

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
February 23, 2023*

“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**

[2023COA18](#)

Court of Appeals No. [21CA0984](#)  
Summit County District Court No. 20CV30048  
Honorable Karen A. Romeo, Judge

Jasper Mitton, surviving son of Benjamin Mitton, Deceased; Thomas Wood, surviving spouse of Nichole Gough, Deceased; Devin Wood, surviving son of Nichole Gough, Deceased; and Michael Wood, surviving son of Nichole Gough, Deceased,

Plaintiffs-Appellants,

v.

Danimaxx of Colorado, Inc., d/b/a Breckenridge Market & Liquor,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE VOGT\*  
Tow and Schutz, JJ., concur

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ANNOUNCEMENTS  
Colorado Court of Appeals  
February 23, 2023

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[2023COA19](#)

Court of Appeals No. [22CA0984](#)

Industrial Claim Appeals Office of the State of Colorado  
DD No. 5499-2022

Kristen Bara,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Mental Health CTR  
of Boulder County, Inc.,

Respondents.

ORDER AFFIRMED

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

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 18CA0671  
City and County of Denver District Court No. 16CR2091  
Honorable A. Bruce Jones, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eli J. Mayfield,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE YUN  
J. Jones and Pawar, JJ., concur

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

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Court of Appeals No. 18CA2185  
Jefferson County District Court No. 17CR3659  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Arthur Landmark,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

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

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

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Court of Appeals No. 19CA0580  
City and County of Denver District Court No. 15CR20005  
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nahib A. Mahamoud,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE VOGT\*  
Tow and Schutz, JJ., concur

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

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Court of Appeals No. 19CA0926  
City and County of Denver District Court No. 99CR4107  
Honorable John W. Madden, IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ahmad Nelms,

Defendant-Appellant.

ORDERS AFFIRMED

Division III  
Opinion by JUDGE J. JONES  
Pawar and Yun, JJ., concur

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

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Court of Appeals No. 19CA1084  
Arapahoe County District Court No. 17CR3109  
Honorable Darren L. Vahle, Judge

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

v.

Jacqueline Yvonne Lucero,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED AND ORDER VACATED

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

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

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Court of Appeals No. 19CA1689  
City and County of Denver District Court No. 18CR7288  
Honorable John W. Madden, IV, Judge

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

v.

Christopher Duane Adams,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 19CA1767  
El Paso County District Court No. 18CR2417  
Honorable David A. Gilbert, Judge

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

v.

David Allen Rhoads,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 19CA2120  
Adams County District Court No. 18CR1781  
Honorable Mark D. Warner, Judge

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

v.

Natasha Fross,  
  
Defendant-Appellant.

JUDGMENT AND ORDER AFFIRMED

Division VI  
Opinion by JUDGE TOW  
Navarro and Schutz, JJ., concur

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

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Court of Appeals No. 20CA0125  
El Paso County District Court No. 18CR7645  
Honorable Deborah J. Grohs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Misty Jean Hahn,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 20CA0760  
Gilpin County District Court No. 18CR254  
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Simon Boyer,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE DAVIDSON\*  
Yun, J., concurs  
Pawar, J., dissents

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

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Court of Appeals No. 20CA1113  
El Paso County District Court No. 19CR1242  
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aaron James Libal,

Defendant-Appellant.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 20CA1290  
Boulder County District Court No. 18CR1598  
Honorable Andrew Hartman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rodrigo Ignacio Albarran-Estrada,

Defendant-Appellant.

JUDGMENT AFFIRMED 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)**

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Court of Appeals No. 20CA1373  
Boulder County District Court No. 12CR1216  
Honorable Judith L. Labuda, Judge  
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Demian R. Weigle,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 20CA1449  
El Paso County District Court No. 19CR2074  
Honorable Deborah J. Grohs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Zvarrez Malik Keaton,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 20CA2028  
Jefferson County District Court Nos. 97CR1545 & 97CR1546  
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Samuel Merced Quintana, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE J. JONES  
Brown and Kuhn, JJ., concur

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

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Court of Appeals No. 21CA0156  
El Paso County District Court No. 17CR6678  
Honorable Marla R. Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Heyley May Niblett,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE SCHUTZ  
Tow, J., concurs  
Vogt\*, J., dissents

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

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Court of Appeals No. 21CA0950  
Jefferson County District Court No. 19CR4032  
Honorable Jeffrey R. Pilkington, Judge

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

v.

