

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
April 25, 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

[2019COA59](#)

Court of Appeals No. [18CA0033](#)
Boulder County District Court No. 17CV215
Honorable Thomas F. Mulvahill, Judge

Kristin Bjornsen,

Plaintiff-Appellant,

v.

Board of County Commissioners of Boulder County and Frank Alexander, in his official capacity as Executive Director of the Boulder County Housing Authority,

Defendants-Appellees.

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

Division VII
Opinion by JUDGE ASHBY
Dunn and Rothenberg*, JJ., concur

-2-
ANNOUNCEMENTS
Colorado Court of Appeals
April 25, 2019

[2019COA60](#)

Court of Appeals No. [18CA0321](#)

City and County of Denver District Court No. 17CV30557

Honorable Elizabeth A. Starrs, Judge

Omid Shekarchian and Nationwide Telecom US Corp, a Colorado corporation,

Plaintiffs-Appellees,

v.

Maxx Auto Recovery, Inc.,

Defendant-Appellant.

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

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

UNPUBLISHED OPINIONS

Court of Appeals No. 14CA1712
City and County of Denver District Court Nos. 11CR2921 & 11CR3809
Honorable J. Eric Elliff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Austin Jay Andersen,

Defendant-Appellant.

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

Division I
Opinion by JUDGE HARRIS
Taubman and Rothenberg*, JJ., concur

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

Court of Appeals No. 15CA0019
Jefferson County District Court No. 13CR197
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cynthia Ann Adams,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED,
AND CASE REMANDED WITH DIRECTIONS

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. 15CA1723
City and County of Denver District Court No. 14CR10143
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Quan Tam Nguyen,

Defendant-Appellant.

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

Division II
Opinion by JUDGE FURMAN
Dailey and Lipinsky, JJ., concur

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

Court of Appeals No. 16CA0439
El Paso County District Court No. 14CR4156
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Lee Bock,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TOW
Taubman and Berger, JJ., concur

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

Court of Appeals No. 16CA0748
Adams County District Court No. 14CR3408
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jahvell Daquan Forrest,

Defendant-Appellant.

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

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

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

Court of Appeals No. 16CA1499
City and County of Denver Juvenile Court No. 15JD338
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.M-R.,

Juvenile-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. 16CA1546
Arapahoe County District Court No. 14CR1544
Honorable F. Stephen Collins, Judge
Honorable Elizabeth Beebe Volz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ian Tyler Boyd,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE DUNN
Furman and Freyre, JJ., concur

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

Court of Appeals No. 16CA1748
City and County of Denver District Court No. 14CR4231
Honorable Ann B. Frick, Judge
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Efrain Gallardo Larios,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED
AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 17CA0978
El Paso County District Court No. 14CR5836
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Patrick Kean,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FURMAN
Dailey and Lipinsky, JJ., concur

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

Court of Appeals No. 17CA1097
City and County of Denver District Court No. 15CR7100
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffrey E. Rodocker,

Defendant-Appellant.

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

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

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

Court of Appeals No. 17CA1140
Adams County District Court No. 16CR1782
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lawrence Anthony Arroyo,

Defendant-Appellant.

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

Division VII
Opinion by JUDGE DUNN
Ashby and Vogt*, JJ., concur

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

Court of Appeals No. 17CA1495
City and County of Denver District Court No. 16CR6360
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shelton T. Crews,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 17CA1798
Arapahoe County District Court No. 16CR3425
Honorable Andrew C. Baum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randall John Powers,

Defendant-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. 17CA1831
Weld County District Court No. 06CR322
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Louis J. Espinosa, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE VOGT*
Dunn and Ashby, JJ., concur

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

Court of Appeals No. 17CA2112
Jefferson County District Court No. 02CR3254
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Henry Hunter,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 17CA2216
El Paso County District Court No. 16CR6560
Honorable Gregory R. Werner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Lee Dupler,

Defendant-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. 17CA2286
Weld County District Court No. 16JV4
Honorable Elizabeth B. Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning A.W. and M.N.,

Respondents-Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 17CA2299
City and County of Denver District Court No. 15CR3728
Honorable Sheila A. Rappaport, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Delano M. Medina,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FURMAN
Dailey and Lipinsky, JJ., concur

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

Court of Appeals No. 17CA2410
City and County of Denver District Court No. 14CV306
Honorable Michael A. Martinez, Judge

David K. Jenner,

Plaintiff-Appellant,

v.

