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COURT OF APPEALS STATE OF COLORADO 2 East 14th Avenue Denver, CO 80203	
El Paso County District Court Honorable Marla Prudek, Judge Case No. 13CR430	
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff-Appellee, v. REBECCA KELLEY, Defendant-Appellant.	▲ **COURT USE ONLY** ▲ Case No. 14CA15
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PEOPLE'S ANSWER BRIEF

CERTIFICATE OF COMPLIANCE

I hereby certify that this brief complies with all requirements of C.A.R. 28 and C.A.R. 32, including all formatting requirements set forth in these rules. Specifically, the undersigned certifies that:

The brief complies with C.A.R. 28(g).

It contains 5,272 words.

The brief complies with C.A.R. 28(k).

It contains, under a separate heading, a statement of whether such party agrees with the opponent's statements concerning the standard of review and preservation for appeal, and if not, why not.

I acknowledge that my brief may be stricken if it fails to comply with any of the requirements of C.A.R. 29 and C.A.R. 32.

__/s/ Victoria M. Cisneros_____

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STATEMENT OF THE FACTS AND CASE

On January 29th, 2013, the owner of a medical marijuana dispensary saw two vehicles pull into the parking lot and just remain there. (R. Tr. 9/17/13, pp. 9-11). The owner called police because he was concerned that someone might rob him. (*Id.*, p.13, 22). Officer Nethercot responded to the call and saw a small Toyota truck in the dispensary's parking lot and another vehicle on the street in front of the dispensary. (*Id.*, p. 23). The officer pulled into the parking lot and partially blocked the driveway. (*Id.*, p. 26). As the officer arrived, the defendant got out of the Toyota truck and came towards her, talking extremely fast and appeared to be extremely nervous. (*Id.*). The defendant told the officer that there was another person in the car on the street and the officer contacted that person to get identification. (*Id.*, p. 28). The defendant told the officer that she was there to get some belongings for a friend from some nearby apartments. (*Id.*). The officer asked the defendant for her driver's license and walked with her back to the Toyota. (*Id.*, p. 29). The officer realized that there was

another man in the Toyota that she had not seen yet. (*Id.*). He was crouched down in the passenger seat and as the officer approached to ask for identification, the man got out of the car and ran away from the officer. (*Id.*).

The officer attempted to chase the man, but was not able to catch him. (*Id.*, p. 30-31). Officer Nethercot went back to ask the defendant if she knew the man's name and the defendant said she knew him but didn't know his name. (*Id.*, p. 32). The officer then asked for permission to search the defendant's vehicle to see if the man had left behind any identification and the defendant agreed. (*Id.*).

Before she searched the vehicle, the officer asked the defendant to sit in her police car and the defendant agreed. (*Id.*, p. 33). While searching the vehicle, the officer found a bag of syringes in the center console. (*Id.*, p. 34). She also found the defendant's purse on the front seat and upon looking through it she found clear glass pipes, a digital scale, a ziplock bag with the words "Heavy D" on it that contained a white/tan powdery substance, a spoon, a prescription bottle, and plastic straws. (*Id.*, pp. 38, 40, 42, 43, 45, 47, 48).

Officer Nethercot went back to the defendant and placed her under arrest. (*Id.*, p. 50). The officer drove the defendant to a police substation and placed her in a holding cell. (*Id.*, p. 54). Once she was in the holding cell, the officer had the defendant empty her pockets, and take off any jewelry, belts, and socks. (*Id.*, p. 58). The defendant's possessions were placed in plastic bags and then into a locker with her other property. (*Id.*, pp. 58-59).

Officer Lindahl was dispatched to the substation to transport the defendant to the El Paso County Criminal Justice Center (CJC). (*Id.*, p. 168). He retrieved the defendant's paperwork and property, and placed them in the trunk of his patrol car. (*Id.*, p. 170). He then went to the holding cell, handcuffed the defendant and placed her in his car. (*Id.*, p. 171).

At CJC, Officer Lindahl retrieved the defendant's paperwork and property, and led her into the holding cell area. (*Id.*, pp. 171-72). The officer placed her property into a bin with her paperwork, then had the defendant remove her shoes and placed those in the bin as well. (*Id.*, p.

172). Officer Lindahl gave the plastic bin to the intake officer. (*Id.*, p. 173).

