

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
December 27, 2007

“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.

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PUBLISHED OPINIONS

Court of Appeals No.: [05CA2392](#)
City and County of Denver District Court No. 03CR3799
Honorable Larry J. Naves, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rodolfo Eliseo Chavez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by: JUDGE J. JONES
Rothenberg and Furman, JJ., concur

Court of Appeals No.: [05CA2450](#)
Larimer County District Court No. 03CV1271
Honorable Jolene Carman Blair, Judge

Comcast of California/Colorado, L.L.C.,

Plaintiff-Appellant,

v.

Express Concrete, Inc.,

Defendant-Appellee.

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

Division I

Opinion by: JUDGE MÁRQUEZ
Casebolt and Dailey, JJ., concur

Court of Appeals No.: [06CA0103](#)

City & County of Denver District Court No. 91CR3155

Honorable Robert L. McGahey, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas T. Valdez,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division IV

Opinion by: JUDGE BERNARD
Vogt and Webb, JJ., concur

Court of Appeals No.: [06CA0396](#)

Douglas County District Court No. 05CV893

Honorable Thomas J. Curry, Judge

SR Condominiums, LLC, a Colorado limited liability company,

Petitioner-Appellee,

v.

K.C. Construction, Inc.,

Respondent-Appellant.

ORDERS AFFIRMED IN PART AND VACATED IN PART

Division V

Opinion by: JUDGE GRAHAM

Loeb and Román, JJ., concur

Court of Appeals No.: [06CA0846](#)

City and County of Denver District Court No. 03CV9184

Honorable Joseph E. Meyer, III, Judge

Herman Jenkins, Bebra Jenkins, Bonnie Bills, Travis Law, Rainey Estes, and Nathaniel Estes,

Plaintiffs-Appellants,

v.

Charlotte Haymore, d/b/a Charlotte Cruise-N-Tours; Panama Canal Railway Company, d/b/a Panama Rail Tourism Company; Estate of Stephen O'Donnell; and Kansas City Southern Railway Company,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VI

Opinion by: JUDGE RUSSEL

Carparelli and Hawthorne, JJ., concur

Court of Appeals No.: [06CA1006](#)

Morgan County District Court No. 04CV306

Honorable Michael K. Singer, Judge

Board of County Commissioners of the County of Morgan, a political subdivision of the State of Colorado,

Plaintiff-Appellant,

v.

Elmer Kobobel and Mariam Kobobel,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by: JUDGE ROY
Taubman and Sternberg*, JJ., concur

Court of Appeals No.: [06CA1498](#)

City and County of Denver District Court No. 05CV570

Honorable Morris B. Hoffman, Judge

Bristol Company, LP, a Nevada limited partnership,

Plaintiff-Appellant,

v.

Lee Osman and Holland & Hart, LLP,

Defendants-Appellees.

JUDGMENT AND ORDER AFFIRMED

Division VI
Opinion by: JUDGE CARPARELLI
Russel and Ney*, JJ., concur

Court of Appeals No.: [06CA1904](#)

Arapahoe County District Court No. 06CV1797

Honorable Vincent R. White, Judge

Hemann Management Services and Robert McIlvane,

Plaintiffs-Appellants,

v.

Mediacell, Inc.,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I

Opinion by: JUDGE DAILEY
Márquez and Ney*, JJ., concur

Court of Appeals No.: [06CA1925](#)

City and County of Denver District Court No. 05CV4843

Honorable Michael A. Martinez, Judge

Suncor Energy (USA), Inc., a Delaware corporation,

Plaintiff-Appellee,

v.

Aspen Petroleum Products, Inc., a Colorado corporation,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I

Opinion by: JUDGE CASEBOLT
Márquez and Dailey, JJ., concur

Court of Appeals No.: [06CA2009](#)

Otero County District Court No. 04CR218

Honorable M. Jon Kolomitz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian P. Scott,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V

Opinion by: JUDGE NIETO*

Davidson, C.J., and Ruland*, J., concur

Court of Appeals No.: [06CA2021](#)

Larimer County District Court No. 05CV39

Honorable James H. Hiatt, Judge

J.D. Padilla and JDP, LLC,

Plaintiffs-Appellants and Cross-Appellees,

v.

Surinder J.S. Ghuman; Prime Endeavors, LLC; and Faraway Impressions, Inc.,

Defendants-Appellees and Cross-Appellants.

