

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
February 11, 2021*

“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

[2021COA11](#)

Court of Appeals No. [16CA2200](#)

City and County of Denver District Court No. 15CR4481

Honorable William D. Robbins, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Blassingame,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE GROVE
Fox and Harris, JJ., concur

[2021COA12](#)

Court of Appeals No. [17CA1396](#)

Arapahoe County District Court No. 15CR1562

Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Philo Roberts-Bicking,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I

Opinion by JUDGE TOW
Dailey and Berger, JJ., concur

[2021COA13](#)

Court of Appeals No. [18CA1360](#)

City and County of Denver District Court No. 17CR4675

Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Elisa M. Propst,

Defendant-Appellant.

SENTENCE VACATED AND CASE
REMANDED WITH DIRECTIONS

Division A

Opinion by JUDGE FREYRE
Fox and Lipinsky, JJ., concur

[2021COA14](#)

Court of Appeals No. [18CA1879](#)
Jefferson County District Court No. 16CR2934
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shawn Patrick Marston,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE J. JONES
Welling and Gomez, JJ., concur

[2021COA15](#)

Court of Appeals No. [19CA1108](#)
City and County of Broomfield District Court No. 16CV30175
Honorable Emily E. Anderson, Judge

State Farm Mutual Automobile Insurance Company,

Plaintiff-Appellee,

v.

Susan A. Goddard,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BROWN
Bernard, C.J and Vogt*, J., concur

[2021COA16](#)

Court of Appeals No. [19CA2136](#)
Douglas County District Court No. 18DR30367
Honorable Robert Lung, Judge

In re the Marriage of

Cynthia Jean Herold,

Appellee,

and

Kenneth Paul Callison,

Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE ROMÁN
Welling and Brown, JJ., concur

[2021COA17](#)

Court of Appeals No. [19CA2234](#)
City and County of Denver District Court No. 19CV33147
Honorable Morris B. Hoffman, Judge

Tug Hill Marcellus LLC, Radler 2000 LP, and Chief Exploration & Development
LLC,

Petitioners-Appellants,

v.

BKV Chelsea LLC,

Respondent-Appellee.

APPEAL DISMISSED

Division VI
Opinion by JUDGE LIPINSKY
Richman and Pawar, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA0082
Boulder County District Court No. 15CR885
Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Lee Gebers,

Defendant-Appellant.

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

Division V
Opinion by JUDGE J. JONES
Pawar, J., concurs
Berger, J., concurs in part and dissents in part

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

Court of Appeals No. 17CA1742
Larimer County District Court No. 16CR308
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tolentino Corzo-Avendano,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ROMÁN
Welling and Brown, JJ., concur

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

Court of Appeals No. 17CA1940
Arapahoe County District Court No. 15CR2400
Honorable Andrew Baum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Melissa Heather King,

Defendant-Appellant.

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

Division II
Opinion by JUDGE ROMÁN
Tow and Pawar, JJ., concur

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

Court of Appeals No. 17CA2055
Jefferson County District Court No. 16CR3226
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Ray Lile,

Defendant-Appellant.

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

Division III
Opinion by JUDGE ROMÁN
Dunn and Graham*, JJ., concur

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

Court of Appeals No. 18CA0708
Mesa County District Court No. 17CR693
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward Steven Allen,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE PAWAR
Richman and Lipinsky, JJ., concur

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

Court of Appeals No. 18CA1150
City and County of Denver District Court No. 17CR585
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tania Judith Ordonez-Perez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE ROMÁN
Welling and Brown, JJ., concur

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

Court of Appeals No. 18CA1213
Arapahoe County District Court No. 17CR1245
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas David Osland,

Defendant-Appellant.

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

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

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

Court of Appeals No. 18CA1217
Alamosa County District Court Nos. 16CR579 & 17CR25
Honorable Michael A. Gonzales, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angel Luis Nieto,

Defendant-Appellant.

