

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
December 2, 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

[2021COA143](#)

Court of Appeals No. [20CA0002](#)

City and County of Denver District Court No. 17CV34801

Honorable Martin F. Egelhoff, Judge

Dream Finders Homes LLC, a Florida limited liability company, and DFH Mandarin, LLC, a Florida limited liability company,

Plaintiffs-Appellees and Cross-Appellants,

v.

Weyerhaeuser NR Company, a Washington corporation,

Defendant-Appellant and Cross-Appellee.

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

Division III
Opinion by JUDGE LIPINSKY
Furman, J., concurs
Brown, J., specially concurs

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ANNOUNCEMENTS
Colorado Court of Appeals
December 2, 2021

[2021COA144](#)

Court of Appeals No. [20CA0298](#)

City and County of Denver District Court No. 19CV31940

Honorable Robert L. McGahey, Jr., Judge

BKP, Inc., Ella Bliss Beauty Bar, L.L.C., Ella Bliss Beauty Bar 2, L.L.C., and
Ella Bliss Beauty Bar 3, L.L.C.,

Plaintiffs-Appellants,

v.

Killmer, Lane & Newman, LLP, Mari Newman, and Towards Justice,

Defendants-Appellees.

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

Division A
Opinion by CHIEF JUDGE BERNARD
Dunn and Grove, JJ., concur

[2021COA145](#)

Court of Appeals No. [20CA1536](#)

El Paso County District Court No. 19DR30270

Honorable G. David Miller, Judge

In re the Marriage of

Jeremy Stradtman,

Appellant,

and

Andrea Stradtman,

Appellee,

and Concerning El Paso County Child Support Services,

Intervenor.

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

Division III
Opinion by JUDGE LIPINSKY
Brown and Martinez*, JJ., concur

[2021COA146](#)

Court of Appeals No. [21CA0275](#)

Industrial Claim Appeals Office of the State of Colorado
WC No. 5-039-180

City and County of Denver, Colorado,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Andrew Sipres,

Respondents.

ORDER SET ASIDE AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE GOMEZ
Richman and Harris, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA0636
Arapahoe County District Court No. 16CR1440
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Michael Kaminga,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE GOMEZ
Richman and Harris, JJ., concur

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

Court of Appeals No. 18CA1529
Mesa County District Court No. 17CR391
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Michael Weber,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FOX
Welling and Johnson, JJ., concur

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

Court of Appeals No. 18CA1753
El Paso County District Court No. 17CR6180
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vincent Fernando Garcia,

Defendant-Appellant.

SENTENCE AFFIRMED

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

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

Court of Appeals No. 18CA1858
Jefferson County District Court No. 17CR3601
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Samuel Angelo Puma,

Defendant-Appellant.

JUDGMENT AFFIRMED, ORDER REVERSED
AND CASE REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE JOHNSON
Fox and Welling, JJ., concur

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

Court of Appeals No. 18CA2095
Morgan County District Court No. 17CR161
Honorable Kevin L. Hoyer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Freddy Torres Garcia,

Defendant-Appellant.

SENTENCE AFFIRMED

Division VI
Opinion by JUDGE WELLING
Fox and Johnson, JJ., concur

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

Court of Appeals No. 18CA2300
Adams County District Court No. 17CR509
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Che Jason Bachicha,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ROMÁN
Berger and Yun, JJ., concur

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

Court of Appeals No. 19CA0078
Arapahoe County District Court No. 18CV30051
Honorable John L. Wheeler, Judge

David Brian Dougherty,

Plaintiff-Appellee,

v.

Jack Saggio,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE VOGT*
Harris and Johnson, JJ., concur

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

Court of Appeals No. 19CA0144
Arapahoe County District Court No. 18CR315
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Charles Laverne Fenolio, II,

Defendant-Appellant.

JUDGMENT AFFIRMED, ORDER VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE GROVE
Navarro and Pawar, JJ., concur

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

Court of Appeals No. 19CA0159
El Paso County District Court No. 17CR1444
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chad Patrick Connolly,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE KUHN
Dailey and Dunn, JJ., concur

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

Court of Appeals No. 19CA0176
El Paso County District Court No. 18CR2614
Honorable Robin L. Chittum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brendan Patrick-Harold Bonner,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE NAVARRO
Grove and Pawar, JJ., concur

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

Court of Appeals No. 19CA0220
Mesa County District Court No. 17CR2149
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Oscar Aaron Rodriguez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE LIPINSKY
Brown and Graham*, JJ., concur

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

Court of Appeals No. 19CA0607
Mesa County District Court No. 18JD133
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.B.,

Juvenile-Appellant.

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

Division V
Opinion by JUDGE HARRIS
Richman and Gomez, JJ., concur

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

Court of Appeals No. 19CA0714
El Paso County District Court Nos. 18CR963 & 18CR973
Honorable Robert L. Lowrey, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacob Sanchez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE JOHNSON
Fox and Welling, JJ., concur

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

Court of Appeals No. 19CA1284
Arapahoe County District Court No. 96CR589
Honorable Ben L. Leutwyler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Ashley Shetskie,

Defendant-Appellant.

