

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, MAY 27, 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 24](#)

Supreme Court Case No. 23SC784
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 21CA137

Petitioner:

Ryan Wallace Bonde,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed
en banc

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

[2025 CO 25](#)

Supreme Court Case No. 24SA244
Interlocutory Appeal from the District Court
Arapahoe County District Court Case No. 22CR505
Honorable David N. Karpel, Judge

Plaintiff-Appellant:

The People of the State of Colorado,

v.

Defendant-Appellee:

Oscar Jonas Ganaway.

Order Reversed

en banc

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

[2025 CO 26](#)

Supreme Court Case No. 23SC583
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 20CA1678

Petitioner:

Zachary Eugene Babcock,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed
en banc

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

[2025 CO 27](#)

Supreme Court Case No. 24SA184

Appeal from the District Court

District Court, City and County of Denver, Case No. 22CV32480

Honorable Christopher J. Baumann, Judge

Plaintiffs-Appellants:

American Heritage Railways, Inc. and The Durango & Silverton Narrow Gauge
Railroad Company,

v.

Defendant-Appellee:

Colorado Public Utilities Commission,

and

Intervenor-Appellee:

La Plata County, Colorado.

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.

[2025 CO 28](#)

Supreme Court Case No. 24SC539
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 23CA1316

Petitioners:

The People of the State of Colorado,

In the Interest of Minor Child: B.C.B.;

and

B.C.B.,

v.

Respondents:

A.B. and J.S.

Judgment Reversed
en banc

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

[2025 CO 29](#)

Supreme Court Case No. 23SC525
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 21CA669

Petitioner/Cross-Respondent:

Darryl Cornelious Johnson,

v.

Respondent/Cross-Petitioner:

The People of the State of Colorado.

Judgment Affirmed
en banc

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

[2025 CO 30](#)

Supreme Court Case No. 23SC622
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 21CA1713

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Jessica Jo Roberson.

Judgment Reversed
en banc

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

[2025 CO 31](#)

Supreme Court Case No. 23SC168
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 20CA646

Petitioner:

Audrey Lee Tennyson,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed
en banc

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

[2025 CO 32](#)

Supreme Court Case No. 23SC775
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 21CA2074

Petitioner:

Shaun Jeff Snow,

v.

Respondent:

The People of the State of Colorado.

Judgment Reversed
en banc

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

[2025 CO 33](#)

Supreme Court Case No. 24SA109

Appeal from the District Court

District Court, Water Division 1, Case No. 19CW3236

Honorable Todd L. Taylor, Water Judge

Concerning the Application for Water Rights of Town of Firestone.

Applicant-Appellant:

Town of Firestone,

v.

Opposers-Appellees:

BCL Colorado LP; City and County of Broomfield; City of Boulder; City of Englewood; City of Lafayette; City of Longmont; City of Westminster; Dream Weaver Holdings LLC; Godding Ditch Company; Last Chance Ditch Company; LG Everist, Inc.; Little Thompson Water District; New Coal Ridge Ditch Company; New Consolidated Lower Boulder Reservoir and Ditch Company; Public Service Company of Colorado; Rural Ditch Company; Shores On Plum Creek Metropolitan District No. 1; St. Vrain Left Hand Water Conservation District; St. Vrain Sanitation District; State Engineer and Water Division 1 Engineer; Town of Frederick; Varra Companies, Inc.; and Water Users Association of District No. 6.

Orders Affirmed

en banc

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

PETITION FOR REHEARING

2025 CO 18

Supreme Court Case No. 24SA258
Original Proceeding Pursuant to C.A.R. 21
El Paso County District Court Case No. 24CR1183
Honorable Marcus S. Henson, Judge

**In Re
Plaintiff:**

The People of the State of Colorado,

v.

Defendant:

Patrick L. Beverly, II.

Petition for Rehearing DENIED. EN BANC.

JUSTICE BOATRIGHT and **JUSTICE BERKENKOTTER** would grant the petition.

ORIGINAL PROCEEDING

[25SA44](#)

In Re O'Hanlon, Kenneth v Hutchinson, Edson
Order issued May 23,2025

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 24SC397, Court of Appeals Case No. 22CA14

Petitioner:

Brendan Joseph Shannon,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC647, Court of Appeals Case Nos. 23CA191 & 23CA659

Petitioner:

Ivy Ngo,

v.

Respondents:

Franklin D. Azar & Associates P.C., a Colorado Corporation and Franklin D. Azar.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC702, Court of Appeals Case No. 21CA1656

Petitioner:

Sean Daevon Brogan,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD does not participate.

No. 24SC765, Court of Appeals Case No. 23CA1229

Petitioners:

ELM Law LLC and Eric Martinson,

v.

Respondents:

Veronica Ortiz Garcia and Rigoberto Garcia Morales.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC789, Court of Appeals Case No. 22CA534

Petitioner:

Reynold Ramcharan,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD and JUSTICE SAMOUR would grant as to the following issue:

Whether the court of appeals erred by creating a requirement, not contained in the rape shield statute, that an offer of proof submitted with a rape shield motion must contain facts establishing the *admissibility* of the proffered evidence in order to obtain a hearing on the admissibility of the evidence.

No. 24SC791, Court of Appeals Case No. 24CA230

Petitioners:

Murphy Creek Development, Inc., a Colorado corporation and Murphy Creek LLC, a Wyoming limited liability company,

v.

Respondent:

Brian K. Matise.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC792, Court of Appeals Case No. 22CA51

Petitioner:

Rodger Dean Goodall,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC803, Court of Appeals Case No. 21CA2042

Petitioner:

Antoinette Michelle Grubb,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC811, Court of Appeals Case No. 23CA748

Petitioner:

Zachary Caine Rhodes,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC816, Larimer County District Court Case No. 24CV30106

Petitioner:

Kevin Crew,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC818, Court of Appeals Case No. 22CA1017

Petitioner:

Jacob R. Ibarra,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC2, Court of Appeals Case No. 23CA483

Petitioner:

Emelio J. Vasquez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC30, Court of Appeals Case No. 24CA1419

In the Matter of

Preston A. Vickers Irrevocable Trust,

Petitioner:

Alan Preston Vickers,

v.

Respondents:

Gary Vickers, Greg Vickers, and Nancy Vickers Berman.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC107, Court of Appeals Case No. 22CA1588

Petitioner:

Noe Maniz,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC109, Court of Appeals Case No. 23CA1291

In re the Marriage of

Petitioner:

Deborah Lizarraga n/k/a Deborah Leimomi Byrne,
and

Respondent:

Manuel Q. Lizarraga.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC208, Court of Appeals Case No. 23CA27

Petitioner:

F.J.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

A.A.,

and Concerning

B.H.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC216, Court of Appeals Case No. 24CA1832

Petitioner:

K.V-D.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

B.W.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC219, Court of Appeals Case No. 24CA483

Petitioner:

M.M.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

J.M., M.V., M.M., and P.M.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC222, Court of Appeals Case No. 24CA1378

Petitioner:

H.L.C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

M.C.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC223, Court of Appeals Case No. 24CA1402

Petitioner:

C.H.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

Iza.H. and Izr.H.,

and Concerning

K.A.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC232, Court of Appeals Case No. 24CA1968

Petitioner:

K.D.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

A.D., E.D., T.D., and S.D.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC236, Court of Appeals Case No. 24CA1188

Petitioners:

J.M. and J.P.T.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

S.T.

Petition for Writ of Certiorari DENIED. EN BANC.
