

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
OCTOBER 17, 2013*

“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UNPUBLISHED OPINIONS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. 09CA2770
Weld County District Court No. 07CR1955
Honorable Dinsmore Tuttle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Ervin Hibbs,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED
AND CASE REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE NAVARRO
Richman and Roy*, JJ., concur

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

Court of Appeals No. 10CA0043
Summit County District Court No. 09CR51
Honorable Frank Plaut, Judge
Honorable W. Terry Ruckriegle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Troy Lee Galindo,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE J. JONES
Dailey and Román, JJ., concur

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

Court of Appeals No. 10CA2441
Adams County District Court No. 09CR910
Honorable John E. Popovich, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Harold Schneider,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE LICHTENSTEIN
Miller and Nieto*, JJ., concur

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

Court of Appeals No. 11CA0291
Jefferson County District Court No. 10CR491
Honorable Christopher J. Munch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cameron Jordan McArthur,

Defendant-Appellant.

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

Division I
Opinion by JUDGE LICHTENSTEIN
Miller and Nieto*, JJ., concur

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

Court of Appeals No. 11CA1388
Jefferson County District Court No. 06CR3135
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vincent Rojas,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE TERRY
Ney* and Márquez *, JJ., concur

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

Court of Appeals No. 11CA2034
City and County of Denver District Court No. 95CR1689
Honorable Robert L. McGahey, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cheryl Armstrong,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE BERNARD
Webb and Dunn, JJ., concur

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

Court of Appeals No. 11CA2560
Jefferson County District Court No. 07CR167
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Darrell Lee Havens,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE LICHTENSTEIN
Miller and Nieto*, JJ., concur

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

Court of Appeals No. 12CA0526
Douglas County District Court No. 10JD189
Honorable Paul A. King, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.A.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Webb and Bernard, JJ., concur

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

Court of Appeals No. 12CA0545
Lincoln County District Court No. 02CR63
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Erick Mares-Chaparro, a/k/a Erick Chapparro Mares,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE BERNARD
Webb and Dunn, JJ., concur

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

Court of Appeals No. 12CA1569
City and County of Denver District Court No. 11CV1577
Honorable Christina M. Habas, Judge

High Country Citizens' Alliance,

Plaintiff-Appellant,

v.

Colorado Mined Land Reclamation Board and U.S. Energy Corporation,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Navarro and Roy*, JJ., concur

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

Court of Appeals No. 12CA1653
Douglas County District Court No. 11CV1506
Honorable Richard B. Caschette, Judge

Robert E. Anderson, d/b/a Hickory Baked Ham; Castleton Road Auto Center; D'Gruppe, LLC; Rockyard American Grill; Meadows Crossing; 3130C LLC; 3130M LLC; Highpoint Three Investments LLC; Rocky Mountain Adhesives, Inc.; Rockyard Brewing Company, LLC; Nash Properties, LLC; Castle Rock Cold and Storage, LLC; Paul V. Greeney, d/b/a Gold Destiny; Colorado Property Care; Jack Christensen, d/b/a Secure Commercial Storage; Castleton Center I, LLC; Castleton Center, II, LLC; Rich Holdings, LLC, d/b/a Midas; Castle Rock Imports; Castleton Water and Sanitation District,

Plaintiffs-Appellees,

v.

Town of Castle Rock, Colorado, a home rule municipality; and Town Council of the Town of Castle Rock, Colorado,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE MILLER
Sternberg* and Nieto*, JJ., concur

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

Court of Appeals No. 12CA1747
Larimer County District Court No. 08CV873
Honorable Thomas R. French, Judge

Irene Neybert and Christine Fielder,

Plaintiffs-Appellants,

v.

Douglas Raynolds,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE J. JONES
Dailey and Román, JJ., concur

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

Court of Appeals No. 12CA2082
El Paso County District Court No. 12PR164
Honorable Barbara L. Hughes, Judge

In re the Estate of Ruth Ann Townsend, deceased.

Charles Townsend,

Appellant,

v.

Dolores M. Nostrand, Personal Representative,

Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Webb and Bernard, JJ., concur

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

Court of Appeals No. 12CA2095
City and County of Denver District Court No. 11CV761
Honorable Brian R. Whitney, Judge

PRDV, LLC, a Colorado limited liability company,

Plaintiff-Appellant,

v.

Floyd L. "Bud" Smith; and the Law Offices of Floyd L. Smith, a sole proprietorship,

Defendants-Appellees.

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

Division III
Opinion by JUDGE ROMÁN
Dailey and J. Jones, JJ., concur

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

Court of Appeals No. 12CA2096
City and County of Denver District Court No. 11CV561
Honorable Robert L. McGahey, Jr., Judge

Roger A. Parker,

Plaintiff-Appellant,

v.

Tracinda Corporation,

Defendant-Appellee.

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

Division VII
Opinion by JUDGE HAWTHORNE
Booras and Fox, JJ., concur

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

Court of Appeals No. 12CA2204
City and County of Denver District Court No. 11CV1120
Honorable Ann B. Frick, Judge

Shawn D. Allen,

Plaintiff-Appellant,

v.

Correctional Management, Inc.,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROY*
Richman and Navarro, JJ., concur

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

Court of Appeals No. 12CA2236
Boulder County District Court No. 11CV721
Honorable Judith L. Labuda, Judge

Beatrix Szeremi,

Plaintiff-Appellant,

v.

Charles Wierdsma and Thomas Wierdsma,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE MILLER
Lichtenstein and Nieto*, JJ., concur

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

Court of Appeals No. 12CA2258
Weld County District Court No. 11CV259
Honorable Dinsmore Tuttle, Judge

Sharon Magness Blake,

Plaintiff-Appellant,

v.

Windsor North Ranch, LLC, a Colorado limited liability company; and Lot
Holding Investments, LLC, a Colorado limited liability company,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE TERRY
Ney* and Márquez *, JJ., concur

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

Court of Appeals No. 12CA2349
Sedgwick County District Court No. 09DR9
Honorable Michael K. Singer, Judge

In re the Marriage of

Bridget Joanna Harris, n/k/a Bridget McCormick,

Appellant,

and

Timothy John Harris,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE KAPELKE*
Román and J. Jones, JJ., concur

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

Court of Appeals No. 13CA0523
Larimer County District Court No. 12JV238
Honorable David Williams, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.E.H., a Child,

and Concerning A.H.,

Respondent-Appellant.

APPEAL DISMISSED

Division VI
Opinion by JUDGE FURMAN
Carparelli and Gabriel, JJ., concur

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

Court of Appeals No. 13CA0580
Office of Administrative Courts
Case No. ZS 2012-0001

Cathy Ritzert,

Petitioner-Appellant,

v.

Board of Education of the Academy School District No. 20,

Respondent-Appellee.

ORDER AFFIRMED

Division VII
Opinion by JUDGE BOORAS
Hawthorne, J., concurs
Fox, J., concurs in part and dissents in part

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

Court of Appeals No. 13CA1501
Pueblo County District Court No. 13MH269
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Christopher Morris,

Respondent-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE LICHTENSTEIN
Miller and Sternberg*, JJ., concur

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

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. 09CA1506

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Salvador Esquivel-Castillo,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 12CA2371

John F. McBride,

Plaintiff-Appellee,

v.

Akeem A. Makeen,

Defendant-Appellant.

Petition for Rehearing DENIED

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

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2013.