

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
January 20, 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

[2022COA13](#)

Court of Appeals No. [21CA0438](#)
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-128-144

James Salazar,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, 3ATS, d/b/a Grand Valley Tree Service, and Pinnacol Assurance,

Respondents.

ORDER AFFIRMED

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

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA1691
Eagle County District Court No. 17CR192
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Pedro Gonzalez,

Defendant-Appellant.

JUDGMENT 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. 19CA0547
Jefferson County District Court No. 16CR3203
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Benjamin R. Marquez,

Defendant-Appellant.

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

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

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

Court of Appeals No. 19CA1318
El Paso County District Court No. 18CR3907
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Travis Joseph Lujan,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division V
Opinion by JUDGE WELLING
Dunn and Yun, JJ., concur

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

Court of Appeals No. 19CA1448
Arapahoe County District Court No. 16CR3238
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alberto Morales-Ramirez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BROWN
Berger and Johnson, JJ., concur

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

Court of Appeals No. 19CA1450
Arapahoe County District Court No. 16CR3391
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Francisco Martin Talamantes,

Defendant-Appellant.

JUDGMENT AND SENTENCE 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. 19CA1516
Mesa County District Court No. 18CR2142
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shuree Renee Cameron,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE DUNN
Welling and Yun, JJ., concur

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

Court of Appeals No. 19CA1822
Boulder County District Court No. 18JD368
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of R.E.M.,

Juvenile-Appellant.

ORDER VACATED

Division VII
Opinion by JUDGE JOHNSON
Berger and Brown, JJ., concur

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

Court of Appeals No. 19CA2124
City and County of Denver District Court No. 17CV34847
Honorable Martin F. Egelhoff, Judge

James Langley,

Plaintiff-Appellee,

v.

Heidi Van Eaton and Team Industrial Services, Inc.,

Defendants-Appellants.

JUDGMENT AFFIRMED, ORDER VACATED,
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. 19CA2370
Larimer County District Court No. 13CR209
Honorable Susan Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richard John Aguirre,

Defendant-Appellant.

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. 20CA0034
Pueblo County District Court No. 07CR1644
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas John Maddock,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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ANNOUNCEMENTS
Colorado Court of Appeals
January 20, 2022

Court of Appeals No. 20CA0751
Weld County District Court No. 17JD322
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of G.C.I.,

Juvenile-Appellant.

ORDER VACATED

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

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

Court of Appeals No. 20CA1161
Prowers County District Court No. 18CV30019
Honorable Mark A. MacDonnell, Judge

Brian Nunnery, individually and d/b/a Nunnery Satellite and Home
Furnishings; and Karen Nunnery,

Plaintiffs-Appellants,

v.

City of Lamar and the Colorado Department of Transportation,

Defendants-Appellees.

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. 2020CA1321
Boulder County District Court No. 15CR1406
Honorable Andrew Hartman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kelley Daniel Wiggins,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 20CA1583
Boulder County District Court No. 19CV30657
Honorable Patrick Butler, Judge

Kelly Roberts,

Plaintiff-Appellant,

v.

Kristen McCormack, L.Ac,

Defendant-Appellee.

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 Nos. 20CA1803 & 20CA1942
City and County of Denver District Court Nos. 14CV32763 & 15CV30950
Honorable Morris B. Hoffman, Judge
Honorable Kandace C. Gerdes, Judge

LBA Realty Fund III-Company III, LLC, a Delaware limited liability company,
Appellant,

v.

Landmark American Insurance Company,

Intervenor-Appellee.

ORDERS REVERSED AND CASES
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA0181
Adams County District Court No. 18JV423
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

In the Interest of N.T., a Child,

and Concerning R.T.,

Appellant.

JUDGMENT 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. 21CA0335
Jefferson County District Court No. 20CV75
Honorable Lily W. Oeffler, Judge

John Joseph Dwane Wood,
Plaintiff-Appellant,

v.

Colorado Department of Revenue, Motor Vehicles Division,
Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0465
Mesa County District Court No. 19JV198
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,
Appellee,

In the Interest of G.M. and A.M., Children,
and Concerning B.M.,
Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0611
Delta County District Court No. 18JV39
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.S., B.S., T.S., J.S., L.S., Children,

and Concerning J.S. and H.S.,

Appellants.

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. 21CA0729
Arapahoe County District Court No. 19JV779
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Z.P., a Child,

and Concerning A.F. and T.P.,

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. 21CA0737
El Paso County District Court No. 19JV553
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning M.M.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE JOHNSON
Berger and Brown, JJ., concur

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

Court of Appeals No. 21CA0854
Adams County District Court No. 19JV186
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R.P.S., a Child,

and Concerning T.S.,

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. 21CA0856
Montrose County District Court No. 19JV98
Honorable D. Cory Jackson, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Ki.K. and Ka.K., Children,

and Concerning Ka.K.,

Appellant,

and

Ke.K.,

Appellee.

JUDGMENTS AFFIRMED

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. 21CA1504
Industrial Claim Appeals Office of the State of Colorado
DD No. 27807-2021

Taylor Cleveland,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Adams QB Inc.,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA1734
Pueblo County District Court No. 21MH151
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

v.

Gregory Thomas Abeyta,

Respondent-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE GOMEZ
J. Jones and Lipinsky, 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. 17CA2131

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John D. Kennedy,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 18CA0636

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Michael Kaminga,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 19CA1670

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy D. Ellerton,

Defendant-Appellant.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

[2022COA6M](#)

Court of Appeals No. [20CA1207](#)

No Laporte Gravel Corp., Robert Havis, and Peter Waack,

Plaintiffs-Appellants and Cross-Appellees,

v.

Board of County Commissioners of Larimer County, Colorado; and Loveland Ready-Mix Concrete, Inc.,

Defendants-Appellants and Cross-Appellees.

Opinion Modified
On the Court's Own Motion

Announced January 6, 2022

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