

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*April 1, 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**

[2021COA40](#)

Court of Appeals No. [18CA0284](#)  
El Paso County District Court No. 17CR2370  
Honorable Gregory R. Werner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Patrick Mitchell Zimmer,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED,  
AND CASE REMANDED WITH DIRECTIONS

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

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[2021COA41](#)

Court of Appeals No. [18CA1747](#)

Arapahoe County District Court No. 16CR1743

Honorable Phillip L. Douglass, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott Michael Bowers,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE RICHMAN  
Lipinsky and Vogt\*, JJ., concur

Prior Opinion Announced February 18, 2021, WITHDRAWN

OPINION PREVIOUSLY ANNOUNCED AS “NOT PUBLISHED  
PURSUANT TO C.A.R. 35(e)” ON FEBRUARY 18, 2021, IS  
NOW DESIGNATED FOR PUBLICATION

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[2021COA42](#)

Court of Appeals No. [19CA1117](#)  
Weld County District Court No. 15CR2320  
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan Carlos Argott,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by CHIEF JUDGE BERNARD  
Graham\* and Taubman\*, JJ., concur

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[2021COA43](#)

Court of Appeals Nos. [19CA2125](#), [19CA2126](#), [19CA2127](#), [19CA2128](#),  
[19CA2129](#), [19CA2130](#), [19CA2131](#), [19CA2132](#), [19CA2133](#) & [19CA2134](#)  
Logan County District Court Nos. 19CV81, 19CV82, 19CV83, 19CV84,  
19CV85, 19CV86, 19CV87, 19CV88, 19CV89 & 19CV90  
Honorable Carl S. McGuire, III, Judge

Calvin Johnson,

Plaintiff-Appellant,

v.

Toohey, Cyrus Clarkson, Glissman, Cartwright, Williams Scott, Sarah E.  
Butler, Josh Dorcey, Long, Scott, and Josh Dorcey,

Defendants-Appellees.

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

Division A  
Opinion by CHIEF JUDGE BERNARD  
Davidson\* and Casebolt\*, JJ., concur

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[2021COA44](#)

Court of Appeals No. [19CA2251](#)

Boulder County District Court No. 18CV30807

Honorable Nancy W. Salomone, Judge

Save Our Saint Vrain Valley, Inc., a Colorado nonprofit corporation; Amanda Dumenigo; Richard Cargill; Barbara Cargill; and Matt Condon,

Plaintiffs-Appellants,

v.

Boulder County Board of Adjustment, the duly authorized administrative body of a political subdivision of the State of Colorado; Dale Case, in his official capacity as Director of the Boulder County Land Use Department; and Martin Marietta Materials, Inc., a North Carolina corporation,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUSTICE MARTINEZ\*  
Berger and Tow, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 17CA0770  
Jefferson County District Court No. 15CR3235  
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan Dovann Chavez-Munoz,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1976  
City and County of Denver District Court No. 16CR2331  
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aliuber A. Felix,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA0116  
City and County of Denver District Court No. 16CV34274  
Honorable Jay S. Grant, Judge

Neighbors Affected by Triple Creek,

Plaintiff-Appellant and Cross-Appellee,

v.

Colorado Oil and Gas Conservation Commission,

Defendant-Appellee and Cross-Appellant,

and

Colorado Oil and Gas Association,

Intervenor Appellee and Cross-Appellant,

and

Extraction Oil and Gas, Inc.,

Intervenor-Appellee.

JUDGMENT AFFIRMED IN PART  
AND REVERSED IN PART

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. 18CA1237  
Delta County District Court No. 11CR3  
Honorable Steven L. Schultz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathan Jude Yager,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1299  
Adams County District Court No. 09CR2309  
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Andrew Curtis,

Defendant-Appellant.

ORDERS AFFIRMED

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

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

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Court of Appeals No. 18CA1847  
City and County of Denver District Court No. 17CR2694  
Honorable Kenneth M. Laff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert M. Perea,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by CHIEF JUDGE BERNARD  
Davidson\* and Taubman\*, JJ., concur

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

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Court of Appeals No. 18CA2148  
Adams County District Court Nos. 17CR1693 & 17CR1828  
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Elias Paul Trujillo,

Defendant-Appellant.

JUDGMENTS AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE RICHMAN  
Lipinsky, J., concurs  
Pawar, J., dissents

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

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Court of Appeals No. 19CA0414  
Gunnison County District Court No. 18CR65  
Honorable J. Steven Patrick, Judge

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

v.

