

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
September 12, 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

[2019COA142](#)

Court of Appeals No. [13CA1435](#)
Mesa County District Court No. 12CR1299
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul Joshua Burnell,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

[2019COA143](#)

Court of Appeals No. [16CA0218](#)
Arapahoe County District Court No. 15CR499
Honorable Carlos A. Samour, Jr., Judge
Honorable Elizabeth Beebe Volz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Clarence Mosely,

Defendant-Appellant.

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

Division I
Opinion by JUDGE TAUBMAN
Hawthorne and Grove, JJ., concur

[2019COA144](#)

Court of Appeals No. [16CA1724](#)
Adams County District Court No. 14CR3612
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Furmen Lee Leyba,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

[2019COA145](#)

Court of Appeals No. [17CA1299](#)
Adams County District Court No. 16CR185
Honorable Sharon D. Holbrook, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tina Louise Avila,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE HAWTHORNE
Taubman and Grove, JJ., concur

[2019COA146](#)

Court of Appeals No. [18CA2308](#)
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-925-466

Joseph Packard,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and City and County of
Denver,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE ROMÁN
J. Jones and Martinez*, JJ., concur

[2019COA147](#)

Court of Appeals No. [19CA0574](#)

City and County of Denver District Court No. 18CV32340

Honorable Michael A. Martinez, Judge

Affiniti Colorado, LLC, a Delaware limited liability company,

Plaintiff-Appellee,

v.

Kissinger & Fellman, P.C., a Colorado professional corporation, and Kenneth S. Fellman,

Defendants-Appellants.

ORDER AFFIRMED

Division A
Opinion by JUDGE FREYRE
Welling and Tow, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA0470
El Paso County District Court No. 08CR1936
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angel Davila Victorino,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE PAWAR
Dailey and Terry, JJ., concur

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

Court of Appeals No. 17CA0477
El Paso County District Court No. 16CR1244
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roy Michael Billingsley,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 17CA0619
El Paso County District Court No. 16CR3300
Honorable Marla R. Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael A. Durante,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Freyre and Pawar, JJ., concur

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

Court of Appeals No. 17CA1183
Arapahoe County District Court Nos. 97CR1474 & 97CR1772
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Arthur Dumm,

Defendant-Appellant.

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

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

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

Court of Appeals No. 17CA1327
Garfield County District Court No. 16CR281
Honorable John F. Neiley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathaniel Raymond Trujillo,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BERGER
Navarro and Miller*, JJ., concur

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

Court of Appeals No. 17CA1529
El Paso County District Court No. 14CR890
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor Santiago-Rodriguez,

Defendant-Appellant.

ORDERS AFFIRMED

Division I
Opinion by JUDGE HAWTHORNE
Taubman and Grove, JJ., concur

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

Court of Appeals No. 17CA1871
Larimer County District Court No. 07CR1329
Honorable Julie K. Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Pedro Mercado,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 17CA1965
La Plata County District Court Nos. 08CR263 & 09CR168
Honorable William L. Herringer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul Andrew Stelzer,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 17CA1977
Mesa County District Court No. 16CR5220
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Amy Marian Smith,

Defendant-Appellant.

JUDGMENT 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. 17CA2207
Arapahoe County District Court No. 16CR145
Honorable Phillip L. Douglass, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Troy James Stafford,

Defendant-Appellant.

ORDER AND SENTENCE AFFIRMED

Division VI
Opinion by JUDGE TERRY
Berger and Welling, JJ., concur

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

Court of Appeals No. 17CA2276
City and County of Denver District Court No. 16CR5850
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victoria Dawn Wright,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by CHIEF JUDGE BERNARD
Davidson* and Carparelli*, JJ., concur

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

Court of Appeals Nos. 18CA0523 & 18CA1055
Adams County District Court No. 14DR654
Honorable Roberto Ramírez, Judge

In re the Marriage of

Holly Danielle Null,

Appellee,

and

Brian Phillip Null,

Appellant.

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

Division II
Opinion by CHIEF JUDGE BERNARD
Vogt* and Miller*, JJ., concur

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

Court of Appeals No. 18CA0738
Arapahoe County District Court No. 5CR522
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aaron Enrique Arreola-Mora,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 18CA1125
Adams County District Court No. 03CR2393
Honorable Sharon D. Holbrook, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Willis Lee Rouse,

Defendant-Appellant.