The intake officer began to inventory the defendant's property. (*Id.*, p. 185). She found a small silver cylinder inside one of the defendant's socks. She opened the cylinder, looked inside and told Officer Lindahl that he might want to look at it. Officer Lindahl took the cylinder, opened it, and saw what looked to be methamphetamine. (*Id.*, p. 173, 175). He asked the defendant what was in the cylinder and she replied, "That's not mine. He must have put it in my sock." (*Id.*, p. 175). The defendant continued to deny that the cylinder was hers. (*Id.*, p. 176).

Officer Lindahl went back to the substation after the defendant had been booked into CJC and field tested the substance in the canister. (*Id.*). The substance tested positive for methamphetamine. (*Id.*).

The defendant was charged with possession of methamphetamine, introducing contraband into a detention facility, and possession of drug

paraphernalia.[1] (CF, pp. 20-21). Following a jury trial, she was convicted as charged. (CF, pp. 26-28; R. Tr. 9/18/13, p. 115). She was sentenced to two years of supervised probation. (R. Tr. 11/18/13, p. 5).

SUMMARY OF THE ARGUMENT

The trial court properly denied the defendant's motion to suppress because her consent to search was voluntary and was not given while she was being illegally detained. There was sufficient evidence to support the jury's verdict finding the defendant guilty of introducing contraband into a detention facility.

[1] The defendant was initially also charged with possession with intent to distribute a controlled substance. (CF, pp. 5-9). This charge was later dismissed. (CF., pp. 18, 20-21; R. Tr. 9/16/13, p. 9).

ARGUMENT

I. The trial court properly denied the defendant's motion to suppress.

The defendant argues that the trial court erred in denying her motion to suppress evidence because she was arrested without probable cause and her consent to search was tainted by the illegal arrest.

A. Standard of Review and Preservation

In reviewing a suppression order, this Court defers to the trial court's findings of fact, which shall not be overturned if supported by competent evidence in the record. This Court then applies a *de novo* standard of review to ascertain whether the trial court's legal conclusions are supported by sufficient evidence and whether it has applied the correct legal standard. *People v. Kazmierski*, 25 P.3d 1207, 1210 (Colo. 2001).

B. Factual Background

Prior to trial, the defendant filed a motion to suppress all statements and evidence obtained during her arrest because the evidence was obtained as the result of an illegal stop. (CF, pp. 10-11).

The trial court held a hearing at which Officer Nethercot testified. Officer Nethercot testified that she was dispatched to a medical marijuana dispensary because there were two suspicious vehicles present and the owner thought he might be robbed. (R. Tr. 5/2/13, p. 7). She also testified that there had been several robberies of medical marijuana dispensaries in the prior months. (*Id.*, p. 37).

Upon arriving, the officer was approached by the defendant who appeared extremely nervous. (*Id.*, pp. 8-9). The defendant told the officer that there was a man in the second car parked on the street. (*Id.*, p. 9). The officer contacted the man in that car and obtained identification for him. (*Id.*, p. 12).

The officer came back to the defendant and followed her to the defendant's Toyota. (*Id.*, p. 13). As they approached, the officer noticed there was another male in the Toyota who was slouching down in his seat and refusing to look at the officer. (*Id.*). As the officer was attempting to see the male more clearly, the defendant kept talking to her, as if she was trying to distract Officer Nethercot. (*Id.*, p. 14). The defendant opened the door of the Toyota and the officer asked the male

for his name. (*Id.*). At that point, the man jumped out of the vehicle and fled. (*Id.*). Officer Nethercot gave chase but was not able to catch him because it was snowing heavily and was slippery. (*Id.*, p. 14-15).

Upon returning to the parking lot, the defendant told the officer that she would just leave and not bother the officers any more. (*Id.*, p. 55). Because the officer was still trying to figure out what was going on and who the man was, she placed the defendant in her police cruiser. (*Id.*). Officer Nethercot testified that she did this for both her safety and the defendant's safety because the man had run and the officer had no way of knowing if he had a weapon. (*Id.*, pp. 15-16). The defendant was not handcuffed when she was placed in the car. (*Id.*, p. 49). While it is unclear how the items were removed from the defendant, whether she was directed by the officer or she voluntarily gave them to the officer, Officer Nethercot did take the defendant's phone and anything else was in her pockets and placed it on the front seat of the cruiser before the defendant was put in the vehicle to keep them dry because it was snowing heavily. (*Id.*, pp. 45-46).

