

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
October 14, 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.

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA2135
Larimer County District Court No. 16CR1247
Honorable Gregory M. Lammons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tanner George Flores,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Lipinsky and Brown, JJ., concur

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

Court of Appeals No. 18CA0376
City and County of Denver District Court No. 16CR5271
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David K. Willis,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE ROMÁN
Berger and Yun, JJ., concur

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

Court of Appeals No. 18CA0656
Jefferson County District Court No. 17CR59
Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ah Jung,

Defendant-Appellant.

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

Division VII
Opinion by JUDGE NAVARRO
Pawar and Martinez*, JJ., concur

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

Court of Appeals No. 18CA0658
Eagle County District Court No. 99CR35
Honorable Russell H. Granger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rene Jean Moroe,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE GROVE
Navarro and Pawar, JJ., concur

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

Court of Appeals No. 18CA0774
City and County of Denver District Court No. 17CR84
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew A. Trujillo,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ROMÁN
Yun and Hawthorne*, JJ., concur

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

Court of Appeals No. 18CA0960
Boulder County District Court No. 17CR930
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hugo Armando Arceo,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 18CA1799
Jefferson County District Court No. 17CR472
Honorable Christopher C. Zenisek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph William Barela,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE HAWTHORNE*
Román and Yun, JJ., concur

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

Court of Appeals No. 18CA2013
La Plata County District Court No. 17CR405
Honorable Suzanne F. Carlson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Preston J. Reed,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE TAUBMAN*
Navarro and Pawar, JJ., concur

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

Court of Appeals No. 18CA2056
El Paso County District Court No. 17CR5194
Honorable Scott Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marisa Gail Garrett,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE DUNN
Dailey and Kuhn, JJ., concur

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

Court of Appeals No. 19CA0160
Jefferson County District Court No. 17CR3551
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond Donald Clark,

Defendant-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 19CA0716
City and County of Denver District Court No. 17CR3744
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dea Jenkins Cooper,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE YUN
Román and Hawthorne*, JJ., concur

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

Court of Appeals No. 19CA0977
Jefferson County District Court No. 18CR2874
Honorable Chris Bachmeyer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott Allen Pierce,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE GROVE
Navarro and Pawar, JJ., concur

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

Court of Appeals No. 19CA1113
Weld County District Court No. 17CR3064
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Michael Stevens,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ROMÁN
Yun and Hawthorne*, JJ., concur

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

Court of Appeals No. 19CA1390
City and County of Denver District Court No. 17CR615
Honorable Shelly I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Keith L. Lamabull,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Lipinsky and Brown, JJ., concur

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

Court of Appeals No. 19CA1624
Mesa County District Court No. 18CR1831
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Beth Ann Smith,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE FREYRE
J. Jones and Tow, JJ., concur

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

Court of Appeals No. 20CA0327
Arapahoe County District Court No. 18DR107
Honorable Peter F. Michaelson, Judge

In re the Marriage of

Tony Delk, Jr.,

Appellant and Cross-Appellee,

and

Kathleen Delk, n/k/a O'Connell,

Appellee and Cross-Appellant,

and Concerning Arapahoe County Department of Human Services,

Intervenor-Appellee.

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

Division III
Opinion by JUDGE FURMAN
Tow and Gomez, JJ., concur

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

Court of Appeals No. 20CA0386
El Paso County District Court No. 19CV274
Honorable G. David Miller, Judge

Jackie Allen Cole,

Plaintiff-Appellant,

v.

Bill Elder, Janet King, and Deputy Richardson,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Navarro and Grove, JJ., concur

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

Court of Appeals No. 20CA0426
Weld County District Court No. 16CR2144
Honorable Timothy G. Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Traci Dean Evans,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Harris and Vogt*, JJ., concur

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

Court of Appeals Nos. 20CA0510 & 20CA0511
Larimer County District Court Nos. 10CR1651 & 12CR233
Honorable Kenneth M. Plotz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chester Lee Reneau,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE HAWTHORNE*
Román and Yun, JJ., concur

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

Court of Appeals No. 20CA0565
La Plata County District Court No. 16CR226
Honorable William L. Herringer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alvin Noel Flores,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Navarro and Grove, JJ., concur

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

Court of Appeals No. 20CA0865
Douglas County District Court No. 18CV45
Honorable Jeffrey K. Holmes, Judge

Premises Parker Warehouse Condominium Association, Inc.,

Plaintiff-Appellee,

v.

