

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*July 30, 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.

**PUBLISHED OPINIONS**

[2015COA101](#)

Court of Appeals No. [10CA2481](#)  
Arapahoe County District Court No. 08CR1289  
Honorable Elizabeth A. Weishaupl, Judge  
Honorable Kurt A. Horton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward Kevin DeGreat,

Defendant-Appellant.

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

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

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[2015COA102](#)

Court of Appeals No. [12CA1589](#)  
City and County of Denver District Court No. 09CR5412  
Honorable Anne M. Mansfield, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Froehler,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by CHIEF JUDGE LOEB  
Kapelke\* and Nieto\*, JJ., concur

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[2015COA103](#)

Court of Appeals No. [13CA1710](#)  
Jefferson County District Court No. 12CV1049  
Honorable Stephen M. Munsinger, Judge

In the Interest of Galen L. Neher, Protected Person,

Appellant,

v.

Christopher L. Neher,

Petitioner-Appellee,

and

Ronald W. Servis, Special Conservator,

Attorney-Appellee.

ORDERS AFFIRMED

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

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[2015COA104](#)

Court of Appeals No. [14CA0255](#)

City and County of Denver District Court No. 09CV11786

Honorable Edward D. Bronfin, Judge

Zeke Coffee, Inc., a Colorado corporation, and Darren Spreeuw,

Plaintiffs-Appellees and Cross-Appellants,

v.

Pappas-Alstad Partnership,

Defendant-Appellant and Cross-Appellee.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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[2015COA105](#)

Court of Appeals No. [14CA1219](#)

City and County of Denver District Court No. 13CV34027

Honorable Kenneth M. Laff, Judge

Vincent C. Todd,

Plaintiff-Appellant,

v.

Ann Hause, as director of Legal and Regulatory Compliance for the Colorado Department of Public Health and Environment; Jeffery A. Groff, as program manager for the Evidential Breath Alcohol Testing Program of the Colorado Department of Public Health and Environment; and Colorado Department of Public Health and Environment,

Defendant-Appellee.

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

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

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-4-  
ANNOUNCEMENTS  
Colorado Court of Appeals  
July 30, 2015

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[2015COA106](#)

Court of Appeals No. [14CA2172](#)  
Jefferson County District Court No. 06JV377  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.G.,

and Concerning J.N.

Respondent-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE DAILEY  
Webb and Richman, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 12CA0728  
City and County of Denver District Court No. 10CR1101  
Honorable Anne M. Mansfield, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Alan Maunz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE NAVARRO  
Gabriel and Kapelke\*, JJ., concur

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

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Court of Appeals No. 12CA1821  
Arapahoe County District Court No. 10CR853  
Honorable Kurt A. Horton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Francisco Juarez-Gonzalez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE GABRIEL  
Navarro and Kapelke\*, JJ., concur

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

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Court of Appeals No. 12CA1895  
El Paso County District Court No. 89CR2945  
Honorable David S. Prince, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Frank M. Orona,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE ROY\*  
Booras and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 12CA2140  
Mesa County District Court No. 11CR984  
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Clifford Lloyd Lacoce,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE J. JONES  
Bernard and Plank\*, JJ., concur

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

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Court of Appeals No. 12CA2336  
Douglas County District Court No. 10CR332  
Honorable Vincent White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathan Isaac Gallegos,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

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

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

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Court of Appeals No. 13CA0176  
El Paso County District Court No. 12CR1526  
Honorable Scott A. Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gabriel Eduardo Pineda,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE BOORAS  
Furman and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 13CA0475  
City and County of Denver District Court No. 11CR2173  
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ennio Z. Daniel,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 13CA0851  
Adams County District Court No. 12CR1734  
Honorable Jill-Ellyn Straus, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James William White,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division VII  
Opinion by JUDGE GABRIEL  
Navarro and Kapelke\*, JJ., concur

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

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Court of Appeals No. 13CA0916  
Jefferson County District Court No. 12CR2328  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jerry John Walker,

Defendant-Appellant.

SENTENCE AFFIRMED

Division II  
Opinion by JUDGE BERNARD  
J. Jones and Kapelke\*, JJ., concur

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

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Court of Appeals No. 13CA1648  
Adams County District Court No. 09CR1918  
Honorable John E. Popovich, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Dean Daniels,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE ROTHENBERG\*  
Furman and Booras, JJ., concur

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

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Court of Appeals No. 13CA2110  
Garfield County District Court No. 12CR403  
Honorable James B. Boyd, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alexander L. Wolf,

Defendant-Appellant.

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

Division III  
Opinion by JUDGE VOGT\*  
Lichtenstein, J., concurs  
Dailey, J., concurs in part and dissents in part

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

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Court of Appeals No. 14CA0155  
City and County of Denver District Court No. 12CV5781  
Honorable Norman D. Haglund, Judge

Bernice Ruybal,

Plaintiff-Appellant,

v.

American Family Mutual Insurance Company,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE FURMAN  
Booras and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 14CA0350  
Las Animas County District Court No. 11CV61  
Honorable Leslie J. Gerbracht, Judge

Terri Nikole Baca and Akamee Baca Malta,

Third-Party Plaintiffs-Appellants,

v.

Philip L. Baca, in his fiduciary capacity as Trustee of the Antonio J. Baca  
Revocable Trust u/t/a/d December 26, 1995; and Personal Representative of  
the Estate of Antonio J. Baca,

Plaintiff-Appellee,

and

Edward C. Baca,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE GRAHAM  
Webb and Terry, JJ., concur

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

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Court of Appeals No. 14CA0472  
Boulder County District Court No. 13CV31751  
Honorable Bruce Langer, Judge

Alan Rosenfeld,

Plaintiff,

v.