Officer Nethercot asked the defendant who the man was but she did not give the officer a name. (*Id.*, pp. 16-17). The officer then asked the defendant if she could search the defendant's vehicle for identification for the man. (*Id.*, p. 17). The defendant agreed and told the officer that she "could look wherever [she] wanted to." (*Id.*,p. 18). Officer Nethercot testified that the defendant still appeared nervous but was cooperative. (*Id.*, p. 17). She also testified that she did not threaten the defendant or make any promises. (*Id.*).

Officer Nethercot searched the vehicle, found a purse, and upon looking through the purse, found a black zippered bag with white polka dots. (*Id.*, pp. 18-19). In an exterior pocket of that bag, she found a spoon with a piece of dried cotton stuck to it. (*Id.*, p. 19). Inside the bag, she found multiple baggies with the words "Heavy D" on them. (*Id.*¸ p. 20). In one of those baggies, there was a light tan powdery substance. (*Id.*). In addition, the officer found several syringes, a pill bottle, straws, a digital scale, and glass pipes. (*Id.*, pp. 21-22, 24).

Upon returning to the patrol car, Officer Nethercot asked the defendant if the purse was hers and she agreed that it was. (*Id.*, p. 49).

The officer then placed the defendant under arrest. (*Id.*). Officer Nethercot did not give a *Miranda* advisement at that time because she was not asking the defendant any questions. (*Id.*, p. 50). The defendant continued to talk and stated that she thought the man put the items in her purse. (*Id.*).

After hearing the evidence and the arguments of counsel, the court made findings of fact and conclusion of law in denying the motion to suppress. The trial court first found that the officer was dispatched to the dispensary because the owner was afraid he was going to be robbed. (R. Tr. 5/9/13, pp. 2-3). Upon arriving at the dispensary, the officer was approached by the defendant, who was speaking rapidly and appeared to be very nervous. (*Id.*, p. 3). When the officer approached the Toyota, she saw a man slumped down, who fled after the officer asked who he was. (*Id.*, p. 4). Officer Nethercot gave chase briefly and when she returned to the parking lot, the defendant stated she was just going to leave, but the officer had her take a seat in the patrol car. (*Id.*, pp. 4-5). The reason for having the defendant sit in the car was for the safety of both the defendant and the officer, and because it was snowing

and cold out. (*Id.*, p. 5). The court stated that the defendant was not handcuffed when she was placed in the patrol car. (*Id.*). When the officer asked if she could search, the defendant stated "go ahead and search wherever you want." (*Id.*, pp. 5-6). So the officer searched and found drugs and paraphernalia. (*Id.*, p. 6).

The trial court found that the initial contact was a consensual contact because the defendant approached the officer. (*Id.*). Further, the court found that there was reasonable suspicion to detain the defendant given the totality of the circumstances with previous medical marijuana dispensary robberies, the man fleeing the scene, the defendant trying to distract the officer, and the lateness of the encounter. (*Id.*, pp. 7, 11). The trial court specifically found that the defendant was not under arrest when she was placed in the patrol car but was being reasonably detained. (*Id.*, p. 10).

The court also found that the defendant's consent to search was voluntary because under the totality of the circumstances, the tone of the encounter was not coercive or intimidating. (*Id.*, p. 8). The defendant was not handcuffed, there was no force or struggle to get her

to sit in the patrol car, and there was no other evidence of coercion or intimidation. (*Id.*, pp. 8, 10).

C. Consent

The defendant first claims that she was arrested without probable cause after the man fled, but prior to the search of her vehicle.

The Fourth Amendment to the United States Constitution proscribes all unreasonable searches and seizures. U.S. Const. amend. IV. Colorado has recognized three types of citizen-police encounters: 1) arrest; 2) investigatory stop; and 3) consensual interview. *People v. Melton*, 910 P.2d 672, 676 (Colo. 1996). Arrests and investigatory stops are seizures, therefore they must be justified, respectively, by probable cause and reasonable articulable suspicion of criminal activity. *People v. Paynter*, 955 P.2d 68, 72 (Colo. 1998).