Ray Brien,

Defendant-Appellant.

ORDERS AFFIRMED

Division V
Opinion by JUDGE VOGT*
Harris and Gomez, JJ., concur

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

Court of Appeals No. 20CA1028
El Paso County District Court No. 19DR30427
Honorable Michael P. McHenry, Judge

In re the Marriage of

Agnes Meszaros,

Appellee,

and

Danny D. Schmedeman,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE VOGT*
Harris and Gomez, JJ., concur

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

Court of Appeals No. 20CA1206
Arapahoe County District Court No. 20CV30029
Honorable Frederick T. Martinez, Judge

Viatcheslav Bakhour,

Plaintiff-Appellee,

v.

One Step Academy, LLC, a Colorado limited liability company,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE NAVARRO
Grove and Pawar, JJ., concur

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

Court of Appeals No. 20CA1221
Jefferson County District Court No. 18DR30887
Honorable Philip J. McNulty, Judge

In re the Marriage of

Anita M. Springsteen,

Appellant,

and

Evan A. Brown,

Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA1265
Mesa County District Court No. 15CV30806
Honorable Valerie J. Robison, Judge

Roy C. Compton,

Plaintiff-Appellant,

v.

Donal D. Compton, Jr.,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE J. JONES
Freyre and Tow, JJ., concur

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

Court of Appeals No. 20CA1336
Arapahoe County District Court No. 20CV30872
Honorable Elizabeth Beebe Volz, Judge

Darin Gonzales,

Plaintiff-Appellee,

v.

City of Englewood, d/b/a Pirates Cove Family Aquatic Center,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE YUN
Román and Hawthorne*, JJ., concur

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

Court of Appeals No. 20CA1686
Mesa County District Court No. 18DR552
Honorable Lance P. Timbreza, Judge

In re the Marriage of

Mary Coffey-McCarthy, n/k/a Mary Elizabeth Coffey,

Appellant,

and

Robert McCarthy,

Appellee.

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

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

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

Court of Appeals No. 20CA2017
City and County of Denver Juvenile Court No. 20JV713
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of T.C., Jr., a Child,

and Concerning L.N.P.,

Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE FREYRE
Dailey and Yun, JJ., concur

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

Court of Appeals Nos. 21CA0022 & 21CA0151
Adams County District Court Nos. 18JV257 & 19JV357
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

In the Interest of S.L-T. and N.L-T., Children,

and Concerning N.L.,

Appellant.

APPEAL DISMISSED IN PART
AND JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0051
Weld County District Court No. 19JV129
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning B.A.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Dunn and Kuhn, JJ., concur

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

Court of Appeals No. 21CA0073
Mesa County District Court No. 18DR589
Honorable Charles R. Greenacre, Judge

In re the Marriage of

Sherise Marie Jimenez,

Appellee,

and

Kaiden Buys Giles,

Appellant,

and Concerning the Mesa County Department of Human Services, Division of
Child Support Enforcement, Intervenor,

and

R.G., a Child.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Navarro and Grove, JJ., concur

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

Court of Appeals Nos. 21CA0129 & 21CA0130
Arapahoe County District Court Nos. 19JV60 & 19JV983
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Appellee,

In the Interest of C.D., An.T., and Al.T., Children,

and Concerning L.T., Jr. and K.T., a/k/a K.D.,

Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE J. JONES
Freyre and Tow, JJ., concur

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

Court of Appeals No. 21CA0256
Weld County District Court No. 20JV50
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.M.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DUNN
Dailey and Kuhn, JJ., concur

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

Court of Appeals No. 21CA0287
Alamosa County District Court No. 19JV68
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.L.I., A.L.I., Jr., and L.S.I., Children,

and Concerning S.R.L.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0304
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-062-753

Tamra Tully,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Southwest Health
Systems, Inc., and CHA Trust,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA0347
Mesa County District Court No. 19JV295
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.W. and K.A.W., Jr., Children,

and Concerning K.W. and A.B.,

Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE KUHN
Dailey and Dunn, JJ., concur

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

Court of Appeals No. 21CA0480
Adams County District Court No. 19JV133
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.M.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TOW
J. Jones and Freyre, 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. 18CA0488

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Anthony Draper,

Defendant-Appellant.

Petitions for Rehearing DENIED

Court of Appeals No. 19CA1226

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Maurice Antwan Palmer,

Defendant-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. 2020.