

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
August 9, 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.

**PUBLISHED OPINIONS**

[2018COA110](#)

Court of Appeals No. [13CA1604](#)

City and County of Denver District Court No. 11CR4258

Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sheila R. Monroe,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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ANNOUNCEMENTS  
Colorado Court of Appeals  
August 9, 2018

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[2018COA111](#)

Court of Appeals No. [14CA0478](#)  
El Paso County District Court No. 12CR4638  
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John M. Halaseh,

Defendant-Appellant.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE HAWTHORNE  
Navarro and Casebolt\*, JJ., concur

Prior Opinion Announced July 27, 2017, WITHDRAWN

OPINION PREVIOUSLY ANNOUNCED AS “NOT PUBLISHED PURSUANT TO  
C.A.R. 35(e)” ON July 27, 2017, IS NOW DESIGNATED FOR PUBLICATION

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[2018COA112](#)

Court of Appeals No. [15CA1365](#)

City and County of Denver District Court No. 14CR1481

Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregory Ray Jones,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE HARRIS  
Terry, J., concurs  
Casebolt\*, J., dissents

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[2018COA113](#)

Court of Appeals No. [15CA1713](#)

City and County of Denver District Court No. 86CR2489

Honorable Brian Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eric Dwight Davis,

Defendant-Appellant.

ORDERS AFFIRMED

Division I  
Opinion by JUDGE TAUBMAN  
Welling and Davidson\*, JJ., concur

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[2018COA114](#)

Court of Appeals No. [15CA2008](#)

Boulder County District Court Nos. 12CR245, 12M689, & 12M1067

Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Paul McGlaughlin,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE BERGER  
Loeb, C.J., concurs  
Bernard, J., dissents

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[2018COA115](#)

Court of Appeals No. [16CA0875](#)

Adams County District Court No. 13CR3365

Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leonard Joosten,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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[2018COA116](#)

Court of Appeals No. [16CA1951](#)

Weld County District Court No. 14DR30427

Honorable Ryan L. Kamada, Judge

In re the Marriage of

Carol Crosley Morgan,

Appellant,

and

Carter Edward Morgan,

Appellee.

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

Division III

Opinion by JUDGE FOX

Webb and Richman, JJ., concur

Prior Opinion Announced June 28, 2018 WITHDRAWN

OPINION PREVIOUSLY ANNOUNCED AS “NOT PUBLISHED PURSUANT TO  
C.A.R. 35(e)” ON June 28, 2018, IS NOW DESIGNATED FOR PUBLICATION

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[2018COA117](#)

Court of Appeals No. [17CA1211](#)

Mesa County District Court No. 11DR278

Honorable Brian J. Flynn, Judge

In re the Marriage of

Sharon D. Tibbetts, n/k/a Sharon D. Williams,

Appellee,

and

Ronald L. Tibbetts,

Appellant.

APPEAL DISMISSED

Division III

Opinion by JUDGE FOX

Webb and Nieto\*, JJ., concur

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[2018COA118](#)

Court of Appeals No. [18CA0664](#)  
Jefferson County District Court No. 17CR4565  
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Yoel Soto-Campos,

Defendant-Appellee.

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Court of Appeals No. [18CA0665](#)  
Jefferson County District Court No. 17CR4563  
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Fermin Flores-Rosales,

Defendant-Appellee.

ORDERS AFFIRMED

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

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 16CA0011  
Douglas County Juvenile Court No. 15JD222  
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.P.P.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA1535  
Arapahoe County District Court No. 15CR1779  
Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Elisabeth K. Johnson,

Defendant-Appellant.

