

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
June 25, 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.

UNPUBLISHED OPINIONS

Court of Appeals No. 12CA0392
Arapahoe County District Court No. 03CR1667
Honorable Vincent R. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Guido Antonio Maitta,

Defendant-Appellant.

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. 12CA0871
Adams County District Court No. 11CR142
Honorable F. Michael Goodbee, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Evan Michael Lawlor,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE GABRIEL
Richman and Navarro, JJ., concur

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

Court of Appeals No. 12CA2406
El Paso County District Court No. 11CR3049
Honorable David A. Cole, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leviticus Gabriel Hodge,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE RICHMAN
Gabriel and Navarro, JJ., concur

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

Court of Appeals No. 12CA2530
Pueblo County District Court No. 11CR1257
Honorable Victor I. Reyes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Norman Deion Whitaker,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 13CA0510
Fremont County District Court No. 93CR237
Honorable Harlan R. Bockman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ricky Allen Gustafson,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 13CA1299
City and County of Denver District Court No. 12CR1850
Honorable John W. Madden, IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher D. Kentris,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by CHIEF JUDGE LOEB
Sternberg* and Márquez*, JJ., concur

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

Court of Appeals No. 13CA1474
Arapahoe County District Court No. 03CR426
Honorable Elizabeth Beebe Volz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gayle Elizabeth Rauchfuss,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 13CA1862
Boulder County District Court No. 06CR997
Honorable Roxanne Bailin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stephen Douglas McCary,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 13CA2311
Weld County District Court No. 11CR1555
Honorable Todd L. Taylor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joyce Bradmon,

Defendant-Appellant.

CASE REMANDED WITH DIRECTIONS

Division I
Taubman, Hawthorne, and Berger, JJ., concur
PER CURIAM

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

Court of Appeals No. 14CA0392
City and County of Denver District Court No. 13CV26
Honorable Martin A. Gonzales, Judge

Brett Marino,

Plaintiff-Appellant,

v.

Alamosa County Department of Human Services and Colorado Department of
Human Services,

Defendant-Appellees.

ORDER AFFIRMED

Division VI
Opinion by JUDGE BOORAS
Furman and Ashby, JJ., concur

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

Court of Appeals No. 14CA0570
Adams County District Court No. 08CV2031
Honorable Edward C. Moss, Judge

Rosa Payan; Guadalupe Arroyo; Saloman Martinez; Debra Gomez; Antonio
Esquibel; and Julia Morgan,

Plaintiffs-Appellants and Cross-Appellees,

v.

Nash-Finch Company, d/b/a Avanza Supermarket,

Defendant-Appellee and Cross-Appellant.

JUDGMENT 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. 14CA0678
Douglas County District Court No. 13CV30815
Honorable Richard B. Caschette, Judge

James Coates; Jean Coates; Jean Coates Revocable Living Trust; Kristi Enderle; David Jensen; Debra Jensen; Fredrick Mitchell; F. Judson Mitchell Revocable Trust; Cheryl Pack; Cheryl M. Pack Living Trust; Richard Ross; George Sawyer; Judith Sawyer; Patrick Valentino; Jody Valentino; Valentino Family Trust,

Plaintiffs-Appellants,

v.

Vision Development Group, Inc.; Paradise Villas Castle Pines, LLC; Steven Gage,

Defendants-Appellees.

APPEAL DISMISSED

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

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

Court of Appeals No. 14CA0949
City and County of Denver District Court No. 14CV30094
Honorable Michael A. Martinez, Judge

Marcia Ann Hatch; and Gunderson Dettmer Stough Villeneuve Franklin &
Hachigan, LLP, a California limited liability partnership,

Plaintiffs-Appellees,

v.

Jon A. Goodwin,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE RICHMAN
Gabriel and Navarro, JJ., concur

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

Court of Appeals No. 14CA1076
Boulder County District Court No. 11DR89
Honorable Thomas F. Mulvahill, Judge

In re the Parental Responsibilities Concerning A.C.O., a Child,
and Concerning Angelica Gallardo,

Appellee,

and

Erica Ortega,

Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE ROTHENBERG*
Loeb, C.J., and Nieto*, J., concur

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

Court of Appeals No. 14CA1469
Douglas County District Court No. 99CR277
Honorable Steven E. Shinn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony R. Sanchez,

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. 14CA1476
Fremont County District Court No. 14JV12
Honorable David M. Thorson, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning J.A.,

Respondent-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE J. JONES
Rothenberg*, J., concurs
Bernard, J., dissents

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

Court of Appeals No. 14CA1824
City and County of Denver District Court No. 14CV484
Honorable Michael A. Martinez, Judge

A. Mark Lamar,

Plaintiff-Appellant,

v.

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

Defendants-Appellees.

ORDER AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Booras and Ashby, JJ., concur

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

Court of Appeals No. 14CA1834
El Paso County District Court No. 13CV2438
Honorable David L. Shakes, Judge

Steve Kenowski,

Plaintiff-Appellant,

v.

American Family Mutual Insurance Company, a Wisconsin corporation,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division A
Opinion by CHIEF JUDGE LOEB
Sternberg* and Márquez*, JJ., concur

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

Court of Appeals No. 14CA2301
Moffat County District Court No. 13JV14
Honorable Michael A. O'Hara, III, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.C., G.C., and B.B., Children,

and Concerning E.C.,

Respondent-Appellant,

and

K.B.,

Appellee.

JUDGMENT 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. 14CA2381
Pueblo County District Court No. 12JV634
Honorable Deborah R. Eyler, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.M., E.M, and A.M-A., Children,

and Concerning F. M-A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA2505
Jefferson County District Court No. 13JV629
Honorable Ann G. Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.M., and M.M., Children,

and Concerning N.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE NIETO*
Loeb, C.J., and Rothenberg*, J., concur

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

Court of Appeals No. 15CA0221
City and County of Denver Juvenile Court No. 13JV1815
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.T.J., a Child,

and Concerning A.T.G.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE STERNBERG*
Loeb, C.J., and Márquez*, J., concur

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

Court of Appeals No. 15CA0494
Industrial Claim Appeals Office of the State of Colorado
DD No. 23547-2014

Alberto A. Aguilera,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Marvel Concrete,
Inc.,

Respondents.

ORDER AFFIRMED

Division A
Opinion by JUDGE MÁRQUEZ*
Loeb, C.J., and Sternberg*, J., concur

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

Court of Appeals No. 15CA0608
Pueblo County District Court No. 15MH99
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Douglas Dean Fanning,

Respondent-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Booras and Ashby, 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. 13CA2010

Andrew Pfeiffenberger and Bernadetta Pfeiffenberger,

Plaintiffs-Appellees,

v.

Kelly Slater,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 13CA2197

Carri L. Martin and Kenneth W. Martin,

Plaintiff-Appellants,

v.

State of Colorado, acting by and through the Department of Natural Resources
for the use and benefit of the Division of Wildlife and Wildlife Commission,

Defendant-Appellee.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 14CA1085

Patrick L. Brenner,

Plaintiff-Appellant,

v.

Executive Director of the Colorado Department of Corrections and Warden of
the Colorado Territorial Correctional Facility,

Defendants-Appellees.

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. 2014.