

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
June 7, 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UNPUBLISHED OPINIONS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. 15CA0890
City and County of Denver District Court No. 13CR4788
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Sean Wilson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FOX
Webb and Richman, JJ., concur

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

Court of Appeals No. 15CA0979
City and County of Denver District Court No. 13CR6184
Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

German Salas,

Defendant-Appellant.

JUDGMENT AND SENTENCES AFFIRMED

Division III
Opinion by JUDGE LICHTENSTEIN
Webb and Berger, JJ., concur

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

Court of Appeals No. 15CA1596
Mesa County District Court No. 15JD40
Honorable Thomas M. Deister, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.G.,

Juvenile-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE FURMAN
Román and Lichtenstein, JJ., concur

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

Court of Appeals No. 16CA0004
Mesa County District Court No. 14CR976
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mario Gomez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE
Berger and Miller*, JJ., concur

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

Court of Appeals No. 16CA0196
El Paso County District Court No. 14JD502
Honorable G. David Miller, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.N.S.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE TOW
Dailey and Dunn, JJ., concur

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

Court of Appeals No. 16CA0799
Mesa County District Court No. 12CR340
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dartanin Duran Mitchell,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA0803
Garfield County District Court No. 13CR16
Honorable James B. Boyd, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sergio Sanchez, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE J. JONES
Ashby and Harris, JJ., concur

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

Court of Appeals No. 16CA0816
Adams County District Court No. 14DR30502
Honorable Donald S. Quick, Judge

In re the Marriage of

Roberto Ernesto Chips Portales,

Appellant,

and

Yezenia Peregrino de Portales,

Appellee.

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

Division II
Opinion by JUDGE DUNN
Dailey and Plank*, JJ., concur

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

Court of Appeals No. 16CA1056
Jefferson County District Court No. 15CR2594
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Martin Castaneda,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE
Miller*, J., concurs
Berger, J., dissents

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

Court of Appeals No. 16CA1286
Elbert County District Court Nos. 08CR57, 09CR16 & 09CR64
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Donald Lane Betts, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA1508
City and County of Denver District Court No. 01CR1659
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Damian Burton,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE RICHMAN
Webb and Fox, JJ., concur

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

Court of Appeals No. 16CA1991
El Paso County District Court No. 14CR3498
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Gideon Lillibridge,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Terry and Freyre, JJ., concur

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

Court of Appeals No. 16CA2085
Jefferson County District Court No. 15JV1085
Honorable Ann G. Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.A., a/k/a L.W., a Child,

and Concerning M.A., a/k/a M.W.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by CHIEF JUDGE LOEB
Vogt* and Casebolt*, JJ., concur

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

Court of Appeals No. 16CA2097
City and County of Denver District Court No. 00CR1782
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Delbert Carl Larson,

Defendant-Appellant.

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

Division I
Opinion by JUDGE HARRIS
Taubman and Rothenberg*, JJ., concur

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

Court of Appeals No. 16CA2155
Adams County District Court No. 15CR3752
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Silva,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Terry and Navarro, JJ., concur

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

Court of Appeals No. 16CA2172
City and County of Denver District Court No. 05CR2678
Honorable William D. Robbins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael James Bueno,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Bernard and Welling, JJ., concur

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

Court of Appeals No. 16CA2215
Arapahoe County District Court No. 08CR1233
Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Shane Van De Weghe,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE MILLER*
Hawthorne and Berger, JJ., concur

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

Court of Appeals No. 17CA0076
City and County of Denver District Court No. 12CR5275
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Alex Perea,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE BERNARD
Taubman and Welling, JJ., concur

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

Court of Appeals No. 17CA0399
Douglas County District Court No. 16CR123
Honorable Shay K. Whitaker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Athina Lorraine Munoz,

Defendant-Appellant.

SENTENCE AFFIRMED

Division III
Opinion by JUDGE FOX
Webb and Richman, JJ., concur

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

Court of Appeals No. 17CA0424
Larimer County District Court Nos. 15JV189 & 16JV94
Honorable Thomas R. French, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.S. and R.S., Children,

and Concerning J.S.,

Respondent-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. 17CA0510
Jefferson County District Court No. 15JV784
Honorable Ann G. Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.J. and L.J., Children,

and Concerning A.T.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE DAILEY
Dunn and Tow, JJ. concur

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

Court of Appeals No. 17CA0642
Jefferson County District Court No. 16CR860
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ignacio Paul Daigle,

Defendant-Appellant.

