

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
April 11, 2019*

“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

[2019COA53](#)

Court of Appeals No. [18CA0498](#)
Industrial Claim Appeals Office of the State of Colorado
WC No. 489-594-003

Joseph Yeutter,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; CBW Automation, Inc.;
and Pinnacol Assurance,

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE GROVE
Terry and J. Jones, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 16CA0643
Weld County District Court No. 15CR572
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ricky Rivera,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE HAWTHORNE
Fox and Casebolt*, JJ., concur

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

Court of Appeals No. 16CA1911
Adams County District Court No. 16CR231
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tyler Keaton Smith,

Defendant-Appellant.

ORDER REVERSED

Division IV
Opinion by JUDGE FOX
Hawthorne and Casebolt*, JJ., concur

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

Court of Appeals No. 17CA1160
Adams County District Court No. 15CR3626
Honorable Ted C. Tow III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shawn Michael Harrington,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE CASEBOLT*
Hawthorne and Fox, JJ., concur

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

Court of Appeals No. 17CA1204
El Paso County District Court No. 99CR968
Honorable Deborah J. Grohs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Elijah E. Beatty,

Defendant-Appellant.

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

Division IV
Opinion by JUDGE HARRIS
Hawthorne and Fox, JJ., concur

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

Court of Appeals No. 17CA1917
City and County of Denver District Court No. 91CR580
Honorable William D. Robbins, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald Lee Smith,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Berger and Tow, JJ., concur

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

Court of Appeals No. 17CA2059
Pueblo County District Court No. 11CR1069
Honorable Kimberly Jo Karn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Scott Carter,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE CASEBOLT*
Ashby and Rothenberg*, JJ., concur

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

Court of Appeals No. 17CA2152
San Miguel County District Court No. 16DR5
Honorable Keri A. Yoder, Judge

In re the Marriage of

Sharon Elizabeth Harvey,

Appellee,

and

Matthew John Lynch,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Berger and Tow, JJ., concur

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

Court of Appeals No. 18CA0078
Arapahoe County District Court No. 02DR2141
Honorable Peter F. Michaelson, Judge

In re the Marriage of

Carlana Ceja,

Appellee,

and

Santiago D. Ceja, a/k/a Jim Ceja,

Appellant.

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

Division VI
Opinion by JUDGE RICHMAN
Navarro and Welling, JJ., concur

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

Court of Appeals No. 18CA0168
Boulder County District Court No. 08DR1274
Honorable Judith L. LaBuda, Judge

In re the Marriage of

Tia Jensen,

Appellee,

and

David Nazeri, Jr.,

Co-Petitioner,

and

David Nazeri, Sr.,

Intervenor-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Richman and Welling, JJ., concur

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

Court of Appeals No. 18CA0244
Adams County District Court No. 16JV402
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.E.R. and J.A.R., Children,

and Concerning A.J.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
Román and Freyre, JJ., concur

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

Court of Appeals No. 18CA0343
City and County of Denver District Court No. 08CV1047
Honorable Brian R. Whitney, Judge

State of Colorado, ex rel. Philip J. Weiser, Attorney General,

Plaintiff-Appellee,

v.

Sofia Shifrin,

Appellant.

APPEAL DISMISSED

Division IV
Opinion by JUDGE HAWTHORNE
Fox and Casebolt*, JJ., concur

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

Court of Appeals No. 18CA0362
Pitkin County District Court No. 16CV30106
Honorable Denise K. Lynch, Judge

Gendelman Group Partnership, a Wisconsin partnership,
Plaintiff-Appellant,

v.

American Family Mutual Insurance Company, a Wisconsin corporation,
Defendant-Appellee.

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

Division II
Opinion by JUDGE LIPINSKY
Dailey and Furman, JJ., concur

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

Court of Appeals No. 18CA0492
Douglas County District Court No. 16CV30723
Honorable Paul A. King, Judge

Bryce Ranum,
Plaintiff-Appellant,

v.

Elizabeth Bagdadi,
Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE TERRY
Martinez* and Márquez*, JJ., concur

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

Court of Appeals No. 18CA0521
Boulder County District Court Nos. 16CV30981 & 16CV31096
Honorable Maria E. Berkenkotter, Judge
Honorable Judith L. LaBuda, Judge
Honorable Nancy W. Salomone, Judge

Stewart Title Guaranty Company, a Texas corporation,

Plaintiff-Appellee,

v.

Ilon T. Williams,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE RICHMAN
Navarro and Welling, JJ., concur

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

Court of Appeals No. 18CA0604
Adams County District Court No. 17CR3474
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angelo Michael Rodriguez,

Defendant-Appellant.

