

PUBLISHED OPINIONS

[2023COA38](#)

Court of Appeals No. [20CA0882](#)

City and County of Denver District Court No. 19CR1178

Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Todd N. Perkins,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division A

Opinion by JUDGE FREYRE

Fox and Lipinsky, JJ., concur

[2023COA39](#)

Court of Appeals No. [20CA2167](#)

El Paso County District Court No. 10CR2496

Honorable Paul A. King, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bruce Joseph Nozolino,

Defendant-Appellant.

ORDERS REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II

Opinion by JUDGE FURMAN

Freyre and Welling, JJ., concur

-2-
ANNOUNCEMENTS
Colorado Court of Appeals
May 4, 2023

[2023COA40](#)

Court of Appeals No. [21CA1421](#)

City and County of Denver District Court No. 20CV32226

Honorable Marie Avery Moses, Judge

Cecilia Macasero,

Plaintiff-Appellee,

v.

ENT Credit Union,

Defendant-Appellant.

ORDER REVERSED AND CASE REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE HAWTHORNE*
Dailey, J., concurs
Johnson, J., specially concurs

U N P U B L I S H E D O P I N I O N S

Court of Appeals No. 19CA1082
Jefferson County District Court No. 17CR4492
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kelly Ray Kerr,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE LUM
Dailey and Johnson, JJ., concur

NOT PUBLISHED PURSUANT TO CAR 35(e)

Court of Appeals No. 19CA1703
Arapahoe County District Court No. 18CR1068
Honorable Andrew C. Baum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shaun R. Davis,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Dunn and Brown, JJ., concur

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

Court of Appeals No. 19CA2034
City and County of Denver District Court No. 18CR27
Honorable Karen L. Brody, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jared Lee Chavez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Tow and Schutz, JJ., concur

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

Court of Appeals No. 19CA2305
Douglas County District Court No. 11CR614
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Brian Holzer,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Fox and Lipinsky, JJ., concur

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

Court of Appeals No. 19CA2315
Arapahoe County District Court No. 17CR3184
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew Arthur Hurtado,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA0075
City and County of Denver District Court No. 18CR5046
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bradley J. Marcotte,

Defendant-Appellant.

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

Division IV
Opinion by JUDGE LIPINSKY
Fox and Schock, JJ., concur

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

Court of Appeals No. 20CA0184
El Paso County District Court No. 18CR3537
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose J. Piñon-Pol,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE JOHNSON
Dailey and Lum, JJ., concur

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

Court of Appeals No. 20CA0222
El Paso County District Court No. 18CR618
Honorable Erin Sokol, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Todd Aplin,

Defendant-Appellant.

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

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

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

Court of Appeals No. 20CA0377
Jefferson County District Court No. 18CR4479
Honorable Phillip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alonso Quintana,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE FREYRE
Furman and Welling, JJ., concur

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

Court of Appeals No. 20CA0486
Garfield County District Court No. 17CR531
Honorable John F. Neiley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sergio Aquiles-Castillo,

Defendant-Appellant.

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

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

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

Court of Appeals No. 20CA0557
Arapahoe County District Court No. 18CR1622
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stephen Gregory Jones,

Defendant-Appellant.

JUDGMENT AFFIRMED
AND CASE REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE DAILEY
Johnson and Lum, JJ., concur

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

Court of Appeals Nos. 20CA0654 & 20CA0655
El Paso County District Court Nos. 10CR2947 & 10CR2959
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Ray Adams,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE FOX
Lipinsky and Schock, JJ., concur

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

Court of Appeals Nos. 20CA0655 & 20CA0654
El Paso County District Court Nos. 10CR2959 & 10CR2947
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Ray Adams,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE FOX
Lipinsky and Schock, JJ., concur

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

Court of Appeals No. 20CA0913
Pueblo County District Court No. 17CR1098
Honorable Thomas B. Flesher, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul Frederick Carbajal,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE SCHUTZ
Navarro and Tow, JJ., concur

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

Court of Appeals No. 20CA1284
Jefferson County District Court No. 19CR1894
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Loyd Jokay-Szilagji,

Defendant-Appellant.

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

Division III
Opinion by JUDGE RICHMAN*
J. Jones and Yun, JJ., concur

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

Court of Appeals No. 20CA1328
El Paso County District Court No. 19CR2638
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Paul Hughes,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE FURMAN
Freyre and Welling, JJ., concur

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

Court of Appeals No. 20CA1450
Boulder County District Court No. 15CR1925
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Garrett Lee Mendes,

Defendant-Appellant.

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

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

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

Court of Appeals No. 20CA1729
Arapahoe County District Court No. 18CR2510
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Curtis Lee Moore,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Fox and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA0038
Adams County District Court No. 18CR4623
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Antonio C. DeHerrera,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Tow and Schutz, JJ., concur

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

Court of Appeals No. 21CA0712
City and County of Denver District Court No. 14CR5700
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffrey M. Kellerhals,

Defendant-Appellant.

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

Division V
Opinion by JUDGE BROWN
Dunn and Gomez, JJ., concur

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

Court of Appeals No. 21CA0840
Jefferson County District Court No. 18CR4656
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy Potter,

Defendant-Appellant.

