

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
May 5, 2022*

“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

[2022COA49](#)

Court of Appeals No. [20CA1356](#)
Boulder County District Court No. 19CV30790
Honorable Thomas F. Mulvahill, Judge

Beverly Hughes,

Plaintiff-Appellant,

v.

Essentia Insurance Company,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE WELLING
Dunn and Yun, JJ., concur

[2022COA50](#)

Court of Appeals No. [20CA1465](#)

Douglas County District Court No. 18CV31018

Honorable Jeffrey K. Holmes, Judge

Gravina Siding and Windows Company,

Plaintiff-Appellee and Cross-Appellant,

v.

Larry A. Gravina, Mike Gravina, and Jason Castro,

Third-Party Defendants-Appellees,

and

Paul A. Frederiksen and Brenda J. Frederiksen,

Defendants-Appellants and Cross-Appellees.

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

Division I
Opinion by JUDGE DAILEY
Fox and Schutz, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA0153
Eagle County District Court No. 16CR143
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacinto Zelaya-Zelaya,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE NAVARRO
Harris and Freyre, JJ., concur

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

Court of Appeals No. 18CA1635
Mesa County District Court No. 17CR682
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kirk Anthony Jones,

Defendant-Appellant.

JUDGMENT AFFIRMED
AND ORDER VACATED

Division V
Opinion by JUDGE DUNN
Welling and Yun, JJ., concur

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

Court of Appeals No. 18CA2102
City and County of Denver District Court No. 13CR2323
Honorable A. Bruce Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Adelbert Bassford,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE DAVIDSON*
Lipinsky and Gomez, JJ., concur

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

Court of Appeals No. 19CA0344
El Paso County District Court No. 17CR6758
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Allyn Karnes,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE PAWAR
Kuhn and Bernard*, JJ., concur

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

Court of Appeals No. 19CA1492
City and County of Denver District Court No. 18CR4692
Honorable Karen L. Brody, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Noe I. Lopez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FOX
Dailey and Graham*, JJ., concur

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

Court of Appeals No. 19CA2140
Boulder County District Court No. 08CR396
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Diego Olmos Alcalde,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE TAUBMAN*
Berger and Martinez*, JJ., concur

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

Court of Appeals No. 20CA0711
Arapahoe County District Court No. 19CR695
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Joseph Chapel,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE GROVE
Richman and Tow, JJ., concur

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

Court of Appeals No. 20CA0824
Arapahoe County District Court No. 18CR135
Honorable Ryan J. Stuart, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kalhille Marquise Blackwood,

Defendant-Appellant.

ORDER AND SENTENCE AFFIRMED

Division II
Opinion by JUDGE KUHN
Pawar and Bernard*, JJ., concur

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

Court of Appeals No. 20CA1608
Weld County District Court No. 19CR88
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cory James Bushell,

Defendant-Appellant.

ORDER AND SENTENCE AFFIRMED

Division II
Opinion by JUDGE KUHN
Pawar and Bernard*, JJ., concur

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

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ANNOUNCEMENTS
Colorado Court of Appeals
May 5, 2022

Court of Appeals No. 20CA2046
City and County of Denver Probate Court No. 19PR30435
Honorable Elizabeth D. Leith, Judge

In the Interest of

Melody Ann Ramsey, Protected Person/Ward,

Appellant,

v.

Ayo Labode; Marcie McMinimee, Co-Conservator; Melissa Schwartz, Co-Conservator; and Stephanie Conrardy, Guardian,

Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Harris and Freyre, JJ., concur

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

Court of Appeals No. 20CA2076
El Paso County District Court No. 13CR18
Honorable Erin Sokol, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Wolfgang Baillie,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE BERGER
Martinez* and Taubman*, JJ., concur

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

Court of Appeals No. 20CA2078
Adams County District Court No. 12CR484
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leandro Leonemilio Garcia,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE BERNARD*
Pawar and Kuhn, JJ., concur

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

Court of Appeals No. 21CA0020
Sedgwick County District Court No. 10DR6
Honorable Carl S. McGuire, III, Judge

In re the Marriage of

Katie Elaine Stortenbecker,

Appellee,

and

Gary Duane Stortenbecker,

Appellant.

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

Division V
Opinion by JUDGE YUN
Dunn and Welling, JJ., concur

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

Court of Appeals No. 21CA0031
Jefferson County District Court No. 19CV31857
Honorable Robert C. Lochary, Judge

Foothills Park and Recreation District, a Colorado special district and political subdivision of the State of Colorado,

Plaintiff-Appellant,

v.

Board of County Commissioners of Jefferson County, Colorado,

Defendant-Appellee,

and

Tharaldson Ethanol Plant I, LLC, a Nevada limited liability company; Red Rocks Centre Metropolitan District No 1, Colorado special district and political subdivision of the State of Colorado; Red Rocks Centre Metropolitan District No 2, Colorado special district and political subdivision of the State of Colorado; and Red Rocks Centre Metropolitan District No 3, Colorado special district and political subdivision of the State of Colorado,

Defendants-Intervenors-Appellees.

