

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
March 10, 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

[2022COA31](#)

Court of Appeals No. [21CA0764](#)
Adams County District Court No. 20JV106
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning H.J.B.,

Appellant.

ORDER OF LIMITED REMAND

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

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA0825
Jefferson County District Court No. 17CR1508
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gustavo Navaez,

Defendant-Appellant.

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. 18CA1746
Adams County District Court No. 17CR1762
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Aaron Misegadis,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BERGER
Brown and Johnson, JJ., concur

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

Court of Appeals No. 19CA0046
El Paso County District Court No. 17CR2618
Honorable Gilbert A. Martinez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew Cardell Dunomes,

Defendant-Appellant.

JUDGMENT 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. 19CA0448
Pueblo County District Court No. 17CR1679
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tomas Antonio Lee Vialpando,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE HARRIS
Navarro and Freyre, JJ., concur

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

Court of Appeals No. 19CA0674
Adams County District Court No. 17CR4508
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Darren Ross Hoffman,

Defendant-Appellant.

JUDGEMENT 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. 19CA1085
Larimer County District Court No. 18CR2696
Honorable Stephen J. Jouard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew James Yeadon,

Defendant-Appellant.

JUDGMENT 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. 19CA1274
El Paso County District Court No. 17CR2149
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Eugene Morgan,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE PAWAR
Furman and Vogt*, JJ., concur

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

Court of Appeals No. 19CA1475
El Paso County District Court No. 17CR6252
Honorable G. David Miller, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Deddrick Davontae Hill,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE PAWAR
Furman and Vogt*, JJ., concur

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

Court of Appeals No. 19CA1579
Pueblo County District Court No. 17CR1487
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Heather R. Herr,

Defendant-Appellant.

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

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

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

Court of Appeals No. 19CA1773
Mesa County District Court No. 18CR406
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brenda May Maggio,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 19CA1872
Pueblo County District Court No. 18CR220
Honorable Scott B. Epstein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jerry Dewayne Grady,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 19CA2320
Mesa County District Court No. 18CR1815
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michale Vereen Porter,

Defendant-Appellant.

JUDGMENT AFFIRMED, 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. 20CA0784
City and County of Denver District Court No. 06CR3918
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Terrance Lee Johnson,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE VOGT*
Furman and Pawar, JJ., concur

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

Court of Appeals No. 20CA0821
Adams County District Court No. 19CR1589
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Able Montoya,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA1294
City and County of Denver District Court No. 17CV31063
Honorable Brian R. Whitney, Judge

Tina Carver and Brian Carver,

Plaintiffs-Appellants,

v.

Joanne Parsons Underhill, in her official capacity as Personal Representative
for the Estate of James C. Underhill, Jr., and Neighborhood Law Office, P.C.,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 20CA1417
Jefferson County District Court No. 19CV203
Honorable Christie A. Bachmeyer, Judge

Nancy J. Martinez,

Plaintiff-Appellant,

v.

Marc L. Schatten,

Defendant-Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE SCHUTZ
Dailey and Fox, JJ., concur

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

Court of Appeals No. 20CA1557
City and County of Denver District Court No. 17CV31303
Honorable Robert L. McGahey, Jr., Judge

Laura Haber,

Plaintiff-Appellant,

v.

Travelers Casualty Insurance Company of America, a Connecticut corporation,

Defendant-Appellee.

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. 20CA1750
City and County of Denver District Court No. 17CR1028
Honorable Karen L. Brody, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Skyler Chiras,

Defendant-Appellant.

ORDER 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. 20CA1755
Garfield County District Court No. 19CV30188
Honorable Anne K. Norrdin, Judge

Faith Caudell and Kim Savage, independently and as next of friend of Faith Caudell,

Plaintiffs-Appellees,

v.

Garfield County School District RE-2, Brent Curtice, Karen Satter, Tom Taucher, and Miranda Lintjer,

Defendants-Appellants.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE CASEBOLT*
Brown and Johnson, JJ., concur

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

Court of Appeals No. 20CA1993
Gilpin County District Court No. 17CV30031
Honorable Todd L. Vriesman, Judge

Michelle Bialas,

Plaintiff-Appellant,

v.

James M. Bynum,

Defendant-Appellee.

