

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*March 8, 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**

[2018COA28](#)

Court of Appeals No. [15CA0683](#)  
Boulder County District Court No. 13CR1277  
Honorable Andrew R. Macdonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fernando Robles-Sierra,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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[2018COA29](#)

Court of Appeals No. [16CA1369](#)  
Adams County District Court No. 16CV30543  
Honorable Ted C. Tow III, Judge

Ladee Taylor,

Plaintiff-Appellant,

v.

HCA-HealthONE LLC, d/b/a/ North Suburban Medical Center; The Women's  
Health Group, P.C.; Cindy E. Long, M.D.; Stacey L. Hennesy, M.D.,

Defendants-Appellees.

ORDER VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE HARRIS  
Furman, J., concurs  
Berger, J., concurs in part and dissents in part

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[2018COA30](#)

Court of Appeals No. [16CA1524](#)  
City and County of Denver District Court No. 15CV520  
Honorable Morris B. Hoffman, Judge

Abdu-Latif Kazembe Abu-Nantambu-El,

Plaintiff-Appellant,

v.

State of Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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[2018COA31](#)

Court of Appeals No. [16CA1869](#)

City and County of Denver District Court No. 16DR30252

Honorable Lael Montgomery, Judge

In re the Marriage of

Kelsey M. Yates,

Petitioner-Appellee,

and

Kiri A. Humphrey,

Respondent,

and Concerning Sterling Consulting Corporation, Receiver,

Appellee,

v.

Michael S. Hartman, in his official capacity as the Executive Director of the Colorado Department of Revenue and State Licensing Authority for the Marijuana Enforcement Division,

Intervenor-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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[2018COA32](#)

Court of Appeals No. [17CA0019](#)

City and County of Denver District Court No. 16CV32553

Honorable Catherine A. Lemon, Judge

Kathryn D. Meardon,

Plaintiff-Appellee,

v.

Freedom Life Insurance Company of America and Robert J. Pavese,

Defendants-Appellants.

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

Division VII  
Opinion by JUDGE FREYRE  
Berger, J. concurs  
Bernard, J., dissents

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[2018COA33](#)

Court of Appeals No. [17CA0099](#)

City and County of Denver District Court No. 14CV34512

Honorable Karen L. Brody, Judge

Michael A. Crocker, M.D.,

Plaintiff-Appellee and Cross-Appellant,

v.

Greater Colorado Anesthesia, P.C., n/k/a Greater Colorado Anesthesia, Inc.,

Defendant-Appellant and Cross-Appellee.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE DAVIDSON\*  
Hawthorne, J., concurs  
J. Jones, J., specially concurs

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[2018COA34](#)

Court of Appeals No. [17CA0262](#)  
Weld County District Court No. 10DR822  
Honorable W. Troy Hause, Judge

In re the Marriage of

Ryan E. Boettcher,

Appellant,

and

Christina L. Boettcher,

Appellee.

ORDER AFFIRMED

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

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[2018COA35](#)

Court of Appeals No. [17CA0292](#)  
Arapahoe County District Court No. 15CV32971  
Honorable Phillip L. Douglass, Judge

Fannie S. White,

Plaintiff-Appellee and Cross-Appellant,

v.

Estate of Julian Soto-Lerma, deceased,

Defendant-Appellant and Cross-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE TERRY  
Loeb, C.J., and Webb, J., concur

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[2018COA36](#)

Court of Appeals No. [18CA0398](#)  
Arapahoe County District Court No. 06CR697  
Honorable Michelle A. Amico, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert K. Ray,

Defendant,

and Concerning Greta Lindecrantz,

Respondent-Appellant.

ORDER AFFIRMED

Division A  
Opinion by JUDGE J. JONES  
Hawthorne and Terry, JJ., concur

Opinion Modified and  
Selected for Official Publication

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 14CA1958  
Weld County District Court Nos. 13CR875, 13CR890, 13CR1222 & 13CR1681  
Honorable Timothy G. Kerns, Judge

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

v.

Joe Anthony Ramirez,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE WEBB  
Loeb, C.J., and Terry, J., concur

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

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Court of Appeals No. 14CA2412  
City and County of Denver District Court No. 13CR5553  
Honorable Ann B. Frick, Judge

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

v.

Michael A. Cortez,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE HAWTHORNE  
J. Jones and Nieto\*, JJ., concur

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

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Court of Appeals No. 15CA0529  
City and County of Denver District Court No. 13CR2111  
Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Misha Fontenot,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE FURMAN  
Fox and Carparelli\*, JJ., concur

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

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Court of Appeals No. 15CA0951  
Jefferson County District Court No. 09CR1224  
Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Layne Martinez,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 15CA0980  
City and County of Denver District Court No. 13CR5787  
Honorable Edward D. Bronfin, Judge  
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anastasia Gordeeva,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 15CA1508  
Boulder County District Court No. 13CR1900  
Honorable Judith L. LaBuda, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew Lynn Johnson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 15CA1638  
Mesa County District Court No. 13CR1173  
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mark Todd Collin,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 16CA0396  
Jefferson County District Court No. 14CR3385  
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lance Todd Anderson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA0594  
Jefferson County District Court No. 14CR1670  
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Javier Rodriguez,

Defendant-Appellant.

APPEAL DISMISSED

Division IV  
Opinion by JUDGE J. JONES  
Hawthorne and Nieto\*, JJ., concur

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

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Court of Appeals No. 16CA0881  
City and County of Denver District Court No. 04CR2010  
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward E. Hudson,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 16CA1115  
Washington County District Court No. 00CR15  
Honorable Charles M. Hobbs, Judge  
Honorable Douglas Raman Vannoy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tilford Gash,

Defendant-Appellant.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE NIETO\*  
Hawthorne and J. Jones, JJ., concur

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

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Court of Appeals No. 16CA1306  
El Paso County District Court No. 14CR297  
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph A. Veres,

Defendant-Appellant.

JUDGMENT AFFIRMED  
AND APPEAL DISMISSED IN PART

Division VI  
Opinion by JUDGE FURMAN  
Fox and Carparelli\*, JJ., concur

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

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Court of Appeals No. 16CA1405  
El Paso County District Court Nos. 15CR3598 & 16CR378  
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Alan Thomasson,

Defendant-Appellant.

ORDER AFFIRMED

Division I  
Opinion by JUDGE BOORAS  
Taubman and Harris, JJ., concur

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

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Court of Appeals No. 16CA1493  
Arapahoe County District Court No. 15CV32982  
Honorable John L. Wheeler, Judge

Michelle Clare,

Plaintiff-Appellee,

v.

Michael Gibson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE HAWTHORNE  
J. Jones and Nieto\*, JJ., concur

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

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Court of Appeals No. 16CA1796  
Teller County District Court No. 14DR66  
Honorable Theresa M. Cisneros, Judge

In re the Marriage of

Debra L. Murphy, n/k/a Debra L. Ortiz,

Appellee,

and

Scott Jeffrey Murphy,

Appellant.

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

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

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

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Court of Appeals No. 16CA1820  
City and County of Denver District Court No. 09CR10301  
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nadine Montoya,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 16CA2234  
Arapahoe County District Court No. 15CV32363  
Honorable Kurt A. Horton, Judge

Leah Burkett,

Plaintiff-Appellant,

v.

LBI Group, LLC, a Colorado limited liability company,

Defendant,

and

City of Littleton, Colorado, a municipal corporation; and Zocalo Community  
Development, Inc., a Colorado corporation,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE NIETO\*  
Hawthorne and J. Jones, JJ., concur

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

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Court of Appeals No. 17CA0015  
Jefferson County District Court No. 15CV31818  
Honorable Herbert L. Stern, III, Judge

Mountain Land Construction Company,

Plaintiff-Appellant,

v.

Darren M. Hesse and Michelle A. Hesse,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA0288  
San Miguel County District Court No. 16CV6  
Honorable Mary E. Deganhart, Judge

Mark Halper,

Plaintiff-Appellant,

v.

Gladys Passes,

Defendant-Appellee.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA0342  
Boulder County District Court No. 14CV248  
Honorable Thomas F. Mulvahill, Judge

Douglas C. Demos,

Plaintiff-Appellant,

v.

