

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
November 4, 2021*

“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

[21COA133](#)

Court of Appeals No. [18CA1410](#)

City and County of Denver District Court No. 16CR7255

Honorable Bruce A. Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bobby L. Taylor,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE DAILEY
Dunn and Kuhn, JJ., concur

[2021COA134](#)

Court of Appeals No. [18CA2423](#)

Arapahoe County District Court No. 15CR1883

Honorable Andrew C. Baum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffrey Thomas Caime,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE TOW
J. Jones and Freyre, JJ., concur

[2021COA135](#)

Court of Appeals No. [19CA2041](#)

City and County of Denver District Court No. 19CV31002

Honorable Michael A. Martinez, Judge

James Johnson,

Plaintiff-Appellant,

v.

Department of Safety for the City and County of Denver, Colorado,

Defendant-Appellee.

ORDER AFFIRMED

Division III
Opinion by JUDGE JOHNSON
Freyre, J., concurs
Furman, J., dissents

[2021COA136](#)

Court of Appeals No. [20CA1323](#)

El Paso County District Court No. 20PR7

Honorable Vincent N. Rahaman, Magistrate

In re the Estate of Alvin Dowdy, deceased.

Daniel Travers, as Personal Representative of the Estate of Alvin Dowdy,

Appellant,

v.

Donna Chervellera, Kristy D. Kruse, Brenda S. Travers, Vickie L. Fevig, Pamela J. Kirby, and Patricia Reagan,

Appellees.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE FREYRE
J. Jones and Tow, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 15CA1266
El Paso County District Court No. 14CR3308
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Parks,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE CASEBOLT*
Dunn and Welling, JJ., concur

Prior Opinion Announced June 25, 2020, Vacated in 20SC649

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

Court of Appeals No. 18CA0905
Alamosa County District Court No. 11CR306
Honorable Michael A. Gonzales, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffery David Dell,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE GROVE
Navarro and Pawar, JJ., concur

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

Court of Appeals No. 18CA1372
Pueblo County District Court No. 16CR246
Honorable Thomas B. Flesher, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Joseph Ianne,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE WELLING
Richman and Berger, JJ., concur

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

Court of Appeals No. 18CA1903
City and County of Denver Juvenile Court No. 17JD443
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Z.T.L.,

Juvenile-Appellant.

SENTENCE AFFIRMED

Division II
Opinion by JUDGE BERGER
Román and Yun, JJ., concur

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

Court of Appeals No. 18CA2190
El Paso County District Court No. 17CR6486
Honorable Larry E. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Felicia Gail Lewis,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE*
J. Jones and Tow, JJ., concur

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

Court of Appeals No. 18CA2271
El Paso County District Court No. 17CR2444
Honorable Jill M. Brady, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Matthew Kover,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division II
Opinion by JUDGE BERGER
Román and Yun, JJ., concur

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

Court of Appeals No. 18CA2296
El Paso County District Court No. 17CR2505
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Keith McConnaughay,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE HARRIS
Gomez, J., concurs
Richman, J., specially concurs

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

Court of Appeals No. 18CA2422
Adams County District Court No. 17CR2685
Honorable Sharon Holbrook, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eli Joseph Shortt,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE DAVIDSON*
Berger and Yun, JJ., concur

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

Court of Appeals No. 19CA0441
Adams County District Court No. 17CR3088
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Charles White,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE PAWAR
Grove, J., concurs
Navarro, J., dissents

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

Court of Appeals No. 19CA0590
Logan County District Court No. 17CR305
Honorable Gregory G. Lyman, Judge
Honorable Carl S. McGuire III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marc T. Sylvester,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Harris and Gomez, JJ., concur

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

Court of Appeals No. 19CA0771
Larimer County District Court No. 18CR3206
Honorable C. Michelle Brinegar, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Coalin Joshua Hume,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE BERGER
Yun and Davidson*, JJ., concur

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

Court of Appeals No. 19CA0842
El Paso County District Court No. 18CR609
Honorable Erin L. Sokol, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fredrick Edward McCammon II,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Navarro and Grove, JJ., concur

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

Court of Appeals No. 19CA0870
City and County of Denver District Court No. 16CR4329
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eugene Van Quarles,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE GROVE
Navarro and Pawar, JJ., concur

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

Court of Appeals No. 19CA0959
Adams County District Court No. 18CR1077
Honorable Roberto Ramírez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Amilcar Leonel Esquivel-Hernández,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DUNN
Dailey and Kuhn, JJ., concur

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

Court of Appeals No. 19CA1020
Jefferson County District Court No. 18CR2664
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kevin Thomas Zapico,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE GRAHAM*
Lipinsky and Brown, JJ., concur

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

Court of Appeals No. 19CA1572
El Paso County District Court No. 18CR5740
Honorable Gregory R. Werner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jaime Alonso Morales-Zapata,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DUNN
Dailey and Kuhn, JJ., concur

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

Court of Appeals No. 19CA1966
Adams County District Court No. 19CR1077
Honorable Sean Finn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Israel L. Suarez,

Defendant-Appellant.

