

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
June 8, 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UNPUBLISHED OPINIONS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. 13CA1832
Mesa County District Court No. 11CR826
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Manuel Arias,

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. 14CA0147
Jefferson County District Court No. 13CR559
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rebecca Louise Forbes,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA1099
Adams County District Court No. 13CR1509
Honorable Thomas R. Ensor, Judge
Honorable Robert S. Hyatt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gilberto Avila-Casanova,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
Dunn and Davidson*, JJ., concur

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

Court of Appeals No. 14CA1921
Routt County District Court No. 13CR32
Honorable Shelley A. Hill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Margie Anna Levin,

Defendant-Appellant.

JUDGMENT REVERSED 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. 14CA2080
Weld County District Court No. 07CR193
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Suazo, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE CASEBOLT*
Webb and Booras, JJ., concur

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

Court of Appeals No. 15CA0936
Fremont County District Court No. 13CR319
Honorable Patrick W. Murphy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Theodore C. Schmidt,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 15CA1877
Grand County District Court No. 12CV30057
Honorable Mary C. Hoak, Judge

Robby A. Eskanos,

Plaintiff-Appellant,

v.

Nationstar Mortgage, LLC, and Mortgage Specialists International, LLC,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE LICHTENSTEIN
Román and Márquez*, JJ., concur

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

Court of Appeals No. 16CA0018
Boulder County District Court No. 14CV254
Honorable Norma A. Sierra, Judge

Mark A. Schreiner,

Plaintiff-Appellant,

v.

Anna V. Schreiner,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA0311
City and County of Denver District Court No. 14CR10032
Honorable Kenneth M. Plotz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

A.R.,

Defendant-Appellant.

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

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

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

Court of Appeals Nos. 16CA0453 & 16CA1207
Arapahoe County District Court No. 15CV30959
Honorable Phillip L. Douglass, Judge

Channing Odell,

Plaintiff-Appellant,

v.

Chesapeake Homeowners Association, Inc.,

Defendant-Appellee.

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

Division III
Opinion by JUDGE FREYRE
Booras, J., concurs
Webb, J., concurs in part and dissents in part

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

Court of Appeals No. 16CA0857
El Paso County District Court No. 14DR31211
Honorable Jann P. Dubois, Judge

In re the Marriage of

Donovan P. Moller,

Appellee,

and

Marie Moller,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA0933
City and County of Denver District Court No. 15CV31649
Honorable Michael J. Vallejos, Judge

Sandy Giguiento,

Plaintiff-Appellant,

v.

Aaron Harvey and Douglass Colony Group,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE DUNN
Hawthorne and Kapelke*, JJ., concur

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

Court of Appeals No. 16CA0984
City and County of Denver District Court No. 15CV31768
Honorable Michael J. Vallejos, Judge

Juanetta Sue Lawrence,

Petitioner-Appellant,

v.

Colorado State Board of Education,

Respondent-Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA1192
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-879-066

Alfred Larry Johnston,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Hunter Douglas, Inc.,
and Liberty Mutual Insurance Company,

Respondents.

ORDER AFFIRMED

Division VI
Opinion by JUDGE MÁRQUEZ*
Furman and Harris, JJ., concur

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

Court of Appeals No. 16CA1700
Weld County District Court No. 16CV12
Honorable Kenneth M. Plotz, Judge

Bernard Kenneth Rivers, Jr.-El,

Plaintiff-Appellant,

v.

James Hartmann,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE DUNN
Navarro and Davidson*, JJ., concur

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

Court of Appeals Nos. 16CA1720 & 16CA1758
Adams County District Court No. 15JV312
Honorable John E. Popovich, Jr., Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.R.J., a Child,

and Concerning K.E.H. and K.J.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE CARPARELLI*
Loeb, C.J., and Davidson*, J., 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. 14CA0767

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Billy Ray Rodriguez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA1682

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Janet Marie Nielson,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0478

John H. Walter,

Plaintiff-Appellee,

v.

Owners Insurance Company, a Michigan insurance company,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0545

First Citizens Bank and Trust Company,

Plaintiff-Appellee,

and

Leathem Stearn,

Defendant-Appellee,

v.

Stewart Title Guaranty Company,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0656

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Axel Crespo-Gutierrez,

Respondent-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0712

Agripino Torres and Luis Torres,

Plaintiffs-Appellants and Cross-Appellees,

v.

City Council for the City and County of Denver; Councilpersons Susan Shephard, Judy Montero, Paul Lopez, Charlie Brown, Jeanne Robb, Robin Kniech, Debbie Ortega, Chris Herndon, Mary Beth Susman, Peggy Lehmann, Jeanne Faatz, Chris Nevitt, and Albus Brooks; and City and County of Denver,

Defendants-Appellees,

and

EFG-South Sloan's Lake I, LLC,

Cross-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0998

Barbara J. Turner,

Plaintiff-Appellant,

v.

City of Boulder, Board of Zoning Adjustment; Suraj Man Shrestha; Countryside Village Associates, a Boulder LP; and Mike Slyker,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1287

L. R. Moore,

Plaintiff-Appellant,

v.

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

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1605

In re the Marriage of

Jennifer Lynn Barbosa,

Appellee,

and

John V. Barbosa,

Appellant.

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.