ANNOUNCEMENTS
COLORADO COURT OF APPEALS
July 2, 2015

"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.

P U B L I S H E D O P I N I O N S

2015COA88
Court of Appeals No. 12CA0015
Conejos County District Court No. 10CR72
Honorable Robert W. Ogburn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathan Richard Vigil,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
Berger, J., concurs
Lichtenstein, J., dissents

2015COA89
Court of Appeals No. 13CA1305
Arapahoe County District Court No. 02CR2082
Honorable Michael James Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ervin Isom,

Defendant-Appellant.

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

Division III
Opinion by JUDGE LICHTENSTEIN
Fox and Vogt*, JJ., concur

2015COA90
Court of Appeals No. 13CA2283
Rio Blanco County District Court No. 11CV58
Honorable James B. Boyd, Judge

John Hauer, individually and on behalf of the homeowners association of Two Rivers Estates; Sena Hauer, individually and on behalf of the homeowners association of Two Rivers Estates; Lincoln Trust FBO John Hauer; Joseph Conrado; and Kelly Conrado;

Plaintiffs-Appellees,

v.

Crea J. McMullin and Martha E. McMullin,

Defendants-Appellants,

and

David R. Medina,

Attorney-Appellant.

JUDGMENT AND ORDERS AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Booras, J., concurs
Gabriel, J., concurs in part and dissents in part

2015COA91
Court of Appeals No. 14CA0997
Weld County District Court No. 14CV30358
Honorable Julie C. Hoskins, Judge

High Plains Library District; Karen Rademacher, Trustee; Lucille Arnusch, Trustee; Jacqueline Maslowe, Trustee; Brian Larson, Trustee; and Stan Sameshima, Trustee,

Plaintiffs-Appellees,

v.

Barbara Kirkmeyer, Mike Freeman, Douglas Rademacher, William Garcia, and Sean Conway, in their official capacities as members of the Board of County Commissioners of Weld County,

Defendants-Appellants.

ORDER AFFIRMED

Division V
Opinion by JUDGE MILLER
Plank* and Márquez*, JJ., concur

U N P U B L I S H E D O P I N I O N S

Court of Appeals No. 11CA1375
Jefferson County District Court No. 09CR3598
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Alan Clark,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE LICHTENSTEIN
Navarro and Berger, JJ., concur

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

Court of Appeals No. 11CA1788
City and County of Denver District Court No. 08CR5366
Honorable William D. Robbins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Keenu Tiyme,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Miller and Dunn, JJ., concur

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

Court of Appeals No. 11CA2039
Arapahoe County District Court No. 09CR344
Honorable Marilyn Leonard Antrim, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Luis Lopez-Guzman,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Berger and Kapelke*, JJ., concur

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

Court of Appeals No. 12CA0789
Gilpin County District Court No. 10CR30
Honorable Jack W. Berryhill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy Steven Keesee,

Defendant-Appellant.

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

Division I
Opinion by JUDGE TAUBMAN
Berger and Kapelke*, JJ., concur

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

Court of Appeals No. 12CA1946
Teller County District Court No. 10CR131
Honorable Edward S. Colt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edgar Efrain Alejandre-Cristobal,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE TERRY
Webb and Sternberg*, JJ., concur

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

Court of Appeals No. 12CA2068
Jefferson County District Court No. 11CR1945
Honorable Jane A. Tidball, Judge
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bryce Allan Paler Joneson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by CHIEF JUDGE LOEB
Bernard and J. Jones, JJ., concur

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

Court of Appeals No. 12CA2358
Arapahoe County District Court No. 12CR866
Honorable Carlos A. Samour, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rayshandia Nashea Ewing,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE DUNN
Román and Miller, JJ., concur

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

Court of Appeals No. 13CA1119
Adams County District Court No. 12CR1974
Honorable Jill-Ellyn Straus, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christian T. Venegas-Silva,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE MÁRQUEZ
Bernard and J. Jones, JJ., concur

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

Court of Appeals No. 13CA1302
Logan County District Court No. 12CR39
Honorable Kevin L. Hoyer, Judge
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fabian San Miguel,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Miller and Dunn, JJ., concur

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

Court of Appeals No. 13CA1426
City and County of Denver District Court No. 12CR729
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lavern G. McKoy,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE J. JONES
Loeb, C.J., and Bernard, J., concur

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

Court of Appeals No. 14CA0101
Summit County District Court No. 11CV583
Honorable Mark D. Thompson, Judge

Maria Lowrance,

Plaintiff-Appellant,

v.

Deutsche Bank National Trust Company as Trustee of the IndyMac IMSC Mortgage Loan Trust 2007-ARI Mortgage Pass-Through Certificate Series 2007-ARI; Mortgage Electronic Registration Systems, Inc.,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TERRY
Webb and Márquez*, JJ., concur

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

Court of Appeals No. 14CA0363
City and County of Denver District Court No. 95CR776
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Willie E. Daniels,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE MILLER
Román and Dunn, JJ., concur

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

Court of Appeals No. 14CA0420
Douglas County District Court No. 12CV2440
Honorable Paul A. King, Judge

River Canyon Real Estate Investments, LLC, a Colorado limited liability company,

Plaintiff-Appellee,

v.

