

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
June 3, 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

[2021COA77](#)

Court of Appeals No. [19CA0879](#)
Jefferson County District Court No. 18CR3429
Honorable Diego G. Hunt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Todd Louis Williamson,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE RICHMAN
Berger and Welling, JJ., concur

[2021COA78](#)

Court of Appeals No. [19CA2052](#)

City and County of Denver District Court No. 18CV32628

Honorable Kandace C. Gerdes, Judge

Briargate at Seventeenth Avenue Owners Association, a Colorado non-profit corporation,

Plaintiff-Appellee,

v.

John G. Nelson,

Defendant-Appellant.

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

Division I
Opinion by JUDGE DAILEY
Freyre and Yun, JJ., concur

[2021COA79](#)

Court of Appeals No. [20CA1400](#)

Arapahoe County District Court No. 18JV261

Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.S. and L.S., Children,

and Concerning F.S.,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA0478
Jefferson County District Court No. 15CR3702
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Lee Kessler-Tiffany,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE JOHNSON
J. Jones and Grove, JJ., concur

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

Court of Appeals No. 17CA2247
City and County of Denver District Court No. 16CR4247
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Albert Van Matthews,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE J. JONES
Grove and Johnson, JJ., concur

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

Court of Appeals No. 17CA2334
El Paso County District Court No. 16CR6513
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy Deonte Ralph,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Tow and Gomez, JJ., concur

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

Court of Appeals No. 18CA1748
City and County of Broomfield District Court No. 17CR371
Honorable F. Michael Goodbee, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Khotprathoum,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE TERRY
Navarro and Hawthorne*, JJ., concur

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

Court of Appeals No. 18CA2191
Mesa County District Court No. 18CR90
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Keith Lavern Inman,

Defendant-Appellant.

JUDGMENT AFFIRMED, ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE JOHNSON
J. Jones and Grove, JJ., concur

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

Court of Appeals No. 19CA0542
Larimer County District Court No. 10CR1154
Honorable Stephen E. Howard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chad Oneal Jones,

Defendant-Appellant.

ORDER AFFIRMED

Division A
Opinion by JUDGE RICHMAN
Bernard, C.J., and Grove, J., concur

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

Court of Appeals No. 19CA1202
Larimer County District Court No. 14CR1679
Honorable Stephen E. Howard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Patrick Austin Hannon,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE FREYRE
Dailey and Yun, JJ., concur

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

Court of Appeals No. 19CA1599
Archuleta County District Court No. 15CV30247
Honorable Jeffrey R. Wilson, Judge

Vivian L. Rader and Steven R. Rader,

Plaintiffs-Appellants,

v.

CitiBank, N.A., as Successor Trustee to U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, N.A. as Trustee for MASTR Asset Securitization Trust 2004-1; US Bank National Association; and Ocwen Loan Servicing LLC,

Defendants-Appellees.

ORDERS AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE YUN
Dailey and Freyre, JJ., concur

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

-8-
ANNOUNCEMENTS
Colorado Court of Appeals
June 3, 2021

Court of Appeals No. 19CA1730
Arapahoe County District Court No. 18CV252
Honorable John L. Wheeler, Judge

Harlie W. Loesby,

Plaintiff-Appellant,

v.

Richard K. Loesby, Esq.,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE J. JONES
Grove and Johnson, JJ., concur

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

Court of Appeals No. 19CA1799
City and County of Denver District Court Nos. 18CV33277, 18CV33278,
18CV33281 & 18CV33289
Honorable Morris B. Hoffman, Judge

Antero Resources Corporation,

Plaintiff-Appellee,

v.

Airport Land Partners Ltd.; Richard N. Casey; Paul Limbach; Nanci Limbach;
Fred Limbach; Shidelerosa LLP; Shideler Energy Company, LLC; Patrick
Shuster; Toni Shuster; and Colorado Oil and Gas Conservation Commission,

Defendants-Appellants.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE GROVE
Johnson and Vogt*, JJ., concur

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

Court of Appeals No. 19CA1971
Jefferson County District Court No. 11CR2222
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Henry Arthur Custer,

Defendant-Appellant.