Israel Becerril-Rodriguez,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 21CA0996  
Morgan County District Court No. 08CR300  
Honorable Kevin L. Hoyer, Judge

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

v.

William Wayne Hailey,  
  
Defendant-Appellant.

ORDER AFFIRMED

Division A  
Opinion by JUDGE TAUBMAN\*  
Román, C.J., and Davidson\*, J., concur

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

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Court of Appeals No. 21CA1546  
Mesa County District Court No. 17CV30560  
Honorable Lance P. Timbreza, Judge

Robert Klein,

Plaintiff-Appellant,

v.

David J. Hansen, D.C.,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 21CA1657  
Boulder County District Court No. 20CV30657  
Honorable Bruce Langer, Judge

Stephen Burkhart,

Plaintiff-Appellant,

v.

Bonnie Burkhart, as Personal Representative of the Estate of Gerald C.  
Burkhart, and as Trustee of the Gerald C. Burkhart Family Trust,

Defendant-Appellee.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE FURMAN  
Freyre, J., concurs  
Welling, J., concurs in part and dissents in part

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

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Court of Appeals No. 21CA1849  
Arapahoe County District Court No. 21CV31556  
Honorable Peter F. Michaelson, Judge

Murphy Creek Estates, LLC, a Colorado limited liability company,  
Petitioner-Appellant,

v.

Murphy Creek Estates Funding, LLC, a Colorado limited liability company  
f/k/a Murphy Creek Estates Funding, LLP, a Colorado limited liability  
partnership,

Respondent-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA0087  
City and County of Denver District Court No. 20CV33980  
Honorable Andrew P. McCallin, Judge

Precision Investments, LLC,

Plaintiff-Appellant,

v.

Archie Hines,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA0284  
Clear Creek County District Court No. 20DR19  
Honorable Catherine J. Cheroutes, Judge

In re the Marriage of

Kimberly Rachelle Miller,

Appellee,

and

Jeffery Paul Miller,

Appellant.

JUDGMENT VACATED IN PART, REVERSED IN PART,  
AND CASE REMANDED FOR FURTHER PROCEEDINGS

Division III  
Opinion by JUDGE J. JONES  
Pawar and Yun, JJ., concur

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

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Court of Appeals No. 22CA0483  
City and County of Denver Juvenile Court No. 20JV1287  
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.R.G., a Child,

and Concerning B.R.G.,

Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE J. JONES  
Brown and Kuhn, JJ., concur

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

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Court of Appeals No. 22CA0876  
Boulder County District Court No. 19JV241  
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.R. and U.R., Children,

and Concerning J.R.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA0942  
Adams County District Court No. 21JV163  
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.O.,

Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE BERNARD\*  
Román, C.J., and Vogt\*, J., concur

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

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Court of Appeals No. 22CA1047  
Larimer County District Court No. 20JV298  
Honorable C. Michelle Brinegar, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.Y.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1138  
Weld County District Court No. 20JV623  
Honorable Meghan Saleebey, Judge

The People of the State of Colorado,

Appellant,

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

and Concerning J.R., and R.M.,

Appellees.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE BERNARD\*  
Román, C.J., and Davidson\*, J., concur

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

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Court of Appeals No. 22CA1139  
El Paso County District Court No. 20JV489  
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.P., W.P., and E.P., Children,

and Concerning B.P.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1172  
Logan County District Court No. 19JV11  
Honorable Carl S. McGuire, III, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.L. and R.L., Children,

and Concerning C.L. and R.L-M.,

Appellants.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE J. JONES  
Pawar and Yun, JJ., concur

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

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Court of Appeals No. 22CA1226  
Arapahoe County District Court No. 20JV586  
Honorable Don J. Toussaint, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.S.C.G., a Child,

and Concerning T.C.C.,

Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE RICHMAN\*  
Román, C.J., and Hawthorne\*, JJ., concur

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

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Court of Appeals No. 22CA1255  
Mesa County District Court No. 20JV183  
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.W.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1431  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 27499-2022

Brandon Loyche,

Petitioner,

v.

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

Respondents.

ORDER AFFIRMED

Division III  
Opinion by JUDGE YUN  
J. Jones and Pawar, JJ., concur

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

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Court of Appeals No. 22CA2267  
Pueblo County District Court No. 22MH181  
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.S.,

Respondent-Appellant.

ORDER AFFIRMED

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

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

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**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. 20CA1930

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angel D. Victorino,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2022.