

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
March 16, 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UNPUBLISHED OPINIONS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. 13CA0981
Jefferson County District Court No. 12CR1972
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Louise Ernestine Cisneros,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE HARRIS
Lichtenstein and Richman, JJ., concur

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

Court of Appeals No. 13CA1772
Arapahoe County District Court No. 13CR68
Honorable Gerald J. Rafferty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roberto Meza-Mena,

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. 14CA0109
El Paso County District Court No. 11CR3715
Honorable Larry E. Schwartz, Judge
Honorable Deborah J. Grohs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Beverly Lurena Quintana,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA0922
Jefferson County District Court No. 13CR1246
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alfonso C. Vigil,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
Bernard and Dunn, JJ., concur

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

Court of Appeals No. 14CA1235
Weld County District Court No. 13CR1142
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richard Rene Villa,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE BOORAS
Román and Fox, JJ., concur

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

Court of Appeals No. 14CA1237
Weld County District Court No. 12CR1432
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richard Rene Villa,

Defendant-Appellant.

JUDGMENT 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. 14CA1542
City and County of Denver District Court No. 13CR2639
Honorable Morris B. Hoffman, Judge
Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edwin Baez-Valdivia,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division III
Opinion by JUDGE NIETO*
Webb and Casebolt*, JJ., concur

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

Court of Appeals No. 14CA1835
Adams County District Court No. 13CR1651
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth B. Harris,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA1953
Arapahoe County District Court No. 13CR124
Honorable Gerald J. Rafferty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Isaac Cornelius McCoy,

Defendant-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. 14CA2273
El Paso County District Court No. 14CR806
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Javious Lashaidre Huguenin,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Booras and Fox, JJ., concur

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

Court of Appeals No. 14CA2277
Adams County District Court No. 12CR1693
Honorable Patrick T. Murphy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Karen Rae Vasseur,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 15CA0438
City and County of Denver District Court No. 08CR10514
Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Charles Ford,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 15CA0988
Summit County District Court No. 95CR63
Honorable Mark D. Thompson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew Thorpe Staton,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE BOORAS
Román and Fox, JJ., concur

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

Court of Appeals No. 15CA1088
El Paso County District Court No. 05CR418
Honorable Marla R. Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leonardo Zapatero Barcenas,

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. 15CA1628
City and County of Denver District Court No. 07CR6709
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Phuong Van Dang,

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. 15CA1740
Jefferson County District Court No. 14CR2544
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

David Kenneth Bunn,

Defendant-Appellee.

SENTENCE AFFIRMED

Division VII
Opinion by JUDGE HARRIS
Lichtenstein and Richman, JJ., concur

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

Court of Appeals No. 15CA1900
City and County of Denver District Court No. 13CR1570
Honorable Ann B. Frick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathaniel Alexander Malcolm,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE NAVARRO
Graham, J., concurs
Taubman, J., specially concurs

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

Court of Appeals No. 15CA1948
El Paso County District Court No. 04CR638
Honorable Marla Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ramon Lamar Fisher,

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. 16CA0103
El Paso County District Court No. 15JR17
Honorable Tim J. Schutz, Judge

Catholic Charities of Central Colorado, Inc.,

Petitioner-Appellant,

In the Interest of C.G., a Child,

and Concerning A.S., a/k/a A.D.,

Respondent-Appellee.

APPEAL DISMISSED

Division V
Opinion by JUDGE FOX
Román and Booras, JJ., concur

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

Court of Appeals No. 16CA0360
City and County of Denver District Court No. 15CV100
Honorable Shelley I. Gilman, Judge

Terrance M. Farrell, III,

Plaintiff-Appellant,

v.

Greg Kellermeyer, MD,

Defendant-Appellee.

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. 16CA0603
City and County of Denver District Court No. 14CR239
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff Appellee,

v.

Salvador Esparza,

Defendant Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA0676
City and County of Denver District Court No. 15CV377
Honorable J. Eric Elliff, Judge

Michael R. O'Connor,

Plaintiff-Appellant,

v.

Rick Raemisch, Executive Director of the DOC; and Cynthia H. Coffman,
Attorney General of the State of Colorado,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Booras and Fox, JJ., concur

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

Court of Appeals No. 16CA0709
Jefferson County District Court No. 07DR397
Honorable Judith M. Goeke, Judge
Honorable Christopher J. Munch, Judge

In re the Marriage of

Marcia Loomas, n/k/a Marcia Freeman,

Appellee,

and

Robert N. Loomas, Jr.,

Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA0715
Adams County District Court No. 09DR1779
Honorable Emily E. Anderson, Judge

In re the Marriage of

Stephanie Grauerholz-Lofton,

Appellee,

and

Limal Lofton,

Appellant.

ORDER 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. 16CA0776
Boulder County District Court No. 12CR1214
Honorable Thomas F. Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth L. Rascon,

Defendant-Appellant.

ORDERS REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 16CA1089
City and County of Denver District Court No. 05CR3331
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alphonso Caesar,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE RICHMAN
Lichtenstein and Harris, JJ., concur

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

Court of Appeals No. 16CA1117
City and County of Denver District Court No. 15CV31960
Honorable Karen L. Brody, Judge

Frederick Johnson,

Plaintiff-Appellant,

v.

Shepherds Motel, LLC,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by CHIEF JUDGE LOEB
Nieto* and Vogt*, JJ., concur

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

Court of Appeals No. 16CA1392
Arapahoe County District Court No. 15JV612
Honorable Theresa Michelle Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.L. a Child,

and Concerning C.L.,

Respondent-Appellant

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE HARRIS
Lichtenstein and Richman, JJ., concur

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

Court of Appeals No. 16CA1903
Industrial Claim Appeals Office of the State of Colorado
DD No. 13938-2016

Erik E. Keefer,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Jaguar Energy
Services,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA2115
Industrial Claim Appeals Office of the State of Colorado
DD No. 18598-2016

Dawn M. Barber,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Porter Care
Adventist Health System, Parker Adventist Hospital,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA2129
Industrial Claim Appeals Office of the State of Colorado
DD No. 14731-2016

Bailey M. Wilhelmi,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Progressive
Casualty Insurance Company,

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE BOORAS
Román and Fox, JJ., concur

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

Court of Appeals No. 16CA2182
Industrial Claim Appeals Office of the State of Colorado
DD No. 15291-2016

Adedamola Afonja,

Petitioner,

v.

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

ORDER 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. 16CA2186
Industrial Claim Appeals Office of the State of Colorado
DD No. 10353-2014

Fernando M. Garcia-Morales,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Division of
Unemployment Insurance, Benefit Payment Control,

Respondents.

ORDER AFFIRMED

Division II
Opinion by JUDGE BERGER
Dailey and J. Jones, 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. 14CA1727

Alina Raffa,

Plaintiff-Appellant,

v.

Henry B. Clark; Fitz Apartments; Fitz 46, LLLP, a Colorado limited liability limited partnership; and Loeva Joanne Southard-Osorto,

Defendants-Appellees.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 15CA1998

In the Matter of the Estate of Deborah McIntosh, deceased.

Saritta Robinson,

Petitioner-Appellant,

v.

Carl McIntosh,

Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0397

Anthony Lucero,

Plaintiff-Appellant,

v.

Paul Gordon and Paul Gordon, LLC,

Defendants-Appellees.

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.