

ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
October 26, 2006

“Slip opinions” are the opinions as filed by the judges with the clerk. Slip opinions are subject to modification, rehearing, withdrawal, or clerical corrections. A link to any modifications to previously posted opinions will appear in the Petition for Rehearing section of the announcement document the day the changes are announced.

**UNPUBLISHED**

**OPINIONS**

Court of Appeals No.: 03CA1745  
El Paso County District Court No. 02CR1120  
Honorable Gilbert A. Martinez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph S. Marino,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED  
IN PART, VACATED IN PART

Division IV  
Opinion by: CHIEF JUDGE DAVIDSON  
Loeb and Román, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA0512  
El Paso County District Court No. 03DR445  
Honorable Peter W. Booth, Judge

In re the Marriage of

Thuy Lan Le,

Appellant,

and

Anh Hoang Nguyen,

Appellee.

JUDGMENT AFFIRMED

Division II

Opinion by: JUDGE TAUBMAN

Vogt and Terry, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA0604

Arapahoe County District Court No. 03CR2757

Honorable James F. Macrum, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Charles V. Ward,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE CARPARELLI

Webb and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA1265 & 05CA2667

Adams County District Court No. 91CR1638

Honorable Thomas R. Ensor, Judge

Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lawrence William Fitzgerald,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by: JUDGE TERRY  
Taubman and Vogt, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA1286  
City and County of Denver District Court No. 03CR4047  
Honorable Robert S. Hyatt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Edwards,

Defendant-Appellant.

JUDGMENT AFFIRMED IN PART, VACATED IN PART,  
AND CASE REMANDED WITH DIRECTIONS

Division II  
Opinion by: JUDGE TAUBMAN  
Vogt and Terry, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA1606  
City and County of Denver District Court No. 02CR914  
Honorable R. Michael Mullins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Norman Garcia,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE J. JONES  
Webb and Carparelli, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA1624  
Adams County District Court No. 04CV493  
Honorable C. Vincent Phelps, Judge

David C. Ingmire,

Plaintiff-Appellant,

v.

Avis Rent A Car System, Inc., d/b/a Avis Rent A Car,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE WEBB  
Carparelli and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA1700  
Douglas County District Court No. 03CR418  
Honorable Paul A. King, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bruce Donald Scheiber,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV

Opinion by: JUDGE LOEB  
Román and Plank\*, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA1828

Arapahoe County District Court No. 92CR18

Honorable Michael Louis Bieda, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David P. Stevens,

Defendant-Appellant.

ORDER AFFIRMED IN PART, REVERSED IN PART,  
AND CASE REMANDED WITH DIRECTIONS

Division II

Opinion by: JUDGE VOGT  
Taubman and Terry, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA2098

Jefferson County District Court No. 00CR1541

Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael D. Suttmiller,

Defendant-Appellant.

APPEAL DISMISSED IN PART  
AND SENTENCE AFFIRMED

Division V

Opinion by: JUDGE DAILEY

Hawthorne and Furman, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA2241

Mesa County District Court No. 04CR53

Honorable David A. Bottger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Miguel Cadenas-Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED, AND  
CASE REMANDED WITH DIRECTIONS

Division VI

Opinion by: JUDGE WEBB

Carparelli and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA2323

Moffat County District Court No. 98CR137  
Honorable Mary Lynne James, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Cabe Lawrence,

Defendant-Appellant.

ORDER AFFIRMED

Division I

Opinion by: JUDGE MÁRQUEZ  
Rothenberg and Bernard, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA2436  
Arapahoe County District Court No. 02DR1521  
Honorable Juanita L. Rice, Judge

In re the Marriage of

Victor Palli,

Appellant,

and

Latha Palli,

Appellee.

ORDER REVERSED, SENTENCES AND SANCTIONS  
VACATED, AND CASE REMANDED WITH DIRECTIONS

Division VI

Opinion by: JUDGE CARPARELLI  
Webb and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA2467  
City and County of Denver District Court Nos. 03CV6085 & 04CV1405  
Honorable Lawrence A. Manzanares, Judge

Leetmon, LLC, a Colorado limited liability company,

Plaintiff-Appellee,

v.

