

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
March 18, 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

[2021COA34](#)

Court of Appeals No. [17CA0315](#)
Arapahoe County District Court No. 15CR2977
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Pedro Reynauldo Tun,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE RICHMAN
Freyre and Grove, JJ., concur

[2021COA35](#)

Court of Appeals No. [17CA1133](#)
El Paso County District Court No. 16CR3477
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert James Rainey,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE HARRIS
Johnson and Vogt*, JJ., concur

[2021COA36](#)

Court of Appeals No. [19CA1798](#)
Montezuma County District Court No. 18CV30100
Honorable Todd Jay Plewe, Judge

CO₂ Committee, Inc.,

Plaintiff-Appellant,

v.

Montezuma County, Colorado; Montezuma County Board of County
Commissioners; Montezuma County Board of Equalization; Montezuma County
Assessor; and Montezuma County Treasurer,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE BROWN
Román and Welling, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 16CA2034
Routt County District Court No. 15CR136
Honorable Michael A. O'Hara III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas Lee Johnson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 17CA0039
City and County of Denver District Court No. 14CR1603
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth D. Mackey,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ROMÁN
Welling and Brown, JJ., concur

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

Court of Appeals No. 17CA2310
Arapahoe County District Court No. 16CR2026
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carl Rumph,

Defendant-Appellant.

JUDGMENT AND SENTENCES AFFIRMED

Division V
Opinion by JUDGE J. JONES
Navarro and Yun, JJ., concur

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

Court of Appeals No. 18CA1603
Adams County District Court No. 17CR952
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jorge Miguel Puga,

Defendant-Appellant.

JUDGMENT REVERSED 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. 18CA2016
Jefferson County District Court No. 17CR3932
Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dale Alan VanLewen,

Defendant-Appellant.

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

Division V
Opinion by JUDGE BERGER
Pawar, J., concurs
J. Jones, J., specially concurs

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

Court of Appeals No. 19CA0067
El Paso County District Court No. 86CR200240
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bradley James Mitchell,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE DUNN
Terry and Gomez, JJ., concur

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

Court of Appeals No. 19CA0310
Morgan County District Court No. 14CR24
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Emerson Rossman,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE ROMÁN
Welling and Brown, JJ., concur

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

Court of Appeals No. 19CA0397
Jefferson County District Court No. 18CR183
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ryan Joseph Piel,

Defendant-Appellant.

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

Division III
Opinion by JUDGE FREYRE
Furman and Johnson, JJ., concur

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

Court of Appeals No. 19CA0430
Jefferson County District Court Nos. 08CR1439 & 08CR2280
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacob John Lahr,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE BROWN
Román and Welling, JJ., concur

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

Court of Appeals Nos. 19CA0724 & 19CA1345
Mesa County District Court No. 17CR1565
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellant and Cross-Appellee,

v.

Eric Jon Butz,

Defendant-Appellee and Cross-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE PAWAR
Richman and Lipinsky, JJ., concur

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

Court of Appeals No. 19CA0940
Adams County District Court No. 16CR1308
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Pedro Davalos,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE GROVE
Fox and Harris, JJ., concur

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

Court of Appeals No. 19CA1058
Adams County District Court No. 07CR919
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Idrissa Camara,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE GOMEZ
Terry and Dunn, JJ., concur

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

Court of Appeals No. 19CA1131
San Miguel County District Court No. 13CV30050
Honorable D. Cory Jackson, Judge

Franklin Drilling and Blasting, Inc., a Colorado corporation,
Plaintiff-Appellee,

v.

Lawrence Construction Company, a Colorado corporation,
Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE HARRIS
Fox and Grove, JJ., concur

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

Court of Appeals No. 19CA1136
El Paso County District Court No. 18CR2025
Honorable David L. Shakes, Judge

The People of the State of Colorado,
Plaintiff-Appellee,

v.

Frank Lovell Williams,
Defendant-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE NAVARRO
Dailey and Berger, JJ., concur

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

Court of Appeals No. 19CA1663
Douglas County District Court No. 12CR122
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Waymon Paul Herrington,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE BERGER
Dailey and Tow, JJ., concur

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

Court of Appeals No. 19CA1946
Pitkin County District Court No. 12PR38
Honorable Christopher G. Seldin, Judge

In the Matter of James M. Jenkins,

William J. Jenkins,

Appellant,

v.

James S. Jenkins, Cindy Jenkins, Jane J. Jenkins,

Appellees.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE BERGER
Dailey and Tow, JJ., concur

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

Court of Appeals No. 19CA2077
Conejos County District Court No. 18JV4
Honorable Martin A. Gonzales, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.C.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 19CA2146
Jefferson County District Court No. 18CV30493
Honorable Tamara S. Russell, Judge

Jefferson County Board of County Commissioners, a body politic and
corporate,

Plaintiff-Appellee,

v.

