

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*June 24, 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**

[2021COA85](#)

Court of Appeals No. [17CA1328](#)  
Boulder County District Court No. 15CR1974  
Honorable Maria E. Berkenkotter, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carri Lyn Daley,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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ANNOUNCEMENTS  
Colorado Court of Appeals  
June 24, 2021

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[2021COA86](#)

Court of Appeals No. [19CA2273](#)

El Paso County District Court Nos. 18JD915 & 18JD1115

Honorable Shannon Gerhart, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of B.H.,

Juvenile-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division A  
Opinion by JUDGE GROVE  
Bernard, C.J., and Richman, J., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 18CA0113  
Mesa County District Court No. 16CR5792  
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor Rodriguez,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division I  
Opinion by JUDGE ROTHENBERG\*  
Dailey and Yun, JJ., concur

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

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Court of Appeals No. 18CA0484  
Jefferson County District Court No. 16CR1251  
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Zachary Vincent Myers,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA0707  
Arapahoe County District Court No. 17CR26  
Honorable Ben L. Leutwyler III, Judge

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

v.

Darallis Trone Bell,  
  
Defendant-Appellant.

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

Division II  
Opinion by JUDGE HARRIS  
Román and Lipinsky, JJ., concur

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

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Court of Appeals No. 18CA0776  
Arapahoe County District Court No. 16CR3397  
Honorable Ben L. Leutwyler III, Judge

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

v.

David Alberto Garcia,  
  
Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE TOW  
Furman and Gomez, JJ., concur

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

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Court of Appeals No. 18CA1796  
City and County of Denver District Court No. 17CR3065  
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas A. Moore,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1983  
Arapahoe County District Court No. 16CR3140  
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tyler Lee McGrew,

Defendant-Appellant.

JUDGMENT REVERSED

Division IV  
Opinion by JUDGE BROWN  
Navarro and Martinez\*, JJ., concur

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

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Court of Appeals No. 18CA2424  
Adams County District Court No. 18CR631  
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Alan Yost,

Defendant-Appellant.

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

Division III  
Opinion by JUDGE TOW  
Furman and Gomez, JJ., concur

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

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Court of Appeals No. 19CA0085  
Arapahoe County District Court No. 18CR1057  
Honorable Ben L. Leutwyler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dawn Marie Bills,

Defendant-Appellant.

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

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

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

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Court of Appeals No. 19CA0634  
El Paso County District Court No. 18CR3370  
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan Robert Bailey,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE GROVE  
J. Jones and Johnson, JJ., concur

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

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Court of Appeals No. 19CA0752  
El Paso County District Court No. 10CR358  
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Levi Alger,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE GROVE  
J. Jones and Johnson, JJ., concur

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

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Court of Appeals No. 19CA0769  
El Paso County District Court No. 18CR3974  
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Callejas-Avarado,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUSTICE MARTINEZ\*  
Navarro and Brown, JJ., concur

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

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Court of Appeals No. 19CA0797  
Jefferson County District Court No. 04CR1062  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alarico Medina,

Defendant-Appellant.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE PAWAR  
Fox and Dunn, JJ., concur

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

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Court of Appeals No. 19CA0896  
Mesa County District Court No. 01CR486  
Honorable James B. Boyd, Judge

The People of the State of Colorado,  
Plaintiff-Appellant and Cross-Appellee,

v.

Verle James Mangum,  
Defendant-Appellee and Cross-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE GOMEZ  
Furman and Tow, JJ., concur

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

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Court of Appeals No. 19CA1194  
Adams County District Court Nos. 18CR2885, 18CR2975 & 18CR3555  
Honorable Sharon D. Holbrook, Judge

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

v.

Ronnie Darnell Bunch,  
Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 19CA1664  
Larimer County District Court No. 14CR1680  
Honorable Stephen E. Howard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Louis Bensen,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 20CA0295  
City and County of Denver District Court No. 96CR3140  
Honorable Karen L. Brody, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bobby Dewayne Hicks,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 20CA0296  
El Paso County District Court No. 19DR30323  
Honorable Erin L. Sokol, Judge

In re the Marriage of

Richard C. Vincent,

Appellant,

and

Kathleen B. Vincent, n/k/a Kathleen B. Kennedy,

Appellee.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE LIPINSKY  
Román and Harris, JJ., concur

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

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Court of Appeals No. 20CA0429  
Alamosa County District Court No. 16CR148  
Honorable Martin A. Gonzales, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Adam L. Acosta,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUSTICE MARTINEZ\*  
Bernard, C.J., and Vogt\*, J., concur

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

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Court of Appeals No. 20CA0467  
Weld County District Court No. 18CR1717  
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Pierson,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE VOGT\*  
Bernard, C.J., and Martinez\*, J., concur

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

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Court of Appeals No. 20CA0512  
Weld County District Court No. 18DR628  
Honorable Kimberly Schutt, Judge

In re the Parental Responsibilities Concerning O.K. and S.K., Children,  
and Concerning Nathan Knuth,

Appellant,

and

Andrea Sandoval,

Appellee.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE NAVARRO  
Brown and Vogt\*, JJ., concur

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

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Court of Appeals No. 20CA0519  
El Paso County District Court No. 18CR801  
Honorable Jann P. Dubois, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Patrick Peschong,

Defendant-Appellee.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by CHIEF JUDGE BERNARD  
Vogt\* and Taubman\*, JJ., concur

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

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Court of Appeals No. 20CA0701  
Boulder County District Court No. 12DR446  
Honorable Norma A. Sierra, Judge

In re the Marriage of

Carter Vincent Brown,

Appellee,

and

Cynthia Marvell-Brown,

Respondent,

and Concerning Leslie Kandell,

Intervenor-Appellant.

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

Division VII  
Opinion by JUDGE DUNN  
Fox and Pawar, JJ., concur

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

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Court of Appeals No. 20CA0733  
Fremont County District Court No. 11CR6  
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stevie Brown,

Defendant-Appellant.

ORDERS AFFIRMED

Division VII  
Opinion by JUDGE FOX  
Dunn and Pawar, JJ., concur

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

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Court of Appeals No. 20CA1168  
Larimer County District Court No. 20CR99  
Honorable Susan J. Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

John A. Raftery,

Defendant-Appellee.

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

Division I  
Opinion by JUDGE WELLING  
Grove, J., concurs  
Dailey, J., specially concurs

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

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Court of Appeals No. 20CA1338  
Douglas County District Court No. 08JV35  
Honorable H. Clay Hurst, Judge

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

and Concerning J.L.E.,

Appellant,

and

J.J.H.,

Appellee.

APPEAL DISMISSED

Division IV  
Opinion by JUDGE VOGT\*  
Navarro and Brown, JJ., concur

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

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Court of Appeals No. 20CA1468  
Douglas County District Court No. 18DR30102  
Honorable Andrew Baum, Judge

In re the Marriage of

Christopher Hodyl,

Appellee,

and

Martine Bernard,

Appellant.

ORDERS AFFIRMED

Division II  
Opinion by JUDGE LIPINSKY  
Román and Harris, JJ., concur

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

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Court of Appeals No. 20CA1799  
City and County of Denver Juvenile Court No. 19JV1547  
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.N.M. and K.E.M., Children,

and Concerning E.P.M.,

Appellant,

and

D.N.M.,

Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE ROMÁN  
Harris and Lipinsky, JJ., concur

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

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Court of Appeals No. 20CA1861  
El Paso County District Court No. 18JV1284  
Honorable Robin L. Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.B.,

Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE PAWAR  
Fox and Dunn, JJ., concur

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

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Court of Appeals No. 20CA1862  
Larimer County District Court No. 18JV159  
Honorable Julie Kunce Field, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning T.E.,

Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE DAILEY  
Freyre and Yun, JJ., concur

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

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Court of Appeals No. 20CA1940  
City and County of Denver Juvenile Court No. 19JV535  
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R.M.H-J. II, M.S-L.S., and E.J.E, Children,

and Concerning F.P.S. and R.D.H-J.,

Appellants.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUSTICE MARTINEZ\*  
Navarro and Brown, JJ., concur

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

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Court of Appeals No. 20CA2006  
El Paso County District Court No. 18JV257  
Honorable Jessica Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning G.M.,

Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE GOMEZ  
Furman and Tow, JJ., concur

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

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Court of Appeals No. 20CA2029  
El Paso County District Court No. 18JV758  
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning P.M.,

Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE YUN  
Dailey and Freyre, JJ., concur

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

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Court of Appeals No. 21CA0417  
Pueblo County District Court No. 21MH85  
Honorable Allison P. Ernst, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Jesse Orvedahl,

Respondent-Appellant.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE BROWN  
Navarro and Taubman\*, JJ., concur

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

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Court of Appeals No. 21CA0507  
Pueblo County District Court No. 21MH89  
Honorable Allison P. Ernst, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Jeff Anthony Benedetti,

Respondent-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE GOMEZ  
Furman and Tow, JJ., concur

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

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Court of Appeals No. 21CA0545  
Pueblo County District Court No. 20MH301  
Honorable Allison P. Ernst, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.R.,

Respondent-Appellant.

ORDER AFFIRMED

Division I  
Opinion by JUDGE YUN  
Dailey and Freyre, 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. 19CA0569

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry Eugene Fuller,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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**MODIFIED OPINIONS**

[2021COA78M](#)

Court of Appeals No. [19CA2052](#)

City and County of Denver District Court No. 18CV32628

Honorable Kandace C. Gerdes, Judge

Briargate at Seventeenth Avenue Owners Association, a Colorado non-profit corporation,

Plaintiff-Appellee,

v.

John G. Nelson,

Defendant-Appellant.

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

Division I  
Opinion by JUDGE DAILEY  
Freyre and Yun, JJ., concur

Opinion Modified  
on the Court's Own Motion

Announced June 3, 2021

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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. 2020.