Sergeant Jewel West,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE ASHBY
Dunn and Vogt*, JJ., concur

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

Court of Appeals No. 18CA0056
Sedgwick County District Court No. 10DR6
Honorable Carl S. McGuire, III, Judge

In re the Marriage of

Katie Elaine Stortenbecker,

Appellee,

and

Gary Duane Stortenbecker,

Appellant.

APPEAL DISMISSED

Division I
Opinion by JUDGE TOW
Taubman and Berger, JJ., concur

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

Court of Appeals No. 18CA0270
Adams County District Court No. 11DR244
Honorable Roberto Ramírez, Judge

In re the Marriage of

Anita Corn,

Appellee,

and

Philip Bennet Corn,

Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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. 18CA0314
Crowley County District Court No. 17CV14
Honorable Michael A. Schiferl, Judge

Steven McCary,

Plaintiff-Appellant,

v.

Randy Lynd, in his official capacity as Warden of Arkansas Valley Correctional Facility; Major Stephanie Gonzales, in her official capacity as Security Supervisor of Arkansas Valley Correctional Facility; Captain Lazurus Mendoza, in his official capacity as Housing Supervisor of Arkansas Valley Correctional Facility; and Lieutenant Kimberly Frankmore, in her official capacity as Housing Supervisor of Arkansas Valley Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE WELLING
Richman and Navarro, JJ., concur

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

Court of Appeals No. 18CA0650
Jefferson County District Court No. 17CV360
Honorable Christie A. Bachmeyer, Judge

James D. Kumfer and Nicki Kumfer,

Plaintiffs-Appellees,

v.

Colorado Department of Transportation,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE FURMAN
Dailey and Lipinsky, JJ., concur

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

Court of Appeals No. 18CA0689
Arapahoe County District Court No. 17CV162
Honorable Elizabeth Beebe Volz, Judge

Bellco Credit Union,

Plaintiff-Appellee,

v.

R. Kirk McDonald,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 18CA0763
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-937-396

Barbara McGlothlen,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Karman, Inc. and
Pinnacol Assurance,

Respondents.

ORDER SET ASIDE AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE VOGT*
Dunn and Ashby, JJ., concur

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

Court of Appeals No. 18CA0807
Jefferson County District Court No. 01CR480
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bobby L. Baker,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 18CA1046
Arapahoe County District Court No. 16JV731
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning C.H.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE ASHBY
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 18CA1205
City and County of Denver District Court No. 11DR4141
Honorable Andrew P. McCallin, Judge

In re the Marriage of

Derek Zunker,

Appellee,

and

Sabrina Zunker,

Appellant.

ORDER AFFIRMED IN PART
AND APPEAL DISMISSED IN PART

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

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

Court of Appeals No. 18CA1546
Jefferson County District Court No. 18CV189
Honorable Randall C. Arp, Judge

In the Matter of the Petition of Tiffany Taniguchi,

Petitioner-Appellant,

and Concerning P.K.I.W., a Child.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 18CA1576
Weld County District Court No. 17JV325
Honorable Elizabeth B. Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.E., a Child,

and Concerning K.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED 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. 18CA1824
Adams County District Court No. 18JV82
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of I.R., Jr. and A.R., Children,

and Concerning I.R., Sr.,

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. 18CA1986
Adams County District Court No. 16JV340
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.R.B., Z.R.B., and N.S.B., Children,

and Concerning M.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE LIPINSKY
Dailey and Furman, 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. 15CA1992

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Edward Lorenz,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA2011

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Louis A. Maestas,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0378
City and County of Denver District Court No. 16DR30128
Honorable Andrew P. McCallin, Judge

In re the Marriage of

Reema Sager,

Appellant,

and

Mohammad Ahmad,

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.