

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
April 14, 2016

“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UNPUBLISHED OPINIONS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. 11CA0846
City and County of Denver District Court No. 08CR10481
Honorable Christina M. Habas, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shun Birch,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division A
Opinion by JUDGE ROTHENBERG*
Loeb, C.J., and Davidson*, J., concur

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

Court of Appeals No. 12CA0855
Arapahoe County District Court No. 10CR787
Honorable Gerald J. Rafferty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Earl Johnston,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FOX
Taubman and Miller, JJ., concur

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

Court of Appeals No. 13CA0616
City and County of Denver Juvenile Court No. 11JV1064
Honorable Karen M. Ashby, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.V.R., a Child,

and Concerning V.A.R.,

Respondent-Appellant,

and Concerning B.E.S. and E.G.W.,

Intervenors.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
J. Jones and Booras, JJ., concur

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

Court of Appeals No. 13CA1195
Mesa County District Court No. 12CR406
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eric Janusz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Miller and Fox, JJ., concur

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

Court of Appeals No. 13CA1208
El Paso County District Court No. 12CR2571
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tiffany Anne Green,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FOX
Taubman and Miller, JJ., concur

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

Court of Appeals No. 14CA0136
Arapahoe County District Court No. 12CR2721
Honorable Elizabeth A. Weishaupl, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lucas Christian Bass,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE FURMAN
Loeb, C.J., concurs
Bernard, J., concurs in part and dissents in part

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

Court of Appeals No. 14CA0288
Jefferson County District Court No. 13CR381
Honorable Christopher J. Munch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Courtney Durks Rodrigue,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Terry and Navarro, JJ., concur

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

Court of Appeals No. 14CA0746
City and County of Denver District Court No. 10DR4112
Honorable Kandace C. Gerdes, Judge

In re the Marriage of

Kaisa Ann Johnson,

Appellant,

and

Sheldon Michels Berke,

Appellee.

JUDGMENT AND ORDER VACATED

Division II
Opinion by JUDGE BOORAS
Dailey and Navarro, JJ., concur

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

Court of Appeals No. 14CA1844
Mesa County District Court No. 13CR22
Honorable David A. Bottger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas McCaslin,

Defendant-Appellant.

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

Division VII
Opinion by JUDGE RICHMAN
Dunn and Berger, JJ., concur

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

Court of Appeals No. 14CA1924
El Paso County District Court No. 13CR1089
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher James Meeks,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE MILLER
Fox, J., concurs
Taubman, J., specially concurs

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

Court of Appeals No. 14CA2211
City and County of Denver District Court No. 14CV32366
Honorable Kenneth M. Laff, Judge

Damian Stone,

Plaintiff-Appellant and Cross-Appellee,

v.

City and County of Denver and Lauri Dannemiller, in her official capacity as
Executive Director of the Department of Parks and Recreation,

Defendants-Appellees and Cross-Appellants.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE DUNN
Plank* and Vogt*, JJ., concur

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

Court of Appeals No. 15CA0057
Weld County District Court No. 13CV30907
Honorable Todd L. Taylor, Judge

Corvax Oil and Gas Land Services, LLC, a Utah limited liability corporation,
Plaintiff-Appellant,

v.

Continental Resources, Inc., an Oklahoma corporation; Boulder Oil Company, LLC; Callisto Energy, LLC; Jeffrey R. Barkely; John S. Gibson, individually, d/b/a John S. Gibson Production, LLC; Lonetree Oil & Gas Company, a/k/a Lonetree Oil and Gas Company; Maddox Oil Properties, Inc.; Marshal L. Frasier Marital Trust; David C. Peterson, individually, d/b/a Diamond Operating Co., a Colorado corporation, d/b/a Flatiron Energy Co., Inc., a Colorado corporation; P & O Energy, Ltd.; R & S Energy, LLC; Robert D. Poulson & Co., a/k/a Robert D. Poulson and Company; VIS-OP Oil Company; Affirm Energy, LLC, a Colorado limited liability corporation; and Michael E Cuba, individually, d/b/a Morning Star Enterprises, Inc.,

Defendants-Appellees.