SENTENCE AFFIRMED

Division I
Opinion by JUDGE BERGER
Taubman and Tow, JJ., concur

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

Court of Appeals No. 18CA0786
Alamosa County District Court No. 17JV51
Honorable Martin A. Gonzales, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.R., A.L., A.R. III, and N.R., Children,

and Concerning A.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE LIPINSKY
Dailey and Furman, JJ., concur

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

Court of Appeals No. 18CA1007
Logan County District Court No. 17CV33
Honorable Charles M. Hobbs, Judge

Michael R. Ingram,

Plaintiff-Appellant,

v.

M. Blount; Jane Doe, R.N.; Emmerich; Hape; T. Kautz; K. Newcombe; Tidwell;
Walter; W. Wilson,

Defendants-Appellees.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE WEBB
Román and Freyre, JJ., concur

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

Court of Appeals No. 18CA1057
El Paso County District Court No. 16JV850
Honorable Robin L. Chittum, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.H., A.H., and N.H., Children,

and Concerning S.H. and J.H.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE DAVIDSON*
Terry and J. Jones, JJ., concur

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

Court of Appeals No. 18CA1220
El Paso County District Court No. 17JV206
Honorable Robin L. Chittum, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning J.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE DAILEY
Furman and Lipinsky, JJ., concur

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

Court of Appeals No. 18CA1439
Adams County District Court No. 17JV96
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of R.A.G. and A.D.G., Children,

and Concerning M.M.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FREYRE
Webb and Román, JJ., concur

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

Court of Appeals No. 18CA1477
Adams County District Court No. 16JV394
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.R.P. and T.N.T., Children,

and Concerning R.L.V.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE TERRY
J. Jones and Grove, JJ., concur

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

Court of Appeals No. 18CA1498
Jefferson County District Court No. 16JV824
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.D., J.D., and J.R., Children,

and Concerning S.L.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by CHIEF JUDGE BERNARD
Pawar and Davidson*, JJ., concur

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

Court of Appeals No. 18CA1676
Weld County District Court No. 18JV65
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.N., T.M., and A.M., Children,

and Concerning D.N.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE CASEBOLT*
Ashby and Nieto*, JJ., concur

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

Court of Appeals No. 18CA1700
Industrial Claim Appeals Office of the State of Colorado
DD No. 30105-2018

John B. Dell,

Petitioner,

v.

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

ORDER AFFIRMED

Division VI
Opinion by JUDGE RICHMAN
Navarro and Welling, JJ., concur

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

Court of Appeals No. 18CA1710
Phillips County District Court No. 18JV1
Honorable Carl S. McGuire, III, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning C.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED IN PART
AND VACATED IN PART

Division IV
Opinion by JUDGE PAWAR
Bernard, C.J., and Miller*, J., concur

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

Court of Appeals No. 18CA1711
Elbert County District Court No. 17JV4
Honorable Robert R. Lung, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning B.H.,

Respondent-Appellant.

JUDGMENT AFFIRMED AND
APPEAL DISMISSED IN PART

Division IV
Opinion by JUDGE MILLER*
Bernard, C.J., and Pawar, J., concur

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

Court of Appeals No. 18CA1943
Industrial Claim Appeals Office of the State of Colorado
DD No. 34302-2018

Trinity M. Hall,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and VIA Mobility
Services,

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE TERRY
J. Jones and Martinez*, JJ., concur

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

Court of Appeals No. 18CA2037
Industrial Claim Appeals Office of the State of Colorado
DD No. 34306-2018

Milan Barovic,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and G4S Secure
Solutions USA, Inc.,

Respondents.

ORDER AFFIRMED

Division VII
Opinion by JUDGE CASEBOLT*
Ashby and Nieto*, JJ., concur

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

Court of Appeals No. 18CA2238
Industrial Claim Appeals Office of the State of Colorado
DD No. 36369-2018

Elvis Y. Leunguen-Koundjo,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Division of
Unemployment Insurance Benefit Payment Control,

Respondents.

ORDER AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Richman and Welling, JJ., concur

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

Court of Appeals No. 19CA0117
Pueblo County District Court No. 18MH361
Honorable Jill S. Mattoon, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Robert Denis Don,

Respondent-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE RICHMAN
Navarro and Welling, JJ., concur

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

Court of Appeals No. 19CA0212
Pueblo County District Court No. 19MH6
Honorable Jill S. Mattoon, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Carey Winters,

Respondent-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Richman and Welling, 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. 16CA1107

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Ricardo Sarabia-Martinez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA1342

Randall M. Minor,

Plaintiff-Appellant,

v.

Travis Coberly and Travis Brubaker,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA1576

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wayne Francis Dalrymple,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA1671

Linda Faye Donna,

Plaintiff-Appellant,

v.

Countrywide Mortgage, a/k/a BOFA, BOFA, N.A., a nationally chartered bank,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0925

Keith H. Nielsen,

Plaintiff-Appellant,

v.

Robert M. Singer Trust,

Defendant-Appellee.

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.