

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*February 7, 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**

[2019COA16](#)

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

Division III  
Opinion by JUDGE TERRY  
Martinez\*, J., concurs  
Webb, J., dissents

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ANNOUNCEMENTS  
Colorado Court of Appeals  
February 7, 2019

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[2019COA17](#)

Court of Appeals No. [16CA2198](#)

City and County of Denver District Court No. 15CR4899

Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Jasmine Burlingame,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE NIETO\*  
Hawthorne, J., concurs  
Tow, J., specially concurs

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[2019COA18](#)

Court of Appeals No. [17CA0938](#)

Board of Assessment Appeals Case Nos. 69059 & 69724

Martin Trust,

Petitioner-Appellant and Cross-Appellee,

v.

Board of County Commissioners of La Plata County, Colorado; and Board of  
Equalization of La Plata County, Colorado,

Respondents-Appellees and Cross-Appellants,

and

Board of Assessment Appeals,

Appellee.

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

Division IV  
Opinion by JUDGE CARPARELLI\*  
Vogt\*, J., specially concurs  
Hawthorne, J., dissents

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[2019COA19](#)

Court of Appeals No. [17CA1257](#)  
Jefferson County District Court No. 15CV31645  
Honorable Randall C. Arp, Judge

James D. Parks III,  
  
Plaintiff-Appellant,

v.

Edward Dale Parrish LLC, a Colorado limited liability company; and Edward Dale Parrish, individually,

Defendants-Appellees.

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

Division VII  
Opinion by JUDGE J. JONES  
Navarro and Casebolt\*, JJ., concur

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[2019COA20](#)

Court of Appeals No. [18CA0548](#)  
Pueblo County District Court No. 16PR215  
Honorable Allison P. Ernst, Judge

In re the Interest of Louis “Barney” Arguello, protected person, and the Arc of Pueblo,

Respondents-Appellees,

v.

Fe Ana Baslick and Colorado Bluesky Enterprises, Inc.,

Petitioners-Appellants.

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

Division III  
Opinion by JUDGE FREYRE  
Román, J., concurs  
Webb, J., concurs in part and dissents in part

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 15CA0393  
Jefferson County District Court No. 13CR308  
Honorable Randall C. Arp, Judge

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

v.

Janet Lynn Gonzalez-Trujillo,  
  
Defendant-Appellant.

SENTENCE VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by CHIEF JUDGE BERNARD  
Furman and Lipinsky, JJ., concur

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

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Court of Appeals No. 16CA0154  
Boulder County District Court No. 14CR1651  
Honorable Judith L. Labuda, Judge

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

v.

Undrea Trevelle Hatchett, Jr.,  
  
Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

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

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

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Court of Appeals No. 16CA0350  
Pueblo County District Court No. 07CR1929  
Honorable David W. Crockenberg, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Olin George Ferrier,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 16CA1181  
City and County of Denver District Court No. 11CR4313  
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Warren H. Foster,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE FURMAN  
Dailey and Vogt\*, JJ., concur

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

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Court of Appeals No. 16CA1553  
Jefferson County District Court No. 15CR767  
Honorable Christopher C. Zenisek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Billy Edward Scott,

Defendant-Appellant.

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

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

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

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Court of Appeals No. 16CA1582  
Boulder County District Court No. 15CR1487  
Honorable Maria Berkenkotter, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Richard Anderson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA2041  
El Paso County District Court No. 12CR1914  
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond Edward Wooden,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA0216  
Boulder County District Court No. 15CR1254  
Honorable Maria E. Berkenkotter, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Heriberto Haro-Luna,

Defendant-Appellant.

APPEAL DISMISSED

Division V  
Opinion by JUDGE J. JONES  
Terry and Davidson\*, JJ., concur

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

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Court of Appeals No. 17CA1229  
El Paso County District Court No. 08CR4120  
Honorable Barbara L. Hughes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nijah Omar Dennis,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA1763  
City and County of Denver District Court No. 16CV500  
Honorable Jay S. Grant, Judge

U.S. Bank National Association, as Trustee for Structured Asset Investment  
Loan Trust Mortgage Pass-Through Certificates. Series 2006-4,

Plaintiff-Appellee,

v.

Mary M. Mayotte,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE J. JONES  
Navarro and Martinez\*, JJ., concur

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

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Court of Appeals No. 17CA2079  
City and County of Denver District Court No. 16CV34153  
Honorable Jay S. Grant, Judge

City and County of Denver, a home rule city and municipal corporation,

Petitioner-Appellee,

v.

Thomas R. Anthony,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA2161  
Jefferson County District Court No. 09CV644  
Honorable Todd L. Vriesman, Judge

Danning, Gill, Diamond & Kollitz, LLP,

Plaintiff-Appellant and Cross-Appellee,

v.

