

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
August 8, 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**

[2019COA124](#)

Court of Appeals No. [16CA0076](#)  
Mesa County District Court No. 12CR517  
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Douglas Thames,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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ANNOUNCEMENTS  
Colorado Court of Appeals  
August 8, 2019

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[2019COA125](#)

Court of Appeals No. [18CA1145](#)  
Adams County District Court No. 16JV301  
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.B. and S.T-K.,

Respondents-Appellants.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE PAWAR  
Dailey and Casebolt\*, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 15CA1901  
Arapahoe County District Court No. 14CR592  
Honorable Marilyn Leonard Antrim, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jon David Harrington,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE ROTHENBERG\*  
Román and J. Jones, JJ., concur

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

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Court of Appeals No. 15CA2013  
Montezuma County District Court No. 14CR197  
Honorable Douglas S. Walker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Allen D. Dietz,

Defendant-Appellant.

JUDGMENT AND SENTENCE 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. 15CA2150  
Jefferson County District Court Nos. 14CR2891 & 14CR3008  
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jana Janette Bergman,

Defendant-Appellant.

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

Division IV  
Opinion by JUDGE J. JONES  
Román and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 16CA0124  
Rio Blanco County District Court No. 14JD13  
Honorable John F. Neiley, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of B.D.R.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA1246  
Jefferson County District Court No. 15JD533  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.J.M.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA1342  
Adams County District Court No. 14CR2784  
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor Yantas-Suarez,

Defendant-Appellant.

JUDGMENT 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. 17CA0220  
City and County of Broomfield District Court No. 15CR231  
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew Britton,

Defendant-Appellant.

JUDGMENT AFFIRMED

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. 17CA0327  
Boulder County District Court No. 15CR1716  
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ricardo Marin-Gomez,

Defendant-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. 17CA0687  
City and County of Denver District Court No. 08CR6355  
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Puga-Martinez,

Defendant-Appellant.

ORDER 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. 17CA1363  
City and County of Denver District Court No. 10CR5201  
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Darold Norman Hinojos,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE WELLING  
Fox and Freyre, JJ., concur

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

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Court of Appeals No. 17CA1452  
Arapahoe County District Court No. 10CR2582  
Honorable Peter F. Michaelson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Maliek Abdul Bailey,

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. 17CA1497  
Jefferson County District Court No. 12CR1661  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Gess,

Defendant-Appellant.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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. 17CA1782  
City and County of Denver District Court No. 15CR7144  
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy Maniscalco,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA1980  
Weld County District Court Nos. 16CR903, 16CR939, 16CR960 & 16CR1237  
Honorable Timothy G. Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mark Thomas Prentiss,

Defendant-Appellant.

SENTENCES VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE HARRIS  
Tow and Davidson\*, JJ., concur

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

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Court of Appeals No. 17CA2099  
Pitkin County District Court No. 15CV30158  
Honorable Anne K. Norrdin, Judge

Centennial Owners' Association, a Colorado nonprofit corporation,  
Plaintiff-Appellant and Cross-Appellee,

v.

Aspen Pitkin County Housing Authority, a Colorado quasi-municipal  
corporation, and City of Aspen, a home rule municipality,

Defendants-Appellees and Cross-Appellants,

and

Pitkin County Board of County Commissioners,

Defendant-Appellee.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 17CA2172  
Arapahoe County District Court No. 00CR1681  
Honorable Peter F. Michaelson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rudolfo Martinez,

Defendant-Appellant.

SENTENCE VACATED 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. 17CA2333  
El Paso County District Court No. 16CR5211  
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregory Wayne Brown,

Defendant-Appellant.

JUDGMENT 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. 18CA0005  
Larimer County District Court No. 06CR1610  
Honorable Devin R. Odell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Narciso Mendoza-Lopez,

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. 18CA0067  
Arapahoe County District Court No. 15DR31140  
Honorable Lisa Teesch-Maguire, Magistrate

In re the Marriage of

Kristin Trauernicht,

Appellee and Cross-Appellant,

and

Ted W. Trauernicht,

Appellant and Cross-Appellee.

JUDGMENT REVERSED 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. 18CA0514  
Arapahoe County District Court No. 16CV32139  
Honorable John L. Wheeler, Judge

Raelene Tuteur,

Plaintiff-Appellant,

v.

German Car Shoppe LLC and Dustin Lovett,

Defendants-Appellees.

JUDGMENT 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. 18CA1059  
Arapahoe County District Court No. 17CV31811  
Honorable Elizabeth Beebe Volz, Judge

Trey Fernandez,

Plaintiff-Appellant,

v.

Colt Holdings, LLC and Jordan Head,

Defendants-Appellees.

JUDGMENT 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. 18CA1413  
Bent County District Court No. 17CV9  
Honorable Michael Schiferl, Judge

Brandon A. Rankin,

Plaintiff-Appellant,

v.

Dean Williams, Executive Director of the Colorado Department of Corrections,  
Defendant-Appellee.

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. 18CA1537  
City and County of Denver District Court No. 14DR1993  
Honorable Andrew P. McCallin, Judge

In re the Marriage of

Daniel Eugene Wallace,

Appellee,

and

Elizabeth Kristine Miller, f/k/a Elizabeth Kristine Wallace,

Appellant.

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

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. 18CA1776  
Bent County District Court No. 18CV18  
Honorable Michael A. Schiferl, Judge

Thomas J. Simon,

Plaintiff-Appellant,

v.

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

Defendant-Appellee.

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. 19CA0876  
Pueblo County District Court No. 14MH169  
Honorable Jill S. Mattoon, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Gary A. Redmond,

Respondent-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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**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. 17CA0965

Dean Carbajal,

Plaintiff-Appellant,

v.

Kimberly Utesch, Valerie Clark, and Nathan Clark,

Defendants-Appellees.

Petition for Rehearing DENIED

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

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Court of Appeals No. 18CA1008

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Lucky Denny,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 18CA1887

Ronald Jennings Fogle,

Plaintiff-Appellant,

v.

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

Defendant-Appellee.

Petition for Rehearing DENIED

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

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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.