

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
February 24, 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

[2022COA23](#)

Court of Appeals No. [18CA0485](#)
Arapahoe County District Court No. 16CR2335
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Oneil Tarr,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE LIPINSKY
Brown, J., concurs
Furman, J., specially concurs

-2-
ANNOUNCEMENTS
Colorado Court of Appeals
February 24, 2022

[2022COA24](#)

Court of Appeals No. [19CA2314](#)

Weld County District Court No. 17CR1952

Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Austin Matthew O'Day,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III

Opinion by JUDGE J. JONES
Lipinsky and Gomez, JJ., concur

[2022COA25](#)

Court of Appeals No. [20CA1344](#)

State Personnel Board Case No. 2014B061

Doris McCauley,

Complainant-Appellee and Cross-Appellant,

v.

Colorado Department of Revenue, Division of Motor Vehicles, Driver's License
Section,

Respondent-Appellant and Cross-Appellee,

and

State Personnel Board,

Appellee.

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

Division VI
Opinion by JUDGE GRAHAM*
Navarro and Freyre, JJ., concur

-4-
ANNOUNCEMENTS
Colorado Court of Appeals
February 24, 2022

[2022COA26](#)

Court of Appeals No. [20CA1445](#)

City and County of Denver District Court No. 20CV31022

Honorable Michael A. Martinez, Judge

Weld County Colorado Board of County Commissioners,

Plaintiff-Appellant,

v.

Jill Hunsaker Ryan, in her Official Capacity as the Executive Director of the Department of Public Health and Environment for the State of Colorado; Colorado Department of Public Health and Environment; and Colorado Air Quality Control Commission, an agency of the State of Colorado,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division I

Opinion by JUDGE FOX

Dailey and Taubman*, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA1254
Pueblo County District Court No. 09CR1493
Honorable Gregory G. Lyman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lorenzo Oscar Gonzalez,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE LIPINSKY
J. Jones and Gomez, JJ., concur

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

Court of Appeals No. 19CA0221
Arapahoe County District Court No. 18CR41
Honorable Andrew C. Baum, Judge
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacob Monroe Anglon,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE J. JONES
Lipinsky and Gomez, JJ., concur

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

Court of Appeals No. 19CA0238
Mesa County District Court No. 16CR5858
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Charles Harvey Faison,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE HARRIS
Navarro and Freyre, JJ., concur

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

Court of Appeals No. 19CA0436
Weld County District Court No. 16CR1112
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roberto Nathaniel Archuleta,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 19CA0914
Mesa County District Court No. 18CR1229
Honorable Lance P. Timbreza, Judge
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chad Molten Thompson,

Defendant-Appellant.

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

Division I
Opinion by JUDGE DAILEY
Fox and Schutz, JJ., concur

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

Court of Appeals No. 19CA0994
Jefferson County District Court No. 14CR3235
Honorable Christopher C. Zenisek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Perry Sawano,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE J. JONES
Lipinsky and Gomez, JJ., concur

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

Court of Appeals No. 19CA1197
El Paso County District Court No. 18CR880
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Shannon Nicole Hughes,

Defendant-Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Navarro and Harris, JJ., concur

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

Court of Appeals No. 19CA2119
Adams County District Court No. 17CR3819
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Alan Hill,

Defendant-Appellant.

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

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

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

Court of Appeals No. 19CA2316
El Paso County District Court No. 18CR4353
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sean Nicholas Stouffis,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by CHIEF JUDGE ROMÁN
Martinez* and Taubman*, JJ., concur

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

Court of Appeals No. 20CA0028
Mesa County District Court No. 12CR722
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carl Vincent Avery,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TOW
Richman and Grove, JJ., concur

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

Court of Appeals No. 20CA0123
Adams County District Court No. 18CR4619
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Cameron Stiles,

Defendant-Appellant.

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

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

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

Court of Appeals No. 20CA0555
Larimer County District Court No. 90CR772
Honorable Susan J. Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Bruce Coney,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE PAWAR
Furman and Kuhn, JJ., concur

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

Court of Appeals No. 20CA1068
Jefferson County District Court No. 19CV30951
Honorable Lily W. Oeffler, Judge

Matthew Curtis Witt,

Plaintiff-Appellee,

v.

Noel West Lane, III,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Fox and Schutz, JJ., concur

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

Court of Appeals No. 20CA1108
City and County of Broomfield District Court No. 17CV30184
Honorable Robert W. Kiesnowski, Jr., Judge

AdvisorLaw, LLC, a Colorado limited liability company,

Plaintiff and Counterclaim Defendant-Appellant and Cross-Appellee,

v.

Dochtor D. Kennedy,

Counterclaim Defendant-Appellant,

and

FA Expungement, LLC, a Colorado limited liability company, and Charles D.
Sisk and Bridget L. Schaan,

Defendants and Counterclaim Plaintiffs-Appellees and Cross-Appellants.

JUDGMENT REVERSED, ORDER AFFIRMED,
AND CASE REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE NAVARRO
Harris and Freyre, JJ., concur

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

Court of Appeals No. 20CA1277
El Paso County District Court No. 15CV416
Honorable Eric Bentley, Judge

Campaign Integrity Watchdog, LLC,

Plaintiff-Appellant,

v.