United Water & Sanitation District, by and through its board of directors, a quasi-municipal corporation and political subdivision of the State of Colorado,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE DUNN
Román and Miller, JJ., concur

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

Court of Appeals No. 14CA0666
El Paso County District Court No. 13CV30880
City and County of Denver District Court No. 13CV33416
Honorable Timothy J. Schutz, Judge
Honorable Andrew P. McCallin, Judge

Malik M. Hasan, M.D., and Seeme G. Hasan,

Plaintiffs-Appellants,

v.

Dennis Scruggs,

Defendant-Appellee.

ORDER AFFIRMED

Division II
Opinion by CHIEF JUDGE LOEB
Bernard and J. Jones, JJ., concur

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

Court of Appeals No. 14CA0683
El Paso County District Court No. 11CV227
Honorable David L. Shakes, Judge

Hazhar A. Sayed,

Plaintiff-Appellant,

v.

Colorado Department of Corrections,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II
Opinion by CHIEF JUDGE LOEB
Bernard and J. Jones, JJ., concur

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

Court of Appeals No. 14CA0738
City and County of Denver Probate Court No. 11PR1503
Honorable Elizabeth D. Leith, Judge

In the Interest of Joyce Jenkins, Protected Person,

and

Marcie R. McMinimee, Alternate Special Conservator for Joyce Jenkins,

Plaintiff-Appellee and Cross-Appellant,

v.

American National Insurance Company,

Defendant-Appellant and Cross-Appellee.

JUDGMENT REVERSED IN PART
AND VACATED IN PART

Division III
Opinion by JUDGE FOX
Dailey and Lichtenstein, JJ., concur

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

Court of Appeals No. 14CA0815
Teller County District Court No. 11CV352
Honorable Theresa M. Cisneros, Judge

Lisa Carroll,

Plaintiff-Appellant,

v.

Garth J. Nicholls,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE LICHTENSTEIN
Dailey and Fox, JJ., concur

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

Court of Appeals No. 14CA0869
Adams County District Court No. 09CR2267
Honorable Jill-Ellyn Straus, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carolina Castro,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE MILLER
Román and Dunn, JJ., concur

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

Court of Appeals No. 14CA0907
Jefferson County District Court No. 14CV42
Honorable Margie L. Enquist, Judge

William Alan Gay,

Plaintiff-Appellant,

v.

Jefferson County Sheriff's Department; L.A. Lock; and Intervention, d/b/a/ Intervention Community Corrections Services,

Defendants-Appellees.

ORDER AFFIRMED

Division VI
Opinion by JUDGE ASHBY
Furman and Booras, JJ., concur

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

Court of Appeals No. 14CA1077
Boulder County District Court No. 06DR868
Honorable Amy Hartman, Judge

In re the Parental Responsibilities Concerning P.S., a Child,

and Concerning Christina Alfaro,

Appellant,

and

David Salazar,

Appellee.

ORDER AFFIRMED

Division III
Opinion by JUDGE DAILEY
Lichtenstein and Vogt*, JJ., concur

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

Court of Appeals No. 14CA1095
Boulder County District Court No. 03CR1277
Honorable Thomas F. Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Wayne Ward,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE BERGER
Taubman and Hawthorne, JJ., concur

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

Court of Appeals No. 14CA1306
Board of Assessment Appeals Case No. 62104

Anheuser-Busch, LLC,

Petitioner-Appellant,

v.

Larimer County Board of Equalization,

Respondent-Appellee,

and

Board of Assessment Appeals,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE J. JONES
Loeb and Bernard, JJ., concur

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

Court of Appeals No. 14CA2149
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-9090-5803

Andre Hakizimana,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; JBS USA, LLC; and Zurich American Insurance Company,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE WEBB
Terry and Márquez*, JJ., concur

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

Court of Appeals No. 14CA2234
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-850-029-03

Karen Apprill,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; and Kroger Company, d/b/a King Soopers, Inc.,

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Miller and Dunn, JJ., concur

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

Court of Appeals No. 15CA0587
Pueblo County District Court No. 14MH114
Honorable Jill Mattoon, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Adrian Cisneros,

Respondent-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Miller and Dunn, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals No. 08CA1617

The People of the State of Colorado,

Plaintiff-Appellee,

v.

LaShawn Lynn Harris,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 09CA1633

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas Lee Johnson,

Defendant-Appellant.

Petition for Rehearing DENIED
Webb, J., would GRANT

Court of Appeals No. 11CA1748

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Henry Torrez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 12CA1936

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas B. Delage,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 14CA0754

Tom E. Macurdy,

Plaintiff-Appellant,

v.

Blue Sky Condominium Homeowners Association, Inc., a nonprofit Colorado Corporation,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 14CA0858

The People of the State of Colorado,

v.

Anthony L. Owens,

Defendant-Appellant

Petition for Rehearing DENIED

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

Court of Appeals No. 14CA0974

Richard E. Cook individually and as Trustee of the Richard E. Cook Trust No. 1,

Plaintiff-Appellee,

v.

Alvin E. Hrubes and Sharon D. Hrubes,

Defendants-Appellants.

Petition for Rehearing DENIED

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

Court of Appeals No. 14CA1036

Colorado Oil & Gas Association,

Plaintiff-Appellee,

v.

City of Lafayette,

Defendant,

and

East Boulder County United and Clifton Willmeng,

Intervenors-Appellants.

Petition for Rehearing DENIED

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

Court of Appeals No. 14CA1674

Elly Just,

Plaintiff-Appellee,

v.

David P. Lorentzen,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA0117

Petitioner-Appellee,

In the Interest of C.P.K., a Child,

and Concerning J.G.A.,

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. 2014.