

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
October 5, 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.

PUBLISHED OPINIONS

[2017COA124](#)

Court of Appeals No. [13CA2021](#)

City and County of Denver District Court Nos. 11CR3189 & 11CR4812

Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roger Jay Kadell,

Defendant-Appellant.

SENTENCE REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE WELLING
Graham, J., concurs
J. Jones, J., concurs in part and dissents in part

[2017COA125](#)

Court of Appeals No. [14CA0960](#)
El Paso County District Court No. 13CR2514
Honorable Robin L. Chittum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brandon Chad Cockrell,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NIETO*
Román and Navarro, JJ., concur

[2017COA126](#)

Court of Appeals No. [16CA1648](#)
Office of Administrative Courts Case No. OS 2016-0009

Campaign Integrity Watchdog,

Petitioner-Appellee,

v.

Colorado Republican Committee,

Respondent-Appellant.

ORDER REVERSED

Division I
Opinion by JUDGE TAUBMAN
Lichtenstein and Carparelli*, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals Nos. 14CA0063 & 14CA0797
City and County of Denver District Court No. 10CV6699
Honorable Herbert L. Stern, III, Judge

Tad S. Rogers,

Plaintiff-Appellee and Cross-Appellant,

v.

Forest City Stapleton, Inc., a Colorado corporation; and FC Stapleton II, LLC, a
Colorado limited liability company

Defendants-Appellants and Cross-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

Prior Opinion Announced July 27, 2017, WITHDRAWN
Petition for Rehearing GRANTED

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

Court of Appeals No. 14CA1330
Boulder County District Court No. 13CR885
Honorable Andrew R. Macdonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Bryant Salisbury,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DAVIDSON*
Booras and Márquez*, JJ., concur

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

Court of Appeals No. 14CA1334
Jefferson County District Court No. 13CR903
Honorable Christopher J. Munch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kyra Nicole Munford,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA2173
Garfield County District Court Nos. 05CR485 & 06CR157
Honorable Denise K. Lynch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robin Jay Clifton,

Defendant-Appellant.

ORDERS AFFIRMED

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

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

Court of Appeals No. 14CA2364
Jefferson County District Court Nos. 08CR111 & 09CR2184
Honorable Margie Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Willie Antoine Redd,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE TERRY
Bernard and Harris, JJ., concur

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

Court of Appeals No. 14CA2486
Mesa County District Court No. 11CR447
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Floyd Trujillo,

Defendant-Appellant.

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

Division V
Opinion by JUDGE ROMÁN
Navarro and Ashby, JJ., concur

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

Court of Appeals No. 15CA1237
Arapahoe County District Court No. 06CR2365
Honorable J. Mark Hannen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lacie Dawn Nelson,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE HARRIS
Bernard and Terry, JJ., concur

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

Court of Appeals No. 15CA1440
El Paso County District Court No. 13CR3478
Honorable Marla R. Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christian Buck Whaley,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Booras and Carparelli*, JJ., concur

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

Court of Appeals No. 15CA1836
Boulder County District Court No. 14CR1120
Honorable Andrew R. Macdonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hoan John Phuc Bui,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE FREYRE
J. Jones and Fox, JJ., concur

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

Court of Appeals No. 15CA2012
Weld County District Court No. 13CR1227
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Hernandez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Booras and Davidson*, JJ., concur

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

Court of Appeals No. 15CA2117
Clear Creek County District Court No. 15CR13
Honorable D. Wayne Patton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Haley Stanfield,

Defendant-Appellant.

SENTENCE AFFIRMED

Division IV
Opinion by JUDGE DAVIDSON*
Booras and Márquez*, JJ., concur

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

Court of Appeals No. 16CA0461
City and County of Denver District Court No. 00CR3135
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Don Law, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA0482
Weld County District Court No. 15CR456
Honorable Shannon D. Lyons, Judge
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Leyva-Estrada,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FREYRE
J. Jones and Fox, JJ., concur

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

Court of Appeals No. 16CA0595
City and County of Denver District Court No. 13CR793
Honorable Sheila A. Rappaport, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Socrates Ulysses Packer,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE BOORAS
Davidson* and Márquez*, JJ., concur

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

Court of Appeals No. 16CA0607
Jefferson County District Court No. 16CV35
Honorable Tamara S. Russell, Judge

Craig S. Robledo,

Plaintiff-Appellant,

v.

