

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
July 11, 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

[2019COA105](#)

Court of Appeals No. [16CA1059](#)
Adams County District Court No. 15CR1862
Honorable Francis C. Wasserman, Judge
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas T. Flynn,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

[2019COA106](#)

Court of Appeals No. [17CA1184](#)
Adams County District Court No. 16CR142
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ruben Jesus Sifuentes,

Defendant-Appellant.

ORDER OF LIMITED REMAND

Division V
Opinion by JUDGE RICHMAN
Tow, J., concurs
Rothenberg*, J., dissents

[2019COA107](#)

Court of Appeals No. [18CA1087](#)
Adams County District Court No. 07CV226
Honorable Edward C. Moss, Judge

Franklin Credit Management Corporation,

Plaintiff-Appellant,

v.

Raul Galvan,

Defendant-Appellee.

ORDERS REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

UNPUBLISHED OPINIONS

Court of Appeals No. 16CA1935
El Paso County District Court No. 16JD95
Honorable G. David Miller, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of B.M.,

Juvenile-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA2140
Otero County District Court No. 14CR217
Honorable Mark A. MacDonnell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Adam Patrick Ashby,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division AC
Opinion by CHIEF JUDGE BERNARD
Davidson* and Vogt*, JJ., concur

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

Court of Appeals No. 17CA0575
Larimer County District Court No. 08CR825
Honorable Devin R. Odell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Luther-Henry Curl,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 17CA1633
Kit Carson County District Court No. 10CV42
Honorable Michael K. Singer, Judge

Patrick Duray Portley-El,

Plaintiff-Appellant,

v.

Chaplain Dycus, Kevin Winslow, Kit Carson Correctional Center, Alison
Morgan, Kim Beicker, and Colorado Department of Corrections,

Defendants-Appellees.

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

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

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

Court of Appeals No. 17CA1814
Adams County District Court No. 15CR3399
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Wright,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 18CA0139
City and County of Denver District Court No. 14CR2231
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Muhammad Rahmaan,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 18CA0370
Arapahoe County District Court No. 14DR30812
Honorable Frederick T. Martinez, Judge

In re the Marriage of

Gina Scheidt Utley,

Appellee,

and

Larry Utley,

Appellant.

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

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

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

Court of Appeals No. 18CA0555
Weld County District Court No. 10CR1111
Honorable Timothy G. Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Simon Salinas,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals Nos. 18CA0912 & 18CA1183
Adams County District Court No. 07CR257
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Lucky Denny,

Defendant-Appellant.

ORDERS AFFIRMED

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

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

Court of Appeals No. 18CA0970
Arapahoe County District Court No. 16DR30871
Honorable Frederick T. Martinez, Judge

In re the Marriage of

Michelle C. Forbes,

Appellee,

and

Angus J. Forbes,

Appellant.

JUDGMENT AFFIRMED IN PART, REVERSED 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)

Court of Appeals No. 18CA1008
Jefferson County District Court No. 93CR1905
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Lucky Denny,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 18CA1041
City and County of Denver Probate Court No. 17PR31575
Honorable Elizabeth D. Leith, Judge

In re the Estate of David Irven Dickey, deceased.

Aregawi Ghebrechristos,

Appellant,

v.

Joan Dickey,

Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 18CA1063
Adams County District Court No. 17CR2708
Honorable Robert W. Kiesnowski Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stanley Joseph Gurule,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 18CA1101
Weld County District Court No. 14DR1221
Honorable W. Troy Hause, Judge

In re the Marriage of

Stephen Preston,

Appellant,

and

Poppy J. Preston,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by CHIEF JUDGE BERNARD
Davidson* and Miller*, JJ., concur

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

Court of Appeals No. 18CA1204
City and County of Denver District Court No. 16CR5751
Honorable A. Bruce Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shawn Scott,

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. 18CA1277
Adams County District Court No. 16JV348
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.J.C. and Z.M.B., Children,

and Concerning D.E.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 18CA1367
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-050-687

Rifle Tequilas, Inc. and Truck Insurance Exchange,

Petitioners,

v.

Industrial Claim Appeals Office of the State of Colorado and Javier Pena
Alvarez,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE DAVIDSON*
Bernard, C.J., and Miller*, J., concur

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

Court of Appeals No. 18CA1642
El Paso County District Court No. 12DR1234
Honorable Tim J. Schutz, Judge

In re the Parental Responsibilities Concerning S.R.H., a Child,

Debra Udden,

Petitioner,

and

Molly Hayes,

Appellant,

and

Randy Hodges and Linda Kay Hodges,

Intervenors-Appellees.

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

Division IV
Opinion by JUDGE MILLER*
Bernard, C.J., and Davidson*, J., concur

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

Court of Appeals No. 18CA1784
Logan County District Court No. 16JV59
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.D., A.D., and Y.D., Children,

and Concerning J.D.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 18CA2120
Adams County District Court No. 17JV247
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of U.R.S., a Child,

and Concerning K.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 19CA0364
Mesa County District Court No. 18CR1436
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Eric Jon Butz,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE FURMAN
Webb and Vogt*, 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. 16CA1180

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert A. Perez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1680

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Crystal Lee Money Penny,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 17CA1653

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Antonio Alexander,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0662

Kevin Trizna,

Plaintiff-Appellant,

v.

Colorado Product Services, LLC, a Colorado limited liability company, Western Slope Land & Holdings, LLC, a Colorado limited liability company, and Sara Johnstone,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0716

Erica Carter, f/k/a Erica Twining, f/k/a Erica Schoneboom,

Plaintiff-Appellee and Cross-Appellant,

v.

Durant Davidson, Esq.; and McDivitt Law Firm, P.C.,

Defendants-Appellants and Cross-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1249

Edward Clutts, a/k/a Edward Allen,

Plaintiff-Appellant,

v.

Warden of Arkansas Valley Correctional Facility and Executive Director of
Colorado Department of Corrections,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1806

Joe R. Dickens,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Wagner Equipment,
and Ace American Insurance Company,

Respondents.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1850

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Pi.T., Pe.T., N.T., J.W-T., Children,

and Concerning N.T.,

Respondent-Appellant.

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.