

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
April 11, 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

[24COA34](#)

Court of Appeals No. [22CA0667](#)
City and County of Denver District Court No. 20CR2834
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stephanie Martinez,

Defendant-Appellant.

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

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

[24COA35](#)

Court of Appeals Nos. [22CA0843](#) & 22CA0879
City and County of Denver District Court No. 20CV34319
Honorable Marie Avery Moses, Judge

Eric Coomer, Ph.D.,

Plaintiff-Appellee,

v.

Donald J. Trump for President, Inc.; Sidney Powell; Sidney Powell, P.C.; Joseph Oltmann; FEC United; Shuffling Madness Media, Inc., d/b/a Conservative Daily; James Hoft; TGP Communications, LLC, d/b/a The Gateway Pundit; Michelle Malkin; Eric Metaxas; and Defending the Republic, Inc.,

Defendants-Appellants.

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

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

[24COA36](#)

Court of Appeals No. [23CA1605](#)
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-162-468

Town of Kiowa and Colorado Intergovernmental Risk Sharing Agency,

Petitioners,

v.

Industrial Claim Appeals Office of the State of Colorado and Kent Berends,

Respondents.

ORDER AFFIRMED

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

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA1363
City and County of Denver District Court No. 19CR20017
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael S. Harrison,

Defendant-Appellant.

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. 21CA1740
Adams County District Court No. 18CR3690
Honorable Sean Finn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Demarcus Dlaurence Jones-Brown,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1809
Fremont County District Court No. 20CR252
Honorable Ramsey L. Lama, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shera Marie Carter,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1857
Adams County District Court No. 20CR151
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Justin Matthew Bergey,

Defendant-Appellant.

JUDGMENT AND ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0414
Routt County District Court No. 88CR28
Honorable Michael A. O'Hara III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stanley Paul Jurgevich,

Defendant-Appellant.

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. 22CA0840
Arapahoe County District Court No. 21CR295
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregory Banks,

Defendant-Appellant.

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. 22CA0874
Jefferson County District Court No. 14CR572
Honorable Randall C. Arp, Judge

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

v.

Nathan Daniel Knuth,
Defendant-Appellant.

ORDER 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. 22CA1474
City and County of Denver District Court No. 20CV553
Honorable David H. Goldberg, Judge

Beauvallon Condominium Association Inc., a Colorado nonprofit corporation,
Plaintiff-Appellee,

v.

Gabriel N. Schwartz,
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1617
Jefferson County District Court No. 15CR2513
Honorable Russell Klein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Maryssa Rose Sotelo,

Defendant-Appellant.

ORDER REVERSED AND CASE REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE WELLING
Yun and Lum, JJ., concur

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

Court of Appeals No. 22CA1975
Adams County District Court No. 21CR283
Honorable Jeffrey Smith, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Adrian Perez-Pasillas,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1999
Adams County District Court No. 20CR4229
Honorable Roberto Ramirez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Thomas Orton,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA2153
El Paso County District Court No. 22CR307
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Matthew Driscoll,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA2225
Arapahoe County District Court Nos. 19CR327 & 20CR699
Honorable Darren L. Vahle, Judge

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

v.

Jesus Helaman Renteria-Rodriguez,
Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE PAWAR
Dunn and Sullivan, JJ., concur

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

Court of Appeals No. 22CA2284
Boulder County District Court No. 05CR467
Honorable Nancy W. Salomone, Judge

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

v.

Andrew Mark Lamar,
Defendant-Appellant.

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. 23CA0028
Jefferson County District Court No. 21CR2229
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan Luis Ornelas,

Defendant-Appellant.

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. 23CA0087
Adams County District Court No. 22CR300
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremie Portillo-Sanchez,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0380
City and County of Denver District Court No. 18CV31431
Honorable Sarah Block Wallace, Judge

William Muhr,

Plaintiff-Appellant,

v.

Springer and Steinberg, P.C.,

Defendant-Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE J. JONES
Harris and Gomez, JJ., concur

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

Court of Appeals No. 23CA0462
Arapahoe County District Court No. 13CR1077
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Osman Omar Osman,

Defendant-Appellant.

ORDER 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. 23CA0598
San Miguel County District Court No. 22CV7
Honorable Keri A. Yoder, Judge

Mark Halper,

Plaintiff-Appellant,

v.

Weigel West 2000 LLC, a limited liability company, Lynn Weigel, and Jerry D. Moore

Defendants-Appellees.

APPEAL DISMISSED IN PART
AND JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0788
Arapahoe County District Court No. 22JD541
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.H.H.,

Juvenile-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. 23CA0836
Arapahoe County District Court Nos. 23PR107 & 23PR30126
Honorable Christina Apostoli, Magistrate

In re the Estate of Richard Leslie Stieg, deceased.

Tara L. King,

Appellant,

v.

Dr. Jennifer L. Stankus as Personal Representative,

Appellee.

APPEAL DISMISSED IN PART, ORDERS REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA0877
Eagle County District Court No. 22CV30219
Honorable Rachel J. Olguin-Fresquez, Judge

Che Cazzo, LLC, a Colorado limited liability company; DKM Associates, LLC, a Colorado limited liability company; and Josbo Group, LLC, a Colorado limited liability company d/b/a Riverwalk Wines & Spirits, ,

Plaintiffs-Appellants,

v.