Stephaine Jackson,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division A  
Opinion by JUDGE RICHMAN  
Tow and Lipinsky, JJ., concur

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

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Court of Appeals No. 19CA0591  
Mesa County District Court No. 17CR560  
Honorable Richard T. Gurley, Judge

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

v.

Preston Edward Blackwood,

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. 19CA1593  
Mesa County District Court No. 13CR1336  
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Allen Jompp,

Defendant-Appellant.

SENTENCE AFFIRMED

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

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

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Court of Appeals No. 19CA1718  
City and County of Denver District Court No. 17CV31757  
Honorable Kandace C. Gerdes, Judge

Oklahoma Police Pension and Retirement System, Individually and on Behalf of  
All Others Similarly Situated,

Plaintiff-Appellant,

v.

Jagged Peak Energy Inc., Joseph N. Jagers, Robert W. Howard, Shonn D.  
Stahlecker, Charles D. Davison, S. Wil Vanloh, Jr., Blake A. Webster, Citigroup  
Global Markets Inc., Credit Suisse Securities (USA) LLC, J.P. Morgan Securities  
LLC, Goldman, Sachs & Co., RBC Capital Markets, LLC, Wells Fargo  
Securities, LLC, UBS Securities LLC, Keybank Capital Markets, Inc., ABN  
AMRO Securities (USA) LLC, Fifth Third Securities, Inc., Petrie Partners  
Securities, LLC, Tudor, Pickering, Holt & Co. Securities, Inc., BMO Capital  
Markets Corp., Deutsche Bank Securities Inc., Evercore Group L.L.C., and  
Scotia Capital (USA) Inc.,

Defendants-Appellees.

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

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

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

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Court of Appeals No. 19CA2178  
Boulder County District Court No. 19CV30759  
Honorable Thomas F. Mulvahill, Judge

Niall O'Toole; Mary Anne Carroll; Renala Condominium Association, Inc.;  
Thomas J. McWilliams; and M3 Investments, LLC,

Plaintiffs-Appellants,

v.

Boulder and White Rock Ditch and Reservoir Company; 2150 Folsom, LLC; and  
James P. Tyrrell,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE RICHMAN  
Lipinsky and Casebolt\*, JJ., concur

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

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Court of Appeals No. 19CA2293  
City and County of Denver District Court No. 18CV031404  
Honorable David H. Goldberg, Judge

Larson Front Range Farms, LLC, a Colorado limited liability company; and  
Donna M. Larson, Individually and as personal representative for Ivar W.  
Larson, deceased,

Plaintiffs-Appellants,

v.

Colorado Oil and Gas Conservation Commission and Extraction Oil & Gas,  
Inc., a Delaware corporation,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 20CA0026  
El Paso County District Court No. 18DR30906  
Honorable Marla Prudek, Judge

In re the Marriage of

Nathaniel Mark Giffin,

Appellant,

and

Torie Lynn Giffin,

Appellee.

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

Division V  
Opinion by JUDGE J. JONES  
Navarro and Yun, JJ., concur

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

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Court of Appeals No. 20CA0112  
Eagle County District Court No. 17CV23  
Honorable Russell H. Granger, Judge

Joseph H. Johns,

Plaintiff-Appellant,

v.

Karen Freeman, Joan Harned, Tom Harned, Beverly H. Trout, Teryl J.  
Limbocker, Leslie L. Grooters, Will I. Lewis III, Kerry E. Brown, and Kevin M.  
Kuebert,

Defendants,

and

Mountain Partners Real Estate, LLC, a Colorado limited liability company,

Defendant-Appellee.

JUDGMENT AND ORDERS AFFIRMED

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

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

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Court of Appeals No. 20CA1313  
Arapahoe County District Court No. 18JV613  
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.L.,

Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE CASEBOLT\*  
Richman and Lipinsky, JJ., concur

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

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Court of Appeals No. 20CA1433  
Jefferson County District Court No. 19JV78  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Z.L. and L.S., Children,

and Concerning B.L. and C.S.,

Appellants.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 20CA1542  
Mesa County District Court No. 17JV136  
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.G. and A.E., Children,

and Concerning S.G. and R.E.,

Appellants.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE FOX  
Harris 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. 18CA0040

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Blanco,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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**MODIFIED OPINIONS**

[2021COA33M](#)

Court of Appeals No. [20CA0695](#)

City and County of Denver Juvenile Court No. 16JV1388

Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Appellee,

In the Interest of My.K.M. and Ma.K.M, Children,

and Concerning V.K.L. and T.A.M.,

Respondent-Appellants.

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

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

Opinion Modified  
On the Court's Own Motion

Announced March 11, 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.