond Deshawn Hamilton,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC487, Court of Appeals Case No. 21CA1712

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Frank Hickmon.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC601, Court of Appeals Case No. 21CA1822

Petitioner:

Christopher Michael Pride,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC606, Court of Appeals Case No. 22CA2213

Petitioner/Cross-Respondent:

Marshall M. Hughes,

v.

Respondent/Cross-Petitioner:

The People of the State of Colorado.

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

No. 24SC633, Court of Appeals Case No. 22CA1230

Petitioner:

Rudy R. Herrera,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC692, Court of Appeals Case No. 23CA939

Respondent:

The People of the State of Colorado,

In the Interest of:

Petitioner:

J.S.A.,

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC744, Court of Appeals Case No. 23CA1813

Petitioner:

Denise McLellan,

v.

Respondent:

Lyle Weiss.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC794, Court of Appeals Case No. 21CA1741

Petitioner:

Devon Michael Erickson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC84, Court of Appeals Case No. 23CA1426

Petitioners:

V.S. and S.P.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

S.L.S.,

and Concerning

Ketchikan Indian Community.

Petitions for Writ of Certiorari DENIED. EN BANC.

No. 25SC99, Court of Appeals Case No. 24CA755

Petitioners:

L.A.M.E. and L.J.D.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

M.L.D.

Petitions for Writ of Certiorari DENIED. EN BANC.

No. 25SC113, Court of Appeals Case No. 24CA119

Petitioner:

A.P.D.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

E.D.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC114, Court of Appeals Case No. 24CA1105

Petitioner:

D.C.P.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

G.D.D.,

and Concerning

J.D.D.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC117, Court of Appeals Case No. 24CA1585

Petitioner:

B.R.A.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

N.E.M.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC126, Court of Appeals Case No. 24CA935

Petitioner:

J.C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

J.L.C.,

and Concerning

J.C., III.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC140, Court of Appeals Case No. 24CA477

Petitioner:

S.B.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

E.H.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC141, Court of Appeals Case No. 24CA1067

Petitioner:

B.R-V.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

N.C.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC142, Court of Appeals Case No. 24CA813

Petitioner:

C. R. H.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

L.Q.,

and Concerning

R.Q.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC145, Court of Appeals Case No. 24CA893

Petitioner:

D.M.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

D.R.M.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC160, Court of Appeals Case No. 24CA913

Petitioner:

J.L.M.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

J.M.Q. and G.Q.,

and Concerning

K.J.Q.

Petition for Writ of Certiorari DENIED. EN BANC.
