

*ANNOUNCEMENTS*

*COLORADO COURT OF APPEALS*

*November 12, 1999*

P U B L I S H E D

O P I N I O N S

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No. 97CA0035

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Samuel V. Mandez,

Defendant-Appellant.

Appeal from the District Court of Weld County

Honorable Roger A. Klein, Judge

No. 96CR154

Division II JUDGMENT AND

Opinion by JUDGE PLANK SENTENCE AFFIRMED

Vogt and Erickson\*, JJ., concur

OPINION PREVIOUSLY ANNOUNCED AS "NOT SELECTED FOR PUBLICATION"

ON August 26, 1999, IS NOW SELECTED FOR PUBLICATION

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 97CA1489

Patricia W. Hoffler,

Complainant-Appellant,

v.

State of Colorado--State Personnel Board, and Department of  
Corrections,

Respondents-Appellees,

Appeal from the Colorado State Personnel Board

No. 96BA58

Division III ORDER AFFIRMED

Opinion by JUDGE RULAND

Jones and Davidson, JJ., concur

Prior Opinion Announced December 24, 1998, WITHDRAWN

Petitions for Rehearing GRANTED

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No. 98CA0688

Fred Grossman, M.D.,

Plaintiff-Appellant,

v.

Columbine Medical Group, Inc. and FHP of Colorado, Inc. a/k/a  
PacifiCare of Colorado, Inc.,

Defendants-Appellees.

Appeal from the District Court of the City and County of Denver

Honorable Herbert L. Stern, III, Judge

No. 97CV6892

Division II JUDGMENTS AFFIRMED

Opinion by JUDGE STERNBERG\*

Plank, J., concurs

Jones, J., concurs in part

and dissents in part

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA0836

Board of Commissioners of the County of Boulder,

Plaintiff-Appellee and Cross-Appellant,

v.

City of Broomfield, Colorado; City Council of the City of Broomfield;  
and Broomfield Urban Renewal Authority,

Defendants-Appellants and Cross-Appellees.

Appeal from the District Court of Boulder County

Honorable Daniel C. Hale, Judge

No. 95CV1430

Division V JUDGMENT REVERSED

Opinion by JUDGE DAVIDSON AND CAUSE REMANDED

Taubman and Kapelke, JJ., concur WITH DIRECTIONS

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No. 98CA0838

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wayne Robert Stewart,

Defendant-Appellant.

Appeal from the District Court of Jefferson County

Honorable Tom Woodford, Judge

No. 97CR951

Division V CONVICTION AND

Opinion by JUDGE ROY SENTENCE VACATED

Taubman and Pierce\*, JJ., concur

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1645

Denver Local 2-477; Oil, Chemical & Atomic Workers' International Union,

Plaintiff-Appellant and Cross-Appellee,

v.

Metro Wastewater Reclamation District, a political subdivision of the State of Colorado,

Defendant-Appellee and Cross-Appellant,

and

Colorado Division of Labor

,

Defendant-Appellee.

Appeal from the District Court of the City and County of Denver

Honorable Edward A. Simons, Judge

No. 94CV5909

Division II JUDGMENT AFFIRMED IN PART,

Opinion by JUDGE RULAND REVERSED IN PART, AND CAUSE

Criswell and Marquez, JJ., concur REMANDED WITH DIRECTIONS

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No. 98CA1736

Edwin Bruce George,

Plaintiff-Appellee,

v.

Wade Michael Welch,

Defendant-Appellant.

Appeal from the District Court of Weld County

Honorable William L. West, Judge

No. 96CV554

Division I JUDGMENT AFFIRMED

Opinion by JUDGE VOGT

Metzger and Ney, JJ., concur

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No. 98CA1865

Colorado School Districts Self Insurance Pool,

Plaintiff-Appellee,

v.

J.P. Meyer Trucking and Construction, Inc. and Lawrence B. Johnson,  
Defendants-Appellants.

Appeal from the District Court of the City and County of Denver

Honorable Herbert L. Stern, III, Judge

No. 96CV5071

Division IV ORDER AFFIRMED Opinion by JUDGE ROTHENBERG

Pierce\*, J., concurs

Jones, J., concurs in part

and dissents in part

Petition for Certiorari granted April 10, 2000 (99SC949)

By order of the Supreme Court dated March 7, 2001, the court of  
appeals opinion is vacated and the appeal dismissed.