JUDGMENT AND ORDER AFFIRMED

Division V

Opinion by: JUDGE LOEB

Graham and Román, JJ., concur

Court of Appeals No.: [06CA2256](#)

Arapahoe County District Court No. 06CV2285

Honorable Angela R. Arkin, Judge

Steve Ringquist and Diana Ringquist,

Plaintiffs-Appellees,

v.

Wall Custom Homes, LLC, David Carter Wall, and William Winston Wall,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division V

Opinion by: JUDGE GRAHAM
Loeb and Román, JJ., concur

Court of Appeals No.: [07CA0339](#)

Boulder County District Court No. 06CV1029

Honorable Morris W. Sandstead, Jr., Judge

Tom Macurdy,

Plaintiff-Appellant,

v.

Thomas Faure, Coroner of Boulder County; Ben Pearlman, Commissioner; Tom Mayer,
Commissioner; Will Toor, Commissioner; and County of Boulder,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division III

Opinion by: JUDGE TAUBMAN
Roy and Terry, JJ., concur

Court of Appeals No.: [07CA1066](#)

El Paso County District Court No. 07JV97

Honorable J. Patrick Kelly, Judge

The People of the State of Colorado,

In the Interest of I.L., a Child,

Upon the Petition of the El Paso County Department of Human Services,

Petitioner-Appellee,

and Concerning R.L.,

Respondent-Appellant.

ORDER AFFIRMED

Division V

Opinion by: JUDGE GRAHAM
Loeb and Román, JJ., concur

Court of Appeals No.: [07CA1434](#)

Alamosa County District Court No. 06JV134

Honorable Pattie P. Swift, Judge

Honorable Joseph J. Weatherby, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.Y., a Child,

and Concerning T.Y.,

Respondent-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III

Opinion by: JUDGE TAUBMAN
Roy and Terry, JJ., concur

Court of Appeals No.: [07CA1718](#)

Pueblo County District Court No. 07CR765

Honorable Victor I. Reyes, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Anthony P. Garcia,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by: JUDGE ROMÁN
Graham and Loeb, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No.: 05CA0767
Pueblo County District Court No. 03CR595
Honorable Scott B. Epstein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Paul Rodriguez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by: JUDGE TERRY
Taubman and Roy, JJ., concur

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

Court of Appeals No.: 05CA1487
Arapahoe County District Court No. 00CR1686
Honorable Cheryl L. Post, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Clarence Frazier Banks,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division IV

Opinion by: JUDGE WEBB
Vogt and Bernard, JJ., concur

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

Court of Appeals Nos.: 05CA1588
Pueblo County District Court Nos. 03CR112
Honorable Scott B. Epstein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lacey Haines,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III

Opinion by: JUDGE KAPELKE*
Davidson, C.J., and Sternberg *, J., concur

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

Court of Appeals No.: 05CA1589
Pueblo County District Court No. 03CR114
Honorable Scott B. Epstein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Haines,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division III

Opinion by: JUDGE STERNBERG*
Davidson, C.J., and Kapelke*, J., concur

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

Court of Appeals No.: 06CA0360
Larimer County District Court Nos. 94CR161 & 04CR1863
Honorable James H. Hiatt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher J. Bellin,

Defendant-Appellant.

SENTENCE AFFIRMED

Division IV

Opinion by: JUDGE WEBB

Vogt and Bernard, JJ., concur

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

Court of Appeals No.: 06CA0453
Jefferson County District Court Nos. 04CR1289 & 05CR384
Honorable Tamara S. Russell, Judge
Honorable James D. Zimmerman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shaun T. Bogner,

Defendant-Appellant.

ORDER AFFIRMED IN PART
AND APPEAL DISMISSED IN PART

Division I

Opinion by: JUDGE CASEBOLT
Márquez and Dailey, JJ., concur

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

Court of Appeals No.: 06CA0503
Boulder County District Court No. 03CV174
Honorable Lael E. Montgomery, Judge

Terry K. Danko and Deborah L. Danko,

Plaintiffs,

v.

Wayne Adams and Cindy Worster,

Defendants-Appellees,

and Concerning Ben W. Thompson,

Attorney-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II

Opinion by: JUDGE FURMAN

Rothenberg and J. Jones, JJ., concur

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

Court of Appeals No.: 06CA0980
Adams County District Court No. 02CR723
Honorable C. Scott Crabtree, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Peter G. Mair,

Defendant-Appellant.

