

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
FEBRUARY 20, 2014*

“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UNPUBLISHED OPINIONS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. 10CA1376
Weld County District Court No. 09CR1672
Honorable Gilbert A. Gutierrez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan Lynn Mullins,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GRAHAM
Bernard and Nieto*, JJ., concur

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

Court of Appeals No. 10CA1844
Clear Creek County District Court No. 04CR49
Honorable Russell H. Granger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brent Allen McKellip,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Furman and Dunn, JJ., concur

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

Court of Appeals No. 10CA1941
Jefferson County District Court No. 09CR3247
Honorable Margie L. Enquist, Judge
Honorable Stephen M. Munsinger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Luke Daniel Nopens,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE BOORAS
Webb and Román, JJ., concur

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

Court of Appeals No. 11CA0224
Jefferson County District Court No. 09CR2182
Honorable Dennis Hall, Judge
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eli Walter Meisner,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE CASEBOLT
Richman and Vogt*, JJ., concur

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

Court of Appeals No. 11CA0747
Adams County District Court No. 10CR233
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Rex Fowler,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE BERNARD
Graham and Nieto*, JJ., concur

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

Court of Appeals No. 11CA0874
Jefferson County District Court No. 09CR726
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael John Mallish,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE BOORAS
Webb and Román, JJ., concur

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

Court of Appeals No. 12CA0297
City and County of Denver District Court No. 04CR3554
Honorable William D. Robbins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ruben Ortiz-Monarres,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE ROY*
Dailey and Gabriel, JJ., concur

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

Court of Appeals No. 12CA0333
City and County of Denver District Court No. 10CR2402
Honorable Kenneth M. Laff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mark Christopher Colligan,

Defendant-Appellant.

JUDGMENT AND SENTENCE REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE VOGT*
Casebolt and Richman, JJ., concur

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

Court of Appeals No. 12CA0541
Arapahoe County District Court No. 09CR1894
Honorable Elizabeth A. Weishaupl, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald Leroy Richardson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE RICHMAN
Casebolt and Vogt*, JJ., concur

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

Court of Appeals No. 12CA1391
Adams County District Court No. 97CR1822
Honorable F. Michael Goodbee, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wesley James Marymee,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE WEBB
Román and Booras, JJ., concur

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

Court of Appeals No. 12CA1501
Arapahoe County District Court No. 08CV1897
Honorable Carlos A. Samour, Jr., Judge

Darrell S. Elliott, P.C.,

Appellant,

and

Jerry G. Mullins,

Plaintiff,

v.

Medical Lien Management, Inc.,

Defendant-Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE TAUBMAN
Furman and Dunn, JJ., concur

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

Court of Appeals No. 12CA1586
Boulder County District Court No. 11CR142
Honorable James C. Klein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Yanet Alvarado,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GRAHAM
Bernard and Nieto*, JJ., concur

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

Court of Appeals No. 12CA1814
Ouray County District Court No. 09DR39
Honorable James S. Patrick, Judge

In re the Marriage of

Catherine West Kent,

Appellee,

and

Joshua Shaw Kent,

Appellant.

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

Division V
Opinion by JUDGE GRAHAM
Bernard and Berger, JJ., concur

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

Court of Appeals No. 12CA2158
El Paso County District Court No. 10CV3340
Honorable Barbara L. Hughes, Judge

Edwin H. Gott, III,

Third-Party Defendant-Appellant,

v.

United Subcontractors, Inc., a Utah corporation,

Third-Party Plaintiff-Appellee.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE CASEBOLT
Richman and Vogt*, JJ., concur

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

Court of Appeals No. 12CA2180
City and County of Denver District Court Nos. 06CR4068, 06CR5928, &
06CR6086
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Razjohn R. Smyer,

Defendant-Appellant.

ORDER AFFIRMED

Division A
Opinion by CHIEF JUDGE LOEB
Webb and Ney*, JJ., concur

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

Court of Appeals No. 12CA2205
City and County of Denver District Court No. 12CV127
Honorable Kenneth M. Laff, Judge

Asset Acceptance, LLC,

Plaintiff-Appellee,

v.

