

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
October 27, 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

[2022COA124](#)

Court of Appeals No. [19CA1768](#)
Arapahoe County District Court No. 18CR263
Honorable Andrew C. Baum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Natasha Earnce Robinson,

Defendant-Appellant.

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

Division III
Opinion by JUDGE YUN
Fox and Tow, JJ., concur

[2022COA125](#)

Court of Appeals Nos. [20CA2132](#) & [21CA0135](#)

Mesa County District Court No. 15CV30590

Honorable Jane A. Tidball, Judge

Ute Water Conservancy District,

Plaintiff-Appellee,

v.

Rudolph Fontanari, Jr.; Ethel C. Fontanari; and Rudolph Fontanari, Jr. and
Ethel Carol Fontanari Revocable Trust,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division VI

Opinion by JUDGE LIPINSKY

Berger and Hawthorne*, JJ., concur

[2022COA126](#)

Court of Appeals No. [22CA0291](#)

Pueblo County District Court No. 21MH284

Honorable Tim O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellant,

In the Interest of Jesper Joergensen,

Respondent-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV

Opinion by JUDGE SCHUTZ

J. Jones and Welling, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA0440
Jefferson County District Court No. 05CR1008
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ricky Cuong Hoang,

Defendant-Appellant.

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

Division IV
Opinion by JUDGE DUNN
Grove and Schutz, JJ., concur

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

Court of Appeals No. 18CA1877
Moffat County District Court No. 17CR238
Honorable Michael A. O'Hara III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rachel Ann Niemeyer,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Furman, J., concurs
Richman, J., dissents

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

Court of Appeals No. 19CA0757
Arapahoe County District Court No. 17JD730
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Y.N-C.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
Welling and Johnson, JJ., concur

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

Court of Appeals No. 19CA2143
Summit County District Court No. 09CR263
Honorable Mark D. Thompson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Harrington Carter,

Defendant-Appellant.

ORDER AFFIRMED

Division P
Opinion by JUDGE PAWAR
Casebolt* and Taubman*, JJ., concur

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

Court of Appeals No. 20CA0636
Fremont County District Court No. 18CR529
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy B. Marsden,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE TOW
Fox and Yun, JJ., concur

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

Court of Appeals No. 21CA0175
Boulder County District Court No. 20CV30147
Honorable Andrew Hartman, Judge

Jana Mae Kaspar, f/k/a Jana M. Kaspar-Barnes,
Plaintiff-Appellant,

v.

Bank of New York Mellon, Bank of New York, as Trustee for the
Certificateholders CWALT, Inc., Alternative Loan Trust 2007-9T1, Mortgage
Pass-Through Certificates, Series 2007-9T1

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE JOHNSON
Dunn and Harris, JJ., concur

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

Court of Appeals No. 21CA0283
El Paso County District Court No. 15CR1196
Honorable David Prince, Judge

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

v.

Robert Lenard Denhartog,
Defendant-Appellant.

SENTENCE AFFIRMED

Division P
Opinion by JUDGE PAWAR
Casebolt* and Taubman*, JJ., concur

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

Court of Appeals No. 21CA0668
El Paso County District Court No. 19CV118
Honorable Thomas K. Kane, Judge

Delmart E. Vreeland,

Plaintiff-Appellant,

v.

Paul M. Isenstadt,

Defendant-Appellee.

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

Division VII
Opinion by JUDGE HARRIS
Pawar and Gomez, JJ., concur

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

Court of Appeals No. 21CA0850
Logan County District Court No. 20CV46
Honorable Carl S. McGuire, III, Judge

Craig S. Robledo,

Plaintiff-Appellant,

v.

Dean Williams, Executive Director of the Colorado Department of Corrections;
and Jeff Long, Warden of the Sterling Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FOX
Tow and Yun, JJ., concur

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

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ANNOUNCEMENTS
Colorado Court of Appeals
October 27, 2022

Court of Appeals No. 21CA0851
Douglas County District Court No. 14DR30238
Honorable Andrew C. Baum, Judge

In re the Marriage of

Steven R. Durie,

Appellant,

and

Kelly J. Durie, n/k/a Kelly J. Simmerman,

Appellee.

