

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
March 15, 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UNPUBLISHED OPINIONS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. 14CA1328
Adams County District Court No. 13CR2337
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Dean Otto,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Fox and Ashby, JJ., concur

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

Court of Appeals No. 15CA0176
Jefferson County District Court No. 09CR3119
Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Craig Bird,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE WEBB
Terry and Tow, JJ., concur

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

Court of Appeals No. 15CA0703
Adams County District Court No. 13CR1653
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Felix Jerry Reyes,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 15CA1184
Chaffee County District Court No. 13CR148
Honorable Charles M. Barton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Phillip P. Saldana,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FOX
Furman and Carparelli*, JJ., concur

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

Court of Appeals No. 15CA1308
Pueblo County District Court No. 14CR975
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Forrest Sims,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA0151
Adams County District Court No. 09CR626
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eusebio Montero-Romero,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BERNARD
Berger and Freyre, JJ., concur

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

Court of Appeals No. 16CA0469
City and County of Denver District Court No. 04CR2291
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angel Quintana,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE BERGER
Bernard and Freyre, JJ., concur

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

Court of Appeals No. 16CA0880
City and County of Denver District Court No. 15CR5850
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Quentin Thornton,

Defendant-Appellant.

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

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

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

Court of Appeals No. 16CA0906
El Paso County District Court No. 15CR1642
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Norman Earl McBride,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE FREYRE
Bernard and Berger, JJ., concur

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

Court of Appeals No. 16CA0923
Boulder County District Court No. 11CR1120
Honorable Maria E. Berkenkotter, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lisa Renee Norton,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA0964
Arapahoe County District Court No. 12CR2155
Honorable Frederick T. Martinez, Judge
Honorable Elizabeth B. Volz, Judge
Honorable Frank A. Moschetti, Magistrate

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gerald Steven Waters,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division VII
Opinion by JUDGE BERNARD
Berger and Freyre, JJ., concur

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

Court of Appeals No. 16CA1097
Pueblo County District Court No. 16JD10
Honorable Thomas B. Flesher, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.M.,

Juvenile-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 16CA1611
Fremont County District Court No. 11CR6
Honorable Carol Glowinsky, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stevie Brown,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by CHIEF JUDGE LOEB
Kapelke* and Casebolt*, JJ., concur

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

Court of Appeals No. 16CA1859
Mesa County District Court No. 07CR1776
Honorable Thomas M. Deister, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cameron Edward Chapman,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE ROTHENBERG*
Webb and Terry, JJ., concur

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

Court of Appeals No. 16CA2025
Jefferson County District Court No. 97CR1264
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gonzalo B. Martinez,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE BERGER
Bernard and Freyre, JJ., concur

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

Court of Appeals No. 17CA0062
Adams County District Court No. 16DR30086
Honorable Donald S. Quick, Judge

In re the Marriage of

Erica Lyn Berryman,

Appellee,

and

William Peter Berryman,

Appellant.

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

Division IV
Opinion by JUDGE HAWTHORNE
J. Jones and Richman, JJ., concur

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

Court of Appeals No. 17CA0128
Adams County District Court No. 03DR1338
Honorable Sharon D. Holbrook, Judge

In re the Marriage of

Tracy E. Ricke,

Appellant,

and

Thomas Laing,

Appellee.

ORDER AFFIRMED

Division IV
Opinion by JUDGE J. JONES
Hawthorne and Richman, JJ., concur

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

Court of Appeals No. 17CA0238
Garfield County District Court No. 09DR274
Honorable Denise K. Lynch, Judge

In re the Marriage of

Dennis P. Burns,

Appellee,

and

Ana S. Alianelli, f/k/a Ana S. Burns,

Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 17CA0270
Pueblo County District Court No. 16CV30859
Honorable Jill S. Mattoon, Judge

Scott Smith,

Plaintiff-Appellant,

v.

Joe Morales, in his official capacity as Chairman of the Parole Board; and Rick Raemisch, in his official capacity as Executive Director of the Colorado Department of Corrections,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 17CA0348
Arapahoe County District Court No. 92CR1358
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Derrek L. Monroe,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE TOW
Webb and Terry, JJ., concur

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

Court of Appeals No. 17CA0527
City and County of Denver District Court No. 16CV30516
Honorable David H. Goldberg, Judge

Michael G. Martin,

Plaintiff-Appellant,

v.

J. Lawrence Hamil; and Hamil/Martin, LLC, n/k/a Hamil Law Group, LLC,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE LICHTENSTEIN
Navarro and Carparelli*, JJ., concur

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

Court of Appeals No. 17CA0666
El Paso County District Court No. 15JV76
Honorable Tim J. Schutz, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.G. and I.G., Children,

and Concerning N.G. and A.R.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Dunn and Welling, JJ., concur

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

Court of Appeals No. 17CA0676
Logan County District Court No. 15JV15
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.R., O.R., J.R., and V.R., Children,

and Concerning D.R. and A.R.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE RICHMAN
Hawthorne and J. Jones, JJ., concur

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

Court of Appeals No. 17CA0698
Pitkin County District Court No. 15CV30142
Honorable John F. Neiley, Judge

Genesis Capital Ventures, LLC, a Colorado Limited Liability Company,
Plaintiff-Appellee,

v.

