

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*April 8, 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**

[2021COA45](#)

Court of Appeals No. [17CA0143](#)  
Arapahoe County District Court No. 15CR601  
Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Phillip Bradley Hines,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

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

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ANNOUNCEMENTS  
Colorado Court of Appeals  
April 8, 2021

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[2021COA46](#)

Court of Appeals No. [19CA2307](#)

City and County of Denver District Court No. 17CV31409

Honorable David H. Goldberg, Judge

AA Wholesale Storage, LLC,

Plaintiff-Appellant,

v.

Michael Swinyard,

Defendant-Appellee.

ORDER AFFIRMED

Division A

Opinion by JUDGE BERGER  
Dailey and Navarro, JJ., concur

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[2021COA47](#)

Court of Appeals No. [20CA0800](#)

Weld County District Court No. 16JV379

Honorable James F. Hartmann, Jr., Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.G. and C.G., Children,

and Concerning A.M., a/k/a A.G.,

Appellant,

and

M.B., Special Respondent,

Intervenor-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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[2021COA48](#)

Court of Appeals No. [20CA1010](#)

Industrial Claim Appeals Office of the State of Colorado  
DD No. 57868-2019

Catholic Health Initiatives Colorado,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Katie Muhs,

Respondents.

ORDER SET ASIDE AND CASE  
REMANDED WITH DIRECTIONS

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

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 17CA0086  
Arapahoe County District Court No. 14CR1441  
Honorable Michelle A. Amico, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Patrick Graham,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

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

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

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Court of Appeals No. 17CA0336  
Arapahoe County District Court No. 15CR26  
Honorable Natalie T. Chase, Judge

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

v.

Derek Ramon Robinson,  
  
Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE NAVARRO  
J. Jones, J., specially concurs  
Yun, J., dissents

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

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Court of Appeals No. 17CA0383  
Jefferson County District Court No. 15CR3405  
Honorable Christie A. Bachmeyer, Judge

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

v.

Gitano Vittorio Randazzo,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1374  
Arapahoe County District Court No. 16CR63  
Honorable Phillip L. Douglass, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Michael Vanbommel,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1377  
El Paso County District Court No. 16CR2971  
Honorable Barbara L. Hughes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Natasha Fleurette Wacker,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE FURMAN  
Johnson and Graham\*, JJ., concur

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

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Court of Appeals No. 18CA0569  
El Paso County District Court No. 17CR835  
Honorable Jill M. Brady, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Romario Alejandro Roldan,

Defendant-Appellant.

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

Division V  
Opinion by JUDGE YUN  
J. Jones and Navarro, JJ., concur

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

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Court of Appeals No. 18CA0628  
Jefferson County District Court No. 16CR3701  
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ruben Candelario,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1097  
Boulder County District Court No. 17CR1162  
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacob Smilanic,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1098  
Boulder County District Court Nos. 10CR237 & 10CR242  
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Largo Constantine Mitchell,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 18CA1411  
Douglas County District Court No. 17CR651  
Honorable Shay Whitaker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Leroy Shepperson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA1749  
City and County of Denver District Court No. 15CR2541  
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Peter Robert Hatfield, III,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE NAVARRO  
J. Jones and Yun, JJ., concur

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

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Court of Appeals No. 18CA2092  
El Paso County District Court No. 18CR378  
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Zackery Joel Applegate,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 18CA2094  
City and County of Denver District Court No. 17CR6462  
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ah Ya,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division III  
Opinion by JUDGE GRAHAM\*  
Furman and Johnson, JJ., concur

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

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Court of Appeals No. 19CA0963  
Jefferson County District Court No. 18CR2775  
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kevin Andrew Seitz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE FOX  
Harris and Grove, JJ., concur

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

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Court of Appeals No. 19CA1122  
El Paso County District Court No. 18CR796  
Honorable David L. Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Frank Lovell Williams,

Defendant-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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Court of Appeals No. 19CA1504  
Adams County District Court No. 17CR4166  
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven John Roybal,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE JOHNSON  
Furman and Graham\*, JJ., concur

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

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Court of Appeals No. 19CA2254  
City and County of Denver District Court No. 19CV32304  
Honorable David H. Goldberg, Judge

School District 14 Classroom Teachers' Association,

Plaintiff-Appellant,

v.

Colorado State Board of Education and Adams County School District 14  
Board of Education,

Defendants-Appellees.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE TERRY  
Dunn and Gomez, JJ., concur

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

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Court of Appeals No. 20CA0121  
City and County of Denver District Court No. 17CV33440  
Honorable Morris B. Hoffman, Judge

5411 Leetsdale LLC and Justin Henry,

Plaintiffs-Appellants,

v.

Tina Axelrad, in her official capacity as Zoning Administrator; Carla Ott, in her official capacity as Inspector; Megan Hinkle, in her capacity as Technician; Office of Community Planning and Development, and the City and County of Denver, Colorado,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE GRAHAM\*  
Furman and Johnson, JJ., concur

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

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Court of Appeals No. 20CA1130  
Industrial Claim Appeals Office of the State of Colorado  
WC No. 5-112-091

Maru LLC,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Robert Stanfield,

Respondents.

ORDER AFFIRMED

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

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

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Court of Appeals No. 20CA1317  
Weld County District Court No. 19JV812  
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Mo.F. and Ma.F., Children,

and Concerning K.F.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 20CA1506  
El Paso County District Court No. 19JV102  
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of H.E., a Child,

and Concerning M.D.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 21CA0187  
Pueblo County District Court No. 20MH307  
Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of

Keone Aikau,

Respondent-Appellant.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE FOX  
Harris and Grove, JJ., concur

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

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**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. 18CA1329

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tyler Eugene Richards,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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**MODIFIED OPINIONS**

[2020COA145M](#)

Court of Appeals No. [19CA0186](#)

Douglas County District Court No. 15CV30922

Honorable David J. Stevens, Judge

Robbin Smith and Doyle Edward Smith, Jr.,

Plaintiffs-Appellees and Cross-Appellants,

v.

Surgery Center at Lone Tree, LLC,

Defendant-Appellant and Cross-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE GROVE  
Welling and Vogt\*, JJ., concur

Opinion Modified  
On the Court's Own Motion

Announced October 15, 2020

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\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2020.