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

Division VI
Opinion by JUDGE GRAHAM*
Berger and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA0985
Eagle County District Court No. 20CV30186
Honorable Russell H. Granger, Judge

150 East Beaver Creek LLC; CSB Properties Holdings LLC; and ELDA CO EA
LLC,

Plaintiffs-Appellants,

v.

Eagle County Board of Equalization; and Mark Chapin, Eagle County Assessor,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE GROVE
Dunn and Schutz, JJ., concur

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

Court of Appeals No. 21CA1089
Logan County District Court No. 20CV45
Honorable Stephanie M.G. Gagliano, Judge

Craig S. Robledo,

Plaintiff-Appellant,

v.

Dean Williams, Executive Director of the Colorado Department of Corrections,
and Jeff Long, Warden of the Sterling Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE JOHNSON
Navarro and Welling, JJ., concur

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

Court of Appeals No. 21CA1304
City and County of Denver District Court No. 19DR446
Honorable Jill D. Dorancy, Judge

In re the Marriage of

Shelley Michas,

Appellee,

and

Gus Michas,

Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE YUN
Fox and Tow, JJ., concur

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

Court of Appeals No. 21CA1452
El Paso County District Court No. 11DR2085
Honorable Deborah J. Grohs, Judge

In re the Marriage of

Michelle Lea Alvis,

Appellee,

and

Norman Foster Darrell Alvis,

Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division P
Opinion by JUDGE PAWAR
Casebolt* and Taubman*, JJ., concur

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

Court of Appeals No. 21CA1527
State Personnel Board Case No. 2021B022

Noel Hidalgo,

Complainant-Appellee,

v.

Department of Human Services, Mental Health Institute at Pueblo,

Respondent-Appellant,

and

State Personnel Board,

Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE FREYRE
Lipinsky, JJ., concurs
Vogt, J.*, concurs in part and dissents in part

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

Court of Appeals No. 21CA1550
City and County of Denver District Court No. 19CV34806
Honorable Marie Avery Moses, Judge

Anatolii Puhalskii,

Plaintiff-Appellant,

v.

University of Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FURMAN
Dailey and Vogt*, JJ., concur

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

Court of Appeals No. 21CA1898
City and County of Denver District Court No. 20CV32740
Honorable Alex C. Myers, Judge

Casey Huntoon,

Plaintiff-Appellee,

v.

City and County of Denver, Colorado; and Julian F. Romero,

Defendants-Appellants.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division A
Opinion by JUDGE FOX
Freyre and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA2108
Weld County District Court No. 20JV31
Honorable Meghan Saleebey, Judge

The People of the State of Colorado,

Appellee,

In the Interest of S.R. and P.R., Children,

and Concerning A.T. and D.R.,

Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FURMAN
Dailey and Richman, JJ., concur

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

Court of Appeals No. 22CA0183
Montrose County District Court No. 18DR30044
Honorable D. Cory Jackson, Judge

In re the Marriage of

Douglas Todd Weiszbrod,

Appellee,

and

Tara C. Clarke, f/k/a Tara C. Weiszbrod,

Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1399
Pueblo County District Court No. 22MH252
Honorable Tim O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Bradley James Hager,

Respondent-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE DUNN
Grove and Schutz, 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. 19CA0526

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jheshua Daniel Jackson,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA1496

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rick D. Trujillo,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA1824

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Douglas Kent Hartman,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 19CA2049

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Israel Santillan Lopez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0896

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Louis Peoples, Jr.,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA0506

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Verle James Mangum,

Defendant-Appellee.

Petition for Rehearing DENIED

Court of Appeals No. 22CA0569

In re the Parental Responsibilities Concerning Ma.G. and Mi.G., Children,

and Concerning Michelle Marie Clare,

Appellee,

and

Michael Gibson,

Appellant.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

[2022COA115M](#)

Court of Appeals No. [19CA1007](#)

Pueblo County District Court Nos. 17JD220 & 18CR2025

Honorable Deborah R. Eyler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnny Joseph Dannel, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III

Opinion by JUDGE WELLING

J. Jones and Schutz, JJ., concur

Opinion Modified

On the Court's Own Motion

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