J. Bode Holdings, Inc., a Colorado corporation,

Defendant-Appellant.

-----AND-----

J. Bode Holdings, Inc., a Colorado corporation,

Plaintiff-Appellant,

v.

David A. Oberg and M. Jean Oberg,

Defendants-Appellees.

ORDER AFFIRMED

Division II

Opinion by: JUDGE VOGT  
Taubman and Terry, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA2558  
City and County of Denver District Court No. 02CR1906  
Honorable Robert S. Hyatt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald C. Calhoun,

Defendant-Appellant.

ORDER AFFIRMED

Division II

Opinion by: JUDGE TAUBMAN

Vogt and Terry, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA2702

Arapahoe County District Court No. 99CR1846

Honorable Cheryl L. Post, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Lee Hrdlicka,

Defendant-Appellant.

ORDER AFFIRMED

Division I

Opinion by: JUDGE MÁRQUEZ

Rothenberg and Bernard, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0098

Pueblo County District Court No. 03CR1190

Honorable Dennis Maes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John A. Love,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III

Opinion by: CHIEF JUDGE DAVIDSON

Plank\* and Kapelke\*, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0174

City and County of Denver District Court No. 00CR3695

Honorable H. Jeffrey Bayless, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lankford Wells, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division V

Opinion by: JUDGE DAILEY

Hawthorne and Furman, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0175

La Plata County District Court No. 03CR72

Honorable Jeffrey R. Wilson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul E. Gasser,

Defendant-Appellant.

SENTENCE AFFIRMED

Division II

Opinion by: JUDGE TERRY  
Taubman and Vogt, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0210  
Adams County District Court No. 04CR665  
Honorable Harlan R. Bockman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mario Acevedo-Herrada,

Defendant,

and Concerning Richard Delvalle,

Surety-Appellant.

ORDER AFFIRMED

Division I

Opinion by: JUDGE MÁRQUEZ  
Rothenberg and Plank\*, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0310  
Mesa County District Court No. 03CR1137  
Honorable Amanda D. Bailey, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Garner,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE J. JONES  
Webb and Carparelli, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0576  
Larimer County District Court No. 02CR1981  
Honorable Terence A. Gilmore, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnathan E. Nikischer,

Defendant-Appellant.

ORDER AFFIRMED

Division IV

Opinion by: JUDGE NEY\*  
Loeb and Román, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0832  
Arapahoe County District Court No. 02CR1050  
Honorable Nancy A. Hopf, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carlos E. Maestas,

Defendant-Appellant.

ORDER AFFIRMED

Division VI

Opinion by: JUDGE WEBB

Carparelli and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0855

Colorado State Board of Assessment Appeals No. 42300

Club Med Crested Butte, LLC,

Petitioner-Appellee,

and

Colorado State Board of Assessment Appeals,

Appellee,

v.

Gunnison County Board of Equalization,

Respondent-Appellant.

ORDER AFFIRMED

Division I

Opinion by: JUDGE BERNARD

Márquez and Rothenberg, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0947

Bent County District Court No. 05CV1

Honorable M. Jon Kolomitz, Judge

Timothy Rohac,

Plaintiff-Appellant,

v.

Joe Ortiz, Executive Director; Dana Bustos; Jim Weber, Warden; Jim Keith; Bent County Correctional Facility; and Cebulski, Case Manager,

Defendants-Appellees.

ORDER AFFIRMED

Division I

Opinion by: JUDGE BERNARD

Márquez and Rothenberg, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0956

Larimer County District Court No. 02CV1531

Honorable Jolene Carmen Blair, Judge

Steven H. Wimp,

Plaintiff-Appellee,

v.

Brasher, LLC, and Janice L. Hunt,

Defendants-Appellants.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I

Opinion by: JUDGE ROTHENBERG

Márquez and Bernard, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1238  
Fremont County District Court No. 05CV199  
Honorable Robert Freeman, Magistrate

Sean L. Dorn, a/k/a Zarissa-Azriel L Qz'Etax,

Plaintiff-Appellant,

v.