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

Division II
Opinion by JUDGE ROMÁN
Berger and Yun, JJ., concur

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

Court of Appeals No. 19CA1610
Adams County District Court No. 08CR3111
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Allan Conklin,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE YUN
Román and Berger, JJ., concur

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

Court of Appeals No. 19CA1840
Jefferson County District Court No. 18CR4881
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Casey Cole Mackenzie,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE BROWN
Furman and Lipinsky, JJ., concur

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

Court of Appeals No. 19CA2347
City and County of Denver District Court No. 16CV32258
Honorable Ross B.H. Buchanan, Judge

Nina H. Kazazian,

Plaintiff-Appellant,

v.

GHP Horwath, P.C., and Nadine Pietrowski,

Defendants-Appellees,

and

Blake Callaway,

Appellee.

ORDERS AFFIRMED

Division II
Opinion by JUDGE YUN
Román and Berger, JJ., concur

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

Court of Appeals No. 19CA2392
Jefferson County District Court No. 08CR1860
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Garry Wendell Martin,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE BERGER
Román and Yun, JJ., concur

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

Court of Appeals No. 20CA0359
La Plata County District Court No. 17CR370
Honorable Susan F. Carlson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jayson Max Gorman,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAVIDSON*
Berger and Yun, JJ., concur

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

Court of Appeals No. 20CA0989
El Paso County District Court No. 19CV31955
Honorable David A. Gilbert, Judge

Garden of the Gods Club Property Owners Association,
Plaintiff-Appellee,

v.

Douglas M. Landolfi and Leah L. Landolfi,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE PAWAR
Navarro and Grove, JJ., concur

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

Court of Appeals No. 20CA1205
City and County of Denver District Court No. 18CV32672
Honorable Andrew P. McCallin, Judge

Casey Martin,

Plaintiff-Appellant,

v.

Regents of the University of Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TOW
Freyre and Taubman*, JJ., concur

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

Court of Appeals No. 20CA1407
Boulder County District Court No. 20CV30549
Honorable Bruce Langer, Judge

Bluebird Botanicals, LLC,
Plaintiff-Appellee,

v.

Jeremiah Desmond O'Leary, f/k/a Jeremiah Johnson,
Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE DUNN
Dailey and Kuhn, JJ., concur

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

Court of Appeals No. 20CA1528
Pitkin County District Court No. 20CV9
Honorable Christopher G. Seldin, Judge

Frances E.C. Rogers,
Plaintiff-Appellant,

v.

Stonebridge Inn Association, Inc.,
Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE WELLING
Fox and Johnson, JJ., concur

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

Court of Appeals No. 20CA1666
Arapahoe County District Court No. 18DR2341
Honorable Echo D. Ryan, Magistrate

In re the Marriage of

Jeffrey Dewane Geiler,

Appellant,

and

Tracy Anne Geiler,

Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Navarro and Grove, JJ., concur

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

Court of Appeals No. 20CA1759
Arapahoe County District Court No. 20CV90
Honorable Elizabeth Beebe Volz, Judge

Mamadou Bane,

Plaintiff-Appellant,

v.

Amazon.com Services, Inc.,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Richman and Harris, JJ., concur

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

Court of Appeals No. 20CA2000
Jefferson County District Court No. 19CV31252
Honorable Robert Lochary, Judge

Odarka Figlus, Robert Stoyko, Holly Gralak, Ronald Gralak, Karen Anton,
Brendon Ching, Greg Ching, Rosalind Bedell, Steven Bedell, and James Sutton
Living Trust,

Plaintiffs-Appellants,

v.

City of Wheat Ridge, Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE FREYRE
J. Jones and Tow, JJ., concur

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

Court of Appeals Nos. 21CA0286 & 21CA0471
El Paso County District Court No. 20JV55
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of X.L., La.L., Le.L., and E.L., a Children,

and Concerning A.L.,

Appellant.

JUDGMENTS AFFIRMED

Division VI
Opinion by JUDGE FOX
Welling and Johnson, JJ., concur

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

Court of Appeals No. 21CA0364
Weld County District Court No. 18JV663
Honorable Todd L. Taylor, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning H.R. and J.R.,

Appellants.

JUDGMENTS AFFIRMED

Division A
Opinion by JUSTICE MARTINEZ*
Bernard, C.J., and Graham*, J., concur

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

Court of Appeals No. 21CA0386
City and County of Denver Juvenile Court No. 19JV1337
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning M.S. and A.R.M.,

Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Harris and Gomez, JJ., concur

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

Court of Appeals No. 21CA0402
Conejos County District Court No. 19JV23
Honorable Martin A. Gonzales, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning P.Q.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FOX
Welling and Johnson, JJ., concur

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

Court of Appeals Nos. 21CA0547 & 21CA0554
Weld County District Court No. 19JV149
Honorable Meghan Saleebey, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning E.A.S. and M.V.,

Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE KUHN
Dailey and Dunn, JJ., concur

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

Court of Appeals No. 21CA0693
Morgan County District Court No. 20JV33
Honorable Charles M. Hobbs, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.R.D., a Child,

and Concerning S.R.K.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE GRAHAM*
Bernard, C.J., and Martinez*, J., 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. 15CA1266

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Parks,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 18CA2271

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Matthew Kover,

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. 2021.