

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**  
**MONDAY, JUNE 9, 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.

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**OPINIONS**

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**Supreme Court Case No. 24SC788**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 24CA253

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**In re the Parental Responsibilities Concerning Children:**

K.M.S., M.D.S., and R.E.S.,

**and Concerning**

**Petitioners:**

Suzanne Nicolas and August Nicolas,

**and**

**Respondents:**

Jayne Mecque Sullivan and Daniel Francis Sullivan.

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**Judgment Reversed**

*en banc*

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

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**Supreme Court Case No. 23SC483**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 21CA1726

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**Petitioner:**

Jefferson County, Colorado,

v.

**Respondent:**

Krista Dozier.

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**Judgment Reversed**  
*en banc*

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

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**Supreme Court Case No. 23SC818**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 22CA696

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**Petitioners:**

Ashley Hushen, Julie Hushen, Alexandra Weary, and Nicole Weary,

v.

**Respondent:**

Benjamin Gonzales.

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**Judgment Reversed**  
*en banc*

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

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**Supreme Court Case No. 25SA9**

*Original Proceeding Pursuant to C.A.R. 21*

Douglas County District Court Case No. 21CR60

Honorable Victoria Klingensmith, Judge

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**In Re  
Plaintiff:**

The People of the State of Colorado,

v.

**Defendant:**

Adetayo Sotade.

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**Order Made Absolute**

*en banc*

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

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**ORIGINAL PROCEEDING**

[25SA161](#)

In Re People v. Angerer, John  
Order to Show Cause issued on June 6, 2025

**GRANTED PETITION FOR WRIT OF CERTIORARI**

**No. 24SC542, Court of Appeals Case No. 23CA481**

**Petitioner:**

The People of the State of Colorado,  
v.

**Respondent:**

Donald Louis Gerle.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether evidence of prior consensual sexual activity between a victim and defendant is relevant to prove the victim's consent and the defendant's lack of intent for purposes of false imprisonment and assault charges.

DENIED AS TO ALL OTHER ISSUES.

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 24SC352, Court of Appeals Case No. 2022CA0946**

**Petitioner/Cross-Respondent:**

Brightstar LLC,  
v.

**Respondents/Cross-Petitioners:**

Rhett Jordan and Josh Ginsberg,  
and

**Respondent:**

Peter Knobel.

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

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**No. 24SC593, Court of Appeals Case No. 23CA2005**

**Petitioner:**

Quarky, LLC, a Texas limited liability company,  
v.

**Respondents:**

Norman M. Gabrick and Han Sarah Glickman.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC600, Court of Appeals Case No. 23CA873**

**In re the Marriage of**

**Petitioner:**

James E. Gallo,  
and

**Respondent:**

Kathleen M. Gallo.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC635, Court of Appeals Case No. 23CA1989**

**Petitioner:**

Charles McMillian,  
v.

**Respondent:**

Executive Director of the CDOC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC713, Court of Appeals Case No. 22CA1592**

**Petitioner:**

Noe Maniz,  
v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL and JUSTICE BERKENKOTTER would grant as to the following issue:

Whether the act of a witness taking the stand places the witness's credibility at issue such that the prosecution may discuss otherwise inadmissible evidence of the defendant's prior acts.

**No. 24SC741, Court of Appeals Case No. 22CA491**

**Petitioner:**

Randy Alan Toney,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC775, Court of Appeals Case No. 22CA2108**

**Respondent:**

The People of the State of Colorado,

**In the Interest of**

**Petitioner:**

J.P.D.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 24SC785, Court of Appeals Case No. 23CA2092**

**Petitioners/Cross-Respondents:**

GeneDx, Inc., a New Jersey corporation; GeneDx, LLC, a Non-Maryland limited liability company; Katelyn Beattie, MSG, CGC; Amanda Lindy, FACMG, PhD; Children's Hospital of Colorado, a Colorado nonprofit corporation; Alison Ballard, RN, CPNP; Melissa Gibbons, MS, Genetic Counselor; Lisa McCown, MS, Genetic Counseling Graduate Student; and University of Colorado Hospital Authority located at Anschutz Campus,

v.

**Respondents/Cross-Petitioners:**

Secily Maldonado, individually, and as next friends, natural parents, and guardians of their son JAC, a minor, and their daughter JMC, a minor child; John Anthony Carcanaques, individually, and as next friends, natural parents, and guardians of their son JAC, a minor, and their daughter JMC, a minor child; J.A.C., individually by and through their guardians and custodians Secily Maldonado and John Anthony Carcanaques; and J.M.C., individually by and through their guardians and custodians Secily Maldonado and John Anthony Carcanaques.

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

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**No. 25SC125, Court of Appeals Case No. 22CA1329**

**Petitioner:**

Corey Louie Moreno,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC132, Court of Appeals Case No. 23CA2193**

**Petitioner:**

Ralf Kracke-Berndorff,

v.

**Respondent:**

Katset LLC, a Colorado limited liability company.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC143, Court of Appeals Case No. 23CA1729**

**Petitioners:**

Steven E. Muth and MAS Corp., a Colorado public benefit corporation,

v.

**Respondent:**

Lonnie Wright.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC144, El Paso County District Court 24CV31208**

**Petitioner:**

Christian Eastling,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC152, Court of Appeals Case No. 23CA2011**

**Petitioner:**

Marcus J. Fernandez,

v.

**Respondents:**

Executive Director of Colorado Department of Corrections and Warden of the Buena Vista Correctional Facility.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC155, Court of Appeals Case No. 22CA957**

**Petitioner:**

Areus I. Vialpando,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC158, Court of Appeals Case No. 24CA565**

**Petitioner:**

Joanne Bonicelli, in her capacity as Personal Representative of the Estate of Silvio J. Bonicelli,

v.

**Respondents:**

Sylvio J. Bonicelli & Sons, LLC, a Colorado limited liability company; Patrick A. Bonicelli; and John J. Bonicelli.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC159, Court of Appeals Case No. 22CA1680**

**Petitioner:**

Robert Joshua Burkard,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC164, Court of Appeals Case No. 23CA899**

**Petitioner:**

Steven Mark Fernandez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC254, Court of Appeals Case No. 24CA1492**

**Petitioners:**

J.R. and M.K.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

A.R.

Petitions for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC273, Court of Appeals Case No. 24CA1010**

**Petitioners:**

Jen.G. and Jes.G.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

E.G.

Petitions for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC281, Court of Appeals Case No. 24CA1401**

**Petitioner:**

R.M.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

D.M. and T.M.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 25SC283, Court of Appeals Case No. 24CA1887**

**Petitioner:**

D.F.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

Z.F.

Petition for Writ of Certiorari DENIED. EN BANC.

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