SENTENCE REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE FURMAN
Freyre and Welling, JJ., concur

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

Court of Appeals No. 21CA1257
City and County of Denver District Court No. 17CR682
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ernestina N. Rosendo-Ponce,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA1377
Teller County District Court No. 17CR108
Honorable Scott Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Matthew Karr,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FREYRE
Furman and Welling, JJ., concur

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

Court of Appeals No. 21CA1518
Delta County District Court No. 19CR21
Honorable Steven L. Schultz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Katherine Susan Griswold,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA1598
Boulder County District Court No. 20DR30096
Honorable J. Keith Collins, Judge

In re the Marriage of

Paul David Knipe,

Appellee,

and

Archana Singh Knipe,

Appellant.

JUDGMENT REVERSED

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

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

Court of Appeals No. 21CA1602
Arapahoe County District Court No. 16PR30036
Honorable Michelle A. Amico, Judge

In the Interest of Renee Berthe Melly, a/k/a Renee B. Melly, a/k/a Renee Melly.

Renee Wood,

Appellant,

v.

Lorraine Goerke and Richard Goerke,

Appellees.

ORDER AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Fox and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA1631
Fremont County District Court No. 20CV316
Honorable Lynette M. Wenner, Judge

Patrick Portley-El,

Plaintiff-Appellant,

v.

Dean Williams, Executive Director of the Colorado Department of Corrections;
Time and Release Operations; Colorado Parole Board,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE WELLING
Furman and Freyre, JJ., concur

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

Court of Appeals No. 22CA0097
Board of Assessment Appeals Case No. 21BAA1065

Mt. Zion Lutheran Church,

Petitioner-Appellant,

v.

State Property Tax Administrator,

Respondent-Appellee,

And

Board of Assessment Appeals,

Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE DUNN
Brown and Gomez, JJ., concur

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

Court of Appeals No. 22CA0102
Jefferson County District Court No. 19CV252
Honorable Laura A. Tighe, Judge

Jamie Davis,

Plaintiff-Appellant,

v.

Icon Group, Inc. and Bryan Labuda,

Defendants-Appellees.

APPEAL DISMISSED

Division C
Opinion by JUDGE KUHN
J. Jones and Dunn, JJ., concur

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

Court of Appeals No. 22CA0143
City & County of Denver District Court No. 91CR2503
Honorable Ericka F.H. Englert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James R. Dawson, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE TAUBMAN*
Furman and Welling, JJ., concur

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

Court of Appeals No. 22CA0236
El Paso County District Court No. 19CV30772
Honorable Laura N. Findorff, Judge

Galiant Homes, LLC, a Colorado limited liability company,
Plaintiff-Appellee,

v.

Edward C. Herlik and Cynthia J. Strong-Herlik,
Defendants-Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE BROWN
Dunn and Gomez, JJ., concur

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

Court of Appeals No. 22CA0259
El Paso County District Court No. 16CR2767
Honorable Erin Sokol, Judge

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

v.

Leshawn Alexander Jackson,
Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE JOHNSON
Dailey and Lum, JJ., concur

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

Court of Appeals No. 22CA0411
Arapahoe County District Court No. 17DR30666
Honorable Charles M. Pratt, Judge

In re the Marriage of

Nona M. Yakes,

Appellant,

and

Wayne F. Yakes,

Appellee.

ORDERS AFFIRMED

Division V
Opinion by JUDGE BROWN
Dunn and Gomez, JJ., concur

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

Court of Appeals No. 22CA0435
Jefferson County District Court No. 17DR30236
Honorable Lily W. Oeffler, Judge

In re the Marriage of

Stacey Bolton n/k/a Stacey Stafford,

Appellee,

and

Michael K. Bolton,

Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE NAVARRO
Tow and Schutz, JJ., concur

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

Court of Appeals No. 22CA0513
Arapahoe County District Court No. 20DR1091
Honorable Cynthia Mares, Judge

In re the Parental Responsibilities Concerning R.G.H., a Child,
and Concerning Kellie Louise Wollbrinck,

Appellee,

and

Jeremy Fletcher Hammitt,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0547
Jefferson County District Court No. 21DR30415
Honorable Christopher C. Zenisek, Judge

In re the Marriage of

Miguel Alejandro Fitch Aguirre,

Appellant,

and

Josefina Aguilar Ochoa,

Appellee.

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

Division III
Opinion by JUDGE PAWAR
J. Jones and Yun, JJ., concur

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

Court of Appeals No. 22CA0905
City and County of Denver District Court No. 94DR474
Honorable Karen L. Brody, Judge

In re the Marriage of

Terry W. Mobley,

Appellant,

and

Cheryl E. Mobley,

Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE DUNN
Brown and Gomez, JJ., concur

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

Court of Appeals No. 22CA1161
City and County of Denver Juvenile Court No. 20JV755
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.R.L-P., a Child,

and Concerning M.A.L. and R.M.M.P.,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1165
City and County of Denver Juvenile Court No. 20JV149
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.C.V.,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1223
Arapahoe County District Court No. 20JV216
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Appellee,

In the Interest of B.H-S., a Child,

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

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1552
Jefferson County District Court No. 21JV74
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.B.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE RICHMAN*
Román, C.J. and Taubman*, J., concur

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

Court of Appeals No. 23CA0447
Pueblo County District Court No. 21MH149
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Isaac David Conley,

Respondent-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE KUHN
Fox 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. 19CA2404

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aichardo Mandez-Ramirez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA0507

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michelle Nicole Couch,

Defendant-Appellant.

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. 2022.