APPEAL DISMISSED

Division V
Opinion by JUDGE YUN
Dunn and Welling, JJ., concur

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

Court of Appeals No. 21CA0076
Pitkin County District Court No. 20CV10
Honorable Christopher G. Seldin, Judge

Jeremiah Casper,

Plaintiff-Appellant,

v.

Chip McCrory,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE KUHN
Pawar and Bernard*, JJ., concur

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

Court of Appeals No. 21CA0172
Arapahoe County District Court No. 20CV31115
Honorable John E. Scipione, Judge

Rebecca Hogan and Betty Medina,

Plaintiffs-Appellees,

v.

City of Englewood, d/b/a Broken Tee Golf Course,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE RICHMAN
Tow and Grove, JJ., concur

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

Court of Appeals No. 21CA0184
City and County of Denver District Court No. 14CV33587
Honorable Eric M. Johnson, Judge

Edward O. Byrne 2005 Irrevocable Trust,
Plaintiff-Appellant,

v.

DCP Midstream, LP, a Delaware limited partnership,
Defendant-Appellee.

ORDER AFFIRMED

Division IV
Opinion by JUDGE GROVE
Richman and Tow, JJ., concur

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

Court of Appeals No. 21CA0260
Eagle County District Court No. 17DR79
Honorable Reed W. Owens, Judge

In re the Marriage of

Maricela Pinela,

Appellant,

and

Miguel Armenta-Garcia,

Appellee.

ORDERS AFFIRMED

Division IV
Opinion by JUDGE RICHMAN
Tow and Grove, JJ., concur

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

Court of Appeals No. 21CA0424
Arapahoe County District Court No. 20CV30221
Honorable Frederick T. Martinez, Judge

Linda Fan,

Plaintiff-Appellant,

v.

State Farm Mutual Automobile Insurance Company,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE FREYRE
Navarro and Harris, JJ., concur

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

Court of Appeals No. 21CA0641
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-889-298

Allen Villegas,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Denver Water,
Travelers Indemnity Company, and Dr. Hugh Macaulay,

Respondents.

ORDER AFFIRMED IN PART, SET ASIDE IN PART,
AND CASE REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE NAVARRO
Harris and Graham*, JJ., concur

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

Court of Appeals No. 21CA0830
City and County of Denver Juvenile Court No. 18JV325
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of H.I.Z.Y. and Z.N.J.Y., Children,

and Concerning H.E.Y.,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE PAWAR
Kuhn and Bernard*, JJ., concur

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

Court of Appeals No. 21CA1173
Boulder County District Court No. 21JV515
Honorable J. Keith Collins, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning R.M-L. and A.F.,

Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE GRAHAM*
Dailey and Vogt*, JJ., concur

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

Court of Appeals No. 21CA1236
El Paso County District Court Nos. 18JV1448 & 18JV1450
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of I.F. and J.F., Children,

and Concerning L.F. and R.M.,

Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE RICHMAN
Tow and Grove, JJ., concur

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

Court of Appeals No. 21CA1316
Arapahoe County District Court No. 18JV434
Honorable Don J. Toussaint, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.F.G., a Child,

and Concerning T.T., a/k/a T.G.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE GROVE
Richman and Tow, JJ., concur

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

Court of Appeals No. 21CA1400
La Plata County District Court No. 20DR2048
Honorable William L. Heringer, Judge

In re the Marriage of

Jennifer Lynn Bouse,

Appellee,

and

Michael Paul Bouse,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE JOHNSON
Berger and Brown, JJ., concur

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

Court of Appeals No. 21CA1763
Larimer County District Court No. 21JV121
Honorable Julie Kuntz Field, Judge
Honorable Joseph D. Findley, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.H.,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE LIPINSKY
Gomez and Casebolt*, JJ., concur

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

Court of Appeals No. 22CA0362
Pueblo County District Court No. 21MH281
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Gabriel Eric Stender,

Respondent-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE FOX
Dailey and Schutz, JJ., concur

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

Court of Appeals No. 22CA0365
Pueblo County District Court No. 21MH287
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of H.A.W.,

Respondent-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE DUNN
Welling and Yun, JJ., concur

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

Court of Appeals No. 22CA0382
Pueblo County District Court No. 22MH47
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Morris Daniel Murphy,

Respondent-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE RICHMAN
Tow and Grove, 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. 19CA2066

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Alan Beall,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 19CA2276

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.V.F.R.,

Juvenile-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0062

Regina T. Drexler,

Plaintiff-Appellant,

v.

District Court Denver County,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0177

In re the Marriage of

Christopher Hodyl,

Appellee,

and

Martine Bernard,

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. 2021.