

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, SEPTEMBER 2, 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.

ORIGINAL PROCEEDINGS

[25SA157](#) In Re: People v. McConiughey, Charlie
Order to Show Cause issued on August 18, 2025

[25SA254](#) In Re: People v. Bell,II, Keevin
Order to Show Cause issued on August 26, 2025

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 24SC543, Court of Appeals Case No. 21CA1539

Petitioner:

The People of the State of Colorado,
v.

Respondent:

Gilberto Andres Montoya.

Petition for Writ of Certiorari GRANTED. The judgement of the Colorado Court of Appeals is vacated, and the case is remanded to the Colorado Court of Appeals for reconsideration in light of *Rios v. People*, 23SC571, 25 CO 46 and *People v. Bialas*, 23SC520, 25 CO 45. EN BANC.

No. 25SC21, Court of Appeals Case No. 23CA897

Petitioner:

Veolia Water Technologies, Inc.,

v.

Respondents:

Antero Treatment LLC, Antero Resources Corporation, Antero Midstream Partners LP,
and Antero Midstream Corporation.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the economic loss rule bars a fraud claim when the parties were in a contractual relationship, the fraud claim seeks the same relief as the plaintiff's contract claim, and the fraud concerns the defendant's performance under the contract.

DENIED AS TO ALL OTHER ISSUES.

No. 25SC148, District Court, Adams County, Case No. 24CV30648

Petitioner:

Alexis Teran-Sanchez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether the trial court's jury instruction on burden of proof and reasonable doubt, based on the 2023 Model Criminal Jury Instruction . . . violated petitioner's federal and constitutional rights to due process and a fair trial.

DENIED AS TO ALL OTHER ISSUES.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 23SC245, Court of Appeals Case No. 19CA1084

Petitioner:

Jacqueline Yvonne Lucero,

v.

Respondent:

The People of the State of Colorado.

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

No. 23SC629, Court of Appeals Case No. 21CA1865

Petitioner:

Robert Justin Brannon,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC167, Court of Appeals Case No. 21CA116

Petitioner:

Alexander Ryan Fregosi,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC387, Court of Appeals Case Nos. 23CA570

Petitioner:

Kimberly Ann Gardner,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 24SC489, Court of Appeals Case No. 22CA1693

Petitioner:

Robert W. Feldman,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC110, Court of Appeals Case No. 22CA551

Petitioner:

Frank Vigil, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.
JUSTICE BOATRRIGHT does not participate.

No. 25SC131, Court of Appeals Case No. 23CA863

Petitioner:

Clarence Ray Williams,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL would grant as to the following issue:

Whether the division erred in concluding that a claim added by appointed counsel after the time for commencing a collateral attack, but following a timely pro se postconviction petition, was time barred.

No. 25SC178, Court of Appeals Case No. 23CA59

Respondent:

The People of the State of Colorado,

In the Interest of:

Petitioner:

L.E.R-N.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC199, Court of Appeals Case No. 23CA2166

Petitioner:

Steve E. Muth, individually and on behalf of the Estate of Zachary S. Muth,

v.

Respondents:

Lonnie Wright; Patrick D. Vellone; Brenton L. Gragg; and Allen Vellone Wolf Helfrich & Factor P.C., a Colorado Professional Corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC213, Court of Appeals Case No. 22CA338

Petitioner:

Dean Carbajal,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC217, Court of Appeals Case No. 22CA1152

Petitioner:

Robert Michael Hart,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC229, Court of Appeals Case No. 21CA1446

Petitioner:

Ika Eden,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC235, Court of Appeals Case No. 22CA1400

Petitioner:

Brandy Lee Ryan,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC249, Court of Appeals Case No. 23CA1182

Petitioner:

Cory Jon Lowe,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC262, Court of Appeals Case No. 21CA1914

Petitioner:

Sean Landrock,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC263, Court of Appeals Case No. 23CA84

Petitioner:

Marcus Alan Johnson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC264, Court of Appeals Case No. 22CA139

Petitioner:

Curtis Dean Shewfelt,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC280, Court of Appeals Case No. 24CA1440

Petitioner:

Brian Fottrell,

v.

Respondents:

Amerwest Constructors, Inc.; Argonaut Insurance Company; and Industrial Claim Appeals Office.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC287, Court of Appeals Case No. 23CA2117

Petitioner:

Geoffrey Del Rantz,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC289, Court of Appeals Case No. 23CA1086

Petitioner:

Brandon Ramsey,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC293, Court of Appeals Case No. 23CA572

Petitioner:

Sean Patrick MacDonald,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BOATRIGHT does not participate.

No. 25SC294, Court of Appeals Case No. 23CA300

Petitioner:

Christian David Diaz-Olivas,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC295, Court of Appeals Case No. 22CA1937

Petitioner:

Charles Brandon White,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC357, Court of Appeals Case No. 25CA742

Petitioner:

Edward Earl Young,

v.

Respondents:

Bestbuy.com LLC and Citibank N.A.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC427, Court of Appeals Case No. 25CA161

Petitioner:

S.G.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

H.R.G.P.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC429, Court of Appeals Case No. 24CA1984

Petitioner:

D.N.,

v.

Respondents:

C.B. and The People of the State of Colorado,

In the Interest of Minor Child:

S.B.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 25SC431, Court of Appeals Case No. 24CA2219

Petitioner:

A.B.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

Zad. C., Zar. C., Zy. C., E.R., and Z.L.

Petition for Writ of Certiorari DENIED. EN BANC.