Jason Alfano, d/b/a Online Adjusters,
Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE FREYRE
Bernard and Berger, JJ., concur

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

Court of Appeals No. 17CA0704
La Plata County District Court No. 16CR110
Honorable William L. Herring, Judge

The People of the State of Colorado,
Plaintiff-Appellant,

v.

Danielle E. Elvidge,
Defendant-Appellee.

SENTENCE VACATED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE KAPELKE*
Loeb, C.J., and Casebolt*, J., concur

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

Court of Appeals No. 17CA0751
City and County of Denver Juvenile Court No. 15JV1307
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.V., a Child,

and Concerning A.M.S.,

Respondent-Appellant,

and

D.E. and J.E.,

Intervenors-Appellees.

JUDGMENT AFFIRMED AND APPEAL DISMISSED IN PART

Division V
Opinion by JUDGE DUNN
Román and Welling, JJ., concur

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

Court of Appeals No. 17CA0834
El Paso County District Court No. 88CR949
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David J. Quinlan,

Defendant-Appellant.

ORDERS AFFIRMED

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

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

Court of Appeals No. 17CA0860
City and County of Denver Juvenile Court No. 16JV258
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.L.M., a Child,

and Concerning P.A.M., Jr.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE CASEBOLT*
Loeb, C.J., and Kapelke*, J., concur

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

Court of Appeals No. 17CA0872
El Paso County District Court No. 17CV27
Honorable Eric Bentley, Judge

Curtis E. Courtney,

Plaintiff-Appellant,

v.

Colorado Department of Corrections,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 17CA0955
Weld County District Court No. 15JV418
Honorable Elizabeth Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.B. a Child,

and Concerning T.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FOX
Furman and Ashby, JJ., concur

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

Court of Appeals No. 17CA1045
Arapahoe County District Court No. 16PR458
Honorable H. Clay Hurst, Magistrate

In the Interest of Barbara Ann Johnson, Protected Person,
Respondent-Appellant,

v.

James D. McKnight, Jr., Guardian Ad Litem,
Petitioner-Appellee.

ORDERS AFFIRMED

Division VII
Opinion by CHIEF JUDGE LOEB
Kapelke* and Casebolt*, JJ., concur

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

Court of Appeals No. 17CA1192
Industrial Claim Appeals Office of the State of Colorado
DD No. 9619-2017

Mark B. Vetter,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; and FNK Productions
Inc., Moe's Original BBQ & Catering,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 17CA1238
Logan County District Court No. 16JV59
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.D., A.D., Y.D., and D.P., Children,

and Concerning M.J.D., and J.D.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BERNARD
Berger and Freyre, JJ., concur

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

Court of Appeals No. 17CA1263
Lincoln County District Court No. 14JV21
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.V.N., S.A.N., A.G.N., and J.R.N., Children,

and Concerning B.L.N., a/k/a B.L.P.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE ASHBY
Furman and Fox, JJ., concur

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

Court of Appeals No. 17CA1316
Adams County District Court No. 15JV164
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.C.A.S. and J.H.A.S., Children,

and Concerning M.M.S.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 17CA1431
Mesa County District Court No. 16JV275
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning T.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE NAVARRO
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. 14CA0477

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jesus Aguilar-Sanchez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA0590

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dean Carbajal,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1653

William T. Stone, M.D.; and Deborah K. Parr, M.D.,

Plaintiffs-Appellants,

v.

Larry Wolk, in his official capacity as the Executive Director of the Colorado Department of Public Health and Environment; and Colorado Medical Board,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1690

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony L. Garcia,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA0069

In re the Estate of Lester I. McLaughlin, a/k/a Lester Ivel McLaughlin, a/k/a Lester McLaughlin, deceased.

Leslie J. Leonard and Daryl Kirk McLaughlin,

Petitioners-Appellants,

v.

Kendra M. Oyen,

Appellee,

and

Kathryn Y. Scott-McLaughlin,

Intervenor-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA0463

Motherlove Herbal Company, a Colorado Certified B Corporation; Indianhead West Homeowners Association, Inc., a Colorado nonprofit corporation; Rockin S. Ranch LLC, a Colorado limited liability company; John Cummings; David Kisker; Gary Oplinger; Wolfgang Dirks; and James Piraino,

Plaintiffs-Appellants,

v.

Board of County Commissioners of Weld County, Colorado; Chair Julie Cozad; Pro-Tem Steve Moreno; Sean Conway; Michael Freeman; Barbara Kirkmeyer; Martin Marietta Materials, Inc., a North Carolina corporation; and Gerrard Investments, LLC, a Colorado limited liability company,

Defendants-Appellees.

Petitions 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.