

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
September 27, 2018*

“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UNPUBLISHED OPINIONS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. 14CA0823
El Paso County District Court No. 13CR1772
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kurt Alan Kristl,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE BERNARD
Román and Berger, JJ., concur

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

Court of Appeals No. 15CA0209
Adams County District Court No. 12CR2845
Honorable John E. Popovich, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert J. Avila,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Terry and Fox, JJ., concur

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

Court of Appeals No. 15CA0700
Jefferson County District Court No. 13CR2572
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy Rodriguez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Richman and Berger, JJ., concur

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

Court of Appeals No. 15CA0981
Fremont County District Court No. 14CR23
Honorable Patrick W. Murphy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Zillanz Winter Falcon,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Furman and Lichtenstein, JJ., concur

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

Court of Appeals No. 15CA1000
Arapahoe County District Court No. 14CR1300
Honorable Marilyn Leonard Antrim, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Puente-Ruiz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE ASHBY
J. Jones and Harris, JJ., concur

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

Court of Appeals No. 15CA1001
Jefferson County District Court No. 14CR1923
Honorable Christie A. Bachmeyer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher David Sullivan,

Defendant-Appellant.

APPEAL DISMISSED

Division VII
Opinion by JUDGE NAVARRO
J. Jones and Miller*, JJ., concur

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

Court of Appeals No. 15CA1899
Boulder County District Court No. 13CR1480
Honorable D.D. Mallard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jack Lamont Miller III,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE DAILEY
Lichtenstein and Ashby, JJ., concur

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

Court of Appeals No. 15CA2096
Larimer County District Court No. 13CR1824
Honorable Thomas R. French, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Edward Taylor,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE HAWTHORNE
Loeb, C.J., and Berger, J., concur

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

Court of Appeals No. 15CA2152
Adams County District Court No. 15CR1112
Honorable Thomas Richard Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor Manuel Sanchez,

Defendant-Appellant.

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

Division II
Opinion by JUDGE LICHTENSTEIN
Dailey and Ashby, JJ., concur

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

Court of Appeals No. 16CA0219
Larimer County District Court No. 15CR563
Honorable Gregory M. Lammons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffrey Dean Smith,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ASHBY
Dailey and Lichtenstein, JJ., concur

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

Court of Appeals Nos. 16CA1485 & 16CA1486
Adams County District Court Nos. 06CR3401 & 08CR229
Honorable Kathrine R. Delgado, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Louis Ramon Luevano,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Terry and Fox, JJ., concur

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

Court of Appeals No. 16CA1548
Adams County District Court No. 15CR3366
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Christopher Blea,

Defendant-Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE TERRY
Taubman and Fox, JJ., concur

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

Court of Appeals No. 17CA0115
Clear Creek County District Court No. 12CR39
Honorable D. Wayne Patton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shawn Sheeley,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE LICHTENSTEIN
Dailey and Ashby, JJ., concur

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

Court of Appeals No. 17CA0509
Pueblo County District Court No. 15CR1001
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cynde Lea Layman,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE DUNN
Freyre and Miller*, JJ., concur

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

Court of Appeals No. 17CA0567
City and County of Denver District Court No. 13CR1324
Honorable William D. Robbins, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eddie Simon, Jr.,

Defendant-Appellant.

ORDERS AFFIRMED

Division II
Opinion by JUDGE ASHBY
Dailey and Lichtenstein, JJ., concur

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

Court of Appeals No. 17CA1319
Jefferson County District Court No. 17CV186
Honorable Margie L. Enquist, Judge

Frank Salazar,

Plaintiff-Appellant,

v.

Anthony J. Anderson,

Defendant-Appellee.

JUDGMENT AFFIRMED IN PART
AND APPEAL DISMISSED IN PART

Division IV
Opinion by JUDGE BERGER
Hawthorne and Carparelli*, JJ., concur

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

Court of Appeals No. 17CA1388
Jefferson County District Court No. 17JV2
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.D., a Child,

and Concerning M.T. and D.T.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE WELLING
Román and Dunn, JJ., concur

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

Court of Appeals No. 17CA1450
Otero County District Court No. 03CR24
Honorable Michael Schiferl, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Willard Smith,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Furman and Lichtenstein, JJ., concur

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

Court of Appeals No. 17CA1553
Jefferson County District Court No. 17PR30522
Honorable Todd L. Vriesman, Judge

In re the Estate of Ben H. Parker, Jr., deceased.

Dennis B. Polk, as Personal Representative of the Estate of Ben H. Parker, Jr.,

Petitioner-Appellee,

v.

James Underhill Parker,

Appellant.

ORDERS REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE ROTHENBERG*
Dailey and Tow, JJ., concur

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

Court of Appeals No. 17CA1650
Garfield County District Court No. 12CV146
Honorable Daniel B. Petre, Judge

Patricia Spitzmiller; Carolyn S. Shohet; Mary S. Dominick; and Henry L. Stein
Trust,

Plaintiffs-Appellees,

v.

Buffalo Basin Partnership, a Colorado limited partnership; Joan L. Savage; and
Savage Limited Partnership I, a Colorado limited liability partnership,

Defendants-Appellants.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE BERNARD
Hawthorne and Tow, JJ., concur

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

Court of Appeals No. 17CA1670
City and County of Denver District Court No. 16CV30082
Honorable Edward D. Bronfin, Judge

High Impact, LLC,

Plaintiff-Appellant,

v.

State Farm Fire & Casualty Company,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE J. JONES
Navarro and Kapelke*, JJ., concur

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

Court of Appeals No. 17CA1807
Jefferson County District Court No. 08PR692
Honorable Todd L. Vriesman, Judge

In re the Estate of Jean Elizabeth Runyon, deceased.

Herbert Runyon,

Petitioner-Appellant,

v.

Jean E. Montoya, Personal Representative and Substitute Trustee,

Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE FOX
Taubman and Terry, JJ., concur

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

Court of Appeals No. 17CA2115
Chafee County District Court No. 16JV31
Honorable Patrick W. Murphy, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of N.S., a Child,

and Concerning K.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Terry and Fox, JJ., concur

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

Court of Appeals No. 17CA2190
Boulder County District Court No. 16JV131
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Petitioner Appellee,

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

and Concerning M.N.,

Respondent Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by CHIEF JUDGE LOEB
Hawthorne and Berger, JJ., concur

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

Court of Appeals No. 17CA2349
Jefferson County District Court No. 16JV274
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.B. and T.B., Children,

and Concerning T.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
J. Jones and Miller, JJ., concur

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

Court of Appeals No. 18CA0020
Adams County District Court No. 17CV30315
Honorable Emily E. Anderson, Judge

Victor Manuel Hierro,

Petitioner-Appellant,

v.

The County Court for Adams County, Colorado, and the Honorable Martin
Jeffery Flaum II,

Respondents-Appellees.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE LICHTENSTEIN
Dailey and Ashby, JJ., concur

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

Court of Appeals No. 18CA0406
Pueblo County District Court No. 16JV388
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.E.G., a Child,

and Concerning S.G.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Dunn and Freyre, JJ., concur

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

Court of Appeals No. 18CA1019
Industrial Claim Appeals Office of the State of Colorado
DD No. 4570-2018

Jorge Ontiveros-Moreno,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Alpine Lumber
Company,

Respondents.

ORDER AFFIRMED

Division II
Opinion by JUDGE ASHBY
Dailey and Lichtenstein, 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. 15CA0748

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Florentine Edward Guerrero,

Defendant-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. 2018.