

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
June 13, 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

[2019COA87](#)

Court of Appeals No. [17CA2416](#)
Douglas County District Court No. 13DR30291
Honorable Alex J. Martinez, Judge

In re the Marriage of

Tiffany Rose January,

Appellant,

and

Jeffrey Forrest January,

Appellee.

APPEAL DISMISSED

Division IV
Opinion by JUDGE LIPINSKY
Román and J. Jones, JJ., concur

Announced June 13, 2019

-2-
ANNOUNCEMENTS
Colorado Court of Appeals
June 13, 2019

[2019COA88](#)

Court of Appeals No. [18CA0748](#)

City and County of Denver District Court No. 17CV33797

Honorable Robert L. McGahey, Jr., Judge

Kent Ryser,

Plaintiff-Appellant,

v.

Shelter Mutual Insurance Company,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division III

Opinion by JUDGE WEBB

Furman and Márquez*, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 14CA2243
Larimer County District Court No. 13CR1166
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kellie Jean Lawson,

Defendant-Appellant.

JUDGMENT AND SENTENCE VACATED
AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 15CA1161
City and County of Denver District Court No. 13CR4001
Honorable Ann B. Frick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonaphar D. Johnson,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE DUNN
Berger and Casebolt*, JJ., concur

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

Court of Appeals No. 16CA1170
City and County of Denver District Court No. 15CR3396
Honorable Sheila A. Rappaport, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brandon Michael Foote,

Defendant-Appellant.

JUDGMENT AND ORDER AFFIRMED

Division II
Opinion by JUDGE TERRY
Dailey and Pawar, JJ., concur

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

Court of Appeals No. 16CA1180
City and County of Denver District Court No. 14CR4593
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert A. Perez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Harris and Tow, JJ., concur

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

Court of Appeals No. 16CA1350
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.

ORDER AFFIRMED

Division III
Opinion by JUDGE FURMAN
Webb and Davidson*, JJ., concur

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

Court of Appeals No. 16CA1772
Costilla County District Court No. 15CR47
Honorable Stephen M. Munsinger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nelson E. Camerino,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FOX
Freyre and Welling, JJ., concur

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

Court of Appeals No. 16CA2078
Archuleta County District Court No. 91CR8
Honorable Jeffrey R. Wilson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Patrick Hashman,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE MÁRQUEZ*
Terry and Pawar, JJ., concur

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

Court of Appeals No. 16CA2189
Mesa County District Court No. 15CR114
Honorable Thomas M. Deister, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry D. Church,

Defendant-Appellant.

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

Division V
Opinion by JUDGE TOW
Richman and Harris, JJ., concur

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

Court of Appeals No. 17CA0722
Jefferson County District Court No. 16CR2506
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Matthew Clark,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
Furman and Davidson*, JJ., concur

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

Court of Appeals No. 17CA0965
City and County of Denver District Court No. 16CV574
Honorable Ross B. Buchanan, Judge

Dean Carbajal,

Plaintiff-Appellant,

v.

Kimberly Utesch, Valerie Clark, and Nathan Clark,

Defendants-Appellees.

JUDGMENT AND ORDER AFFIRMED
AND CASE REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE DUNN
Berger and Casebolt*, JJ., concur

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

Court of Appeals No. 17CA1545
Adams County District Court No. 12CR2061
Honorable Ted C. Tow III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy David Smith,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
Dunn and Berger, JJ., concur

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

Court of Appeals No. 17CA1580
El Paso County District Court No. 16CR2138
Honorable Barbara L. Hughes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Martin Kyle Coppedge,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE VOGT*
Webb and Furman, JJ., concur

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

Court of Appeals No. 17CA1597
Larimer County District Court No. 15CR1412
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andres M. Flores,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE CASEBOLT*
Dunn and Berger, JJ., concur

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

Court of Appeals No. 17CA1653
City and County of Denver District Court No. 03CR4415
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Antonio Alexander,

Defendant-Appellant.

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

Division IV
Opinion by JUSTICE MARTINEZ*
J. Jones and Lipinsky, JJ., concur

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

Court of Appeals No. 17CA1882
El Paso County District Court Nos. 10CR2076 & 10CR2964
Honorable William Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Deyonn Huery,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE J. JONES
Lipinsky and Davidson*, JJ., concur

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

Court of Appeals No. 17CA2077
Arapahoe County District Court No. 14JD854
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.F.,

Juvenile-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE DAVIDSON*
Webb and Furman, JJ., concur

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

Court of Appeals No. 18CA0210
Logan County District Court No. 16CV19
Honorable Kevin L. Hoyer, Judge

Craig Robledo-Valdez,

Plaintiff-Appellant,

v.

Colorado Department of Corrections and Brittany Lewton,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE GROVE
Taubman and Hawthorne, JJ., concur

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

Court of Appeals No. 18CA0580
City and County of Denver District Court No. 16DR30933
Honorable Christopher J. Baumann, Judge

In re the Marriage of

Nicole Serena Tauscher, f/k/a Serena Jaech,

Appellant,

and

Christopher A. Jaech,

Appellee.

