

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
July 21, 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

[2022COA79](#)

Court of Appeals No. [21CA0439](#)
Jefferson County District Court No. 20CV30105
Honorable Russell Klein, Judge

Beverly Stickle,

Plaintiff-Appellee,

v.

County of Jefferson, Colorado,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE NAVARRO
Lipinsky and Kuhn, JJ., concur

[2022COA80](#)

Court of Appeals No. [21CA1006](#)
Jefferson County District Court No. 19DR30372
Honorable Diego G. Hunt, Judge

In re the Marriage of

Danielle Jeanette Thorburn,

Appellee,

and

James M. Thorburn,

Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE FOX
Gomez, J., concurs
Taubman*, J., dissents

[2022COA81](#)

Court of Appeals No. [21CA1411](#)
City and County of Denver Juvenile Court No. 20JV779
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of C.C. and R.R.E.G., Children,

and Concerning C.L.E.,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE YUN
Grove and Rothenberg*, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA1190
Adams County District Court No. 17CR0820
Honorable Sharon D. Holbrook, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul Cushinberry,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE DUNN
Harris and Johnson, JJ., concur

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

Court of Appeals No. 18CA1489
El Paso County District Court No. 15CR1667
Honorable G. David Miller, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Maricela Avila-Fajardo,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE LIPINSKY
Navarro and Kuhn, JJ., concur

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

Court of Appeals No. 18CA1798
City and County of Denver District Court No. 17CR3651
Honorable William D. Robbins, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christian Lee Gulzow,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE GRAHAM*
Lipinsky and Kuhn, JJ., concur

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

Court of Appeals No. 18CA2386
Mesa County District Court No. 17CR347
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edwardo Andres Christy,

Defendant-Appellant.

JUDGMENT AFFIRMED IN PART, VACATED IN PART,
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)

Court of Appeals No. 19CA0082
Summit County District Court No. 14CR131
Honorable Mark D. Thompson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tyrus Walter Vanmatre,

Defendant-Appellant.

ORDER AFFIRMED

Division P
Opinion by JUDGE GOMEZ
Martinez* and Graham*, JJ., concur

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

Court of Appeals No. 19CA0492
City and County of Broomfield District Court No. 18CR64
Honorable F. Michael Goodbee, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Pat Trujillo,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FOX
Freyre and Gomez, JJ., concur

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

Court of Appeals No. 19CA0533
El Paso County District Court No. 18CR679
Honorable Deborah J. Grohs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry Paul James Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division P
Opinion by JUDGE GOMEZ
Martinez* and Graham*, JJ., concur

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

Court of Appeals No. 19CA0954
Boulder County District Court No. 16CR2459
Honorable Andrew Hartman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christine Elizabeth Walsh,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Fox and Gomez, JJ., concur

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

Court of Appeals No. 19CA0992
Boulder County District Court No. 17CR83
Honorable Andrew Hartman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew Ryan Manigold,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Fox and Gomez, JJ., concur

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

Court of Appeals No. 19CA1230
Elbert County District Court Nos. 17CR117 & 17CR149
Honorable Gary M. Kramer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shane Aaron Guthrie,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE VOGT*
Brown and Hawthorne*, JJ., concur

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

Court of Appeals No. 19CA1322
Garfield County District Court No. 16CR3024
Honorable John F. Neiley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gustavo Olivo-Tellez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE FOX
Freyre and Gomez, JJ., concur

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

Court of Appeals No. 19CA1902
Adams County District Court No. 97CR3073
Honorable Dinsmore Tuttle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kerry Lance Cournoyer,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE RICHMAN
Pawar and Brown, JJ., concur

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

Court of Appeals No. 19CA2068
Jefferson County District Court No. 18CR1824
Honorable Randal C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Damon Omar Porter,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Fox and Freyre, JJ., concur

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

Court of Appeals No. 20CA1047
City and County of Broomfield District Court No. 18CR93
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Craig Joseph Stiefvater,

Defendant-Appellant.

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

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

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

Court of Appeals No. 20CA1553
Mesa County District Court No. 18CR2166
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jhoana Lisbeth Melchiorre-Rodriguez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE DUNN
Harris and Johnson, JJ., concur

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

Court of Appeals No. 20CA1855
Kit Carson County District Court No. 19PR30022
Honorable Stephanie M.G. Gagliano, Judge

In the Matter of the Determination of Heirs or Devisees or Both and In the
Interest in Property of Lyle W. Busby, Deceased.

