

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
October 6, 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**

[2022COA115](#)

Court of Appeals No. [19CA1007](#)

Pueblo County District Court Nos. 17JD220 & 18CR2025

Honorable Deborah R. Eyer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnny Joseph Dannel, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III

Opinion by JUDGE WELLING

J. Jones and Schutz, JJ., concur

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ANNOUNCEMENTS  
Colorado Court of Appeals  
October 6, 2022

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[2022COA116](#)

Court of Appeals No. [20CA1144](#)  
Boulder County District Court No. 19CR475  
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Reginald Snelling,

Defendant-Appellant.

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

Division V  
Opinion by JUDGE TAUBMAN\*  
Fox, J., concurs  
Gomez, J., specially concurs

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[2022COA117](#)

Court of Appeals No. [21CA0552](#)

Weld County District Court No. 20CV30593

Honorable Todd Taylor, Judge

MLS Properties LLC, 736 Baseline LLC, 2528 W. 16th Street LLC, 3200 Village Vista Drive LLC, Adams Bank Trust, Ashton Greeley Property LLC, Scott T. Banzhaf, BFI Medical Waste Inc., Boulder Marine Inc., Boulder Scientific Company, Brown Business Properties LLC, C & K Investment Properties LLC, Capitol 3109 LLC, Carbon Element SPE LLC, Code 3 Associates, Inc., Crestone Peak Resource Holdings LLC, Diesel Service Property LLC, Early Education Enterprises LLC, EJ Holdings Inc., Exit LTP Investments LLC, FEI Energy Fund LLC, Ferrous Development LLC, First National Bank of Johnstown, Garretson Family Partnership LLLP, GEP Investments Inc., Gtuida LLC, Highway 119 LLC, Jagadar LLC, Kersey Hotel LLC, Liberty Aviation LLC, Marsid Land LLC, MJ 3106 LLC, Mountain States Rosen LLC, MP 4665 LLC, Nan Madeira Stuart Trust, Norlarco Credit Union, NVW LLC, PAR 4 Properties LLC, PHI Enterprises LLC, Raw Property LLC, RC 4689 LLC, Riggs & Dicken Properties LLC, Ritchie Bros. Properties Inc., Rolinda Colorado Company LTD, Silver Coin Investments, Texas Roadhouse Holdings LLC, Union Colony Bank, Ana Uyemjura, Weaver 880 LLC, Westlake Village II LLC, Westlake Village LLC, White Peaks Property II LLC, Wide Open Real Estate LLC, Willco IV Development LLLP, Willco VIII Development LLLP,

Plaintiffs-Appellants,

v.

Weld County Board of Equalization and Brenda Dones, Weld County Assessor,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE KUHN  
Navarro and Lipinsky, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 17CA1536  
Adams County District Court No. 16CR150  
Honorable Sharon Holbrook, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Yolanda Ursula Vialpando,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE BERGER  
Fox and Lipinsky, JJ., concur

Prior Opinion Announced March 19, 2020, Reversed in 20SC343

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

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Court of Appeals No. 18CA1853  
Arapahoe County District Court No. 16CR913  
Honorable Andrew C. Baum, Judge

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

v.

Nicholas Trenton Cattaneo,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE GROVE  
Dunn and Schutz, JJ., concur

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

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Court of Appeals No. 19CA0170  
Adams County District Court No. 17CR4392  
Honorable Robert Ramirez, Judge

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

v.

Abdullahi Salah,  
  
Defendant-Appellant.

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

Division V  
Opinion by JUDGE NAVARRO  
Welling and Johnson, JJ., concur

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

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Court of Appeals No. 19CA2006  
Arapahoe County District Court No. 17CR3476  
Honorable Ryan J. Stuart, Judge

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

v.

Manuel Elias Rascon,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE JOHNSON  
Navarro and Welling, JJ., concur

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

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Court of Appeals No. 19CA2110  
Jefferson County District Court No. 18CR3338  
Honorable Robert C. Lochary, Judge

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

v.

Michael John Mancuso, III,  
  
Defendant-Appellant.

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

Division I  
Opinion by JUDGE RICHMAN  
Dailey and Furman, JJ., concur

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

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Court of Appeals No. 19CA2189  
City and County of Denver District Court No. 17CR1666  
Honorable John W. Madden, IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Constance M. Volz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE FOX  
Tow and Yun, JJ., concur

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

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Court of Appeals No. 19CA2405  
Jefferson County District Court No. 19CR2735  
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy Patrick Gentleman,

Defendant-Appellant.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE FURMAN  
Dailey and Richman, JJ., concur

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

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Court of Appeals No. 20CA0225  
Summit County District Court No. 18CR319  
Honorable Mark D. Thompson, Judge

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

v.

Jack Lee Justice,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE FOX  
Tow and Yun, JJ., concur

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

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Court of Appeals No. 20CA0309  
Mesa County District Court No. 19CR1683  
Honorable Matthew D. Barrett, Judge

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

v.

