

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
August 19, 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

[2021COA110](#)

Court of Appeals No. [17CA0534](#)

Jefferson County District Court No. 15CR1470

Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew George Gutierrez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUSTICE MARTINEZ*
Brown and Graham*, JJ., concur

[2021COA111](#)

Court of Appeals No. [18CA0464](#)
Lincoln County District Court No. 16CR32
Honorable Robert Lung, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Constance Eileen Caswell,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ROMÁN
Harris and Lipinsky, JJ., concur

[2021COA112](#)

Court of Appeals No. [18CA1934](#)
Adams County District Court No. 16CR3637
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Amber Leigh Jennings,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Brown and Vogt*, JJ., concur

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[2021COA113](#)

Court of Appeals No. [19CA2230](#)

Larimer County District Court Nos. 16CR2625 & 17CR1635

Honorable Thomas R. French, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Earl Joseph Ong,

Defendant-Appellee.

APPEAL DISMISSED

Division II

Opinion by JUDGE DAVIDSON*
Harris and Lipinsky, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA1781
Arapahoe County District Court No. 98CR2459
Honorable Peter F. Michaelson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Trevon Deon Washington,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUSTICE MARTINEZ*
Fox and Pawar, JJ., concur

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

Court of Appeals No. 18CA0919
Jefferson County District Court No. 17CR2399
Honorable Dennis James Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Salvador Madera-Reyes,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE BROWN
Navarro and Vogt*, JJ., concur

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

Court of Appeals No. 18CA1474
Summit County District Court No. 16CR313
Honorable Mark D. Thompson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kevin James Romero,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE J. JONES
Grove and Johnson, JJ., concur

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

Court of Appeals No. 18CA2015
Pueblo County District Court No. 91CR29
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Salvadore Cruz,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Brown, J., concurs
Vogt*, J., dissents

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

Court of Appeals No. 18CA2255
Arapahoe County District Court No. 10CR2208
Honorable Ben L. Leutwyler, III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marcel David McMichael,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE JOHNSON
J. Jones and Grove, JJ., concur

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

Court of Appeals No. 19CA0332
El Paso County District Court No. 15CR5801
Honorable Jann P. DuBois, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richardo Lujan,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division I
Opinion by JUDGE FREYRE
Yun and Graham*, JJ., concur

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

Court of Appeals No. 19CA0793
Garfield County District Court No. 17CR112
Honorable Denise K. Lynch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fernando Zamora-Mendoza,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE GROVE
J. Jones and Johnson, JJ., concur

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

Court of Appeals No. 19CA0857
Arapahoe County District Court No. 09CR810
Honorable John L. Wheeler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Moore-Vivour,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE FOX
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 20CA0088
Dolores County District Court No. 18CV30002
Honorable Douglas S. Walker, Judge

Douglas Fasi,

Plaintiff-Appellee,

v.

Gary Huskey and Dana Dale Huskey,

Defendants-Appellees,

and

Prisma, LLC, a Wyoming limited liability company; and Wayne David Newton,
a/k/a David Newton,

Defendants-Appellants,

and Concerning Madness Associates Inc. and Ernest Maness,

Third-Party Defendants-Appellees.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FOX
Pawar and Martinez*, JJ., concur

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

Court of Appeals No. 20CA0256
Summit County District Court No. 18CV30041
Honorable Mark D. Thompson, Judge

Tate Santee,

Plaintiff-Appellant,

v.

Larry Feldman and 4th on 4th, LTD, a Colorado limited liability company,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE BROWN
Navarro and Vogt*, JJ., concur

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

Court of Appeals No. 20CA1177
Pitkin County District Court No. 20CV30047
Honorable Denise K. Lynch, Judge

Roaring Fork Land and Cattle Company, a Colorado corporation,

Plaintiff-Appellee,

v.

Board of County Commissioners of Pitkin County, Colorado; and Cindy Houben, in her capacity as Director of the Pitkin County Community Development Department,

Defendants-Appellants.