Alliance for a Safe and Independent Woodmen Hills Political Committee
(Alliance), and Sarah Brittain Jack,

Defendants-Appellees.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE KUHN
Furman and Pawar, JJ., concur

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

Court of Appeals No. 20CA1555
City and County of Denver District Court No. 10CR704
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Moises Fuerte-Rios,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 20CA1560
Crowley County District Court No. 17JV13
Honorable Mark A. MacDonnell, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R.M., M.M., K.M., and H.M., Children,

and Concerning C.M.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by CHIEF JUDGE ROMÁN
Vogt* and Casebolt*, JJ., concur

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

Court of Appeals No. 20CA1898
Arapahoe County District Court No. 20JD50
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.L.B.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BERGER
Brown and Johnson, JJ., concur

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

Court of Appeals No. 20CA2031
El Paso County District Court No. 18CV32273
Honorable David A. Gilbert, Judge

Marta R. Bentivoglio,
Plaintiff-Appellant,

v.

Colorado College, John Doe 1, and John Doe 2,
Defendants-Appellees.

JUDGMENT AND ORDER AFFIRMED

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

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

Court of Appeals No. 20CA2079
City and County of Denver District Court No. 20CV370
Honorable A. Bruce Jones, Judge

Mohammad Alatwa,
Plaintiff-Appellant,

v.

Katherine Joan Burnett-Dotson, USAA Insurance Company, and Richards &
Simpson, P.C.,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FOX
Schutz and Martinez*, JJ., concur

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

Court of Appeals No. 20CA2099
Boulder County District Court No. 20CV30033
Honorable Judith L. LaBuda, Judge

Our Health, Our Future, Our Longmont and Food & Water Watch, Inc.,
Plaintiffs-Appellants,

v.

State of Colorado, Colorado Oil and Gas Conservation Commission, and City of
Longmont, Colorado,

Defendants-Appellees,

and

Colorado Oil & Gas Association,

Intervenor-Appellee.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE RICHMAN
Tow and Taubman*, JJ., concur

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

Court of Appeals No. 20CA2131
City and County of Denver District Court No. 19DR30604
Honorable Ericka F. H. Englert, Judge

In re the Marriage of

Angelica Robinson,

Appellee,

and

Gregory D Robinson,

Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE DAILEY
Fox and Schutz, JJ., concur

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

Court of Appeals No. 21CA0072
Douglas County District Court No. 16DR30508
Honorable Andrew C. Baum, Judge
Honorable Patricia D. Herron, Judge

In re the Marriage of

Bailey McGuiness,

Appellant,

and

Dustin Azulay,

Appellee.

JUDGMENT AFFIRMED IN PART
AND REVERSED IN PART

Division IV
Opinion by JUDGE RICHMAN
Tow and Grove, JJ., concur

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

Court of Appeals No. 21CA0096
El Paso County District Court No. 20CV240
Honorable Frances R. Johnson, Judge

Christopher W. Williams,

Plaintiff-Appellant,

v.

John Stankey, d/b/a AT&T,

Defendant-Appellee.

APPEAL DISMISSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE GOMEZ
J. Jones and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA0143
Garfield County District Court No. 12DR23
Honorable Denise K. Lynch, Judge

In re the Parental Responsibilities Concerning C.L.B., a Child,
and Concerning Jesse T. Lafayette,

Appellee,

and

Holly Faye Bockenthien,

Respondent,

and

Jarrold Nay,

Intervenor-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE SCHUTZ
Dailey and Fox, JJ., concur

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

Court of Appeals No. 21CA0477
City and County of Denver District Court No. 20CV31266
Honorable Shelley I. Gilman, Judge

Jonathan Propp,

Plaintiff-Appellant,

v.

Colorado Department of Revenue, Division of Motor Vehicles,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Fox and Schutz, JJ., concur

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

Court of Appeals No. 21CA0503
Larimer County District Court No. 18DR30326
Honorable Laurie K. Dean, Judge

In re the Marriage of

Derek Skellchock,

Appellant,

and

Alora-Ann Volz,

Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0566
Delta County District Court No. 19JV26
Honorable Steven L. Schultz, Judge

In the Interest of Ja.D., a Child,
and Concerning J.D.,
Appellant,
and Concerning B.C.,
Appellee.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Harris and Freyre, JJ., concur

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

Court of Appeals No. 21CA0867
Montezuma County District Court No. 20DR30026
Honorable Todd Jay Plewe, Judge

In re the Marriage of
Kacee B. Settles,
Appellee,
and
Richard James Settles,
Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE SCHUTZ
Dailey and Fox, JJ., concur

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

Court of Appeals No. 21CA0939
Mesa County District Court No. 19JV285
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Appellee,

In the Interest of M.B.L.M. and Mar. M., Children,

and Concerning P.M. and L.M.,

Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE GROVE
Richman and Tow, JJ., concur

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

Court of Appeals No. 21CA1110
Mesa County District Court No. 19JV334
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.L., a Child,

and Concerning J.L.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Navarro and Harris, JJ., concur

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

Court of Appeals No. 21CA1767
Industrial Claim Appeals Office of the State of Colorado
DD No. 56233-2021

Daralynn L. Ebel-Pacheco,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Breakfast Club of
Loveland Inc.,

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE YUN
Dunn and Welling, 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. 19CA1448

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alberto Morales-Ramirez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

Court of Appeals No. 18CA0958

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Lance Parker,

Defendant-Appellant.

Opinion Modified and
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.