Ronald L. Busby,

Petitioner-Appellee,

v.

Cathy A. Busby, n/k/a Cathy A. Carroll,

Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FURMAN
Pawar and Vogt*, JJ., concur

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

Court of Appeals No. 21CA0453
Larimer County District Court No. 19CV30138
Honorable Juan G. Villaseñor, Judge

Robert M. Conlon, an individual and as a limited partner pursuant to a
derivative action,

Plaintiff-Appellant,

v.

Paul F. Harder,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE PAWAR
Richman and Brown, JJ., concur

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

Court of Appeals No. 21CA0469
Routt County District Court No. 17DR30025
Honorable Mary C. Hoak, Judge

In re the Marriage of

Scott Eivins,

Appellee,

and

Sandra Leah Zila-Eivins,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE FURMAN
Pawar and Vogt*, JJ., concur

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

Court of Appeals No. 21CA0522
Arapahoe County District Court No. 05CR1909
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Joseph Taylor,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE J. JONES
Welling and Schutz, JJ., concur

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

Court of Appeals No. 21CA0573
Pitkin County District Court No. 20CV17
Honorable Christopher G. Seldin, Judge

Marie Kaiser Napoli,
Plaintiff-Appellant,

v.

Cathy Bern,
Respondent,

and

Marc Jay Bern,
Defendant-Appellee.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE TOW
Dailey and Berger, JJ., concur

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

Court of Appeals No. 21CA0992
Garfield County District Court No. 19DR30010
Honorable Denise K. Lynch, Judge

In re the Marriage of

Sarah Elliott,

Appellant,

and

Jesse Lafayette,

Co-Petitioner,

and Concerning the Garfield County Department of Human Services, Division
of Child Support Enforcement,

Intervenor-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1190
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-113-677

Lowe Enterprises, Inc., and Federal Insurance Company,
Petitioners,

v.

Industrial Claim Appeals Office of the State of Colorado and Jesus Tapia,
Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE CASEBOLT*
Fox and Freyre, JJ., concur

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

Court of Appeals No. 21CA1260
City and County of Denver District Court No. 20DR1821
Honorable Lisa C. Arnolds, Judge

In re the Marriage of

Mary E. Jones Moore, n/k/a Mary E. Jones,

Appellant,

and

William P. Moore,

Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE LIPINSKY
Navarro and Kuhn, JJ., concur

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

Court of Appeals No. 21CA1694
Arapahoe County District Court No. 19JV624
Honorable Sheila A. Rappaport, Judge

The People of the State of Colorado,

Appellee,

In the Interest of M.S., Jr., a Child,

and Concerning M.S., Sr. and S.D.,

Appellants.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE DUNN
Harris and Johnson, JJ., concur

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

Court of Appeals No. 21CA1844
Rio Grande County District Court No. 20JV19
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Jo.R.E., Ja.R.E., I.M.E. and J.J.E., Children,

and Concerning V.T.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE RICHMAN
Pawar and Brown, JJ., concur

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

Court of Appeals No. 21CA1913
Jefferson County District Court No. 20JV152
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of N.B., I.B., J.B., and Ez.D., Children,

and Concerning E.D., T.B., and J.N-B.,

Appellants.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE TAUBMAN*
Román, C.J., and Davidson*, J., concur

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

Court of Appeals No. 22CA0034
City and County of Denver Juvenile Court No. 20JV776
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of P.D.D.R.M., a Child,

and Concerning D.D.P.M.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE JOHNSON
Dunn and Harris, 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. 21CA0466

Colorado Division of Insurance,

Petitioner-Appellee,

v.

Statewide Bonding, Inc., Non-resident Insurance Producer No. 476070 and
Brian Jerome Cole,

Respondents-Appellants.

Petition for Rehearing DENIED

Court of Appeals No. 21CA0804

Craig S. Robledo,

Plaintiff-Appellant,

v.

Jefferson County Sheriff Shrader and Jefferson County Deputy Feroe,

Defendants-Appellees.

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. 2021.