Russell Dean Lyles,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE HARRIS  
Pawar and Gomez, JJ., concur

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

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Court of Appeals No. 20CA0786  
Conejos County District Court No. 17CR4  
Honorable Michael A. Gonzales, Judge

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

v.

Santos G. Nevarez,  
  
Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE WELLING  
Navarro and Johnson, JJ., concur

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

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Court of Appeals No. 20CA1399  
Lincoln County District Court No. 18CR141  
Honorable H. Clay Hurst, Judge

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

v.

Kathryn Therese Oakes,  
  
Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE PAWAR  
Harris and Gomez, JJ., concur

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

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Court of Appeals No. 20CA1643  
Arapahoe County District Court Nos. 11CR1733, 15CR2789, 16CR203,  
16CR900 & 16CR1278  
Honorable Michael Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Bek,

Defendant-Appellant.

ORDERS AFFIRMED

Division VI  
Opinion by JUDGE BERGER  
Freyre and Lipinsky, JJ., concur

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

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Court of Appeals No. 21CA0120  
City and County of Denver District Court No. 01CR2554  
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hal Lewis Hebert,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUSTICE MARTINEZ\*  
Freyre and Lipinsky, JJ., concur

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

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Court of Appeals No. 21CA0533  
City and County of Denver District Court No. 19CV33949  
Honorable Michael A. Martinez, Judge

Eula Property LLC, a Colorado limited liability company,  
Plaintiff-Appellee,

v.

Carlin Enterprises, Inc., a Colorado corporation; and Hugh Carlin,  
Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE RICHMAN  
Dailey and Furman, JJ., concur

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

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Court of Appeals No. 21CA0553  
La Plata County District Court No. 20CV30122  
Honorable William L. Herringer, Judge

Franklin E. Walter,  
Plaintiff-Appellant,

v.

Centura Health Corporation, a Colorado non-profit corporation,  
Defendant-Appellee.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE FURMAN  
Richman, J., concurs  
Dailey, J., specially concurs

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

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Court of Appeals Nos. 21CA0562 & 21CA0678  
City and County of Broomfield District Court No. 17CV30184  
Honorable Robert W. Kiesnowski, Jr., Judge

AdvisorLaw, LLC, a Colorado limited liability company,

Plaintiff-Appellee,

v.

Dochtor D. Kennedy,

Defendant-Appellee,

and

FA Expungement, LLC, a Colorado limited liability company; Charles David Sisk, Jr., as Personal Representative for the Estate of Charles D. Sisk; Jamie Blair Sisk, as Personal Representative for the Estate of Charles D. Sisk; Bridget L. Schaan; and Tosh D. Grebenik,

Defendants-Appellants.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE BERGER  
Dailey and Tow, JJ., concur

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

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Court of Appeals No. 21CA0608  
City and County of Denver District Court No. 20CV409  
Honorable J. Eric Elliff, Judge

Michael J. Seaney,

Plaintiff-Appellant,

v.

Jon Linden Hagans,

Defendant-Appellee.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE GOMEZ  
Harris and Pawar, JJ., concur

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

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Court of Appeals No. 21CA0754  
Logan County District Court No. 12CR37  
Honorable Carl S. McGuire, III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Justin Joseph Rueb,

Defendant-Appellant.

ORDER AFFIRMED

Division A  
Opinion by CHIEF JUDGE ROMÁN  
Bernard\* and Graham\*, JJ., concur

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

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Court of Appeals No. 21CA0929  
Jefferson County District Court No. 20CV31226  
Honorable Ann Gail Meinster, Judge

John Doe, a minor, through his parents and next friends, Jane Doe and Jim Doe,

Plaintiff-Appellant,

v.

Douglas County School District,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE KUHN  
J. Jones and Brown, JJ., concur

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

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Court of Appeals No. 21CA0952  
Douglas County District Court No. 20CV30901  
Honorable Jeffrey K. Holmes, Judge

Battle Mountain Corporation,

Plaintiff-Appellant,

v.

Battle North, LLC, Battle South, LLC, and Battle One Developer, LLLP,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE TOW  
Fox and Yun, JJ., concur

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

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Court of Appeals No. 21CA0956  
Weld County District Court Nos. 10CR1062, 10CR1063, 10CR1064,  
10CR1065, 10CR1066 & 10CR1080  
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Holiman,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE BERGER  
Freyre and Lipinsky, JJ., concur

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

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Court of Appeals No. 21CA0966  
Weld County District Court No. 21CV7  
Honorable Carol Glowinsky, Judge

Bernard Kenneth Rivers, Jr.,

Plaintiff-Appellant,

v.

Todd Taylor, Dana Nichols, Jeffrey Romeo, Kenneth Barker, Troy Hause, James  
Hartmann, State of Colorado, and Michael Rourke,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE JOHNSON  
Navarro and Welling, JJ., concur

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

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Court of Appeals No. 21CA1054  
Weld County District Court No. 20CV30573  
Honorable Todd Taylor, Judge

Indianhead West Homeowners Association, Inc., a Colorado nonprofit corporation; Rockin S. Ranch LLC, a Colorado limited liability company; John Cummings; David Kisker; Gary Oplinger; and James Piraino,

Plaintiffs-Appellants,

v.