In proceeding on a motion to suppress based upon an illegal detention, a defendant must show: (1) the point at which she was seized within the meaning of the Fourth Amendment; and (2) that the seizure was unconstitutional. *Outlaw v. People*, 17 P.3d 150, 155 (Colo. 2001). A trial court must take into account the totality of the

circumstances known to police officers at the time of intrusion, along with any rational inferences that may be drawn from them. *People v. Garcia*, 11 P.3d 449, 453 (Colo. 2000).

An investigatory stop may be employed when an officer has less than probable cause. *Terry v. Ohio*, 392 U.S. 1 (1968). To justify an investigatory stop: 1) there must be a specific and articulable basis in fact for suspecting that criminal activity has taken place; 2) the purpose of the intrusion must be reasonable; and 3) the scope and character of the intrusion must be reasonable in light of its purpose. *People v. Funez-Paiagua*, 2012 CO 37, ¶8.

The determination of whether reasonable suspicion exists to justify an investigatory stop focuses on whether, based on the totality of the circumstances, there are specific, articulable facts known to the officer which, taken together with reasonable inferences from those facts, create a reasonable suspicion of criminal activity to justify the intrusion into a person's personal security. *People v. Salazar*, 964 P.2d 502 (Colo. 1998). Circumstances relevant to assessing whether the police had reasonable suspicion of criminal activity include "the

lateness of the hour, the character of the area, the reaction to the presence of police, and whether a companion is being arrested." *People v. Smith*, 13 P.3d 300, 306 (Colo. 2000).

Although the presence of a single factor is sometimes insufficient to support an investigative detention, the existence of some of these circumstances in combination may raise a reasonable suspicion of criminal activity that justifies the intrusion. *Compare Outlaw,* 17 P.3d at 157 (furtive gesture, standing alone, is too ambiguous to constitute basis for investigatory stop), *and People v. Greer*, 860 P.2d 528, 531 (Colo. 1993) (mere presence in high crime area insufficient to justify investigatory stop), *with Illinois v. Wardlow*, 528 U.S. 119, 124 (2000) (suspect's presence in area of heavy narcotics trafficking, together with his unprovoked flight upon noticing police, justified investigatory stop). *See also United States v. Arvizu*, 534 U.S. 266, 274 (2002) (court should consider totality of the circumstances, not analyze each factor separately to assess whether it might be consistent with innocent behavior); *People v. May*, 886 P.2d 280, 282 (Colo. 1994) (noting that, although each piece of information may not have amounted to

reasonable suspicion, the combination of the three satisfied the reasonable suspicion standard).

As the defendant concedes, the initial encounter was consensual. There are no details about whether the defendant was ordered into the car or whether the officer simply requested she sit in the car because it was snowing and for her safety. Similarly, there are no details about how the defendant's belongings got onto the trunk of the patrol car. (R. Tr. 5/2/13, p. 45). Officer Nethercot testified that she moved them into the front seat of the patrol car to keep them dry. (*Id.*). Contrary to the defendant's assertion, simply because there was a cover officer with the defendant while Officer Nethercot chased the man who fled does not transform the encounter into a detention because there was no indication the defendant was restrained in any manner.

The defendant bears the burden of demonstrating the point of seizure. *Outlaw*, 17 P.3d at 155. There was no evidence introduced that the defendant was in the car because the officer directed her into the car or that the officer took her possessions, thus, the defendant cannot show that she was detained to the extent of a full formal arrest. In any

event, the only possible point prior to her formal arrest which could be construed as constituting a seizure is when the defendant was placed in the patrol car. Even if she was seized at this point, there was reasonable suspicion to justify any detention. The police were responding to a call from the marijuana dispensary that there were two suspicious vehicles and the owner of the dispensary was afraid he was going to be robbed. *People v. Polander*, 41 P.3d 698, 703 (Colo. 2001) ("An investigatory stop, based in part on information provided by someone other than the police, is therefore justified as long as the totality of the circumstances indicates that the police possess some minimal level of objective suspicion (as distinguished from a mere hunch or intuition) that the person to be stopped is committing, has committed, or is about to commit a crime."). There had been robberies at other medical marijuana dispensaries in the previous months. Upon arriving, Officer Nethercot was able to corroborate the phone call because there were two vehicles with people in or near them when she arrived. During her contact with the defendant, the defendant

appeared nervous and was talking rapidly. When the officer attempted to contact the man in the defendant's truck, he fled the scene.