Jonathan Sawyer and Kimberly Sawyer,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE JOHNSON
Furman and Freyre, JJ., concur

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

Court of Appeals No. 20CA0118
Alamosa County District Court No. 17CV13
Honorable Martin A. Gonzales, Judge

S & T Farms LLC,

Plaintiff-Appellant,

v.

Board of Managers of the Special Improvement Subdistrict No. 1 of the Rio
Grande Water Conservation District,

Defendant-Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE LIPINSKY
Richman and Pawar, JJ., concur

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

Court of Appeals No. 20CA0120
Alamosa County District Court No. 19PR7
Honorable Martin A. Gonzales, Judge

In re the Estate of Fredrick R. Gutierrez, deceased.

Deborah Lynn Rickard,

Appellant,

v.

Mark David Garberich, Personal Representative,

Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE ROMÁN
Welling and Brown, JJ., concur

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

Court of Appeals No. 20CA0140
La Plata County District Court No. 19CV30086
Honorable Suzanne F. Carlson, Judge

Blue Spruce Servicing Company LLC,

Plaintiff-Appellee,

v.

Richard Joseph Szopinski,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Terry and Gomez, JJ., concur

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

Court of Appeals No. 20CA0384
Douglas County District Court No. 17DR915
Honorable Eric White, Judge

In re the Marriage of

Chanda Yvonne Woods Cowdrey,

Appellant,

and

Bradley Stephen Cowdrey,

Appellee.

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

Division IV
Opinion by JUDGE GOMEZ
Dunn and Rothenberg*, JJ., concur

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

Court of Appeals No. 20CA0517
Lincoln County District Court No. 18JV5
Honorable H. Clay Hurst, Judge

The People of the State of Colorado,

Appellee,

in the Interest of K.E.P., a Child,

and Concerning E.M.K. and A.P.,

Appellants.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Freyre and Johnson, JJ., concur

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

Court of Appeals No. 20CA0749
Larimer County District Court No. 18DR30489
Honorable Juan G. Villasenor, Judge

In re the Marriage of

David Brors,

Appellant,

and

Tiffany Brors, n/k/a Tiffany Hayman,

Appellee.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE BROWN
Román and Welling, JJ., concur

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

Court of Appeals No. 20CA1270
Jefferson County District Court No. 19DR956
Honorable Robert Lochary, Judge

In re the Parental Responsibilities Concerning E.R.M., a Child,
and Concerning Scott Nicholas Maier,

Appellee,

and

Tonya Jade Adams,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE GRAHAM*
Bernard, C.J., and Taubman*, J., concur

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

Court of Appeals No. 20CA1390
Adams County District Court No. 18JV348
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.R.A., a Child,

and Concerning M.A.A.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE J. JONES
Navarro and Yun, JJ., concur

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

Court of Appeals No. 20CA1511
Adams County District Court No. 19JV124
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.P.C., a Child,

and Concerning H.A.C.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA1547
Adams County District Court No. 18JV231
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.M.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE JOHNSON
Furman and Freyre, JJ., concur

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

Court of Appeals No. 20CA1577
La Plata County District Court No. 20JV17
Honorable William L. Herringer, Judge

The People of the State of Colorado,

Appellee,

In the Interest of O.C.B., a Child,

and Concerning J.B.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE RICHMAN
Lipinsky and Pawar, JJ., concur

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

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ANNOUNCEMENTS
Colorado Court of Appeals
March 18, 2021

Court of Appeals No. 20CA1602
Arapahoe County District Court No. 19JV363
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.I.K., a Child,

and Concerning K.A., a/k/a K.P.,

Appellant,

and

A.D.,

Respondent.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE LIPINSKY
Richman and Pawar, JJ., concur

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

Court of Appeals No. 20CA1625
Adams County District Court No. 19JV153
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.B. II, a Child,

and Concerning J.B.,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE PAWAR
Richman and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA0077
Arapahoe County District Court No. 21MH1
Honorable Amanda J. Bradley, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In Interest of Charles Byrne,

Respondent-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE J. JONES
Navarro and Yun, JJ., concur

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

Announced March 11, 2021

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. 17CA0680

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy Vasquez,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 18CA1150

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tania Judith Ordonez-Perez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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ANNOUNCEMENTS
Colorado Court of Appeals
March 18, 2021

Court of Appeals No. 19CA1527

Clint Munoz,

Plaintiff-Appellant,

v.

Employment Solutions Personnel Services, Inc.,

Defendant-Appellee.

Opinion Modified and
Petition for Rehearing DENIED

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

[2020COA169M](#)

Court of Appeals No. [19CA1810](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raul Hurtado Marquez,

Defendant-Appellant.

-----AND-----

[2020COA170M](#)

Court of Appeals No. [19CA1811](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raul Hurtado Marquez,

Defendant-Appellant.

-----AND-----

[2020COA171M](#)

Court of Appeals No. [19CA1812](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raul Hurtado Marquez,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED
