

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
September 8, 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

[2022COA100](#)

Court of Appeals No. [18CA1486](#)
Clear Creek County District Court No. 16CR55
Honorable Mark D. Thompson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Anthony Vasquez,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE BERNARD*
Pawar and Brown, JJ., concur

[2022COA101](#)

Court of Appeals No. [18CA1878](#)
Morgan County District Court No. 17CR1
Honorable Carl S. McGuire III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fidel Castro,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE DAILEY
Berger and Tow, JJ., concur

[2022COA102](#)

Court of Appeals No. [19CA2033](#)
El Paso County District Court No. 18CR6275
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wayne Tc Sellers IV,

Defendant-Appellant.

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

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

[2022COA103](#)

Court of Appeals No. [21CA0109](#)
Arapahoe County District Court No. 19CV32997
Honorable John L. Wheeler, Judge

Daniala Mohammadi,

Plaintiff-Appellant,

v.

Mark Kinslow,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE YUN
Dunn, J., concurs
Welling, J., dissents

[2022COA104](#)

Court of Appeals No. [21CA0897](#)
Otero County District Court No. 19CV30031
Honorable Michael A. Schiferl, Judge

Angela Lea Argo,

Plaintiff-Appellant,

v.

Christina T. Hemphill, a/k/a Christina Tara O'Berto and Dianna K. Hemphill,
a/k/a Dianna K. Hemphill-O'Byrne,

Defendants-Appellees.

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

Division VII
Opinion by JUDGE KUHN
Navarro and Hawthorne*, JJ., concur

[2022COA105](#)

Court of Appeals No. [21CA1760](#)

Mesa County District Court No. 16DR30036

Honorable William T. McNulty, Judge

Honorable Matthew D. Barrett, Judge

In re the Parental Responsibilities Concerning S.Z.S., a Child,

and Concerning Zofia Elise Tissue,

Appellant,

and

Christopher Michael Smith,

Appellee.

APPEAL DISMISSED IN PART, ORDERS AFFIRMED IN PART,
AND CASE REMANDED WITH DIRECTIONS

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

UNPUBLISHED OPINIONS

Court of Appeals No. 13CA1528
El Paso County District Court No. 97CR1246
Honorable David Prince, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward Montour, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE GROVE
Furman and Yun, JJ., concur

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

Court of Appeals No. 18CA0156
Weld County District Court No. 15CR977
Honorable Timothy Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wesley Richard DePriest,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE SCHUTZ
J. Jones and Welling, JJ., concur

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

Court of Appeals No. 19CA1382
Garfield County District Court No. 17CR157
Honorable Denise K. Lynch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Francis Montgomery,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE GRAHAM*
Navarro and Lipinsky, JJ., concur

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

Court of Appeals No. 19CA1393
City and County of Denver District Court No. 17CR8520
Honorable John W. Madden, IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mauricio Venzor-Gonzalez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WELLING
J. Jones and Schutz, JJ., concur

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

Court of Appeals No. 19CA2233
Arapahoe County District Court No. 17CR3676
Honorable Andrew Baum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Emmanuel Owuso Akosah,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BERGER
Freyre and Lipinsky, JJ., concur

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

Court of Appeals No. 20CA0283
Arapahoe County District Court No. 10CR131
Honorable Michael Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dirkin Brown,

Defendant-Appellant.

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

Division IV
Opinion by JUDGE BROWN
Richman and Pawar, JJ., concur

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

Court of Appeals No. 20CA0695
City and County of Denver Juvenile Court No. 16JV1388
Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Appellee,

In the Interest of My.K.M. and Ma.K.M, Children,

and Concerning V.K.L. and T.A.M.,

Respondents-Appellants.

JUDGMENT AFFIRMED

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

Prior Opinion Announced March 11, 2021, Reversed in 21SC245

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

Court of Appeals No. 20CA1231
El Paso County District Court No. 19CR1528
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Neal Noffsinger,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE KUHN
Navarro and Lipinsky, JJ., concur

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

Court of Appeals No. 20CA1727
Larimer County District Court No. 08CR784
Honorable Juan G. Villaseñor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Justin Levi Moore,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE DAILEY
Berger and Tow, JJ., concur

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

Court of Appeals No. 21CA0294
Larimer County District Court No. 19CV30039
Honorable Daniel M. McDonald, Judge

Jerry L. Godbey,

Plaintiff-Appellee,

v.

Denise Hunzeker,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Fox and Freyre, JJ., concur

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

Court of Appeals No. 21CA0316
Douglas County District Court No. 217CV4
Honorable David J. Stevens, Judge

Sam Lowry,

Plaintiff-Appellee,

v.

Eric Bringhurst; Steffon Bringhurst; and Erix Crane & Rigging, Inc., a Colorado corporation,

Defendants-Appellants.

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

Division III
Opinion by JUDGE SCHUTZ
J. Jones and Welling, JJ., concur

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

Court of Appeals No. 21CA0822
Fremont County District Court Nos. 18PR41 & 19CV30130
Honorable Stephen A. Groome, Judge

In re the Estate of Clyde I. Campbell, Jr., deceased.

Clyde I. Campbell III and Alan D. Campbell,

Appellants,

v.

Timothy Hasty,

Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA1394
Montrose County District Court No. 19DR30027
Honorable D. Cory Jackson, Judge

In re the Marriage of

Angel Fletcher,

Appellee,

and

Justin Fletcher,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE RICHMAN
Pawar and Brown, JJ., concur

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

Court of Appeals No. 21CA1455
Arapahoe County District Court No. 19DR30883
Honorable Peter F. Michaelson, Judge
Honorable Don J. Toussaint, Judge

In re the Marriage of

Fizza Choudhry,

Appellee,

and

Shahzad Choudhry,

Appellant.

JUDGMENTS AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE FOX
TOW and YUN, JJ., concur

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

Court of Appeals No. 21CA1902
Mesa County District Court No. 19JV401
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of P.G.M and K.M., Children,

and concerning B.J.,

Appellant.

JUDGEMENT AFFIRMED

Division III
Opinion by JUDGE SCHUTZ
J. Jones and Welling, JJ., concur

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

Court of Appeals No. 21CA2094
Adams County District Court No. 19JV194
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of C.L.W. IV and J.W., Children,

and Concerning C.W. III and A.N.,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0069
Kit Carson County District Court No. 21JV9
Honorable Stephanie M.G. Gagliano, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning F.V.L.,

Appellant,

and J.A.,

Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE KUHN
Navarro and Lipinsky, JJ., concur

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

Court of Appeals No. 22CA0342
Industrial Claim Appeals Office of the State of Colorado
DD No. 56199-2021

Rebecca Weeden,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Division of
Unemployment Insurance,

Respondents.

ORDER AFFIRMED

Division III
Opinion by JUDGE YUN
Fox and Tow, 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. 19CA0868

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward H. Berdan,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 20CA0672

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gustavo Olivo-Tellez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0542

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Patrick McDaniel Adkins, Jr.,

Defendant-Appellee.

Petition for Rehearing DENIED

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

[2022COA88M](#)

Court of Appeals No. [21CA1331](#)

The People of the State of Colorado,

Petitioner,

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

and Concerning A.M.E.,

Appellant,

And G.U.,

Appellee.

Opinion Modified and
Petition for Rehearing GRANTED in part
and DENIED in part

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