

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*July 18, 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**

[2019COA108](#)

Court of Appeals No. [18CA0297](#)  
Mesa County District Court No. 16CV30433  
Honorable Brian J. Flynn, Judge

Larry Francis, individual and minority shareholder, Fred Karsten, individual and minority shareholder, and Dennis Kelly, individual and minority shareholder,

Plaintiffs-Appellees,

v.

Camel Point Ranch, Inc., a Colorado corporation,

Defendant-Appellant.

APPEAL DISMISSED

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

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[2019COA109](#)

Court of Appeals No. [18CA1622](#)  
Mesa County District Court No. 18JV50  
Honorable Thomas W. Ossola, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of R.J., M.J., and A.J., children,

and Concerning G.J.J. and M.S.,

Respondents-Appellants.

JUDGMENT AFFIRMED

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

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[2019COA110](#)

Court of Appeals No. [19CA0304](#)  
Pueblo County District Court No. 19MH34  
Honorable Jill S. Mattoon, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of R.F.,

Respondent-Appellant.

ORDER AFFIRMED

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

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 16CA0038  
Arapahoe County District Court No. 14CR2182  
Honorable Elizabeth Beebe Volz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan Arturo Martinez-Torres,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE TAUBMAN  
Grove and Carparelli\*, JJ., concur

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

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Court of Appeals No. 16CA0189  
Larimer County District Court No. 14CR507  
Honorable Thomas R. French, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Dean Clutter,

Defendant-Appellant.

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

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

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

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Court of Appeals No. 16CA1345  
El Paso County District Court No. 15CR4016  
Honorable Marla R. Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Charles Harvey Beckner,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA2194  
Arapahoe County District Court No. 14CR1814  
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jan Kim,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE FOX  
Welling and Davidson\*, JJ., concur

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

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Court of Appeals No. 17CA0083  
Jefferson County District Court No. 16CR191  
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aaron Alden Kenitzer,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA0183  
Arapahoe County District Court No. 14CR475  
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jaiden Timothy Gonzalez,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA0184  
Adams County District Court No. 15CR3529  
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jaron Beau Trujillo,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

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

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

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Court of Appeals No. 17CA0419  
Arapahoe County District Court No. 06CR53  
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alberto Juan Sanchez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 17CA0481  
Adams County District Court No. 08CR1548  
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Levent Ray Kutlak,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE GROVE  
Taubman and Carparelli\*, JJ., concur

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

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Court of Appeals No. 17CA1030  
Jefferson County District Court No. 15CR541  
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ariel Nicole McClellan,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1234  
Jefferson County District Court No. 15CR2544  
Honorable Margie L. Enquist, Judge  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Yolanda Dawn Jiron,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1244  
Douglas County District Court No. 11CR690  
Honorable Shay K. Whitaker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jamaica Jamal Crowe,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA1549  
Jefferson County District Court No. 11CR802  
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Curtis Lewis,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA1789  
City and County of Denver District Court No. 16CV30754  
Honorable David H. Goldberg, Judge

Errol Vermont, as the Personal Representative of the Estate of Valeria Vermont,  
and Errol Vermont, individually,

Plaintiffs-Appellants,

v.

Allstate Insurance Company,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA0292  
Larimer County District Court No. 17CR360  
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew Lynn Johnson,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA0293  
Larimer County District Court No. 17CR462  
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew Lynn Johnson,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA0535  
Board of Assessment Appeals Case No. 69880

Rare Air Limited LLC,

Petitioner-Appellant,

v.

Property Tax Administrator,

Respondent-Appellee,

and

Board of Assessment Appeals,

Appellee.

ORDER AFFIRMED

Division II  
Opinion by JUDGE TERRY  
Pawar and Márquez\*, JJ., concur

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

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Court of Appeals No. 18CA0948  
Jefferson County District Court No. 17DR30603  
Honorable Christie A. Bachmeyer, Judge

In re the Marriage of

Esther B. Clearwaters,

Appellee,

and

Brett Clearwaters,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1017  
El Paso County District Court No. 17CR6336  
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Glunt,

Defendant-Appellant.

