

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
July 7, 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

[2022COA71](#)

Court of Appeals No. [19CA1364](#)
San Miguel County District Court No. 17CR28
Honorable Keri A. Yoder, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ashford Nathaniel Archer,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

-2-
ANNOUNCEMENTS
Colorado Court of Appeals
July 7, 2022

[2022COA72](#)

Court of Appeals No. [21CA1768](#)

Mesa County District Court No. 21JV59

Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.W.,

Appellant.

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

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

UNPUBLISHED OPINIONS

Court of Appeals No. 19CA0479
Arapahoe County District Court No. 17CR400
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brandon Scott Palmer,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE FURMAN
Pawar and Vogt*, JJ., concur

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

Court of Appeals No. 19CA0488
Crowley County District Court No. 16CR41
Honorable Michael A. Schiferl, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Jacob Kirk,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FURMAN
Grove and Yun, JJ., concur

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

Court of Appeals No. 19CA1116
Jefferson County District Court No. 18CR1572
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Annazette Laray Bacca,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 19CA1519
Jefferson County District Court No. 17CR2800
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Octavio Hernandez-Escajeda,

Defendant-Appellant.

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

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

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

Court of Appeals No. 19CA1695
Mesa County District Court No. 08CR1743
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Miriam Helmick,

Defendant-Appellant.

ORDER 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. 19CA1834
City and County of Denver District Court No. 07CR4062
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Charles Alston Smith,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE HARRIS
Dunn and Johnson, JJ., concur

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

Court of Appeals No. 20CA0796
Boulder County District Court No. 18CR1330
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott Beaumont Jones,

Defendant-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. 20CA0912
Jefferson County District Court No. 19CR2584
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy William Porter,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE YUN
Furman and Grove, JJ., concur

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

Court of Appeals No. 20CA1316
City and County of Denver District Court No. 18CV33157
Honorable Andrew P. McCallin, Judge

Alan & Brooks Builders, LLC,

Plaintiff-Appellee,

v.

Cannabis Corporation and Bertram Capital Finance, Inc.,

Defendants-Appellants.

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

Division II
Opinion by JUDGE FURMAN
Pawar and Kuhn, JJ., concur

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

Court of Appeals No. 20CA1899
Pueblo County District Court No. 18CR1041
Honorable Kimberly J. Karn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Romero,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE PAWAR
Richman and Brown, JJ., concur

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

Court of Appeals No. 20CA2033
Larimer County District Court No. 18CR917
Honorable Juan G. Villaseñor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richard Jay Allman,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
Lipinsky and Kuhn, JJ., concur

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

Court of Appeals No. 21CA0240
El Paso County District Court No. 19DR31294
Honorable Jann P. Dubois, Judge

In re the Marriage of

Stephanie Karagiannis,

Appellee,

and

Demetrios Karagiannis,

Appellant.

JUDGMENT AND ORDER AFFIRMED

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

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

Court of Appeals No. 21CA0493
Douglas County District Court No. 19CV30696
Honorable David J. Stevens, Judge

Verona Building Company, LLC,
Plaintiff-Appellee,

v.

Centennial Water and Sanitation District,
Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FURMAN
Grove and Yun, JJ., concur

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

Court of Appeals No. 21CA0534
City and County of Denver District Court No. 20CV32357
Honorable Eric M. Johnson, Judge

Brian Forbes,
Plaintiff-Appellant,

v.

Jessie Peterson,
Defendant-Appellee.

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

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

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

Court of Appeals No. 21CA0560
Colorado State Personnel Board No. 2021S012

Erin Starzyk,

Complainant-Appellant,

v.

Colorado Department of Public Health and Environment,

Respondent-Appellee,

and

State Personnel Board,

Appellee.

ORDER AFFIRMED

Division II
Opinion by JUDGE YUN
Furman and Grove, JJ., concur

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

Court of Appeals No. 21CA0679
Pueblo County District Court No. 19CV84
Honorable R. Michael Mullins, Judge

Sherry Bessert,

Plaintiff-Appellee,

v.

Arlmone Smith,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0687
City and County of Denver District Court No. 15CV30561
Honorable Ross B.H. Buchanan, Judge

Woodstream Falls Condominium Association, Inc.,

Plaintiff-Appellee,

v.

Akeem A. Makeen,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division B
Opinion by JUDGE TOW
Grove and Schutz, JJ., concur

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

Court of Appeals No. 21CA0908
El Paso County District Court No. 18PR63
Honorable Vincent N. Rahaman, Magistrate

In re the Estate of Kenneth Dwight Wingard, deceased.

Debbie G. Espinoza,

Appellant,

v.

Kenneth Greg Wingard,

Appellee.

ORDER AFFIRMED

Division C
Opinion by JUDGE KUHN
Richman and Dunn, JJ., concur

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

Court of Appeals No. 21CA1018
City and County of Denver District Court No. 21CV31314
Honorable J. Eric Eliff, Judge

Teleb LLC, a Colorado limited liability company, d/b/a Happy Day Liquors,
Plaintiff-Appellant,

v.

City and County of Denver, a political subdivision of the State of Colorado, by
and through the Department of Excise and Licenses, acting as the Local Liquor
Licensing Authority,

Defendant-Appellee.

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. 21CA1416
Logan County District Court No. 21CV18
Honorable Kevin L. Hoyer, Judge

James Sardakowski,

Plaintiff-Appellant,

v.

Colorado Department of Corrections,

Defendant-Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA1499
Mesa County District Court No. 19JV296
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Pa.G. and Pr.G., Children,

and Concerning F.H.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Fox and Gomez, JJ., concur

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

Court of Appeals No. 21CA1704
Adams County District Court No. 20JV138
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning L.A.S. and T.R.L.,

Appellants.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE YUN
Furman and Grove, JJ., concur

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

Court of Appeals No. 21CA1718
City and County of Denver Juvenile Court No. 20JV377
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.R., V, a Child,

and Concerning L.R., IV,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FOX
Freyre and Gomez, JJ., concur

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

Court of Appeals No. 21CA1776
El Paso County District Court No. 21JV369
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.T.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Fox and Gomez, JJ., concur

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

Court of Appeals No. 21CA1845
Adams County District Court No. 21JV3
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.J. and T.B., Children,

and Concerning K.Z.,

Appellant.

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. 21CA1848
Summit County District Court No. 21JV6
Honorable Mark D. Thompson, Judge
Honorable Catherine J. Cheroutes, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Z.D.G., a Child,

and Concerning A.R.A. and M.D.G.,

Appellants.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
Lipinsky and Kuhn, JJ., concur

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

Court of Appeals No. 22CA0056
Mesa County District Court No. 19JV232
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Ca.B., C.T., and Co.B, Children,

and Concerning C.D.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Fox and Freyre, 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. 18CA1491

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Edward Lynn,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 19CA0694

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas Rojas,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA0700

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Omar Rodriguez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA2359

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Robert Smith,

Defendant-Appellant.

Opinion Modified and
Petitions for Rehearing DENIED

-20-
ANNOUNCEMENTS
Colorado Court of Appeals
July 7, 2022

Court of Appeals No. 20CA0552

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Martin Clever,

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.