Board of County Commissioners of Weld County, Colorado, a political subdivision of the State of Colorado (including all of the individual Commissioners in their official capacities: Chair Mike Freeman, Pro-Tem Steve Moreno, Scott James, Barbara Kirkmeyer, and Kevin Ross); Rock & Rail, LLC, a Colorado limited liability company; and Gerrard Investments LLC, a Colorado limited liability company,

Defendants-Appellees.

ORDER AFFIRMED

Division I  
Opinion by JUDGE DAILEY  
Furman and Taubman\*, JJ., concur

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

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Court of Appeals No. 21CA1072  
Jefferson County District Court No. 16CR1999  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gary Walter Dodd,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE FREYRE  
Berger and Lipinsky, JJ., concur

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

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Court of Appeals Nos. 21CA1410 & 21CA1417  
Douglas County District Court No. 18DR30102  
Honorable Andrew C. Baum, Judge

In re the Marriage of

Christopher Hodyl,

Appellee,

and

Martine Bernard,

Appellant.

ORDERS AFFIRMED

Division III  
Opinion by JUDGE YUN  
Fox and Tow, JJ., concur

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

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Court of Appeals No. 21CA1929  
Weld County District Court No. 17DR30141  
Honorable W. Troy Hause, Judge

In re the Marriage of

Melissa Davis Pope,

Appellant,

and

Brian Thomas Pope,

Appellee.

ORDER AFFIRMED

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

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

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Court of Appeals No. 21CA2008  
City and County of Denver District Court No. 21DR399  
Honorable Jill D. Dorancy, Judge

In re the Parental Responsibilities Concerning C.E.C., a Child,  
and Concerning Juan Jose Fuentes Fernandez,  
Appellant,  
and  
Elizabeth Ann Camack and Adrian Eley Fuentes,  
Appellees.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE BERGER  
Freyre and Lipinsky, JJ., concur

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

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Court of Appeals No. 21CA2059  
Adams County District Court No. 19JV266  
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,  
Appellee,  
In the Interest of D.L.S. and E.T., Children,  
and Concerning A.D.O.,  
Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 21CA2085  
Arapahoe County District Court No. 20JV330  
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Appellee,

In the Interest of W.W., a Child,

and Concerning A.W.,

Appellant,

and

R.B.,

Appellee.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE VOGT\*  
Bernard\*, J., concurs  
Román, C.J., specially concurs

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

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Court of Appeals No. 22CA0005  
Jefferson County District Court No. 20JV143  
Honorable Ann Gail Meister, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.C.,

Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE FOX  
Tow and Yun, JJ., concur

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

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Court of Appeals No. 22CA0189  
Arapahoe County District Court No. 20JV387  
Honorable Don J. Toussaint, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.R., a Child,

and Concerning M.R.,

Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE BERGER  
Freyre and Lipinsky, JJ., concur

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

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Court of Appeals No. 22CA0269  
Industrial Claim Appeals Office of the State of Colorado  
WC No. 5-111-318

Theatre Aspen and Pinnacol Assurance,  
Petitioners,

v.

Industrial Claim Appeals Office of the State of Colorado and Joan Hess,  
Respondents.

ORDER SET ASIDE AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 22CA0497  
Delta County District Court No. 21JV62  
Honorable Steven L. Schultz, Judge

The People of the State of Colorado,  
Appellee,

In the Interest of B.S.P. and J.N.A., Children,  
and Concerning S.N.K.,

Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE TOW  
Fox and Yun, JJ., concur

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

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Court of Appeals No. 22CA0569  
Arapahoe County District Court No. 14DR2322  
Honorable Cynthia Mares, Judge

In re the Parental Responsibilities Concerning Ma.G. and Mi.G., Children,  
and Concerning Michelle Marie Clare,

Appellee,

and

Michael Gibson,

Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE LIPINSKY  
Berger and Freyre, JJ., concur

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

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Court of Appeals No. 22CA0676  
Boulder County District Court No. 21JV505  
Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.C.,

Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE YUN  
Fox and Tow, JJ., concur

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

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Court of Appeals No. 22CA1194  
El Paso County District Court No. 22MH57  
Honorable Vincent N. Rahaman, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Melissa Miller,

Respondent-Appellant.

ORDER AFFIRMED IN PART AND REVERSED IN PART

Division II  
Opinion by JUDGE KUHN  
J. Jones and Brown, JJ., concur

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

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Court of Appeals No. 22CA1237  
City and County of Denver Probate Court No. 20MH688  
Honorable Beth A. Tomerlin, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Russel E. Murray,

Respondent-Appellant.

ORDER AFFIRMED

Division I  
Opinion by JUDGE FURMAN  
Dailey and Richman, JJ., concur

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

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**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. 20CA0837

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Julio Francisco Vazquez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 21CA0316

Sam Lowry,

Plaintiff-Appellee,

v.

Eric Bringhurst; Steffon Bringhurst; and Erix Crane & Rigging, Inc., a Colorado corporation,

Defendants-Appellants.

Petition for Rehearing DENIED

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

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\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2021.