James P. Tatten,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE VOGT*
Casebolt and Richman, JJ., concur

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

Court of Appeals No. 12CA2207
Larimer County District Court No. 08CV1170
Honorable Dave Williams, Judge

Ray W. Hein Family Trust and Ray W. Hein Family Investment Company,

Plaintiffs-Appellants,

v.

KB Home Colorado, Inc. and Loveland Aspen Knolls, LLC,

Defendants-Appellees.

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

Division IV
Opinion by JUDGE ROMÁN
Webb and Booras, JJ., concur

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

Court of Appeals No. 12CA2357
Jefferson County District Court No. 01CR1942
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sammy Martinez-Rodriguez Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE J. JONES
Fox and Navarro, JJ., concur

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

Court of Appeals No. 12CA2583
Jefferson County District Court No. 06JV1256
Honorable Ann Gail Meinster, Judge

In re the Parental Responsibilities of K.P.-S.C., a Child,

and Concerning Jason St. Clair,

Petitioner-Appellee,

and

Lauren Pavelich,

Respondent-Appellant.

ORDER AFFIRMED

Division A
Opinion by JUDGE NEY*
Loeb, C.J., and Roy*, J., concur

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

Court of Appeals No. 13CA0052
Larimer County District Court No. 08CV1170
Honorable Dave Williams, Judge

Ray W. Hein Family Trust and Ray W. Hein Family Investment Company,
Plaintiffs,

v.

KB Home Colorado, Inc.,
Defendant-Appellant,

v.

Loveland Aspen Knolls, LLC,
Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE ROMÁN
Webb and Booras, JJ., concur

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

Court of Appeals No. 13CA0090
City and County of Denver District Court No. 12CV138
Honorable Kenneth M. Laff, Judge

Debra Seebauer,

Plaintiff-Appellee,

v.

William F. Chinnock,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DUNN
Taubman and Furman, JJ., concur

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

Court of Appeals No. 13CA0319
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-781-535

Mary Farmer,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; OfficeMax
Incorporated Saddle Rock East; and New Hampshire Insurance Company,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE BOORAS
Webb and Román, JJ., concur

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

Court of Appeals No. 13CA0370
Jefferson County District Court No. 12JA158
Honorable Ann Gail Meinster, Judge

In re the Petition of M.G.,

Petitioner-Appellee,

for the Adoption of J.R., a Child,

and Concerning R.R.,

Respondent-Appellant.

JUDGMENT REVERSED

Division V
Opinion by JUDGE NIETO*
Graham and Bernard, JJ., concur

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

Court of Appeals No. 13CA0504
Pitkin County District Court No. 07CV64
Honorable Denise K. Lynch, Judge

Betty G. Amos, and the Estate of Thomas R. Righetti,

Plaintiffs-Appellants,

v.

Equitable Bank,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE WEBB
Román and Booras, JJ., concur

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

Court of Appeals No. 13CA0753
Arapahoe County District Court No. 10CV1421
Honorable Carlos A. Samour, Jr., Judge

Premiere Care Physical Therapy, LLC,

Plaintiff-Appellee,

v.

Steven Nadler, M.D.,

Defendant-Appellant.

JUDGMENT AND ORDERS AFFIRMED
AND CASE REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE BERNARD
Graham and Nieto*, JJ., concur

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

Court of Appeals No. 13CA1276
Adams County District Court No. 11JV356
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning S.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
J. Jones and Fox, JJ., concur

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

Court of Appeals No. 13CA1701
El Paso County District Court No. 12JV407
Honorable Barney Iuppa, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning K.S.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE BERGER
Graham and Bernard, 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. 11CA0321

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sanford B. Schupper,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 12CA1406

State of Colorado, ex rel. John W. Suthers, Attorney General; Julie Ann Meade, Administrator, Uniform Consumer Credit Code; and Paul Chessin, Senior Assistant Attorney General,

Plaintiffs-Appellants,

v.

Cash Advance and Preferred Cash Loans,

Defendants-Appellees,

and

Michael Hicks,

Appellee.

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.