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No. 98CA2028

Canal Insurance Company,

Plaintiff-Appellee,

v.

Randall S. Nix,



Defendant-Appellant.

Appeal from the District Court of Larimer County

Honorable Arnaud Newton, Judge

No. 97CV126

Division IV JUDGMENT AFFIRMED Opinion by JUDGE ROTHENBERG

Jones and Briggs, JJ., concur

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No. 98CA2227

In re the Marriage of

Devra A. Jeffers,

Appellant,

and

Nicholas G. Makropoulos,

Appellee.

Appeal from the District Court of Adams County

Honorable Chris Melonakis, Judge

No. 96DR1663

Division V JUDGMENT AFFIRMED IN PART,

Opinion by JUDGE TAUBMAN REVERSED IN PART, AND CAUSE

Rothenberg and Roy, JJ., concur REMANDED WITH DIRECTIONS

No. 98CA2393

In re the Marriage of

Robert J. Upson,

Appellant,

and

Tina Y. Upson, n/k/a Tina Y. Fontenot,

Appellee.

Appeal from the District Court of Jefferson County

Honorable Frank Plaut, Judge

No. 96DR2044

Division I ORDER REVERSED

Opinion by JUDGE NEY AND CAUSE REMANDED

Metzger and Vogt, JJ., concur WITH DIRECTIONS

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No. 98CA2564

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.E., a Child,

and Concerning S.E.,

Respondent-Appellant.

Appeal from the District Court of Mesa County

Honorable Charles A. Buss, Judge

No. 96JV74

Division A APPEAL DISMISSED

Opinion by JUDGE KAPELKE

Ney, J., concurs

Taubman, J., dissents

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No. 99CA0766

Tyson Hussion,

Petitioner,

v.

The Industrial Claim Appeals Office of the State of Colorado; Hayden Forest Products; and Hawkeye Security Insurance Company,

Respondents.

Review of Order from the Industrial Claim Appeals Office  
of the State of Colorado

WC No. 4-388-532

Division II ORDER AFFIRMED

Opinion by JUDGE CRISWELL

Marquez and Ruland, JJ., concur

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U N P U B L I S H E D

O P I N I O N S

No. 97CA2044 **NOT SELECTED FOR PUBLICATION**

Fred Meyer,

Plaintiff-Appellant,

v.

First National Bank of Strasburg, N.A.,

Defendant-Appellee.

Appeal from the District Court of Arapahoe County

Honorable Deanna E. Hickman, Judge

No. 97CV2523

Division A JUDGMENT REVERSED

Opinion by CHIEF JUDGE HUME AND CAUSE REMANDED

Erickson\* and Kirshbaum\*, JJ., concur WITH DIRECTIONS

No. 97CA2270 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul Valverde,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable Robert S. Hyatt, Judge

No. 97CR2526

Division II JUDGMENT AFFIRMED

Opinion by JUDGE CRISWELL

Marquez and Ruland, JJ., concur

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA0010 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Quintella, Jr. a/k/a Juan Quintella, Jr.,

Defendant-Appellant.

Appeal from the District Court of El Paso County

Honorable Gil Martinez, Judge

No. 96CR3779

Division V JUDGMENT AFFIRMED

Opinion by JUDGE TAUBMAN

Davidson and Kapelke, JJ., concur

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No. 98CA0354 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stanley Martinez,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable Morris B. Hoffman, Judge

No. 97CR2460

Division A JUDGMENT AFFIRMED

Opinion by JUSTICE ERICKSON\*

Hume, C.J., and Kirshbaum\*, J., concur

\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA0451 **NOT SELECTED FOR PUBLICATION**

Butterfield Homeowners' Association, Inc., a Colorado non-profit corporation,

Plaintiff-Appellant and Cross-Appellee,

v.

David R. Smith and Erin T. Smith,

Defendants-Appellees and Cross-Appellants.

Appeal from the District Court of Douglas County

Honorable Thomas J. Curry, Judge

No. 93CV342

Division V JUDGMENT AFFIRMED IN PART,

Opinion by JUDGE TAUBMAN REVERSED IN PART, AND CAUSE

Davidson and Kapelke, JJ., concur REMANDED WITH DIRECTIONS

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No. 98CA0758 **NOT SELECTED FOR PUBLICATION**

Robert J. Golten,

Plaintiff-Appellant and Cross-Appellee,

v.