As the trial court found, the detention of the defendant was not a formal arrest because she was not handcuffed, there were no threats or promises made, and there was no evidence of coercion or intimidation. The officer explained that she moved the defendant into the patrol car for both of their safety because there was an additional party that had fled, and because it was snowing heavily.

Altogether, these facts established reasonable suspicion that the defendant was engaged in or about to engage in criminal activity.

Because there was no Fourth Amendment violation, the defendant's argument that her consent was tainted by illegality fails. Under the "fruit of the poisonous tree" doctrine, evidence derived from information acquired by the police through unlawful means is inadmissible in a criminal prosecution. *People v. Lewis*, 975 P.2d 160, 170 (Colo. 1999). However, where a search or seizure is lawful, all evidence or statements obtained are admissible. *See People v. Wiley*, 51 P.3d 361, 364 (Colo. App. 2001) (*citing Colorado v. Spring*, 479 U.S. 564,

571 (1987) (a confession cannot be "fruit of the poisonous tree" if the tree itself is not poisonous)). Here, as demonstrated above, there was no unlawful seizure. As such, there is no basis to conclude that any evidence was the "fruit of the poisonous tree," and the trial court's suppression order should be upheld.

The defendant does not separately argue that the defendant's consent was involuntary. The record otherwise supports the trial court's finding that the consent was indeed voluntary.

D. Statements

The defendant next contends that her statements are inadmissible because they were the product of custodial interrogation without being given the benefit of *Miranda* advisements. This claim was not raised in the trial court. Although it was mentioned in the suppression motion, it was not argued at the hearing and the trial court did not address the issue. As such, this Court should decline to address this issue.

For suppression claims, which are fact-dependent, a reviewing court cannot and will not address a claim which does not have "a complete and factually developed lower court record." *Moody v. People*,

159 P.3d 611, 616 (Colo. 2007) (although court of appeals has power to address a standing issue sua sponte, it may not do so if resolution of the issue cannot be based on a factually complete and straightforward record).

Furthermore, it is well established that "[a]ppellate review of a suppression ruling is limited to the legal bases set forth in the district court's ruling." *People v. Zamora*, 220 P.3d 996, 1001 (Colo. App. 2009) (refraining from deciding whether the police engaged in an illegal seizure and whether such seizure vitiated the defendant's consent because the defendant did not raise these issues in the trial court, and the court made no express findings of fact regarding them).

It is not enough to raise the claim in the suppression motion. The defendant was required to argue the matter and seek a ruling from the trial court. Here, there is no ruling to review, and the claim must be considered waived. *See People v. Syrie*, 101 P.3d 219, 223 (Colo. 2004) (no review of claim where the prosecution did not adequately present the trial court with an opportunity to make findings of fact and conclusions of law on this ground for admissibility).

To the extent that this Court determines that the defendant's suppression claims are not waived by her failure to raise them below, the defendant was not in custody until she was formally arrested. At the point the defendant was asked to get into the patrol car, she was – as the trial court found – simply being detained for investigatory purposes and her own safety. She was not arrested until after the search of her vehicle when the officer found suspected narcotics and drug paraphernalia. Officer Nethercot testified that while the defendant was still in the back of the police car, she asked her if the purse found in the Toyota belonged to her or someone else. (R. Tr. 5/2/13, p. 29). The defendant admitted the purse was hers and the officer placed her under arrest. (*Id.*). The record does not indicate that Officer Nethercot asked her any other questions after she was arrested.

"The test of custody is an objective one asking whether a reasonable person in the suspect's position would believe himself to be deprived of his freedom of action to the degree associated with a formal arrest." *People v. Mumford*, 275 P.3d 667, 668 (Colo. App. 2010). "The relevant question is not whether a reasonable person would believe he

was not free to leave, but rather whether such a person would believe he was in police custody of the degree associated with a formal arrest." *Id*.

Based on the limited record that exists, there was nothing shown to elevate the encounter in this case from a temporary detention not requiring *Miranda* warnings to a custodial situation akin to formal arrest. Once the defendant was arrested, the officer did not ask her any further questions, thus negating any need for *Miranda* warnings.

II. The evidence was sufficient to support the jury's verdict finding the defendant guilty of introducing contraband into a detention facility.

The defendant argues that the evidence was insufficient to support the jury's verdict finding her guilty of introducing contraband into a detention facility because she did not have possession of the socks that contained the methamphetamine when she arrived at the CJC.

A. Standard of Review and Preservation

The People agree that this Court reviews "the record de novo to determine whether the evidence before the jury was sufficient both in quantity and quality to sustain the defendant's conviction." *People v.*

Heywood, 2014 COA 99, ¶9. The People agree that this issue was preserved. (R. Tr. 9/17/13, pp. 205, 209-210).

B. Discussion

To determine if the evidence presented to the jury is sufficient to sustain a defendant's conviction, a reviewing court considers whether the relevant evidence, both direct and circumstantial, when viewed as a whole and in the light most favorable to the prosecution, is substantial and sufficient to support a conclusion by a reasonable mind that the defendant is guilty of the charge beyond a reasonable doubt. *Clark v. People*, 232 P.3d 1287, 1291 (Colo. 2010). The People must be given the benefit of every reasonable inference which might be fairly drawn from the evidence. *People v. Sprouse*, 983 P.2d 771, 778 (Colo. 1999); *People v. Poe*, 2012 COA 166, ¶14.

It is the fact finder's function to weigh the credibility of witnesses, to determine what weight should be given to all parts of the evidence, and to resolve conflicts, inconsistencies, and disputes in the evidence. *Poe*, 2012 COA ¶14. Thus, an appellate court is not permitted to sit as a thirteenth juror and set aside a verdict because it might have drawn a

different conclusion from the same evidence. *Sprouse*, 983 P.2d at 778. Where reasonable minds could differ, the evidence is sufficient to sustain a conviction. *People v. Bondurant*, 2012 COA 50, ¶58.

Here, the jury heard testimony from Officer Nethercot that upon arriving at the police substation, the officer had the defendant remove her socks and jewelry. The socks were placed into a separate bag from the rest of the defendant's property and placed in a locker that corresponded to the holding cell the defendant was in. (R. Tr. 9/17/13, pp. 58). The jury also heard testimony that the holding cells were separated by gender and that there were no other females in the holding cells on that night. (*Id.*, pp. 59-60, 170). Officer Lindahl testified that when he arrived to transport the defendant to CJC, he retrieved her paperwork and all of her property, placed it in the trunk of his vehicle before he handcuffed the defendant and placed her in the patrol car. (*Id.*, p. 171).

Upon arriving at CJC, Officer Lindahl removed the defendant's property and placed it in gray bin before passing it through a door to the intake officer. The intake officer testified that when she received

the property, she began to inventory the items and discovered a small vial with butterfly stickers on it. She opened the vial, and saw what she suspected was narcotics.

Contrary to the defendant's assertion, proof of possession is not an essential element of introducing contraband. *See People v. Etchells*, 646 P.2d 950, 951 (Colo. App. 1982). Instead, the prosecution must simply prove that the defendant knows she is introducing or attempting to introduce contraband into a detention facility. *People v. Iversen*, 2013 COA 40, ¶24.

The testimony presented allowed the jury to reasonably infer that the defendant knew the vial containing methamphetamine was in her sock. She knew it was in her sock when she was brought into the police substation, and that it would be transported to CJC, a "detention facility," with her. While the testimony presented may have been contradictory, it is the fact finder's function to weigh the credibility of witnesses, to determine what weight should be given to all parts of the evidence and to resolve conflicts, inconsistencies, and disputes in the evidence. *Poe*, ¶14. Thus, an appellate court is not permitted to sit as a

thirteenth juror and set aside a verdict because it might have drawn a different conclusion from the same evidence. *Sprouse*, 983 P.2d at 778.

Here, the jury heard the testimony of Officer Nethercot, Officer Lindahl, the intake officer, and the defendant. The jury heard the inconsistencies, weighed them during deliberations, and chose to find the defendant guilty. This Court should not disturb those findings on appeal.

CONCLUSION

Based on the foregoing arguments and authorities, the People respectfully request this Court affirm the defendant's convictions.

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CERTIFICATE OF SERVICE

This is to certify that I have duly served the within **PEOPLE'S ANSWER BRIEF** upon **JOSEPH P. HOUGH**, Deputy State Public Defender, and all parties herein via Integrated Colorado Courts E-filing System (ICCES) on March 31, 2015.

/s/ Tiffiny Kallina

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