

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
March 28, 2024

“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

[24COA29](#)

Court of Appeals No. [23CA0311](#)
Mesa County District Court No. 21CV30141
Honorable Matthew D. Barrett, Judge

Dustin Stalder,

Plaintiff-Appellant,

v.

Colorado Mesa University, Lynn Nordine, and Bob Lang,

Defendants-Appellees.

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

Division VII
Opinion by JUDGE TOW
Lipinsky and Grove, JJ., concur

[24COA30](#)

Court of Appeals No. [23CA0622](#)
La Plata County District Court No. 22CV30112
Honorable Suzanne F. Carlson, Judge

John Simpson,

Plaintiff-Appellee,

v.

Faye Harmer, in her official capacity as the Clerk of the City of Durango,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE LUM
Welling and Yun, JJ., concur

[24COA31](#)

Court of Appeals No. [23CA0989](#)
City and County of Denver District Court Nos. 22CV30098 & 22CV30101
Honorable David H. Goldberg, Judge

Colorado Department of State; Jena Griswold, in her official capacity as
Colorado Secretary of State; and Christopher P. Beall, in his official capacity as
Colorado Deputy Secretary of State,

Plaintiffs-Appellants,

v.

Unite for Colorado,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE FOX
Schutz and Moultrie, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA1248
Douglas County District Court No. 20CR532
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dominique Cyrill Wogan,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE KUHN
Navarro and Schock, JJ., concur

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

Court of Appeals No. 21CA1949
El Paso County District Court No. 20CR7097
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cory James Wooldridge,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE JOHNSON
Freyre and Brown, JJ., concur

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

Court of Appeals No. 22CA0458
Douglas County District Court No. 19CR58
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kathleen M. Grisby,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE GOMEZ
J. Jones and Harris, JJ., concur

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

Court of Appeals No. 22CA0601
Larimer County District Court No. 18CR2126
Honorable Stephen J. Jouard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kevin J. Formby,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE DUNN
Pawar and Sullivan, JJ., concur

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

Court of Appeals No. 22CA1036
City and County of Denver District Court No. 20CR2021
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Veronica A. Garcia-Campos,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE FREYRE
Brown and Johnson, JJ., concur

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

Court of Appeals No. 22CA1377
Larimer County District Court No. 21CR169
Honorable Daniel M. McDonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Geoffrey James Lewicke,

Defendant-Appellant.

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

Division VII
Opinion by JUDGE TOW
Lipinsky and Grove, JJ., concur

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

Court of Appeals No. 22CA1682
Arapahoe County District Court No. 17CR1369
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Duane Weifenbach,

Defendant-Appellant.

SENTENCE AFFIRMED

Division V
Opinion by JUDGE FREYRE
Brown and Johnson, JJ., concur

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

Court of Appeals No. 22CA1691
El Paso County District Court No. 20CR516
Honorable Marla Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roderic Lee Donley,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Brown and Johnson, JJ., concur

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

Court of Appeals Nos. 22CA2094 & 22CA2095
Jefferson County District Court No. 13CR381
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Courtney Durks Rodrigue,

Defendant-Appellant.

ORDERS AFFIRMED

Division II
Opinion by JUDGE FOX
Schutz and Moultrie, JJ., concur

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

Court of Appeals No. 22CA2118
El Paso County District Court No. 21CR7170
Honorable Catherine Mitchell Helton, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aaron Lloyd Brown,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Kuhn and Schock, JJ., concur

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

Court of Appeals No. 22CA2233
Weld County District Court No. 22JD381
Honorable Carl S. McGuire, III, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.F.C-M.,

Juvenile-Appellant.

ORDER REVERSED

Division II
Opinion by JUDGE MOULTRIE
Fox and Schutz, JJ., concur

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

Court of Appeals No. 23CA0137
El Paso County District Court No. 22CV25
Honorable David Shakes, Judge

Reber Kai Vierge Kellam,

Plaintiff-Appellant,

v.

Lookout at Broadmoor and SPRE Lookout, LLC,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE GROVE
Tow and Lipinsky, JJ., concur

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

Court of Appeals No. 23CA0140
Montezuma County District Court No. 18CV30051
Honorable Douglas S. Walker, Judge

Town of Mancos, Colorado, a Colorado Statutory Town,
Plaintiff-Appellant,

v.

Aqua Engineering, Inc.,
Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Navarro and Graham*, JJ., concur

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

Court of Appeals No. 23CA0453
City and County of Denver District Court No. 14CR5060
Honorable Ericka F.H. Englert, Judge

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

v.

Gerardo Figueroa,
Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE KUHN
Navarro and Schock, JJ., concur

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

Court of Appeals No. 23CA0583
Pitkin County District Court No. 23CV30004
Honorable Christopher G. Seldin, Judge

Dream Big or Don't Dream At All Baby, LLC,

Plaintiff-Appellee,

v.