Steven R. Newell and Newell & Decker,

Defendants-Appellees.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA0454  
City and County of Denver District Court No. 16CV33697  
Honorable Michael A. Martinez, Judge

Nuvell Credit Company, LLC,

Plaintiff-Appellant,

v.

Colorado Department of Revenue,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE BERNARD  
Berger and Vogt\*, JJ., concur

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

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Court of Appeals No. 17CA0512  
City and County of Denver District Court No. 16CV534  
Honorable David H. Goldberg, Judge

Hilda N. Kiyemba,

Plaintiff-Appellant,

v.

Derek Johnson, MD, and Craig Loucks, MD,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE J. JONES  
Hawthorne and Nieto\*, JJ., concur

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

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Court of Appeals No. 17CA0601  
Boulder County District Court No. 15CV31271  
Honorable Judith L. LaBuda, Judge

Turner Inc. of Longmont, a Colorado corporation,

Plaintiff-Appellant,

v.

Energy Resources Technology Land, Inc., a Colorado corporation,

Defendant-Appellee.

JUDGMENTS AFFIRMED

Division VII  
Opinion by JUDGE BERGER  
Bernard and Vogt\*, JJ., concur

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

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Court of Appeals No. 17CA0701  
El Paso County District Court No. 15JV1480  
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.H., A.H., and K.H., Children,

and Concerning V.L.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA0859  
Boulder County District Court No. 17CV30150  
Honorable Thomas F. Mulvahill, Judge

Cody Taylor,

Plaintiff-Appellant,

v.

City of Boulder, Colorado, a public municipal entity organized under the laws  
of the State of Colorado,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE WEBB  
Terry and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 17CA0895  
Industrial Claim Appeals Office of the State of Colorado  
WC No. 4-942-783

Roger A. Portillo,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, ShoCo Oil-Samhill-Oil,  
Inc., and Pinnacol Assurance,

Respondents.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE J. JONES  
Hawthorne and Nieto\*, JJ., concur

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

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Court of Appeals No. 17CA0904  
Weld County District Court No. 14JV678  
Honorable John R. Lowenbach, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.D.K.A., a Child,

and Concerning A.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1095  
Jefferson County District Court No. 15JV1019  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.O., III, a Child,

and Concerning A.O.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE TERRY  
Webb and Tow, JJ., concur

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

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Court of Appeals No. 17CA1320  
Weld County District Court No. 16JV572  
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.G-S., a Child,

and Concerning K.G.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1352  
Mesa County District Court No. 16JV204  
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.A.W. and M.J.W., Children,

and Concerning J.D.W.

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE TOW  
Webb and Terry, 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**

Court of Appeals No. 14CA1643

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Peter Bruno Nardi,

Defendant-Appellant.

Opinion Modified and  
Petition for Rehearing DENIED

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

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Court of Appeals No. 15CA1010

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stuart McFarland,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 16CA0273

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ian James Lindeman,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 16CA2059

Center for International Document Specialists, Inc.; and H. Ray Priest,

Plaintiffs,

v.

Carolin Topelson,

Third-Party Defendant-Appellee,

and

Diane R. Spicer,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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**MODIFIED OPINIONS**

[2018COA23M](#)

Court of Appeals No. [16CA1492](#)

Boulder County District Court No. 10DR1467

Honorable Bruce Langer, Judge

In re the Marriage of

Barbara Runge,

Appellant,

and

David Allen Runge,

Appellee.

ORDER AFFIRMED

Division I  
Opinion by JUDGE FURMAN  
Richman, J., specially concurs  
Taubman, J., dissents

Opinion Modified  
On the Court's Own Motion

Announced February 22, 2018

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[2018COA36](#)

Court of Appeals No. [18CA0398](#)

Arapahoe County District Court No. 06CR697

Honorable Michelle A. Amico, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert K. Ray,

Defendant,

and Concerning Greta Lindecrantz,

Respondent-Appellant.

ORDER AFFIRMED

Division A

Opinion by JUDGE J. JONES  
Hawthorne and Terry, JJ., concur

Opinion Modified and  
Selected for Official Publication

Announced March 2, 2018

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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.