ORDER AFFIRMED

Division VI

Opinion by: JUDGE CARPARELLI

Russel and Hawthorne, JJ., concur

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

Court of Appeals No.: 06CA1275
City and County of Denver District Court Nos. 99CR4175 & 02CR2607
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randall Terrell Mayberry,

Defendant-Appellant.

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

Division VI

Opinion by: JUDGE CARPARELLI
Russel and Hawthorne, JJ., concur

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

Court of Appeals No.: 06CA1544
Arapahoe County District Court No. 82DR346
Honorable Robert H. Russell, II, Judge

In re the Marriage of

Debra Kaye Arndt, n/k/a Debra Becker,

Appellee,

and

Wayne Roger Arndt,

Appellant.

ORDER AFFIRMED

Division VI

Opinion by: JUDGE RUSSEL
Carparelli and Hawthorne, JJ., concur

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

Court of Appeals No.: 06CA1671
City and County of Denver District Court No. 05CR3028

Honorable Herbert L. Stern, III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony L. Lucero,

Defendant-Appellant.

ORDER AFFIRMED

Division I

Opinion by: JUDGE MÁRQUEZ
Casebolt and Dailey, JJ., concur

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

Court of Appeals No.: 06CA1703
Adams County District Court No. 05CV325
Honorable Thomas R. Ensor, Judge

Isabella G. Trotter, a minor, by and through her parents and next friends, Kristi J. Trotter and Andrew J. Trotter; and Kristi J. Trotter and Andrew J. Trotter, individually,

Plaintiffs-Appellants,

v.

HCA-Healthone, LLC, d/b/a North Suburban Medical Center,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V

Opinion by: JUDGE ROMÁN
Graham and Loeb, JJ., concur

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

Court of Appeals No.: 06CA1819
Douglas County District Court No. 04DR510
Honorable Timothy L. Fasing, Judge

In re the Marriage of

Roberta Vigil Evans,

Appellant,

and

Russell D. Evans,

Appellee.

JUDGMENT VACATED, ORDER AFFIRMED,
AND CASE REMANDED WITH DIRECTIONS

Division I

Opinion by: JUDGE DAILEY
Márquez and Casebolt, JJ., concur

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

Court of Appeals No.: 06CA1869
Custer County District Court No. 99CV36
Honorable Julie G. Marshall, Judge

H. David Tonsing, d/b/a Tonsing Construction,

Plaintiff-Appellee,

v.

Anne Layman and Jan Lee,

Defendants-Appellants.

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

Division I
Opinion by: JUDGE MÁRQUEZ
Casebolt and Dailey, JJ., concur

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

Court of Appeals No.: 06CA2050
Teller County District Court No. 06CR50
Honorable Thomas L. Kennedy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Frank J. Penniman,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by: JUDGE ROY
Taubman and Ney*, JJ., concur

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

Court of Appeals No.: 06CA2058
El Paso County District Court No. 05CR2709
Honorable Kirk S. Samelson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael D. Moehring,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by: CHIEF JUDGE DAVIDSON
Sternberg* and Kapelke*, JJ., concur

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

Court of Appeals No.: 06CA2217
City and County of Denver District Court No. 98CR4129
Honorable H. Jeffrey Bayless, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Erika Arroyo,

Defendant-Appellant.

ORDER AFFIRMED

Division B
Vogt, Graham, and Loeb, JJ.
PER CURIAM

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

Court of Appeals No.: 06CA2299
Pueblo County District Court No. 05CR1176
Honorable Victor I. Reyes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel J. Apodaca,

Defendant-Appellant.

ORDER AFFIRMED

Division I

Opinion by: JUDGE DAILEY
Márquez and Casebolt, JJ., concur

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

Court of Appeals No.: 06CA2339
Adams County District Court No. 06CV381
Honorable Thomas R. Ensor, Judge

Motor Car Auto Carriers, Inc.,

Plaintiff-Appellee,

v.

John Mannone,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V

Opinion by: JUDGE LOEB
Graham and Román, JJ., concur

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

Court of Appeals No.: 06CA2627
Eagle County District Court No. 99CR43
Honorable R. Thomas Moorhead, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Timothy Mee,
Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division B
Vogt, Graham, and Loeb, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA0304
Arapahoe County District Court No. 00DR1120
Honorable Juanita L. Rice, Judge

In re the Marriage of

Deanna Joyce Coopridner, n/k/a Deanna Paul,

Appellant,

and

Danny H. Coopridner,

Appellee.