J-R Gym Corp., a Colorado corporation, and Jean Robert Barbette,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE LIPINSKY
Tow and Grove, JJ., concur

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

Court of Appeals No. 23CA0615
Arapahoe County District Court No. 22CR818
Honorable Joseph Whitfield, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Ramiro Lopez-Pizana,

Defendant-Appellant.

ORDER AFFIRMED AND APPEAL
DISMISSED IN PART

Division I
Opinion by JUDGE HARRIS
J. Jones and Gomez, JJ., concur

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

Court of Appeals No. 23CA0759
Arapahoe County District Court No. 95CR284
Honorable Ryan J. Stuart, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Damon Dares Keys,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE LUM
Welling and Yun, JJ., concur

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

Court of Appeals No. 23CA0806
Jefferson County District Court No. 22DR30445
Honorable Randall C. Arp, Judge

In re the Marriage of

Regina Bernhardt,

Appellee,

and

Keith Bernhardt,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE LUM
Welling and Yun, JJ., concur

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

Court of Appeals No. 23CA0842
Jefferson County District Court No. 20CV30567
Honorable Robert Lochary, Judge

Charles A. Braun,

Plaintiff-Appellant,

v.

WG Golden, LLC, a Colorado limited liability company,

Defendant-Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE SULLIVAN
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 23CA0928
Board of Assessment Appeals
Case No. 21BAA4934

Dean L. Stansbury,

Petitioner-Appellant,

v.

Jefferson County Board of Equalization,

Respondent-Appellee,

and

Board of Assessment Appeals,

Appellee.

ORDER AFFIRMED

Division II
Opinion by JUDGE SCHUTZ
Fox and Moultrie, JJ., concur

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

Court of Appeals No. 23CA1408
Fremont County District Court No. 23JV30004
Honorable Kaitlin B. Turner, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.C.B, a Child,

and Concerning K.L.,

Appellant.

JUDGMENT AND ORDER AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Kuhn and Schock, JJ., concur

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

Court of Appeals No. 23CA1440
El Paso County District Court No. 22JV30033
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of H.J-E.L., a Child,

and Concerning E.P. and A.L.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by CHIEF JUDGE ROMÁN
Davidson* and Hawthorne*, JJ., concur

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

Court of Appeals No. 23CA1522
City and County of Denver Juvenile Court No. 21JV244
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.M.F., a Child,

and Concerning A.B.F.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Navarro and Kuhn, JJ., concur

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

Court of Appeals No. 23CA1540
Saguache County District Court No. 22JV30000
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Y.S-V., J.G-V., and F.V., Jr., Children,

and Concerning S.E.G.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE SULLIVAN
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 23CA1625
Larimer County District Court No. 22JV30091
Honorable Laurie K. Dean, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.S.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE BROWN
Freyre and Johnson, JJ., concur

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

Court of Appeals No. 23CA1635
Jefferson County District Court No. 22JV30047
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of O.W., M.W., Lo.W., and Le.W., Children,

and Concerning A.W.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE JOHNSON
Freyre and Brown, JJ., concur

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

Court of Appeals No. 23CA1675
Jefferson County District Court No. 22JV30086
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of T.W. a Child,

and Concerning M.N.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE DAVIDSON*
Román, C.J., and Hawthorne*, J., concur

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

Court of Appeals No. 23CA2099
Industrial Claim Appeals Office of the State of Colorado
DD No. 20815-2023

Getaneh Gebretsadik,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and City and County of
Denver,

Respondents.

ORDER AFFIRMED

Division A
Opinion by JUDGE HAWTHORNE*
Román, C.J., and Davidson*, J., concur

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

Court of Appeals No. 24CA0006
El Paso County District Court No. 23CR4807
Honorable Samuel A. Evig, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Anthony Lasail Burgess,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE LIPINSKY
Tow and Grove, JJ., concur

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

Court of Appeals No. 24CA0050
Pueblo County District Court No. 23MH215
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Jerry Bailey,

Respondent-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE SCHUTZ
Fox and Moultrie, 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. 23CA0455

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mark Smith,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA0522

Center for Wound Healing & Hyperbaric Medicine, LLC of Burlington Colorado,

Plaintiff-Appellant,

v.

Kit Carson County Health Service District,

Defendant-Appellee.

Petition for Rehearing DENIED

Court of Appeals No. 23CA0648

In re the Petition of M.K.R.,

Appellee,

for the Adoption of V.M., a Child,

and Concerning R.E.S.,

Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1238

The People of the State of Colorado,

Appellee,

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

and Concerning M.F.,

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. 2023.