

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
June 22, 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**UNPUBLISHED OPINIONS**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. 13CA1207  
City and County of Denver District Court No. 12CR2288  
Honorable A. Bruce Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas Harbin,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE CASEBOLT\*  
Richman and Carparelli\*, JJ., concur

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

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Court of Appeals No. 14CA0386  
Eagle County District Court No. 12CR0391  
Honorable Robert T. Moorhead, Judge  
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eric Paul Moser,

Defendant-Appellant.

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

Division VII  
Opinion by JUDGE RICHMAN  
Terry and Vogt\*, JJ., concur

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

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Court of Appeals No. 14CA1420  
Eagle County District Court No. 13CR281  
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Francisco Rodriguez-Sanchez,

Defendant-Appellant.

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

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

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

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Court of Appeals No. 14CA2480  
Larimer County District Court No. 13CR1550  
Honorable Stephen J. Schapanski, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edigberto Saez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE CARPARELLI\*  
Richman and Casebolt\*, JJ., concur

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

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Court of Appeals No. 15CA0660  
Jefferson County District Court No. 14CR213  
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Craig C. Ralston,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 15CA1087  
Boulder County District Court No. 14CR1554  
Honorable Andrew R. Macdonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald Eugene Noel,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE HARRIS  
Furman and Berger, JJ., concur

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

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Court of Appeals No. 15CA1456  
Mesa County District Court No. 2013CR0913  
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Dean Pfifer,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE RICHMAN  
Casebolt\* and Carparelli\*, JJ., concur

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

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Court of Appeals No. 15CA1762  
Jefferson County District Court No. 15CR1322  
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Benjamin Lucas Torres,

Defendant-Appellant.

ORDERS AFFIRMED

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

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

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Court of Appeals No. 15CA1925  
Mesa County District Court Nos. 13CR27, 13CR339 & 13CR342  
Honorable Thomas Michael Deister, Judge  
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Tracy McFadden,

Defendant-Appellant.

JUDGMENTS VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE J. JONES  
Graham and Welling, JJ., concur

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

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Court of Appeals No. 15CA1930  
Mesa County District Court No. 13CR919  
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John William Joseph,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 15CA2000  
El Paso County District Court No. 14CR4378  
Honorable Scott A. Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Fernandez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE CASEBOLT\*  
Richman and Carparelli\*, JJ., concur

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

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Court of Appeals No. 16CA0161  
Jefferson County District Court No. 04CR1062  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alarico Medina,

Defendant-Appellant.

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

Division I  
Opinion by JUDGE LICHTENSTEIN  
Taubman and Román, JJ., concur

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

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Court of Appeals No. 16CA0276  
Adams County District Court No. 01CR1511  
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Arturo Hernandez,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 16CA0720  
Arapahoe County District Court No. 14CV32159  
Honorable Elizabeth A. Weishaupl, Judge

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.

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

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

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

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Court of Appeals No. 16CA1004  
Weld County District Court No. 06CV934  
Honorable Todd L. Taylor, Judge

Carl F. Eiberger III,

Plaintiff-Appellant,

v.

Peter L. Baurer and Cynthia S. Baurer,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA1210  
Larimer County District Court No. 15CV30864  
Honorable Thomas R. French, Judge

Shannon M. Lewis,

Plaintiff-Appellant,

v.

Charles C. Richards and City of Loveland, Colorado,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 16CA1447  
City and County of Denver District Court No. 14JV1513  
Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.N.V., a Child,

and Concerning L.F.N-S,

Respondent-Appellant.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 16CA1790  
Larimer County District Court No. 15JV3  
Honorable Stephen E. Howard, Judge

People of the State of Colorado,

Petitioner-Appellee,

In the Interest of F.Q., and Y.Q., Children

and Concerning

M.O., and J.Q.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE J. JONES  
Graham and Welling, JJ., concur

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

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Court of Appeals No. 16CA1865  
City and County of Denver Juvenile Court No. 15JV1016  
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.L.C., J.E.C., and L.D.-A.C., Children,

and Concerning C.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE LICHTENSTEIN  
Román, J., concurs  
Taubman, J., specially concurs

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

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Court of Appeals No. 16CA1967  
Pueblo County District Court No. 15JV160  
Honorable Deborah R. Eyler, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of P.S. a Child,

and Concerning C.J.,

Respondent-Appellant.

JUDGMENT REVERSED 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)**

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Court of Appeals No. 16CA2020  
El Paso County District Court No. 15JV1221  
Honorable Timothy J. Schutz, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning J.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by CHIEF JUDGE LOEB  
Plank\* and Márquez, JJ., concur

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

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Court of Appeals No. 17CA0245  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 19908-2016

Debra M. Lavezzari,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Merritt Equipment  
Company,

Respondents.

ORDER AFFIRMED

Division A  
Opinion by JUDGE PLANK\*  
Loeb, C.J., and Márquez\*, J., concur

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

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Court of Appeals No. 17CA0366  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 21731-2016

Compassion International, Inc.,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Deborah D. Webb,  
Respondents.

ORDER AFFIRMED

Division A  
Opinion by JUDGE MÁRQUEZ\*  
Loeb, C.J., and Plank\*, J., concur

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

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**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. 14CA0825

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gevork Sergio Ashalyan,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 14CA1540

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas Kevin Casey,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 15CA1444

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel DeWild,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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