

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
March 30, 2017*

“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UNPUBLISHED OPINIONS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. 13CA0733
City and County of Denver District Court No. 11CR3563
Honorable Anne M. Mansfield, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ricky A. Scott,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE BERNARD
Webb and Dunn, JJ., concur

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

Court of Appeals No. 13CA2314
Douglas County District Court No. 11CR614
Honorable Richard B. Caschette, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Brian Holzer,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE WELLING
Furman and Terry, JJ., concur

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

Court of Appeals No. 14CA0860
El Paso County District Court No. 13CR3449
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry E. Spencer, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE J. JONES
Dailey and Berger, JJ., concur

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

Court of Appeals No. 14CA1138
City and County of Denver District Court No. 10CR2919
Honorable A. Bruce Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnny Manuel Valdez,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Graham and Navarro, JJ., concur

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

Court of Appeals No. 14CA1704
Douglas County District Court No. 12CR767
Honorable Richard B. Caschette, Judge
Honorable Steven E. Shinn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Ryan Lang,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE TERRY
Furman and Welling, JJ., concur

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

Court of Appeals No. 14CA1836
El Paso County District Court No. 10CR506
Honorable Marla R. Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald Stanley,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE BERGER
Dailey and J. Jones, JJ., concur

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

Court of Appeals No. 15CA0039
City and County of Denver District Court No. 07CR6527
Honorable A. Bruce Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hillard L. McAlpin,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Terry and Plank*, JJ., concur

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

Court of Appeals No. 15CA0384
Gunnison County District Court No. 14JD6
Honorable J. Steven Patrick, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.H.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE NAVARRO
Taubman and Graham, JJ., concur

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

Court of Appeals No. 15CA0473
City and County of Denver District Court No. 14CR564
Honorable A. Bruce Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenny Lee Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Graham and Navarro, JJ., concur

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

Court of Appeals No. 15CA1036
Boulder County District Court No. 14CR613
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Austin Holford,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Terry and Welling, JJ., concur

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

Court of Appeals No. 16CA0055
Arapahoe County District Court No. 14CV32172
Honorable Phillip L. Douglass, Judge

Stoneridge Software, Inc.,

Plaintiff-Appellee,

v.

Sopris Systems, LLC,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE WELLING
Terry and Carparelli*, JJ., concur

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

Court of Appeals No. 16CA0228
Boulder County District Court No. 14CR254
Honorable Thomas Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marcus Lessard,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE FREYRE
Hawthorne and Carparelli*, JJ., concur

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

Court of Appeals No. 16CA0296
Adams County District Court No. 14CV32340
Honorable Ted C. Tow III, Judge

GEP Investments, Inc.,

Plaintiff-Appellant,

v.

King Paul 1, LLC; Jacobs Colorado LLC; IVE Colorado LLC; and Columbo 11
LLC,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE DUNN
Webb and Bernard, JJ., concur

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

Court of Appeals No. 16CA0473
City and County of Denver District Court No. 11CV1458
Honorable Michael A. Martinez, Judge

Emerald Isle Properties, LLC, a Colorado limited liability company,

Plaintiff-Appellee,

v.

David Hamilton,

Defendant-Appellant.

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

Division II
Opinion by JUDGE BERGER
Dailey and J. Jones, JJ., concur

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

Court of Appeals No. 16CA0474
City and County of Denver District Court No. 07CV10808
Honorable Michael A. Martinez, Judge

Emerald Isle Properties, LLC, a Colorado limited liability company,

Plaintiff-Appellee,

v.

David Hamilton,

Defendant-Appellant.

ORDERS VACATED

Division II
Opinion by JUDGE BERGER
Dailey and J. Jones, JJ., concur

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

Court of Appeals No. 16CA0539
City and County of Denver District Court No. 15CV32588
Honorable John W. Madden IV, Judge

John Joseph Espinoza, as Father and Next Friend of John Joseph Espinoza,
III, a minor child,

Plaintiff-Appellant,

v.

Jerusha Lev, M.D.; Patrick J. Maloney, M.D.; and Amy Starr, M.D.,

Defendants-Appellants.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE GRAHAM
Taubman and Navarro, JJ., concur

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

Court of Appeals No. 16CA0696
Logan County District Court No. 14CR96
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Veronica Ann Garrett,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE DAILEY
J. Jones and Berger, JJ., concur

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

Court of Appeals No. 16CA0718
City and County of Denver District Court No. 15CV3022
Honorable Andrew P. McCallin, Judge

Belinda A. Begley & Robert K. Hirsch Revocable Trust, Robert K. Hirsch, and
Belinda A. Begley,

Plaintiffs-Appellants,

v.

Myrtle Ireson, Virginia Hoeckele, Andrew J. Gibbs, and Gibbs Young, LLC,

Defendants-Appellees.

ORDER REVERSED

Division II
Opinion by JUDGE BERGER
Dailey and J. Jones, JJ., concur

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

Court of Appeals No. 16CA0763
City and County of Denver District Court No. 14CV31144
Honorable Elizabeth A. Starrs, Judge

Richard Blakesley,

Plaintiff-Appellant,

v.

BT Construction, Inc., a Colorado corporation; BNSF Railway Company, a
Delaware corporation; Denver Transit Partners, LLC; Denver Transit
Constructors, LLC, a Delaware limited liability company; Joe Barger; Louis
Sanguinette; and Ernesto Ibarra;

Defendants-Appellees.

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

Division IV
Opinion by JUDGE ASHBY
Hawthorne and Freyre, JJ., concur

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

Court of Appeals No. 16CA0772
El Paso County District Court No. 12CV3014
Honorable Jill M. Brady, Judge

Jeffrey Schulz,

Plaintiff-Appellant,

v.

David Dean Goss,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE J. JONES
Dailey and Berger, JJ., concur

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

Court of Appeals No. 16CA0794
Adams County District Court No. 14CV30275
Honorable Mark D. Warner, Judge

Korrie Babi,

Plaintiff-Appellee,

v.

Justine D. Rinow and Michael Rinow,

Defendants-Appellants.

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

Division II
Opinion by JUDGE DAILEY
J. Jones and Berger, JJ., concur

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

Court of Appeals No. 16CA1035
Saguauche County District Court No. 15CV30020
Honorable Martin A. Gonzales, Judge

Chad R. Robison, sole trustee, for his successors in trust, under the Chad R. Robison living trust, dated July 22, 2013, and any amendments thereto,

Plaintiff-Appellant,

v.

Circle T Land Company, LLLP; Tonso Farms; and Steven R. Tonso,

Defendant-Appellees.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE
Ashby and Freyre, JJ., concur

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

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. 11CA1851

T. Lawton Roberts,

Plaintiff-Appellant,

v.

L&H, LLC; Laura A. Newman, LLC, d/b/a Herb's and Herb's Jazz and Blues;
Holly Morrison, individually; and Laura A. Newman, individually,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 14CA0435

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Annette Gonzalez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0150

Shannon Duncan,

Plaintiff-Appellant,

v.

Edwin E. Kobneck,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0319

In re the Marriage of

Judith Stein, f/k/a Judith Stein Stutman,

Appellant,

and

Alan Stutman,

Appellee.

Petition for Rehearing DENIED

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

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2016.