Stephen H. Cook, Wesley A. Light, Joshua B. Epel, and Kevin S. Hannon,

Defendants-Appellees and Cross-Appellants.

Appeal from the District Court of Gunnison County

Honorable J. Steven Patrick, Judge

No. 95CV81

Division II JUDGMENT AFFIRMED IN PART,

Opinion by JUDGE MARQUEZ REVERSED IN PART, AND CAUSE

Criswell and Ruland, JJ., concur REMANDED WITH DIRECTIONS

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No. 98CA0766 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John A. Read,

Defendant-Appellant.

Appeal from the District Court of Pueblo County

Honorable James H. Frasher, Jr., Judge

Honorable David A. Cole, Judge

Nos. 95CR1400 & 96CR9

Division IV JUDGMENT AFFIRMED



Opinion by JUDGE JONES AND CAUSE REMANDED

Rothenberg and Sternberg\*, JJ., concur WITH DIRECTIONS

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No. 98CA0816 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert E. Chambers,

Defendant-Appellant.

Appeal from the District Court of El Paso County

Honorable Theresa M. Cisneros, Judge

No. 97CR3370

Division V ORDER AFFIRMED

Opinion by JUDGE DAVIDSON

Taubman and Kapelke, JJ., concur

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA0881 **NOT SELECTED FOR PUBLICATION**

In re the Marriage of

Torrey Dillard,

Appellee,

and

Harley Dick Dillard,

Appellant.

Appeal from the District Court of Adams County

Honorable John J. Vigil, Judge

No. 90DR913

Division A ORDER REVERSED

Opinion by CHIEF JUDGE HUME AND CAUSE REMANDED

Erickson\* and Tursi\*, JJ., concur WITH DIRECTIONS

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No. 98CA0950 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael W. Duncan,

Defendant-Appellant.

Appeal from the District Court of Pueblo County

Honorable Eugene T. Halaas, Jr., Judge

No. 96CR611

Division A ORDER AFFIRMED

Opinion by JUDGE RULAND AND CAUSE REMANDED

Davidson and Taubman, JJ., concur WITH DIRECTIONS

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA0965 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alejandro D. Ornelas,

Defendant-Appellant.

Appeal from the District Court of Jefferson County

Honorable Tom Woodford, Judge

No. 97CR1718

Division III JUDGMENT AFFIRMED IN PART,

Opinion by JUDGE CASEBOLT VACATED IN PART, AND CAUSE

Plank and Roy, JJ., concur REMANDED WITH DIRECTIONS

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No. 98CA1027 **NOT SELECTED FOR PUBLICATION**

Audrey Howell, a minor, by and through her natural mother and next friend, Holly Marshall,

Plaintiff-Appellant,

v.

Southern Colorado Developmental Disabilities Services, Inc., and Alta  
Vista Day Care,

Defendants-Appellees.

Appeal from the District Court of Las Animas County

Honorable Jesse C. Manzanares, Judge

No. 94CV87

Division II JUDGMENT REVERSED

Opinion by JUDGE MARQUEZ AND CAUSE REMANDED

Criswell and Ruland, JJ., concur WITH DIRECTIONS

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No. 98CA1129 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dennis Parker,

Defendant-Appellant.

Appeal from the District Court of Arapahoe County

Honorable Thomas C. Levi, Judge

No. 94CR77

Division III ORDER AFFIRMED

Opinion by JUDGE ROY AND CAUSE REMANDED

Plank and Casebolt, JJ., concur WITH DIRECTIONS

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No. 98CA1176 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David McCulloch,

Defendant-Appellant.

Appeal from the District Court of Boulder County

Honorable Joseph J. Bellipanni, Judge

Honorable Roxanne Bailin, Judge

No. 95CR1057

Division A ORDER AFFIRMED

Opinion by JUSTICE ERICKSON\* AND CAUSE REMANDED

Hume, C.J., and Tursi\*, J., concur WITH DIRECTIONS

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1281 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lejea Anthony Bolden,

Defendant-Appellant.