Chief Woodin and Deputy K. Feroe,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE BOORAS
Davidson* and Márquez*, JJ., concur

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

Court of Appeals No. 16CA0694
Eagle County District Court No. 15CR81
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angelica Marie Villeda,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Booras and Davidson*, JJ., concur

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

Court of Appeals No. 16CA0842
City and County of Denver District Court No. 14CR2036
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dejon Alexander Johnson,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE BERNARD
Terry and Harris, JJ., concur

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

Court of Appeals No. 16CA1007
Jefferson County District Court No. 07DR2086
Honorable Randall C. Arp, Judge

In re the Marriage of

Marsha Dirks Prada,

Appellee,

and

Judas Tadeo Prada,

Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE BERNARD
Terry and Harris, JJ., concur

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

Court of Appeals No. 16CA1025
Jefferson County District Court No. 15DR31012
Honorable Laura A. Tighe, Judge

In re the Marriage of

Noel Lovett,

Appellant,

and

Stella Lynda Lovett,

Appellee.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BERNARD
Terry and Harris, JJ., concur

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

Court of Appeals No. 16CA1189
Mesa County District Court No. 15CV30522
Honorable David A. Bottger, Judge

ASCO Construction, LLC,

Plaintiff-Appellee,

v.

Ford Construction Company, Inc.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE HARRIS
Bernard and Terry, JJ., concur

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

Court of Appeals No. 16CA1341
Morgan County District Court No. 13CV30081
Honorable Douglas R. Vannoy, Judge

Wai Tong; Yi L. Zhu; and Little Bamboo Restaurant, Inc.,

Plaintiffs-Appellees,

v.

Eugene V. Doty,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE HAWTHORNE
Dailey and Welling, JJ., concur

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

Court of Appeals No. 16CA1733
City and County of Denver District Court No. 07CR3121
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Freddy Aguilera-Zamora,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 16CA1762
Arapahoe County District Court No. 14CV181
Honorable Charles M. Pratt, Judge

Dick Brown,

Plaintiff-Appellant,

v.

Sheridan Police Department,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE FREYRE
J. Jones and Fox, JJ., concur

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

Court of Appeals No. 16CA1866
El Paso County District Court No. 15JV882
Honorable Linda Billings Vela, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.F. and D.F., Children,

and Concerning P.F. and D.C.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Furman and Richman, JJ., concur

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

Court of Appeals No. 16CA2183
Boulder County District Court No. 14JV133
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.K.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE RICHMAN
Taubman and Furman, JJ., concur

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

Court of Appeals No. 17CA0065
Gunnison County District Court No. 07DR72
Honorable David S. Westfall, Judge

In re the Marriage of

Lussy Y. Brown, a/k/a Lyudmyla Y. Brown,

Appellee,

and

Bernard K. Brown,

Appellant.

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

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

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

Court of Appeals No. 17CA0665
Boulder County District Court No. 17DR571
Honorable Andrew Hartman, Judge

In re the Parental Responsibilities Concerning P.A.P.B., a Child,

and Concerning Matthew Paul Asbery,

Appellant,

and

Jenna Ruth Bell,

Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE ASHBY
Román and Navarro, JJ., concur

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

Court of Appeals No. 17CA0734
Industrial Claim Appeals Office of the State of Colorado
DD No. 3796-2017

John W. Duff,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Smokin Bear LLC,
Respondents.

ORDER AFFIRMED

Division VI
Opinion by JUDGE HARRIS
Bernard and Terry, JJ., concur

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

Court of Appeals No. 17CA1050
Adams County District Court No. 08MH314
Honorable Patrick T. Murphy, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.M.R.,

Respondent-Appellant.

ORDERS AFFIRMED IN PART
AND REVERSED IN PART

Division V
Opinion by JUDGE HAWTHORNE
Dunn and Navarro, JJ., concur

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

Court of Appeals No. 17CA1117
Industrial Claim Appeals Office of the State of Colorado
DD No. 6045-2017

Colin P. Burnett,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Z Golf Food and
Beverages SVCS LLC,

Respondents.

ORDER AFFIRMED

Division VII
Opinion by JUDGE FREYRE
J. Jones and Fox, 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 Nos. 14CA0063 & 14CA0797

Tad S. Rogers,

Plaintiff-Appellee and Cross-Appellant,

v.

Forest City Stapleton, Inc., a Colorado corporation; and FC Stapleton II, LLC, a Colorado limited liability company

Defendants-Appellants and Cross-Appellees.

Prior Opinion Announced July 27, 2017, WITHDRAWN
Petition for Rehearing GRANTED

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

Court of Appeals No. 15CA0527

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mickell Javon Johnson,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 15CA1346

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Howell F. Roberts, III,

Defendant-Appellant.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

[2017COA120M](#)

Court of Appeals No. [16CA1577](#)

Arapahoe County District Court No. 96DR611

Honorable Ben L. Leutwyler, Judge

In re the Marriage of

Carl M. Williams, deceased, by Michael Williams, Personal Representative of
the Estate of Carl M. Williams,

Appellant,

and

Roberta-Diane J. Williams, n/k/a Roberta-Diane J. Perna,

Appellee.

ORDER AND JUDGMENTS REVERSED
AND CASE REMANDED WITH DIRECTIONS

Division VII

Opinion by JUDGE RICHMAN
Ashby and Vogt*, JJ., concur

Opinion Modified
On the Court's Own Motion

Announced September 7, 2017

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2017.