JUDGMENT VACATED

Division I  
Opinion by JUDGE WELLING  
Taubman and Martinez\*, JJ., concur

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

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Court of Appeals No. 16CA1749  
El Paso County District Court No. 09CR2876  
Honorable Scott A. Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Orlando Cobillas Guevara, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE DAILEY  
Tow and Carparelli\*, JJ., concur

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

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Court of Appeals No. 17CA0154  
Jefferson County District Court No. 15DR30437  
Honorable Christie Ann Bachmeyer, Judge

In re the Marriage of

Lori Gesi as Personal Representative of the Estate of Janice Elaine Harmsen,

Appellant and Cross-Appellee,

and

Robert John Harmsen,

Appellee and Cross-Appellant.

ORDERS AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 17CA0256  
Eagle County District Court Nos. 94CV100152 & 98CV374  
Honorable Frederick W. Gannett, Judge

Ginn Battle Lender, LLC,

Plaintiff-Appellee,

v.

Battle Mountain Limited Liability Company; Sensible Housing, Company, Inc.;  
and Battle Mountain Corporation,

Defendants-Appellants

and

Wells Fargo Bank NA,

Third-Party Defendant-Appellee.

JUDGMENT AND ORDERS AFFIRMED  
AND CASE REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 17CA0448  
Jefferson County District Court No. 16CR1338  
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nicole Rose Carter, a/k/a Nichole Rose Carter,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUSTICE MARTINEZ\*  
Taubman and Welling, JJ., concur

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

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Court of Appeals No. 17CA0523  
El Paso County District Court No. 16CV15  
Honorable Barbara L. Hughes, Judge

Douglas L. Micco,

Plaintiff-Appellant,

v.

Dennis W. Hartley,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1076  
Douglas County District Court No. 12DR342  
Honorable Natalie T. Chase, Judge

In re the Marriage of

Kathryn Houseman,

Appellee,

and

Eric Houseman,

Appellant.

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

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

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

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Court of Appeals No. 17CA1308  
Lincoln County District Court 16CV12  
Honorable Robert R. Lung, Judge

Justin H. Austin,

Plaintiff-Appellant,

v.

Executive Director of the Colorado Department of Corrections, and Warden of  
the Limon Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1470  
El Paso County District Court No. 16JV990  
Honorable Linda Billings-Vela, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.A.L., J.L., K.L.L., J.R.L.-R, Children,

and Concerning H.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1527  
Freemont County District Court No. 17CV38  
Honorable Robert Freeman, Magistrate

Ronald Lee Smith,

Plaintiff-Appellant,

v.

Executive Director of the Colorado Department of Corrections and Warden of  
Colorado Territorial Correctional Facility,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I  
Opinion by JUSTICE MARTINEZ\*  
Taubman and Welling, JJ., concur

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

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Court of Appeals No. 18CA0023  
City and County of Denver Juvenile Court No. 16JV1243  
Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.D.M.,

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)**

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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**

[2018COA111](#)

Court of Appeals No. [14CA0478](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John M. Halaseh,

Defendant-Appellant.

Prior Opinion Announced July 27, 2017, WITHDRAWN  
Petitions for Rehearing GRANTED

OPINION PREVIOUSLY ANNOUNCED AS “NOT PUBLISHED PURSUANT TO  
C.A.R. 35(e)” ON July 27, 2017, IS NOW DESIGNATED FOR PUBLICATION

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[2018COA96M](#)

Court of Appeals No. [15CA1368](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Arthur Lindsey,

Defendant-Appellant.

Opinion Modified and  
Petition for Rehearing DENIED

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Court of Appeals No. 16CA0221

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Xavier Claypool,

Defendant-Appellant.

Opinion Modified and  
Petition for Rehearing DENIED

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

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[2018COA89M](#)

Court of Appeals No. [16CA1010](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

De Etta Wester-Gravelle,

Defendant-Appellant.

Opinion Modified and  
Petition for Rehearing DENIED  
Bernard, J., would GRANT

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Court of Appeals No. 17CA0966

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Robert Gray,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 17CA1069

In re the Marriage of

Lisa Niesen Dantzler-Ginn,

Appellant,

v.

Matthew Richard Ginn,

Appellee.

Opinion Modified and  
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. 2017.