APPEAL DISMISSED

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

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

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Court of Appeals No. 18CA1089  
Larimer County District Court No. 10CR1780  
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Curtis Dee Packard,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA1273  
Larimer County District Court No. 05CR1043  
Honorable Daniel J. Kaup, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy Moss,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA1295  
Boulder County District Court No. 03CR1277  
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Wayne Ward,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA1452  
El Paso County District Court No. 17JV1309  
Honorable Timothy J. Schutz, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.G., K.G., V.E., V.B., Children,

and Concerning C.E.,

Respondent-Appellant,

and J.G.,

Respondent-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1469  
Fremont County District Court No. 14DR30036  
Honorable Stephen A. Groome, Judge

In re the Marriage of

Halina Dabrowska,

Appellee,

and

Jan Josef Dabrowski,

Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA1479  
Jefferson County District Court No. 17JV604  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of H.Z., a Child,

and Concerning D.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1496  
Mesa County District Court No. 13CR423  
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Francisco Peralta-Cabral,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA1522  
Lincoln County District Court No. 14CV30  
Honorable Gary M. Kramer, Judge

Robert Mountz,

Plaintiff-Appellant,

v.

Rick Quijada, Matthew Hansen, John Reilly, Brian Graham, and Andy  
Klinkerman,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1625  
Logan County District Court No. 17JV6  
Honorable Carl S. McGuire, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.R. a Child,

and Concerning L.R., Jr.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1629  
City and County of Denver District Court No. 17CV33758  
Honorable David H. Goldberg, Judge

Mohammad Abdullah Alatwa,

Plaintiff-Appellant,

v.

Katherine Joan Burnett-Dotson,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1649  
Park County District Court No. 15DR22  
Honorable Stephen A. Groome, Judge

In re the Marriage of

Certillia Robyn Sturgeon,

Appellee,

and

Shane Wyatt Sturgeon,

Appellant.

ORDER 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)**

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Court of Appeals No. 18CA1656  
El Paso County District Court No. 17JV1116  
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.M.,

Respondent-Appellant.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 18CA1723  
Routt County District Court No. 12DR30001  
Honorable Mary C. Hoak, Judge

In re the Marriage of

Ann E. Bennan,

Appellant,

and

John A. Bennan,

Appellee.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 18CA1827  
Adams County District Court No. 16JV311  
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.P.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUSTICE MARTINEZ\*  
Taubman and Grove, JJ., concur

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

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Court of Appeals No. 18CA1842  
Arapahoe County District Court No. 17JV67  
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1887  
Arapahoe County District Court No. 17CV277  
City and County of Denver District Court No. 18CV432  
Honorable Robert L. McGahey, Jr., Judge

Ronald Jennings Fogle,

Plaintiff-Appellant,

v.

Jared Polis, in his official capacity as Governor of the State of Colorado,

Defendant-Appellee.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA2052  
Chaffee County District Court No. 15JV52  
Honorable Patrick W. Murphy, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning R.R. and K.E.,

Respondents-Appellants.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA2117  
Logan County District Court No. 17JV23  
Honorable Carl S. McGuire, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.B. and R.B., Children,

and Concerning D.R., a/k/a D.B., and R.B. III,

Respondents-Appellants.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA2183  
Alamosa County District Court No. 17JV63  
Honorable Martin A. Gonzales, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.E.H., a Child,

and Concerning A.M.L.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA2403  
Adams County District Court No. 17JV89  
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning R.L., a/k/a R.D.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 19CA0241  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 39763-2018

Joie D. Padovich,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Interim Healthcare  
of Southeast Colorado, Inc.,

Respondents.

ORDER AFFIRMED

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

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

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Court of Appeals No. 19CA0875  
Pueblo County District Court No. 19MH39  
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Chad Angle,

Respondent-Appellant.

ORDER AFFIRMED

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

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

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**MODIFIED OPINIONS**

[2019COA103M](#)

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

Opinion Modified  
On the Court's Own Motion

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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.