Fremont County District Court,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II

Opinion by: JUDGE TAUBMAN  
Vogt and Terry, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1291  
Mesa County District Court No. 04CV808  
Honorable Nicholas R. Massaro, Judge

Allen M. "Mac" Williams,

Plaintiff-Appellant,

v.

Tilman Bishop, individually and as Mesa County Commissioner; et al.,

Defendants-Appellees.

JUDGMENT AFFIRMED IN PART, VACATED IN PART,  
AND CASE REMANDED WITH DIRECTIONS

Division IV

Opinion by: JUDGE PLANK\*  
Loeb and Román, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1317  
Park County District Court No. 98CV76  
Honorable Charles M. Barton, Judge

James E. Sohmer,

Plaintiff-Appellee,

v.

Ranger Geremaia; and Mary Oranjian, as personal representative of the estate of Avedis A. Oranjian and individually,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE WEBB  
Carparelli and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1330  
City and County of Denver District Court No. 88CR1874  
Honorable R. Michael Mullins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregory C. Reed,

Defendant-Appellant.

ORDER AFFIRMED

Division I

Opinion by: JUDGE BERNARD  
Márquez and Rothenberg, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1610  
Washington County District Court No. 04CV34  
Honorable Douglas R. Vannoy, Judge

Robert D. Gilbert,

Plaintiff-Appellant,

v.

Donald R. Wright and Carolyn Wright,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division IV

Opinion by: JUDGE LOEB  
Román and Plank\*, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1626  
Logan County District Court No. 04CV204  
Honorable Kevin Hoyer, Judge  
Honorable Michael D. Singer, Judge

Chris Christman,

Plaintiff-Appellant,

v.

Joe Ortiz, Gary Golder, and the Colorado Department of Corrections,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division II

Opinion by: JUDGE VOGT  
Taubman and Terry, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1943  
Mesa County District Court No. 93DR1013  
Honorable Amanda D. Bailey, Judge

In re the Marriage of

Kerry Briar,

Appellee,

and

Jamie Briar,

Appellant.

ORDER VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by: JUDGE WEBB  
Carparelli and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1980  
Adams County District Court No. 04CR3627  
Honorable C. Scott Crabtree, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Earl R. Kelly,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division V  
Opinion by: JUDGE HAWTHORNE  
Dailey and Furman, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1988  
Jefferson County District Court No. 99CR498  
Honorable Leland P. Anderson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond L. Fetzer,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by: JUDGE PLANK\*  
Davidson, C.J., and Kapelke\*, J., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA2410  
City and County of Denver District Court No. 05DR802  
Honorable Anne Mansfield, Judge

In re the Parental Responsibilities of

D.L.C., a Child,

and Concerning Ryan T. Chase,

Petitioner,

and Julie K. Molendyk,

Appellee,

and Jody Chase, paternal grandmother,

Intervenor-Appellant.

ORDER AFFIRMED IN PART, REVERSED IN PART,  
AND CASE REMANDED WITH DIRECTIONS

Division IV  
Opinion by: JUDGE LOEB  
Román and Plank\*, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA2713  
Adams County District Court No. 04DR1215  
Honorable John E. Popovich, Jr., Judge

In the Interest of M.M. C.-H., a Child,

and Concerning David Haley,

Appellee,

and

Natalie Chavez,

Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by: JUDGE MÁRQUEZ  
Rothenberg and Bernard, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA0071  
Adams County District Court No. 93DR594  
Honorable Mark D. Warner, Judge

In re the Marriage of

Cindy L. Gentry,

Appellee,

and

Michael R. Gentry,

Appellant.

ORDERS AFFIRMED

Division I

Opinion by: JUDGE ROTHENBERG

Márquez and Bernard, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA0672

Industrial Claim Appeals Office of the State of Colorado

DD No. 734-2006

Edward Berry,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Excel Personnel, Inc.,

Respondents.

