

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
August 3, 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UNPUBLISHED OPINIONS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. 13CA1873
Conejos County District Court No. 11CR51
Honorable Michael A. Gonzales, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Francisco R. Quintana,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE FOX
Dailey and Bernard, JJ., concur

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

Court of Appeals No. 14CA0559
Boulder County District Court No. 12CR1798
Honorable Thomas Mulvahil, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Michael Budd,

Defendant-Appellant.

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

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

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

Court of Appeals No. 15CA0557
Pueblo County District Court No. 14CR185
Honorable David W. Crockenberg, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cory Dain Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE BERNARD
Dailey and Fox, JJ., concur

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

Court of Appeals No. 15CA0564
El Paso County District Court Nos. 11C34134 & 11CV375
Honorable M. Jon Kolomitz, Judge

U.S. Bank National Association, as successor-in-interest to Bank of America,
NA, as trustee, as successor by merger to LaSalle National Association, as
indenture trustee, on behalf of the Holders of the Accredited Mortgage Loan
Trust 2005-3 Asset Backed Notes,

Plaintiff-Appellee,

v.

Dennis Sladek and Diana Sladek,

Defendants-Appellants.

ORDER AFFIRMED

Division II
Opinion by JUDGE FOX
Dailey and Bernard, JJ., concur

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

Court of Appeals No. 15CA0628
El Paso County District Court No. 14CR1720
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Perry Wayne Suggs, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 15CA0798
Boulder County District Court No. 14CR1719
Honorable Andrew R. Macdonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Michael Riley,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 15CA1192
El Paso County District Court No. 14CR2075
Honorable Barney Iuppa, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tammy Lyn Fritz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Berger and Harris, JJ., concur

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

Court of Appeals No. 15CA1325
City and County of Denver District Court No. 05CR3809
Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Darrius Taylor,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
Bernard and Fox, JJ., concur

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

Court of Appeals No. 15CA1737
Boulder County District Court No. 11CR98
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jimmy Garcia,

Defendant-Appellant.

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

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

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

Court of Appeals No. 16CA0146
City and County of Denver District Court No. 14CV30712
Honorable John W. Madden IV, Judge

Sherry Marie Baker, Arielle Elizabeth Baker, and Paige Fabian Baker,
Plaintiffs-Appellants,

v.

State of Colorado and Colorado Department of Transportation,
Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA0518
City and County of Denver District Court No. 05CR4051
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Craig James Nichol,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
Bernard and Fox, JJ., concur

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

Court of Appeals Nos. 16CA0593 & 16CA1236
Douglas County District Court No. 15CV30836
Honorable Shay K. Whitaker, Judge

Jordan Crossing Homeowners Association, Inc., a Colorado non-profit corporation,

Plaintiff-Appellant,

v.

Taylor Morrison of Colorado, d/b/a and a/k/a Taylor Morrison Homes, Taylor Morrison, Morrison Homes of Colorado, a Colorado corporation; Phillip Cross; and Sam Gompers,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE BERNARD
Dailey, J., concurs
Fox, J., dissents in part

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

Court of Appeals No. 16CA1066
Douglas County District Court No. 15CV30716
Honorable Shay K. Whitaker, Judge

Intellident, Inc.,

Plaintiff-Appellant,

v.

GEICO Casualty Insurance Company,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE NIETO*
Terry and Márquez*, JJ., concur

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

Court of Appeals No. 16CA1080
El Paso County District Court No. 15CV31806
Honorable Thomas K. Kane, Judge

Kendra Johnson,

Plaintiff-Appellant,

v.

National Mill Dog Rescue, a Colorado non-profit corporation,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE DAILEY
Bernard and Fox, JJ., concur

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

Court of Appeals No. 16CA1095
City and County of Denver District Court No. 14CV34518
Honorable J. Eric Elliff, Judge

23 LTD, d/b/a Bradsby Group, a Colorado corporation,

Plaintiff-Appellant,

v.

Tracy Herman,

Defendant-Appellee.

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

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

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

Court of Appeals No. 16CA1138
Jefferson County District Court No. 11CR3418
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff Appellee,

v.

Adam Dean Laham,

Defendant Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA1156
City and County of Denver District Court No. 15CV31632
Honorable Ross B. Buchanan, Judge

Trans-Western Management Group, Inc.,

Plaintiff-Appellant,

v.

G&T Enterprises, P.C.,

Defendant-Appellee.

JUDGMENT REVERSED 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 No. 16CA1270
State of Colorado Board of Assessment Appeals
Case No. 68410

Daniel C. Zabel,

Petitioner-Appellant,

v.

Denver County Board of Equalization,

Respondent-Appellee,

and

State of Colorado Board of Assessment Appeals,

Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA2048
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-991-007

Bentley Kendrick,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and United Airlines,
Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 17CA0945
Pueblo County District Court No. 13MH385
Honorable Jill Mattoon, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Sandra Guertin,

Respondent-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE WEBB
Booras 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. 13CA0825

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Robert Lafe Todd,

Defendant-Appellee.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 13CA1750

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kyle Brooks,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 15CA1008

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Valerie Lynn Freyre,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA1840

In re the Estate of Maxine E. Johnson, deceased.

Nature Conservancy, Nature Conservancy of Colorado, National Parks
Conservation Association, EarthJustice, and Sky Ranch Lutheran Camp,

Appellants,

v.

Stephen E. Oxman, Devises Bethany College, Bethany Home, Eben Ezer
Lutheran Care Center, Lutheran Family Services, and Mosaic Foundation
Endowment,

Appellees.

Opinion Modified and
Petitions for Rehearing DENIED
Freyre, J., would GRANT as to Appellee Mosaic Foundation Endowment

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

Court of Appeals No. 16CA0720

Garrison Property and Casualty Insurance Company, a Texas corporation,

Plaintiff-Appellee,

and

Monique Robinson-Hines; Iyona Walton; Yazmine Nave; Lauli-Demoria Nave;
Benson and Case, LLP; and Colorado Department of Health Care Policy and
Financing,

Defendants-Appellees,

v.

Chuck O. Egbune

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1375

Richard Hutchison,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; Pine Country, Inc.,
d/b/a Pine Country Truck & Auto; and Pinnacol Assurance,

Respondents.

Petition for Rehearing DENIED

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