

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
February 3, 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

[2022COA14](#)

Court of Appeals No. [17CA1079](#)

City and County of Denver District Court No. 15CR5224

Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry D. Buckner,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE BROWN
Lipinsky, J., concurs
Furman, J., concurs in part and dissents in part

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA1214
Arapahoe County District Court No. 17CR315
Honorable Phillip L. Douglass, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan Hernandez-Hernandez,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE JOHNSON
Welling, J., concurs
Fox, J., concurs in part and dissents in part

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

Court of Appeals No. 18CA1310
El Paso County District Court No. 17CR2100
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Glenn Allen Lainfiesta,

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. 18CA1679
City and County of Denver District Court No. 17CV30621
Honorable Ross B.H. Buchanan, Judge

Beta Computer Distribution, Inc.,

Plaintiff-Appellee and Cross-Appellant,

v.

Blue Fish Worx, L.P., a Texas limited partnership,

Defendant-Appellant and Cross-Appellee.

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

Division A
Opinion by JUDGE HARRIS
J. Jones and Brown, JJ., concur

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

Court of Appeals No. 18CA1690
Arapahoe County District Court No. 17CR1196
Honorable Kurt A. Horton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Dejesus Madrid,

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. 18CA2163
City and County of Denver District Court No. 17CV30621
Honorable Ross B.H. Buchanan, Judge

Beta Computer Distribution, Inc.,

Plaintiff-Appellant,

v.

Blue Fish Worx, L.P., a Texas limited partnership,

Defendant-Appellee.

ORDER AFFIRMED

Division A
Opinion by JUDGE HARRIS
J. Jones and Brown, JJ., concur

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

Court of Appeals No. 19CA0114
El Paso County District Court No. 18CR2447
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Albert John Lucero,

Defendant-Appellant.

JUDGMENT AFFIRMED IN PART, VACATED IN PART,
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. 19CA0229
El Paso County District Court No. 17CR6361
Honorable Gregory R. Werner, Judge
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rafael Gomez-Diaz,

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. 19CA0469
City and County of Denver District Court No. 02DR2968
Honorable Christopher J. Baumann, Judge

In re the Marriage of

Jonathan Roddy,

Appellant,

and

Kristin Morelli, f/k/a Kristin Bethurem,

Appellee,

and Concerning Jayne Roddy,

Appellant.

ORDER AFFIRMED 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. 19CA0490
Jefferson County District Court No. 17CR3749
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Florencio Vargas,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE LIPINSKY
J. Jones and Gomez, JJ., concur

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

Court of Appeals No. 19CA1396
Arapahoe County District Court No. 12CR1535
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wayne Larue Jacobs,

Defendant-Appellant.

SENTENCE AFFIRMED, ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 19CA1514
Mesa County District Court No. 16CR6171
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan Dario Gallegos,

Defendant-Appellant.

ORDER REVERSED 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. 19CA1577
Adams County District Court No. 10CR3631
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rodney Deon Tucker,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE J. JONES
Lipinsky and Gomez, JJ., concur

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

Court of Appeals No. 19CA1704
El Paso County District Court No. 18CR1802
Honorable Marcus S. Henson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Daniel Spinax,

Defendant-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. 19CA2107
City and County of Denver Probate Court No. 19PR30575
Honorable Elizabeth D. Leith, Judge

In the Matter of the Estate of Joyce I. Sempson, deceased.

Jennifer Johnson,

Appellant,

v.

Judith Lynn Sempson, Personal Representative,

Appellee.

JUDGMENT REVERSED 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. 19CA2195
La Plata County District Court No. 19CR97
Honorable Suzanne F. Carlson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffrey Jon Hamerly,

Defendant-Appellant.

JUDGMENT VACATED

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

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

Court of Appeals No. 19CA2231
Jefferson County District Court No. 05CR3824
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Man Hao Luong, Jr.,

Defendant-Appellee.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE YUN
Furman and Harris, JJ., concur

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

Court of Appeals No. 20CA0780
City and County of Denver District Court No. 19CV34034
Honorable Robert L. McGahey, Jr., Judge

Reyna Reyes-Quintana,
Plaintiff-Appellant,

v.

Glenn Douglas,
Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA0853
Jefferson County District Court No. 17CV413
Honorable Russell Klein, Judge

Eric St. George,
Plaintiff-Appellant,

v.

E.E.,
Defendant-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. 20CA1903
Jefferson County District Court No. 18CV30922
Honorable Laura A. Tighe, Judge

Atlas Law Firm, P.C.,

Plaintiff-Appellee,

v.

Galen LeMar Amerson and Frances M. Scott,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA0494
Lake County District Court No. 11DR9
Honorable Catherine J. Cheroutes, Judge

In re the Marriage of

Eli Daniel Jimenez,

Appellee,

and

Anissa Gabriella Jimenez,

Respondent,

and Concerning Mimi Annette Carpenter,

Intervenor-Appellant.

ORDER AFFIRMED

Division A
Opinion by JUDGE TAUBMAN*
Román, C.J., and Vogt*, J., concur

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

Court of Appeals No. 21CA0514
Arapahoe County District Court No. 19DR1304
Honorable Christina Apostoli, Magistrate

In re the Marriage of

Matthew Daniel White,

Appellee,

and

Teng Xiong-White,

Appellant.

JUDGMENT AFFIRMED 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. 21CA0674
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-797-103

Bud Forbes,

Petitioner,

v.

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

Respondents.

ORDER 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. 21CA2000
Boulder County District Court No. 21MH426
Honorable Nancy W. Salomone, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.L.,

Respondent-Appellant.

ORDER REVERSED

Division V
Opinion by JUDGE YUN
Dunn and Welling, 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. 21CA0548

The People of the State of Colorado,

Appellee,

In the Interest of X.A. and A.A., Children,

and Concerning C.A.,

Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0771

In the Matter of

Anthony Pfaff,

Petitioner-Appellant,

v.

City and County of Denver, Colorado,

Respondent-Appellee.

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.