JUDGMENT AND ORDERS AFFIRMED

Division IV
Opinion by JUDGE TERRY
Navarro and Brown, JJ., concur

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

Court of Appeals No. 19CA2333
Pueblo County District Court No. 12CR1336
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Sutton,

Defendant-Appellant.

APPEAL DISMISSED IN PART AND
ORDER AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Terry and Brown, JJ., concur

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

Court of Appeals No. 19CA2361
Mesa County District Court No. 19JV2
Honorable Thomas W. Ossola, Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.S., a Child,

and Concerning D.D., a/k/a D.S.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA0048
Morgan County District Court No. 18JV33
Honorable Charles M. Hobbs, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.N.G. and O.O.G., Children,

and Concerning L.E.T-A.,

Appellant,

and

M.A.D.,

Appellee.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE GOMEZ
Furman and Tow, JJ., concur

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

Court of Appeals No. 20CA0202
Gunnison County District Court No. 17DR30003
Honorable J. Steven Patrick, Judge

In re the Marriage of

Stevan Maxwell Church,

Appellee,

and

Victoria Bowles Church,

Appellant.

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

Division I
Opinion by JUDGE FREYRE
Dailey and Yun, JJ., concur

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

Court of Appeals No. 20CA0329
Pueblo County District Court No. 19CR785
Honorable Kim Karn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shondel Inez Cartwright,

Defendant-Appellant.

JUDGMENT AND SENTENCE REVERSED
AND CASE REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE LIPINSKY
Román and Harris, JJ., concur

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

Court of Appeals No. 20CA0372
Jefferson County District Court No. 19CV30474
Honorable Russell B. Klein, Judge

Craig Bruce Cumming, as Trustee of the Craig Bruce Cumming Trust; Richard John Heimerl, as Trustee of the Richard John Heimerl Living Trust; and Susan Marie Heimerl, as Trustee of the Susan Marie Heimerl Living Trust,

Plaintiffs-Appellants,

v.

Village at Cragmont Homeowners Association, a Colorado nonprofit corporation; and Homestead Water Company, a Colorado nonprofit corporation, a/k/a Homestead Cragmont Water, LLC, a/k/a Cragmont Water Company,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Freyre and Yun, JJ., concur

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

Court of Appeals No. 20CA0969
City and County of Denver District Court No. 18CV34525
Honorable Robert L. McGahey, Jr., Judge

Sarah Murray, by and through her legal guardian, Rebecca Murray,

Plaintiff-Appellee,

v.

Kim Bimestefer, in her official capacity as Executive Director of Colorado
Department of Health Care Policy and Financing, and Colorado Department of
Health Care Policy and Financing,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE FOX
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 20CA1477
Custer County District Court No. 19JV6
Honorable Ramsey L. Lama, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Mar.H., Mi.H, Mo.H., Mat.H., Mei.H., and Mel.H., Children,

and Concerning S.H. and V.H.,

Appellants.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE RICHMAN
Berger and Welling, JJ., concur

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

Court of Appeals No. 20CA1707
Mesa County District Court No. 18JV50
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Appellee,

In the Interest of M.J. and A.J., Children,

and Concerning M.A.S. and G.J.J.,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA1757
Adams County District Court No. 19JV156
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

in the Interest of X.M.M. and X.A.M., Children,

and Concerning N.M.S.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Tow and Gomez, JJ., concur

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

Court of Appeals No. 20CA1815
Adams County District Court No. 19JV177
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.M.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BERGER
Richman 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. 19CA1465

William Andrew Coyle,

Plaintiff-Appellant,

v.

State of Colorado,

Defendant-Appellee.

Petition for Rehearing DENIED

Court of Appeals No. 19CA2027

City and County of Denver, Colorado, a home rule city and municipal
corporation,

Plaintiff-Appellee,

v.

Randall S. Thompson,

Defendant-Appellant.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

Court of Appeals No. 20CA0053
City and County of Denver District Court No. 18CV30773
Honorable Michael A. Martinez, Judge

Denver Classroom Teachers Association,

Plaintiff-Appellant,

v.

School District No. 1, City and County of Denver, Colorado; and Board of
Education of School District No. 1, City and County of Denver, Colorado,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE LIPINSKY
Román and Harris, JJ., concur

Opinion Modified
On the Court's Own Motion

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

Announced May 27, 2021

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