ORDER AFFIRMED

Division A
Opinion by JUDGE LIPINSKY
Fox and Freyre, JJ., concur

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

Court of Appeals No. 20CA1223
City and County of Broomfield District Court No. 18DR129
Honorable Robert W. Kiesnowski, Jr., Judge

In re the Marriage of

Fernando Rebora,

Appellant,

and

Shelby Haney,

Appellee.

ORDER AFFIRMED

Division V
Opinion by CHIEF JUDGE BERNARD
Martinez* and Vogt*, JJ., concur

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

Court of Appeals No. 20CA1463
Pueblo County District Court No. 20DR217
Honorable Gregory J. Styduhar, Judge

In re the Marriage of

Amanda Alyse Hull,

Appellee,

and

Jesse Daniel Hull,

Appellant,

and Concerning Pueblo County Department of Human Services, Delegate Child
Support Services Unit,

Intervenor.

ORDER AFFIRMED IN PART, APPEAL DISMISSED IN PART,
AND CASE REMANDED WITH DIRECTIONS

Division A
Opinion by JUDGE VOGT*
Bernard, C.J., and Casebolt*, J., concur

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

Court of Appeals No. 20CA1680
El Paso County District Court No. 19DR1220
Honorable Marla Prudek, Judge

In re the Marriage of

Benjamin John Stopera,

Appellant,

and

Stephenie Kaminski,

Appellee.

ORDER AFFIRMED

Division II
Opinion by JUDGE HARRIS
Román and Lipinsky, JJ., concur

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

Court of Appeals No. 20CA1721
Arapahoe County District Court No. 13DR30489
Honorable Cynthia Mares, Judge

In re the Marriage of

Jeffrey Scott Mills,

Appellant,

and

Amy Beth Mills,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE LIPINSKY
Román and Harris, JJ., concur

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

Court of Appeals No. 20CA1791
City and County of Broomfield District Court No. 20DR30005
Honorable Robert W. Kiesnowski, Jr., Judge

In re the Marriage of

Braxton F. Baker,

Appellee,

and

Sarah E. Baker,

Appellant.

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

Division A
Opinion by JUDGE CASEBOLT*
Bernard, C.J., and Vogt*, J., concur

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

Court of Appeals No. 20CA1959
Arapahoe County District Court No. 19JV741
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Mari.C. and Marc.C., Children,

and Concerning S.C.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GROVE
J. Jones and Johnson, JJ., concur

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

Court of Appeals No. 20CA2010
City and County of Denver District Court No. 18DR30148
Honorable Ericka F. Houck Englert, Judge

In re the Parental Responsibilities Concerning A.J., a Child,
and Concerning Jennifer Curley and Brian Curley,

Appellants,

and

Avery Workman and Nathan Joy,

Appellees.

ORDERS AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Fox and Dunn, JJ., concur

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

Court of Appeals No. 21CA0097
Rio Grande County District Court No. 19JV55
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.N-M., a Child,

and Concerning D.N-M.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE YUN
Freyre and Graham*, JJ., concur

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

Court of Appeals No. 21CA0123
City and County of Denver Juvenile Court No. 20JV407
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.V.A., a/k/a A.V.A-C., a Child,

and Concerning M.V.A.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FOX
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 21CA0128
Jefferson County District Court No. 19JV332
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.D.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE DUNN
Fox and Pawar, JJ., concur

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

Court of Appeals No. 21CA0215
El Paso County District Court No. 19JV340
Honorable Robin L. Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.S.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Fox and Dunn, JJ., concur

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

Court of Appeals No. 21CA0889
Pueblo County District Court No. 21MH193
Honorable Allison Ernst, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Chad Courtney Gooch,

Respondent-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE FURMAN
Tow and Gomez, 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. 19CA1831

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rebecca Parkes Page,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 20CA0295

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bobby Dewayne Hicks,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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ANNOUNCEMENTS
Colorado Court of Appeals
August 19, 2021

Court of Appeals No. 21CA0528

Maribeth Addona,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Bethesda
Foundation,

Respondents.

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. 2020.