JUDGMENT AFFIRMED, ORDERS AFFIRMED,
AND CASE REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE FOX
Taubman and Miller, JJ., concur

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

Court of Appeals No. 15CA0193
Larimer County District Court No. 98CR1467
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Albert R. Gonzales,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Terry and Freyre, JJ., concur

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

Court of Appeals No. 15CA0516
El Paso County District Court No. 14CV33672
Honorable William B. Bain, Judge

Della Lewis,

Plaintiff-Appellant,

v.

Hanover School District,

Defendant-Appellee.

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

Division III
Opinion by JUDGE WEBB
J. Jones and Booras, JJ., concur

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

Court of Appeals No. 15CA0583
Arapahoe County District Court No. 13DR1358
Honorable Theresa M. Slade, Judge

In re the Marriage of

Leonid Tokar,

Appellant,

and

Irena Elizabeth Tokar,

Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE ROMÁN
Hawthorne and Harris, JJ., concur

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

Court of Appeals No. 15CA0671
El Paso County District Court No. 13CV30652
Honorable Timothy J. Schutz, Judge

Contract Management Inc., d/b/a US Roads,

Plaintiff-Appellant,

v.

City of Colorado Springs, Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Terry and Navarro, JJ., concur

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

Court of Appeals No. 15CA0808
Arapahoe County District Court No. 14CV32351
Honorable Kurt A. Horton, Judge

Arjune Mirchandani,

Plaintiff-Appellant,

v.

Arapahoe County Court and Honorable Darren L. Vahle, in his official capacity
as judge,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE CASEBOLT*
Hawthorne and Harris, JJ., concur

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

Court of Appeals No. 15CA1290
El Paso County District Court No. 04CR4250
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Isaac Owens, III,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by CHIEF JUDGE LOEB
Nieto* and Márquez*, JJ., concur

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

Court of Appeals No. 15CA1680
Adams County District Court No. 13JV213
Honorable John E. Popovich, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning K.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE J. JONES
Webb and Booras, JJ., concur

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

Court of Appeals No. 15CA1865
Industrial Claim Appeals Office of the State of Colorado
DD No. 355-2015

Adam Monash,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Aramark Sports,
LLC,

Respondents.

ORDER AFFIRMED

Division II
Opinion by JUDGE NIETO*
Loeb, C.J., and Márquez*, J., concur

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

Court of Appeals No. 15CA2070
Industrial Claim Appeals Office of the State of Colorado
DD No. 12999-2015

Mark A. Palmer,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and City and County of
Denver,

Respondents.

ORDER AFFIRMED

Division II
Opinion by JUDGE MÁRQUEZ*
Loeb, C.J., and Nieto*, J., concur

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

Court of Appeals No. 15CA2099
Logan County District Court No. 13JV93
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.K., a Child,

and Concerning G.K.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Terry and Freyre, JJ., concur

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

Court of Appeals No. 15CA2102
City and County of Denver Juvenile Court No. 14JV1511
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.A.G., R.L.G., D.A.G., S.J.G., A.A.G., and R.J.H., Children,

and Concerning C.G.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE BOORAS
Webb and J. Jones, JJ., concur

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

Court of Appeals No. 15CA2131
Larimer County District Court No. 14JV526
Honorable C. Michelle Brinegar, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of N.S. and L.S., Children,

and Concerning A.S.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Terry and Navarro, 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. 13CA1344

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andy Russell Salazar,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 14CA1869

Colorado Union of Taxpayers Foundation, a Colorado non-profit corporation,

Plaintiff-Appellant,

v.

City of Aspen; Mick Ireland, Adam Frish, Torre, Steve Skadron, and Derek Johnson, in their official capacities as members of the Aspen City Council,

Defendants-Appellees.

Petition for Rehearing DENIED

Court of Appeals No. 15CA0259

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fred A. Ciancio,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA0995

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James M. Spencer,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA1481

Keith Sanchez,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Pinnacle Assurance,
and Honnen Equipment Company,

Respondents.

Opinion Modified and
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. 2015.