Appeal from the District Court of Jefferson County

Honorable Frank Plaut, Judge

Honorable Kenneth E. Barnhill, Judge

No. 96CR660

Division A ORDER AFFIRMED

Opinion by JUDGE ROY AND CAUSE REMANDED

Kapelke and Casebolt, JJ., concur WITH DIRECTIONS

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No. 98CA1321 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jerry L. Bowman,

Defendant-Appellant.

Appeal from the District Court of Larimer County

Honorable James H. Hiatt, Judge

No. 95CR242

Division A ORDER AFFIRMED

Opinion by JUDGE TURSI\*

Hume, C.J., and Erickson\*, J., concur

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1350 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joe T. Bachicha,

Defendant-Appellant.

Appeal from the District Court of El Paso County

Honorable Gil Martinez, Judge

Nos. 94CR128 & 95CR439

Division A ORDER AFFIRMED

Opinion by JUDGE DAVIDSON AND CAUSE REMANDED

Plank and Jones, JJ., concur WITH DIRECTIONS

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No. 98CA1396 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy Lee Robinson,

Defendant-Appellant.

Appeal from the District Court of Jefferson County

Honorable Henry E. Nieto, Judge

No. 96CV2609

Division A JUDGMENT AFFIRMED

Opinion by CHIEF JUDGE HUME

Erickson\* and Tursi\*, JJ., concur

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1475 **NOT SELECTED FOR PUBLICATION**

Max Montoya and Sherry Montoya,

Plaintiffs-Appellees,

v.



Gabriel S. Garcia,

Defendant-Appellant.

Appeal from the District Court of Montezuma County

Honorable Gasper F. Perricone, Judge

No. 98CV73

Division IV JUDGMENT AFFIRMED

Opinion by JUDGE JONES

Rothenberg and Sternberg\*, JJ., concur

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No. 98CA1478 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edith Cobb,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable H. Jeffrey Bayless, Judge

Nos. 93CR2168 & 93CR3177

Division II ORDER AFFIRMED

Opinion by JUDGE MARQUEZ

Criswell and Ruland, JJ., concur

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1591 **NOT SELECTED FOR PUBLICATION**

American States Insurance Company, an insurance corporation,

Plaintiff-Appellee,

v.

Faganal Brown Builders, a/k/a Ron Brown, d/b/a Ron Brown Builders;  
Ron Brown, individually; Dennis Nikitow; and Sandra Nikitow,

Defendants-Appellants.

Appeal from the District Court of Arapahoe County

Honorable Deanna E. Hickman, Judge

No. 96CV2660

Division II JUDGMENT REVERSED

Opinion by JUDGE MARQUEZ AND CAUSE REMANDED

Ruland, J., concurs WITH DIRECTIONS

Criswell, J., specially concurs

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No. 98CA1671 **NOT SELECTED FOR PUBLICATION**

In the Matter of the Estate of Virginia Lee Peters, Deceased,

Debbie McMahon,

Petitioner-Appellant,

v.

Steven R. Aiken, Personal Representative,

Respondent-Appellee.

Appeal from the District Court of Park County

Honorable Kenneth M. Plotz, Judge

No. 92PR31

Division A ORDER AFFIRMED

Opinion by CHIEF JUDGE HUME AND CAUSE REMANDED

Erickson\* and Kirshbaum\*, JJ., concur WITH DIRECTIONS

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1677 **NOT SELECTED FOR PUBLICATION**

In re the Marriage of

Sharon A. Herfurt, n/k/a Sharon A. Ware,

Appellee,

and

Kimball A. Herfurt,

Appellant.

Appeal from the District Court of Jefferson County

Honorable James D. Zimmerman, Judge

No. 85DR1342

Division A ORDER AFFIRMED

Opinion by JUSTICE ERICKSON\*

Hume, C.J., and Kirshbaum\*, J., concur

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No. 98CA1688 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael D'Apice,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable Larry J. Naves, Judge

No. 97CR2755

Division II JUDGMENT AFFIRMED

Opinion by JUDGE MARQUEZ

Criswell and Ruland, JJ., concur

\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1702 **NOT SELECTED FOR PUBLICATION**

Gabriel Arenas,

Plaintiff-Appellant,

v.

Karen L. Hanneman,

Defendant-Appellee.

Appeal from the District Court of Jefferson County

Honorable Tom Woodford, Judge

No. 97CV940

Division IV JUDGMENT AFFIRMED

Opinion by JUDGE STERNBERG\*

Jones and Rothenberg, JJ., concur

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No. 98CA1737 **NOT SELECTED FOR PUBLICATION**

Sampo Resources, Ltd., and Brian W. Hester,

Plaintiffs-Appellees,

v.

The Joe Dandy Mining Co.,

Defendant-Appellant.

Appeal from the District Court of Teller County

Honorable Michael J. Heydt, Judge

No. 93CV96

Division I JUDGMENT REVERSED

Opinion by JUDGE VOGT AND CAUSE REMANDED

Metzger and Ney, JJ., concur WITH DIRECTIONS

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\*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 98CA1897 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald Colman,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable Paul A. Markson, Jr., Judge

No. 97CR740

Division A ORDER AFFIRMED

Opinion by JUDGE JONES AND CAUSE REMANDED

Plank and Davidson, JJ., concur WITH DIRECTIONS

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No. 98CA2065 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy L. Kinman,

Defendant-Appellant.

Appeal from the District Court of Larimer County

Honorable Arnaud Newton, Judge

Nos. 96CR1245 & 97CR282

Division IV APPEAL DISMISSED

Opinion by JUDGE JONES IN PART, AND

Rothenberg and Briggs, JJ., concur ORDER AFFIRMED

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No. 98CA2080 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Colin R. Giblin a/k/a Colin Giblingner,

Defendant-Appellant.

Appeal from the District Court of Jefferson County

Honorable Michael C. Villano, Judge

No. 94CR2013

Division V ORDER AFFIRMED

Opinion by JUDGE KAPELKE

Davidson and Taubman, JJ., concur

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No. 98CA2117 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan J. Lopez,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable Larry J. Naves, Judge

No. 97CR1826

Division III ORDER AFFIRMED



Opinion by JUDGE PLANK

Casebolt and Roy, JJ., concur

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No. 98CA2133 **NOT SELECTED FOR PUBLICATION**

Laurence Keith Loftin, III,

Plaintiff-Appellant,

v.

Regents of the University of Colorado,

Defendant-Appellee.

Appeal from the District Court of the City and County of Denver

Honorable Herbert L. Stern, III, Judge

No. 97CV4209

Division II JUDGMENT AFFIRMED

Opinion by JUDGE RULAND

Criswell and Marquez, JJ., concur

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No. 98CA2181 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Romel Clark, a/k/a Darryl Clark,

Defendant-Appellant.

Appeal from the District Court of Arapahoe County

Honorable Thomas C. Levi, Judge

Honorable John P. Leopold, Judge

Nos. 95CR1129 & 96CR1520

Division A ORDER AFFIRMED

Opinion by JUDGE PLANK AND CAUSE REMANDED

Jones and Davidson, JJ., concur WITH DIRECTIONS

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No. 98CA2355 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Diamond Mundy,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable H. Jeffrey Bayless, Judge

No. 98CR2493

Division I JUDGMENT AFFIRMED

Opinion by JUDGE VOGT

Metzger and Ney, JJ., concur

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No. 98CA2362 **NOT SELECTED FOR PUBLICATION**

Michael J. Puckett,

Plaintiff-Appellant,

v.

Margaret L. Bearden,

Defendant-Appellee.

Appeal from the District Court of El Paso County

Honorable Theresa M. Cisneros, Judge

No. 96CV2610

Division II JUDGMENT AND

Opinion by JUDGE MARQUEZ ORDER AFFIRMED

Criswell and Ruland, JJ., concur

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No. 98CA2408 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Benjamin J. Weigel,

Defendant-Appellant.

Appeal from the District Court of Pueblo County

Honorable Dennis Maes, Judge

No. 94CR1674

Division A ORDER SET ASIDE

Opinion by JUDGE CASEBOLT AND CAUSE REMANDED

Kapelke and Roy, JJ., concur WITH DIRECTIONS

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No. 98CA2458 **NOT SELECTED FOR PUBLICATION**

Kenneth D. Pearce,

Plaintiff-Appellant,

v.

Charles Hackler, individually,

Defendant-Appellee,

and

Sandra E. Hackler, individually,

Defendant.

Appeal from the District Court of Teller County

Honorable Michael J. Heydt, Judge

No. 97CV132

Division II JUDGMENT AFFIRMED

Opinion by JUDGE RULAND

Criswell and Marquez, JJ., concur

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No. 98CA2462 **NOT SELECTED FOR PUBLICATION**

In re the Marriage of

Ronita K. Hajn,

Appellee,

and

Lubos F. Hajn,

Appellant.

Appeal from the District Court of Adams County

Honorable Harlan R. Bockman, Judge

No. 96DR531

Division II ORDER AFFIRMED

Opinion by JUDGE RULAND

Criswell and Marquez, JJ., concur

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No. 98CA2471 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rocky L. Kastler,

Defendant-Appellant.

Appeal from the District Court of the City and County of Denver

Honorable Paul A. Markson, Jr., Judge

Honorable John W. Coughlin, Judge

No. 97CR2021

Division III ORDER AFFIRMED

Opinion by JUDGE CASEBOLT AND CAUSE REMANDED

Plank and Roy, JJ., concur WITH DIRECTIONS

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No. 98CA2509 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew Bandelin,

Defendant-Appellant.

Appeal from the District Court of Arapahoe County

Honorable James E. Macrum, Judge

No. 96CR0486

Division A ORDER AFFIRMED

Opinion by JUDGE VOGT AND CAUSE REMANDED

Metzger and Rothenberg, JJ., concur WITH DIRECTIONS

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No. 98CA2520 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Enge,

Defendant-Appellant.

Appeal from the District Court of Arapahoe County

Honorable Thomas C. Levi, Judge

No. 95CR1281

Division A ORDER AFFIRMED

Opinion by JUDGE KAPELKE AND CAUSE REMANDED

Casebolt and Roy, JJ., concur WITH DIRECTIONS

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No. 98CA2595 **NOT SELECTED FOR PUBLICATION**

In re the Marriage of

Ramona L. Valenzuela n/k/a Ramona L. Baca,

Appellant,

and

Jaime J. Valenzuela,

Appellee.

Appeal from the District Court of Adams County

Honorable John J. Vigil, Judge

No. 98DR174

Division A JUDGMENT AFFIRMED

Opinion by JUDGE TURSI\*

Hume, C.J., and Erickson\*, J., concur

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No. 99CA0342 **NOT SELECTED FOR PUBLICATION**



Cotter Corporation and Colorado Compensation Insurance Authority,

Petitioners,

v.

The Industrial Claim Appeals Office of the State of Colorado and Lynn  
E. Boughton,

Respondents.

Review of Order from the Industrial Claim Appeals Office  
of the State of Colorado

WC No. 3-952-159

Division IV ORDER AFFIRMED

Opinion by JUDGE JONES

Rothenberg and Casebolt, JJ., concur

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\*Sitting by assignment of the Chief Justice under provisions of the  
Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 1999.

No. 99CA0367 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Douglas Lynn Retherford,

Defendant-Appellant.

Appeal from the District Court of Mesa County

Honorable David Arnold Bottger, Judge

No. 97CR0270

Division A ORDER AFFIRMED

Opinion by JUDGE TAUBMAN AND CAUSE REMANDED

Davidson and Ruland, JJ., concur WITH DIRECTIONS

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No. 99CA0446 **NOT SELECTED FOR PUBLICATION**

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.R., A.R., C.R. and J.L., Children,

and Concerning D.C.,

Respondent-Appellant.

Appeal from the District Court of Mesa County

Honorable Nicholas R. Massaro, Judge

No. 97JV256

Division II JUDGMENT AFFIRMED

Opinion by JUDGE CRISWELL

Ney and Marquez, JJ., concur

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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

No. 97CA1489

Patricia W. Hoffler,

Complainant-Appellant,

v.

State of Colorado--State Personnel Board, and Department of  
Corrections,

Respondents-Appellees.

Prior Opinion Announced December 24, 1998, WITHDRAWN

Petitions for Rehearing GRANTED

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No. 97CA2025

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Grant M. Geisendorfer,

Defendant-Appellant.

Petitions for Rehearing DENIED

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No. 98CA0119

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Donald F. Anderson, Jr.,

Defendant-Appellant.

Petition for Rehearing DENIED

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No. 98CA0331

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Julio Cesar Gutierrez,

Defendant-Appellant.

Petition for Rehearing DENIED