ORDER AFFIRMED, ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE FREYRE
Taubman and Pawar, JJ., concur

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

Court of Appeals No. 18CA1152
Adams County District Court No. 15DR30375
Honorable Sean Finn, Judge

In re the Marriage of

Sarah Kumaraperu,

Appellant,

and

Nishan Kumaraperu,

Appellee.

ORDER AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE
Furman and Navarro, JJ., concur

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

Court of Appeals No. 18CA1160
City and County of Denver District Court Nos. 01CR4599 & 02CR1491
Honorable William D. Robbins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ralpheal Raymond Nunn,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE BERGER
Navarro and Graham*, JJ., concur

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

Court of Appeals No. 18CA1446
Jefferson County District Court No. 16JV1134
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.F. and G.F., Children,

and Concerning D.H. and A.F.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
Dunn and Graham*, JJ., concur

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

Court of Appeals No. 18CA1482
Weld County District Court No. 12DR489
Honorable W. Troy Hause, Judge

In re the Marriage of

Corinna Lee Rost, f/k/a Corinna Lee Hendrix,

Appellant,

and

Erik Hendrix,

Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUSTICE MARTINEZ*
Bernard, C.J., and Carparelli*, J., concur

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

Court of Appeals No. 18CA1662
El Paso County District Court No. 16JV1070
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of P.T.H., a Child,

and Concerning P.H.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
Dunn and Graham*, JJ., concur

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

Court of Appeals No. 18CA1765
City and County of Denver District Court No. 18CV31
Honorable Michael A. Martinez, Judge

Nicholas Joseph Matis,

Plaintiff-Appellant,

v.

Executive Director, Colorado Department of Corrections,

Defendant-Appellee.

JUDGMENT 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. 18CA2414
Mesa County District Court No. 17JV261
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee and Cross-Appellant,

In the Interest of G.H., Jr., a Child,

and Concerning A.S.J. and G.H., Sr.,

Respondents-Appellants and Cross-Appellees.

JUDGMENT AFFIRMED IN PART
AND REVERSED IN PART

Division III
Opinion by JUDGE WEBB
Dunn and Carparelli*, JJ., concur

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

Court of Appeals No. 18CA2446
Prowers County District Court No. 17JV66
Honorable Mike Davidson, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning A.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE DUNN
Webb and Carparelli*, JJ., concur

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

Court of Appeals No. 18CA2464
Jefferson County District Court No. 17JV434
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.G. and O.G., Children,

and Concerning S.B. and G.G.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GROVE
Román and Harris, JJ., concur

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

Court of Appeals No. 19CA0018
Morgan County District Court No. 16JV27
Honorable Charles M. Hobbs, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of N.J.F., a Child,

and Concerning T.D.F.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE CARPARELLI*
Webb and Dunn, JJ., concur

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

Court of Appeals No. 19CA0338
Industrial Claim Appeals Office of the State of Colorado
DD No. 48477-2018

Anthony R. Palmieri,

Petitioner,

v.

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

Respondents.

ORDER AFFIRMED

Division III
Opinion by JUDGE WEBB
Dunn and Lipinsky, 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. 16CA1289

The People of the State of Colorado,

Plaintiff-Appellee,

In the Interest of T.B.,

Juvenile-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 16CA2139

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jerod Lance Wade,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0693

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cruz A. Carbajal,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0861

Woodstream Falls Condominium Association, Inc.,

Plaintiff-Appellee,

v.

Makeen Investment Group, LLC, and Akeem A. Makeen,

Defendants-Appellants.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1004

Brett Marino,

Plaintiff-Appellant,

v.

Alamosa County Department of Human Services, Colorado Department of Health Care Policy and Financing, and Red Willows, Inc., d/b/a SLV Transportation,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1021

Vera R. Boyd,

Plaintiff-Appellee,

v.

Frances H. Sgarlatti,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1507

R. Kirk McDonald,

Plaintiff-Appellant,

v.

Citibank N.A., Kelly Kilgore, and Mark C. Willis,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1781

Deborah Quintana-Hegtvedt,

Plaintiff-Appellant,

v.

Country Mutual Insurance Company,

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. 2019.