Riverwalk at Edwards Property Owners Association, Inc., a Colorado non-profit corporation, and HCF Realty LLC, a Colorado limited liability company,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0904
Weld County District Court No. 220JV578
Honorable Anita Crowther, Judge

The People of the State of Colorado,

Appellee,

In the Interest of S.P. and E.A., Children,

and Concerning V.A.,

Appellant,

and

J.P.,

Appellee.

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. 23CA0929
Board of Assessment Appeals
Case No. 21BAA5175

Pico LLC,

Petitioner-Appellant,

v.

Jefferson County Board of Equalization,

Respondent-Appellee,

and

Board of Assessment Appeals,

Appellee.

ORDER 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. 23CA0999
City and County of Denver District Court No. 05CR3229
Honorable Darryl F. Shockley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dejuan L. VanDyke,

Defendant-Appellant.

ORDER 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. 23CA1063
Weld County District Court No. 21PR120
Honorable Julie C. Hoskins, Judge

In re the Estate of Fred Octavian Gonzales, Jr., deceased.

Jennifer Graham, on behalf of minor children O.G. and D.G.,

Appellant,

v.

Jasmine Garcia, as Personal Representative of the Estate of Fred Octavian
Gonzales, Jr.,

Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUDGE YUN
Welling and Lum, JJ., concur

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

Court of Appeals No. 23CA1582
Fremont County District Court No. 23CV1039
Honorable Lynette M. Wenner, Judge

Jabari J. Johnson,

Plaintiff-Appellant,

v.

Stephanie Dalton,

Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA1640
El Paso County District Court No. 23CV253
Honorable Gregory R. Werner, Judge

Jabari J. Johnson,

Plaintiff-Appellant,

v.

Moses Stancil,

Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA1659
El Paso County District Court No. 23CV260
Honorable Gregory R. Werner, Judge

Jabari J. Johnson,

Plaintiff-Appellant,

v.

Stephanie Dalton,

Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA1660
El Paso County District Court No. 23CV263
Honorable Gregory R. Werner, Judge

Jabari J. Johnson,

Plaintiff-Appellant,

v.

Bill Elder,

Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA1661
El Paso County District Court No. 23CV266
Honorable Gregory R. Werner, Judge

Jabari J. Johnson,
Plaintiff-Appellant,

v.

Vickie Nira,
Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA1693
Conejos County District Court No. 22JV30003
Honorable Crista Newmyer-Olsen, Judge

The People of the State of Colorado,
Appellee,

In the Interest of P.P., a Child,
and Concerning N.L. and C.P.,
Appellants.

JUDGMENT AFFIRMED

Division A
Opinion by JUSTICE MARTINEZ*
Román, C.J., and Richman*, J., concur

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

Court of Appeals No. 23CA1952
El Paso County District Court No. 23CV317
Honorable Gregory R. Werner, Judge

Jabari J. Johnson,
Plaintiff-Appellant,

v.

Sergeant Mott,
Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA1953
El Paso County District Court No. 23CV331
Honorable Gregory R. Werner, Judge

Jabari J. Johnson,
Plaintiff-Appellant,

v.

Stephanie Dalton,
Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA2039
Weld County District Court No. 23CR219
Honorable Meghan Patrice Saleebey, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Christopher Joseph Veit,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA2175
Fremont County District Court No. 23CV1043
Honorable Lynette M. Wenner, Judge

Jabari J. Johnson,

Plaintiff-Appellant,

v.

Warden Sandavol,

Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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

Court of Appeals No. 23CA2186
Industrial Claim Appeals Office of the State of Colorado
DD No. 14200-2023

Robert Kyle Rein,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Town of Green
Mountain Falls,

Respondents.

ORDER AFFIRMED

Division A
Opinion by JUDGE RICHMAN*
Román, C.J., and Martinez*, J., concur

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

Court of Appeals No. 23CA2223
Montezuma County District Court No. 22CR268
Honorable Todd Jay Plewe, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Travis Ryan Chesnut,

Defendant-Appellee.

APPEAL DISMISSED

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

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

Court of Appeals No. 24CA0059
Fremont County District Court No. 23CV1045
Honorable Lynette M. Wenner, Judge

Jabari J. Johnson,
Plaintiff-Appellant,

v.

Kathleen Boyd,
Defendant-Appellee.

ORDER AFFIRMED

Division C
Welling, Kuhn, and Moultrie, JJ.
PER CURIAM

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. 20CA1329

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnathan Vladmir Quintanilla-Martinez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1497

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rosa Raquel Sanchez-Diaz,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA0884

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alejandro Macias,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA1210

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lyndon James Cabrera Navarrete, Jr.,

Defendant-Appellant.

Opinion Modified
on the Court's Own Motion and
Petition for Rehearing DENIED

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

Court of Appeals No. 22CA1382

Kris Fattor; Ann Fattor; Ed Pino; Jason Munoz, Paula Younger; John Halpin; Jeff Fifield; Lauren Fifield; Geoffrey Hannan; Lori Hannan; John Russell; Leslie Russell; H and B, LLC, a Minnesota limited liability company; Pratt-Southwell Development, LLC, a Colorado limited liability company; and Apres Investments, LLC, a Colorado limited liability company,

Plaintiffs-Appellants and Cross-Appellees,

v.

Iron Horse Condominiums Association, Inc.,

Defendant-Appellee and Cross-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.