JUDGMENT AFFIRMED, ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE BROWN
Lipinsky and Graham*, JJ., concur

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

Court of Appeals No. 20CA0292
Arapahoe County District Court No. 17CV31050
Honorable John L. Wheeler, Judge

Stacia Springer, Steffen Mehnert, Chris Springer, and Sandra Reynolds,
Plaintiffs-Appellants,

v.

American Financing Corporation,

Defendant-Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Richman and Harris, JJ., concur

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

Court of Appeals No. 20CA0610
Douglas County District Court No. 18CR417
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Small,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAVIDSON*
Berger and Yun, JJ., concur

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

Court of Appeals No. 20CA0830
El Paso County District Court No. 19CV32063
Honorable Gregory R. Werner, Judge

Susan Schroeder and Perfect Skin Dermatology P.C.,
Plaintiffs-Appellants,

v.

John Doe,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE GOMEZ
Richman and Harris, JJ., concur

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

Court of Appeals No. 20CA1059
Arapahoe County District Court No. 19CV32249
Honorable Elizabeth Beebe Volz, Judge

BGL, LLC, a Colorado limited liability company,
Plaintiff-Appellee,

v.

Dillon Companies, Inc., a Kansas limited liability company,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE GRAHAM*
Lipinsky and Brown, JJ., concur

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

Court of Appeals No. 20CA1280
Adams County District Court No. 18CV32024
Honorable Sharon D. Holbrook, Judge

Independent Roofing Specialists LLC,

Plaintiff-Appellee,

v.

Quick Roofing LLC,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Richman and Harris, JJ., concur

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

Court of Appeals No. 20CA1646
Arapahoe County District Court No. 19DR951
Honorable Peter F. Michaelson, Judge

In re the Marriage of

Troy Michael McGehee,

Appellee and Cross-Appellant,

and

Charlotte Charity McDaniel,

Appellant and Cross-Appellee.

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

Division A
Opinion by CHIEF JUDGE BERNARD
Martinez* and Hawthorne*, JJ., concur

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

Court of Appeals No. 20CA1735
Arapahoe County District Court No. 20CV98
Honorable Elizabeth Beebe Volz, Judge

Kent Vu Phan,

Plaintiff-Appellant,

v.

Yvonne Naranjo,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TOW
J. Jones and Freyre, JJ., concur

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

Court of Appeals No. 20CA1917
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-113-596

YRC Freight,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Bobby Foust,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE FREYRE
J. Jones and Tow, JJ., concur

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

Court of Appeals No. 20CA2152
City and County of Denver District Court No. 19DR30398
Honorable Lisa C. Arnolds, Judge

In re the Marriage of

Amy E. Moore,

Appellee,

and

Benjamin E. Moore,

Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUSTICE MARTINEZ*
Lipinsky and Brown, JJ., concur

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

Court of Appeals No. 21CA0019
Morgan County District Court No. 20JA9
Honorable Charles M. Hobbs, Judge

In re the Petition of H.E.B. and S.L.B.,

Appellees,

for the Adoption of R.K.D., a Child,

and Concerning C.L.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE WELLING
Fox and Johnson, JJ., concur

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

Court of Appeals No. 21CA0258
El Paso County District Court No. 17DR2901
Honorable Robert L. Lowrey, Judge

In re the Marriage of

Jordan Scott,

Appellant,

and

Crystal Scott,

Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE HARRIS
Richman and Gomez, JJ., concur

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

Court of Appeals No. 21CA0291
Mesa County District Court No. 19JV117
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.C. and T.H., Children,

and Concerning A.N.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
Grove and Pawar, JJ., concur

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

Court of Appeals No. 21CA0339
Jefferson County District Court No. 20JV143
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.C.,

Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE YUN
Román and Berger, JJ., concur

Prior Opinion Announced September 9, 2021, WITHDRAWN
Petition for Rehearing GRANTED

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

Court of Appeals No. 21CA0580
El Paso County District Court No. 20JV303
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of O.F., a Child,

and Concerning R.M.,

Appellant.

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

Division II
Opinion by JUDGE YUN
Román and Berger, 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. 20CA1028

In re the Marriage of

Agnes Meszaros,

Appellee,

and

Danny D. Schmedeman,

Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA1132

Christopher Shetskie,

Plaintiff-Appellant,

v.

Executive Director of Colorado Department of Corrections and Warden of
Sterling Correctional Facility,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA1265

Roy C. Compton,

Plaintiff-Appellant,

v.

Donal D. Compton, Jr.,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA1707

The People of the State of Colorado,

Appellee,

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

and Concerning M.A.S. and G.J.,

Appellants.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0339

The People of the State of Colorado,

Appellee,

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

and Concerning S.C.,

Appellant.

Prior Opinion Announced September 9, 2021, WITHDRAWN
Petition for Rehearing GRANTED

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. 2021.