SENTENCE AND ORDER AFFIRMED

Division VI
Opinion by JUDGE LIPINSKY
Richman and Pawar, JJ., concur

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

Court of Appeals No. 18CA1425
Douglas County District Court No. 17CR841
Honorable Paul A. King, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jessica Hayde Norton,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FREYRE
Furman and Johnson, JJ., concur

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

Court of Appeals No. 18CA1456
Larimer County District Court No. 17CR679
Honorable Devin R. Odell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Craig Duane Muhlenbruck,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE DUNN
Terry and Gomez, JJ., concur

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

Court of Appeals No. 18CA1517
Jefferson County District Court No. 17CR1437
Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leonard Joe Campos,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE GOMEZ
Terry and Dunn, JJ., concur

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

Court of Appeals No. 18CA1859
Mesa County District Court No. 18CR359
Honorable Gretchen B. Larson, Judge
Honorable Stephen M. Munsinger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jesus Villarruel,

Defendant-Appellant.

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

Division V
Opinion by JUDGE BERGER
J. Jones, J., concurs
Pawar, J., dissents

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

Court of Appeals No. 18CA2237
Jefferson County District Court No. 05CR992
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angelo Emilio Montoya,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE BERGER
J. Jones and Pawar, JJ., concur

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

Court of Appeals No. 18CA2391
Jefferson County District Court No. 18CR16
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Chavez-Tellez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FOX
Harris and Grove, JJ., concur

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

Court of Appeals No. 19CA0830
El Paso County District Court No. 14CR5383
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Lee Montoya, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE JOHNSON
Furman and Freyre, JJ., concur

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

Court of Appeals No. 19CA0882
Weld County District Court No. 17JD180
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of G.R.,

Juvenile-Appellant.

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

Division A
Opinion by JUDGE DUNN
Bernard, C.J. and Tow, J., concur

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

Court of Appeals No. 19CA0918
El Paso County District Court No. 17CR5707
Honorable Erin Sokol, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marisa Gail Garrett,

Defendant-Appellant.

ORDER VACATED

Division IV
Opinion by JUDGE TERRY
Dunn and Gomez, JJ., concur

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

Court of Appeals No. 19CA0966
Adams County District Court No. 18CR2355
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ryan William Clouse,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE GROVE
Fox and Harris, JJ., concur

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

Court of Appeals No. 19CA1424
Arapahoe County District Court No. 17CV30100
Honorable John L. Wheeler, Judge

Vincent Beer,

Plaintiff-Appellee and Cross-Appellant,

v.

Michael Radermacher and R & B Properties LLC,

Defendants-Appellants and Cross-Appellees.

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

Division III
Opinion by JUDGE FREYRE
Furman and Johnson, JJ., concur

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

Court of Appeals No. 19CA1527
Weld County District Court No. 18CV30159
Honorable Todd L. Taylor, Judge

Clint Munoz,

Plaintiff-Appellant,

v.

Employment Solutions Personnel Services, Inc.,

Defendant-Appellee.

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

Division I
Opinion by JUDGE DAILEY
Berger and Tow, JJ., concur

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

Court of Appeals No. 19CA1884
Boulder County District Court No. 19DR30113
Honorable Thomas F. Mulvahill, Judge

In re the Marriage of

Christopher Summers,

Appellee,

v.

Laurie Summers,

Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE LIPINSKY
Richman and Pawar, JJ., concur

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

Court of Appeals No. 19CA1937
City and County of Denver District Court No. 17CV30039
Honorable Kandace C. Gerdes, Judge

Chad Blackman,

Plaintiff-Appellant,

v.

Ensign United States Drilling, Inc.,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE VOGT*
Berger and Tow, JJ., concur

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

Court of Appeals No. 20CA0119
Montezuma County District Court No. 19CV30055
Honorable Douglas S. Walker, Judge

Jacqueline Oderkirk and Estate of Donald Franklin Oderkirk,
Plaintiffs-Appellants,

v.

Denise Louise Oderkirk Ryan and Michael Thomas Oderkirk Lewis,
Defendants-Appellees.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE BERGER
Richman and Pawar, JJ., concur

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

Court of Appeals No. 20CA0190
Jefferson County District Court No. 13CR437
Honorable Christie A. Bachmeyer, Judge

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

v.