Terry K. Vickery,

Defendant-Appellee and Cross-Appellant.

ORDER REVERSED 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)**

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Court of Appeals No. 17CA2374  
Adams County District Court No. 17PR30158  
Honorable Patrick T. Murphy, Judge

In re the Estate of Marco Salvador Cuffaro, deceased.

Jamie C. Cuffaro, as Personal Representative of the Estate of Marco Salvador Cuffaro,

Appellant,

v.

David Cuffaro and Martha Cuffaro,

Appellees.

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

Division III  
Opinion by JUDGE ROMÁN  
Webb and Freyre, JJ., concur

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

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Court of Appeals No. 18CA0189  
Boulder County District Court No. 16CV31012  
Honorable Thomas F. Mulvahill, Judge

Steven Gallegos,

Plaintiff-Appellant,

v.

Megan Amaral,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA0230  
Park County District Court No. 17CV15  
Honorable Stephen A. Groome, Judge

Marci Hanshue,

Plaintiff-Appellant,

v.

U.S. Bank National Association, as Trustee under Pooling and Servicing Agreement Dated as of September 1, 2006 MASTR Asset-Backed Securities Trust 2006-NC2 Mortgage Pass-Through Certificates, Series 2006-NC2; and Ocwen Loan Servicing, LLC, a Delaware foreign LLC,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA0301  
Bent County District Court No. 17CV7  
Honorable Michael Schiferl, Judge

Laron Donald,

Plaintiff-Appellant,

v.

Executive Director, Colorado Department of Corrections; and Warden, Bent County Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA0324  
Larimer County District Court No. 17CV115  
Honorable Douglas R. Vannoy, Judge

Stacy Lynne,

Plaintiff-Appellant,

v.

Julie Kunce Field,

Defendant-Appellee.

JUDGMENT AND ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA0441  
Pueblo County District Court No. 16JV667  
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.M.L., a/k/a A.M.A., a Child,

and Concerning J.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE ROMÁN  
Webb and Freyre, JJ., concur

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

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Court of Appeals No. 18CA0561  
Jefferson County District Court No. 17CV30496  
Honorable Diego G. Hunt, Judge

Teresa Sansotta, Francesca E. Olin, and Dominico E. Sansotta,

Plaintiffs-Appellants,

v.

Archdiocese of Denver Mortuary at Mount Olivet, Inc., a Colorado corporation;  
Thomas James Vallero; and Gary Lauricella,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 18CA0587  
Larimer County District Court No. 16CV30029  
Honorable Stephen J. Jouard, Judge

Cory Markham, individually and d/b/a CJM Enterprises,

Plaintiff-Appellant,

v.

Auto Cycle Exchange Services Inc., a Colorado corporation; and Kurt Dimick,

Defendants-Appellees.

ORDER AFFIRMED 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)**

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Court of Appeals No. 18CA0620  
El Paso County District Court No. 17CV156  
Honorable Thomas K. Kane, Judge

Douglas Bruce,

Plaintiff-Appellant,

v.

Board of County Commissioners of El Paso County, Colorado,

Defendant-Appellee.

JUDGMENT STANDS AFFIRMED

Division II  
Dailey, J., would affirm  
Furman, J., would reverse  
Vogt\*, J., would dismiss the appeal

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

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Court of Appeals No. 18CA0816  
Weld County District Court No. 17JV804  
Honorable Elizabeth B. Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning H.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1081  
Weld County District Court No. 16JV571  
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.D. and A.B.,

Respondents-Appellants.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1093  
Jefferson County District Court No. 15JV34  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning H.J.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE ROMÁN  
Webb and Freyre, JJ., concur

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

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Court of Appeals No. 18CA1135  
Montrose County District Court No. 17JV21  
Honorable D. Cory Jackson, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning D.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1173  
Bent County District Court No. 17CV8  
Honorable Michael Schifert, Judge

James Cuddie,

Plaintiff-Appellant,

v.

Executive Director, Colorado Department of Corrections; and Warden, Bent  
County Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE ROTHENBERG\*  
Dailey and Lipinsky, 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. [17CA1678](#)

The People of the State of Colorado,

Petitioner-Appellant,

In the Interest of G.S.S.,

Juvenile-Appellee.

Opinion Modified and  
Petition for Rehearing GRANTED

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Court of Appeals No. 17CA1830

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond M. Vasquez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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**MODIFIED OPINIONS**

[2019COA15M](#)

Court of Appeals No. [18CA1772](#)

John L. Garrou and Denice Garrou,

Plaintiffs-Appellees,

v.

Lawrence A. Shovelton,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division A  
Opinion by JUDGE FREYRE  
Bernard, C.J., and Welling, J., concur

Opinion Modified  
on the Court's Own Motion

Announced January 24, 2019

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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. 2018.