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

Division II
Opinion by CHIEF JUDGE BERNARD
Márquez* and Casebolt*, JJ., concur

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

Court of Appeals No. 18CA0662
City and County of Denver District Court No. 17CV31399
Honorable J. Eric Elliff, Judge

Kevin Trizna,

Plaintiff-Appellant,

v.

Colorado Product Services, LLC, a Colorado limited liability company, Western
Slope Land & Holdings, LLC, a Colorado limited liability company, and Sarah
Johnstone,

Defendants-Appellees.

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

Division VI
Opinion by JUDGE FREYRE
Welling and Márquez*, JJ., concur

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

Court of Appeals No. 18CA0716
El Paso County District Court No. 16CV32708
Honorable David A. Gilbert, Judge
Honorable Richard V. Hall, Judge

Erica Carter, f/k/a Erica Twining, f/k/a Erica Schoneboom,
Plaintiff-Appellee and Cross-Appellant,

v.

Durant Davidson, Esq.; and McDivitt Law Firm, P.C.,
Defendants-Appellants and Cross-Appellees.

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

Division III
Opinion by CHIEF JUDGE BERNARD
Webb and Furman, JJ., concur

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

Court of Appeals No. 18CA0761
Arapahoe County District Court No. 09DR3468
Honorable Frederick T. Martinez, Judge

In re the Marriage of

Margaret Ann Spidel,

Appellee,

and

Alan Jay Spidel,

Appellant.

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

Division II
Opinion by JUDGE MÁRQUEZ*
Bernard, C.J., and Casebolt*, J., concur

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

Court of Appeals No. 18CA0904
Adams County District Court No. 16DR30384
Honorable Roberto Ramírez, Judge

In re the Marriage of

Rosa Marquez,

Appellee,

and

Daniel Mercado,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE CASEBOLT*
Bernard, C.J., and Márquez*, J., concur

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

Court of Appeals No. 18CA1106
Garfield County District Court No. 17DR30067
Honorable Denise K. Lynch, Judge

Deborah Lester,

Appellant,

v.

Roger Ryan,

Appellee.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Webb and Márquez*, JJ., concur

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

Court of Appeals No. 18CA1126
Arapahoe County District Court No. 88CR399
Honorable Kurt A. Horton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Freddie A. Diaz,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE FURMAN
Webb and Vogt*, JJ., concur

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

Court of Appeals No. 18CA1133
Mesa County District Court No. 16JV403
Honorable Thomas W. Ossola, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning N.H. and K.R.,

Respondents-Appellants.

APPEAL DISMISSED IN PART
AND JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Webb and Casebolt*, JJ., concur

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

Court of Appeals No. 18CA1328
Weld County District Court No. 17CV108
Honorable Marcelo A. Kopcow, Judge

Jason Brooks,

Plaintiff-Appellant,

v.

Philip J. Weiser, in his official capacity as Attorney General, and Michael Bellipanni, in his official capacity as Assistant Attorney General,

Defendants-Appellees.

ORDER AFFIRMED

Division V
Opinion by JUDGE TOW
Richman and Harris, JJ., concur

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

Court of Appeals No. 18CA1427
Fremont County District Court No. 17CV103
Honorable Robert Freeman, Magistrate

Jason Brooks,

Plaintiff-Appellant,

v.

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

Defendants-Appellees.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE VOGT*
Webb and Furman, JJ., concur

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

Court of Appeals No. 18CA1624
Adams County District Court No. 17JV199
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.M., a Child,

and Concerning J.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE GROVE
Taubman and Hawthorne, JJ., concur

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

Court of Appeals No. 18CA1850
El Paso County District Court No. 17JV873
Honorable G. David Miller, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Pi.T., Pe.T., N.T., J.W-T., Children,

and Concerning N.T.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Webb and Rothenberg, JJ., concur

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

Court of Appeals No. 18CA1906
Weld County District Court No. 17JV691
Honorable Elizabeth Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.M. and Z.M., Children,

and Concerning J.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 18CA2079
Bent County District Court No. 18CV19
Honorable Michael A. Schiferl, Judge

William Whiting,

Plaintiff-Appellant,

v.

Dean Williams, Executive Director of the Colorado Department of Corrections,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Harris and Tow, JJ., concur

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

Court of Appeals No. 18CA2080
El Paso County District Court No. 18JV867
Honorable Timothy Schutz, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.A-A., a Child,

and Concerning J.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE DUNN
Navarro and Berger, JJ., concur

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

Court of Appeals No. 19CA0081
Industrial Claim Appeals Office of the State of Colorado
DD No. 36834-2018

Douglas M. Landolfi,

Petitioner,

v.

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

Respondents.

ORDER AFFIRMED

Division II
Opinion by JUDGE MÁRQUEZ*
Terry and Pawar, JJ., concur

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

Court of Appeals No. 19CA0184
Industrial Claim Appeals Office of the State of Colorado
DD No. 45274-2018

Justin D. Mohn,

Petitioner,

v.

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

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE HARRIS
Richman and Tow, JJ., concur

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

Court of Appeals No. 19CA0239
Industrial Claim Appeals Office of the State of Colorado
DD No. 43190-2018

Meaghan N. McHugh,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Denver Public
Schools,

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE TOW
Richman and Harris, JJ., concur

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

-22-
ANNOUNCEMENTS
Colorado Court of Appeals
June 13, 2019

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2018.