ORDER AFFIRMED

Division VI
Opinion by: JUDGE CARPARELLI
Russel and Hawthorne, JJ., concur

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

Court of Appeals No.: 07CA0414
Morgan County District Court No. 00CR150
Honorable Douglas R. Vannoy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mauro Valezquez-Juarez,

Defendant-Appellant.

ORDER AFFIRMED

Division B
Vogt, Graham, and Loeb, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA0558
Crowley County District Court No. 06CV23
Honorable Michael Schiferl, Judge

Gregory Garcia,

Plaintiff-Appellant,

v.

Joseph Ortiz, Ron Leyba, and Henry Ybarra,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by: JUDGE GRAHAM
Loeb and Román, JJ., concur

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

Court of Appeals No.: 07CA0576
El Paso County District Court No. 97CR1218

Honorable Edward S. Colt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leo Theodore Weinman,

Defendant-Appellant.

ORDER AFFIRMED

Division B
Vogt, Graham, and Loeb, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA0627

Arapahoe County District Court No. 92CR198

Honorable Valeria Spencer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William C. Gilmore,

Defendant-Appellant.

ORDER AFFIRMED

Division B
Vogt, Graham, and Loeb, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA1068
El Paso County District Court No. 07JV95
Honorable J. Patrick Kelly, Judge

The People of the State of Colorado,

In the Interest of D.L., Q.L., A.L., and M.L., Children,

Upon the Petition of the El Paso County Department of Human Services,

Petitioner-Appellee,

and Concerning R.L.,

Respondent-Appellant.

ORDER AFFIRMED

Division V
Graham, Loeb, and Román, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA1204
Industrial Claim Appeals Office of the State of Colorado
DD No. 4129-2007

Tulsa Van Elsacker,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Alterra Healthcare
Corporation,

Respondents.

ORDER AFFIRMED

Division III
Opinion by: JUDGE TERRY
Roy, J., concurs

Taubman, J., dissents

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

Court of Appeals No.: 07CA1359
Industrial Claim Appeals Office of the State of Colorado
DD No. 3048-2007

Donnella M. Ruiz,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Corestaff Services LP,
Respondents.

ORDER AFFIRMED

Division B
Graham, Bernard, and Terry, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA1395
Industrial Claim Appeals Office of the State of Colorado
DD No. 6520-2007

Columbine Logging, Inc.,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Erika D. Harris,
Respondents.

ORDER AFFIRMED

Division B
Graham, Bernard, and Terry, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA1396
El Paso County District Court No. 06JV650
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

In the Interest of Z.G., E.G., and J.G., Children,

Upon the Petition of the El Paso County Department of Human Services,

Petitioner-Appellee,

and Concerning B.G.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by: JUDGE J. JONES
Rothenberg and Furman, JJ., concur

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

Court of Appeals No.: 07CA1501
Industrial Claim Appeals Office of the State of Colorado
DD No. 9117-2007

Bruce W. Lofton,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Ready Men Labor, Inc.,

Respondents.

ORDER AFFIRMED

Division B
Graham, Bernard, and Terry, JJ.
PER CURIAM

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

Court of Appeals No.: 07CA1804
Adams County District Court No. 06JV0428
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.J.A. and K.J.A., Children,

and Concerning C.M.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by: JUDGE CARPARELLI
Russel and Hawthorne, JJ., concur

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

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.: [04CA1428](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua J. Whitman,
Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

Court of Appeals No.: 04CA1755

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Reginald Porter,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No.: 05CA0691

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fredrick L. Abram,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals Nos.: 05CA2099, 06CA0043 & 06CA0240

Drew Cleland, Robert McAtee, William Lauer, and DLMT, LLC,

Plaintiffs-Appellees and Cross-Appellants,

v.

Lakeside Ventures, LLC, Richard E. Norton, Carolyn Norton, and Lee Allen Stouse,

Defendants-Appellants and Cross-Appellees.

Opinion Modified and
Petitions for Rehearing DENIED

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

Court of Appeals No.: 05CA2260

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cycle Lee Tyler,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No.: 06CA1345

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Montgomery,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No.: 06CA1434

Steven N. Hirsch, as trustee for the Franklin Nominee Trust,

Plaintiff-Appellant,

v.

James Grant Hunt and Janice A. Hunt,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No.: 06CA1608

Jane Parks,

Plaintiff-Appellant,

v.

State Farm Mutual Automobile Insurance Company,

Defendant-Appellee.

Opinion Modified and
Petition for Rehearing DENIED

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

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5 (3), and § 24-51-1105, C.R.S. 2007.