Marco Antonio Popovich,
Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE GROVE
Fox and Harris, JJ., concur

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

Court of Appeals No. 20CA0339
Jefferson County District Court No. 00CR2044
Honorable Christopher C. Zenisek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juvenicia Townsend-Ingram,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE TERRY
Dunn and Gomez, JJ., concur

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

Court of Appeals No. 20CA0380
El Paso County District Court No. 18JV266
Honorable David Shakes, Judge

The People of the State of Colorado,

Appellee,

in the Interest of Am.C., Ar.C., J.C., M.C., I.C. and T.T., Children,

and Concerning A.L. and C.C.,

Appellants.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Freyre and Johnson, JJ., concur

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

Court of Appeals No. 20CA0871
Larimer County District Court No. 18JV348
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning G.V.,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by CHIEF JUDGE BERNARD
Vogt* and Graham*, JJ., concur

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

Court of Appeals No. 20CA0953
Jefferson County District Court No. 18JV884
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.I.B. and J.P.B., Children,

and Concerning J.B.,

Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE VOGT*
Bernard, C.J., and Graham*, J., concur

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

Court of Appeals No. 20CA1172
Mesa County District Court No. 19JV377
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.B.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
J. Jones and Yun, JJ., concur

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

Court of Appeals No. 20CA1236
Montrose County District Court No. 18JV18
Honorable D. Cory Jackson, Judge

The People of the State of Colorado,

Appellee,

in the Interest of C.S-G. and N.W., Children,

and Concerning T.G.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Freyre and Johnson, JJ., concur

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

Court of Appeals No. 20CA1310
Industrial Claim Appeals Office of the State of Colorado
DD No. 13840-2020

Amanda M. Hall,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and SSR Enterprises,
Inc., d/b/a The Perfect Landing,

Respondents.

ORDER AFFIRMED

Division VI
Opinion by JUDGE RICHMAN
Lipinsky and Pawar, JJ., concur

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

Court of Appeals No. 20CA1314
Mesa County District Court No. 19JV19
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Appellee,

In the Interest of S.D.A.C., a Child,

and Concerning D.C.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA1332
Delta County District Court No. 15DR62
Honorable Steven L. Schultz, Judge

In re the Marriage of

Andrea Dawn Davignon,

Appellant,

v.

Caleb Daniel Davignon,

Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUDGE LIPINSKY
Richman and Pawar, JJ., concur

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

Court of Appeals No. 20CA1367
Adams County District Court No. 19JV66
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning L.E.E.,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE DUNN
Terry and Gomez, JJ., concur

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

Court of Appeals No. 20CA1401
Arapahoe County District Court No. 18JV724
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning C.P.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE YUN
J. Jones and Navarro, JJ., concur

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

Court of Appeals No. 20CA1419
City and County of Denver Juvenile Court No. 19JV548
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of N.L.K., a Child,

and Concerning S.C.Y.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE GOMEZ
Terry and Dunn, JJ., concur

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

Court of Appeals No. 20CA1492
El Paso County District Court No. 18JV1382
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of I.G., a Child,

and Concerning J.F.,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE BROWN
Román and Welling, JJ., concur

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

Court of Appeals No. 20CA1495
Industrial Claim Appeals Office of the State of Colorado
DD No. 14287-2020

Baron Investments, LLC,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Patricia A. Jacobs,

Respondents.

ORDER AFFIRMED

Division VI
Opinion by JUDGE PAWAR
Richman and Lipinsky, 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. 18CA1605

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Debra Kay Weimer-Clark,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA1158

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher C. White,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA2300

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas C. Neilsen,

Defendant-Appellant.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

[2020COA172M](#)

Court of Appeals No. [19CA1676](#)

City and County of Denver District Court No. 19CV30267

Honorable Eric M. Johnson, Judge

Amanda Ansel,

Plaintiff-Appellant,

v.

State Department of Human Services,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE TOW
Navarro and Lipinsky, JJ., concur

Opinion Modified
On the Court's Own Motion

Announced December 17, 2020

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2020.