Ralph Shnelvar,

Defendant-Appellant,

and

Cynthia Domenico and Hillary Hall,

Defendants-Appellees.

APPEAL DISMISSED

Division VII  
Opinion by JUDGE KAPELKE\*  
Gabriel and Navarro, JJ., concur

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

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Court of Appeals No. 14CA0514  
Eagle County District Court No. 11CV975  
Honorable Mark D. Thompson, Judge

Flora M. Hiller Revocable Trust; Fred T. Hiller Revocable Trust; and Fred and  
Flora Hiller Living Trust Dated March 12, 2011,

Plaintiffs-Appellees,

v.

John B. Stone and Rex Ingram,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE ROTHENBERG\*  
Furman and Booras, JJ., concur

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

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Court of Appeals No. 14CA0555  
Douglas County District Court No. 13CV30830  
Honorable Richard B. Caschette, Judge

Richard Cook,

Plaintiff-Appellant,

v.

Christina Feyler and Kurt Feyler,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE NAVARRO  
Gabriel and Kapelke\*, JJ., concur

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

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Court of Appeals No. 14CA0615  
El Paso County District Court No. 13CR2042  
Honorable Thomas L. Kennedy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christina Anita Hill,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE J. JONES  
Bernard and Plank\*, JJ., concur

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

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Court of Appeals No. 14CA0854  
Arapahoe County District Court No. 10CV1328  
Honorable Marilyn Leonard Antrim, Judge

Francis D. Fox,

Plaintiff-Appellant and Cross-Appellee,

v.

Colorado Heating and Plumbing Services, Inc.,

Defendant-Appellee and Cross-Appellant.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 14CA1353  
Montezuma County District Court No. 13DR55  
Honorable Douglas S. Walker, Judge

In re the Marriage of

Steven Schnell,

Appellant,

and

Jeanette Schnell, n/k/a Jeanette Phillips,

Appellee.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE STERNBERG\*  
Loeb, C.J., and Ney\*, J., concur

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

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Court of Appeals No. 14CA1366  
Jefferson County District Court No. 13CV651  
Honorable Christopher C. Zenisek, Judge

Joe Martinez,

Plaintiff-Appellant,

v.

Elsie Chavez,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE J. JONES  
Bernard and Márquez\*, JJ., concur

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

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Court of Appeals No. 14CA1409  
Jefferson County District Court No. 02CR56  
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jackie Lee Flowers,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE ROY\*  
Román and Ashby, JJ., concur

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

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Court of Appeals No. 14CA1411  
Adams County District Court No. 12CR1913  
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ivan Dominguez,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division II  
Opinion by JUDGE J. JONES  
Bernard and Kapelke\*, JJ., concur

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

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Court of Appeals No. 14CA1421  
Douglas County District Court No. 14CV30429  
Honorable Michael J. Spear, Judge

Dana Lynn Simmons,

Appellant,

v.

The People of the State of Colorado,

Appellee.

ORDER AFFIRMED

Division I  
Opinion by JUDGE HAWTHORNE  
Taubman and Berger, JJ., concur

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

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Court of Appeals No. 14CA1520  
Adams County District Court No. 13CV32533  
Honorable C. Scott Crabtree, Judge

Lodgenet Interactive Corporation, f/k/a Lodgenet Entertainment Corporation,

Plaintiff-Appellee,

v.

Colorado Hospitality Services, Inc., a Colorado corporation, d/b/a Ramada Inn,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 14CA2091  
Pueblo County District Court No. 14DR30000  
Honorable Jill Suzanne Mattoon, Judge

In re the Marriage of

Brandey M. Vigil, n/k/a Brandey M. Finnell,

Appellant,

and

Mark A. Vigil,

Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE NEY\*  
Loeb, C.J., and Sternberg\*, J., concur

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

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Court of Appeals No. 14CA2162  
Adams County District Court No. 13JV22  
Honorable Craig R. Welling, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.T.W., T.T.W., and A.T.W., Children,

and Concerning S.W.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE ROY\*  
Loeb, C.J., and Ney\*, J., concur

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

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Court of Appeals No. 15CA0269  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 21685-2014

Enoch D. Lawrence,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; and Broadmoor Hotel,  
Inc.,

Respondents.

ORDER AFFIRMED

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

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

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Court of Appeals No. 15CA0289  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 23487-2014

Raquel C. Medrano,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Dillon Companies,  
Inc.,

Respondents.

ORDER AFFIRMED

Division II  
Opinion by JUDGE ROY\*  
Loeb, C.J., and Vogt\*, J., 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. 13CA1305

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ervin Isom,

Defendant-Appellant.

Petition for Rehearing DENIED

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Court of Appeals No. 13CA1330

William R. Stevenson,

Plaintiff-Appellant,

v.

Steven R. Barnes,

Defendant-Appellee.

Petition for Rehearing DENIED

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

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Court of Appeals No. 13CA2283

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.

Petition for Rehearing DENIED  
Gabriel, J., would GRANT

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Court of Appeals No. 14CA1003

Brian Kilpatrick,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Goodwill Industries of Denver, and Pinnacol Assurance,

Respondents.

Petition for Rehearing DENIED

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Court of Appeals No. 14CA1824

A. Mark Lamar,

Plaintiff-Appellant,

v.

State of Colorado and John Hickenlooper, in his official capacity as the  
Governor of Colorado,

Defendants-Appellees.

Petition for Rehearing is 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.