SENTENCE AFFIRMED

Division I
Opinion by JUDGE CASEBOLT*
Loeb, C.J., and Vogt*, J., concur

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

Court of Appeals No. 17CA0913
Weld County District Court No. 16CV30220
Honorable Todd L. Taylor, Judge

Thomas L.R. Cline,

Plaintiff-Appellee,

v.

Christine D. Shelley and Christopher S. Shelley,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE
Berger and Miller*, JJ., concur

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

Court of Appeals No. 17CA1000
Weld County District Court No. 01CR813
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry Glenn Flippo,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE MILLER*
Hawthorne and Berger, JJ., concur

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

Court of Appeals No. 17CA1001
Boulder County District Court No. 15CV31225
Honorable Judith L. LaBuda, Judge

Bradford Beckerman; Eric Gang; and Sharon Beckerman,

Plaintiffs-Appellees,

v.

Grant Orvis,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE FREYRE
Terry and Navarro, JJ., concur

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

Court of Appeals No. 17CA1023
Boulder County District Court No. 16CV30076
Honorable Thomas F. Mulvahill, Judge

Command Health, LLC, a Delaware limited liability company,
Plaintiff-Appellee,

v.

Auxiliatio Service Holdings, LLC, a Delaware limited liability company,
Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAVIDSON*
Dunn and Tow, JJ., concur

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

Court of Appeals No. 17CA1031
Arapahoe County District Court No. 14CV31583
Honorable Elizabeth B. Volz, Judge

Expert Consulting Services, Inc.,
Plaintiff-Appellee,

v.

John E. Fitzgibbons,
Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE TOW
Dailey and Dunn, JJ., concur

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

Court of Appeals No. 17CA1114
Jefferson County District Court No. 13DR1314
Honorable Andrew T. Fitzgerald, Magistrate

In re the Marriage of

Jennifer Lin Lighthall,

Appellee,

and

James Michael Lighthall,

Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE FOX
Webb and Richman, JJ., concur

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

Court of Appeals No. 17CA1339
Weld County District Court No. 16CV30865
Honorable Marcelo A. Kopcow, Judge

Michael B Enterprises, Inc., a Colorado corporation; and LOB LLC, a Colorado
limited liability company,

Plaintiffs-Appellants,

v.

KB Home Colorado Inc., a Colorado corporation,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE BERNARD
Taubman and Welling, JJ., concur

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

Court of Appeals No. 17CA1535
Weld County District Court No. 16CV30913
Honorable Marcelo A. Kopcow, Judge

David Flora, Colleen Flora, David Adams, Holly Adams, Ehren Koelsch, and
Kathleen Koelsch,

Plaintiffs-Appellants,

v.

Town of Frederick, Colorado; Board of Trustees of Frederick, Colorado; Tony
Carey, in his official capacity as Mayor; Laura Brown, in her official capacity as
Mayor Pro Tem; Rafer Burnham; Donna Hudziak; Rocky Figurilli; Salvatore
“Sam” Desantis, in his official capacity as a member of the Board of Trustees;
and Fred Skates, in his official capacity as a member of the Board of Trustees,

Defendants-Appellees.

JUDGMENT AFFIRMED IN PART
AND REVERSED IN PART

Division III
Opinion by JUDGE FOX
Webb and Richman, JJ., concur

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

Court of Appeals No. 17CA1640
Arapahoe County District Court No. 15JV991
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.B. and E.B., Children,

and Concerning A.H., a/k/a A.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE TOW
Dailey and Dunn, JJ., concur

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

Court of Appeals No. 17CA2061
Industrial Claim Appeals Office of the State of Colorado
DD No. 22705-2017

Irene Melendez,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Washington
County, Colorado,

Respondents.

ORDER AFFIRMED

Division I
Opinion by JUDGE VOGT*
Loeb, C.J., and Casebolt*, J., concur

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

Court of Appeals No. 17CA2129
Weld County District Court No. 16JV586
Honorable Elizabeth B. Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.S., a/k/a J.C., a Child,

and Concerning S.L.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE DUNN
Dailey and Tow, 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. 14CA0144

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Floyd Trujillo,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 14CA1390

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Steven Kessler,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 15CA0411

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lance Tyler Hering,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA1991

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy James Bittleston,

Defendant-Appellant.

Petition for Rehearing DENIED

Webb, J., would GRANT

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

Court of Appeals No. 16CA1048

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor Lopez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA2053

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angel Lopez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA0059

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sammie Lee Denson, Jr.,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA0853

Joseph A. Camp,

Plaintiff-Appellant,

v.

Jefferson County District Attorney,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0062

Yaowu Ma,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Nuburu, Inc.,

Respondents.

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. 2017.