APPEAL DISMISSED

Division B

Davidson, C.J., Webb and Hawthorne, JJ.

PER CURIAM

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA0735

Industrial Claim Appeals Office of the State of Colorado

DD No. 940-2006

Marion L. Jenkins, III,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Home Depot USA, Inc.,

Respondents.

ORDER AFFIRMED

Division B  
Davidson, C.J., Webb and Hawthorne, JJ.  
PER CURIUM

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA0793  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 3825-2006

Constance A. Rodriguez,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and 7 Eleven, Inc.,

Respondents.

ORDER AFFIRMED

Division B  
Davidson, C.J., Webb and Hawthorne, JJ.  
PER CURIAM

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA0820  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 19588-2005

Noe Diaz Elias,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Poudre Valley Truss, Inc.,  
Fort Collins Truss,

Respondents.

ORDER AFFIRMED

Division B  
Davidson, C.J., Webb and Hawthorne, JJ.  
PER CURIAM

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA0957  
Pueblo County District Court No. 03JV511  
Honorable David W. Crockenberg, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of B.W., a Child,

and Concerning T.W.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by: JUDGE J. JONES  
Webb and Carparelli, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA1181  
Weld County District Court No. 03JV944  
Honorable J. Robert Lowenbach, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.R.; J.R.; S.R.; and R.K.R., Children,

and Concerning J.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE WEBB  
Carparelli and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA1199

Mesa County District Court No. 05JV75

Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.A.K. and V.A.O., Children,

and Concerning J.K.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE CARPARELLI  
Webb and J. Jones, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA1253

Jefferson County District Court No. 05JV549

Honorable Brian D. Boatright, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.L.S., a Child,

and Concerning M.S.,

Respondent-Appellant.

APPEAL DISMISSED IN PART AND  
JUDGMENT AFFIRMED IN PART

Division VI  
Opinion by: JUDGE J. JONES  
Webb and Carparelli, JJ., concur

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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**P E T I T I O N S**

**F O R**

**R E H E A R I N G**

[Court of Appeals No.: 01CA2020](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gary Pahl,

Defendant-Appellant.

Opinion Modified, and As Modified,  
Petition for Rehearing DENIED

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Court of Appeals No.: 02CA0445

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas Lee Johnson,

Defendant-Appellant.

Petition for Rehearing DENIED  
Plank, J., would GRANT

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA0087

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jesse F. Rocha,

Defendant-Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 04CA1614

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shawn Eldon Childs,

Defendant-Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

Court of Appeals No.: 05CA0055

John G. Otto,

Plaintiff-Appellee,

v.

Daniel W. Dauwe,

Defendant-Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0076

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Todd Woodward,

Defendant-Appellant

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0181

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ariel L. Van Rijkhoeven,

Defendant-Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0460

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew E. Clarenson,

Defendant-Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0472

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregg J. Savajian,

Defendant-Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0632

In re the Marriage of

Lacinda Michelle Stone Leary,

Appellee,

and

James M. Leary,

Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA0735

James K. Conkleton,

Plaintiff-Appellant,

v.

Marla R. Prudek,

Defendant-Appellee.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 05CA1065

In the Matter of J.C.T., a minor child,

and C.A.H.,

Petitioner-Appellant,

v.

Three Affiliated Tribes,

Intervenor-Appellee.

Petition for Rehearing DENIED

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Court of Appeals No.: 05CA1201

Ronald Calvert,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; Roadway Express, Inc.; Old Republic Insurance; and Gallagher Bassett,

Respondents.

Petition for Rehearing DENIED

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Court of Appeals No.: 05CA1208

In re the Marriage of

Cheryl C. Block,

Appellee,

v.

Henry F. Block,

Appellant.

Opinion Modified, and As Modified,

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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Court of Appeals No.: 06CA0968

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of V.G.G-B., a Child,

and Concerning L.G.,

Respondent-Appellant.

Petition for Rehearing DENIED

**NOT PUBLISHED PURSUANT TO C.A.R. 35(f)**

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\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5 (3), and § 24-51-1105, C.R.S. 2006.