JUDGMENT 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. 20CA2021
City and County of Denver District Court No. 14CV506
Honorable Robert L. McGahey, Jr., Judge

Mark Phillips and MPhillips, LLC,

Plaintiffs-Appellants,

v.

Colorado State Land Board,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TOW
Richman and Grove, JJ., concur

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

Court of Appeals No. 20CA2142
Boulder County District Court No. 20CV30568
Honorable Andrew Hartman, Judge

Steven J. Gurule,

Plaintiff-Appellant,

v.

JSP Markets – Chicago, LLC, a Colorado limited liability company, d/b/a
Pappardelle’s Pasta – CO Markets,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE LIPINSKY
Fox and Freyre, JJ., concur

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

Court of Appeals No. 20CA2153
Jefferson County District Court No. 20CV30781
Honorable Philip J. McNulty, Judge

Frank Gallegos,

Plaintiff-Appellant,

v.

City of Wheat Ridge, Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA0071
Boulder County District Court No. 13CR591
Honorable Thomas F. Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Delano Marco Medina,

Defendant-Appellant.

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

Division I
Opinion by JUDGE SCHUTZ
Dailey and Fox, JJ., concur

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

Court of Appeals No. 21CA0115
City and County of Denver District Court No. 20CV32110
Honorable Michael J. Vallejos, Judge

Ramos Injury Firm, LLC,

Plaintiff-Appellee,

v.

Curtis Butler,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0167
Jefferson County District Court No. 15DR30292
Honorable Randall C. Arp, Judge

In re the Marriage of

Michael Ambroziak,

Appellant,

and

Joanna Kitto,

Appellee.

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. 21CA0218
Garfield County District Court No. 14DR136
Honorable Anne K. Norrdin, Judge

In re the Marriage of

Hunter McAlpin Webster,

Appellee,

and

Marlowe Wiley, f/k/a Jennifer Alane Webster,

Appellant.

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

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

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

Court of Appeals No. 21CA0567
Douglas County District Court No. 20DR30124
Honorable Andrew C. Baum, Judge

In re the Marriage of

Kassie Mikel Seddon,

Appellant,

and

Tri Nguyen,

Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE BROWN
Berger and Johnson, JJ., concur

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

Court of Appeals No. 21CA0716
Park County District Court No. 11DR49
Honorable Patrick W. Murphy, Judge

In re the Marriage of

Ann Wallace,

Appellant,

and

James Wallace,

Appellee.

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

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

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

Court of Appeals No. 21CA0731
City and County of Denver District Court No. 15DR632
Honorable Karen L. Brody, Judge

In re the Parental Responsibilities Concerning A.F.M., a Child,
and Concerning Katherine Anne Hughson,

Intervenor-Appellee,

and

Jackson Vincent,

Intervenor-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA0945
Adams County District Court No. 18JV155
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning R.C.,

Appellant.

JUDGMENT 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. 21CA1008
Adams County District Court No. 20JV76
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.A.A.R., a Child,

and Concerning K.A. and P.R.,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1012
Morgan County District Court No. 20JV3
Honorable Charles M. Hobbs, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning B.B.L.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1022
El Paso County District Court No. 18JV1474
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.C., IV, a Child,

and Concerning J.C., III,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE ROTHENBERG*
Brown and Johnson, JJ., concur

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

Court of Appeals No. 21CA1045
Jefferson County District Court No. 19JV292
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.P. and D.P., Children,

and Concerning L.P. and T.P.,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA2100
Pueblo County District Court No. 21MH259
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Chance Manning Welch,

Respondent-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE SCHUTZ
Dailey and Fox, 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. 18CA0958

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Lance Parker,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA2440

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Adam Rivera-Hernandez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA0469

In re the Marriage of

Jonathan Roddy,

Appellant,

and

Kristin Morelli f/k/a Kristin Bethurem,

Appellee,

and Concerning

Jayne Roddy,

Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA0754

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hector Manuel Castillo,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 19CA1786

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marie Ann Daniels,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA0993

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Henry Hunter,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA1737

Kevin O'Connell, Paul Hudgens, Carol Purdy, and Dee Hayes,

Plaintiffs-Appellants,

v.

City and County of Denver, a Colorado municipal corporation, and
City Council of Denver,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0674

Bud Forbes,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Barbee's Freeway
Ford and Mid-Century Insurance Company,

Respondents.

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.