

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
September 15, 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

[2022COA106](#)

Court of Appeals No. [19CA0546](#)
El Paso County District Court No. 18CV32870
Honorable Eric Bentley, Judge

Saul Cisneros,

Plaintiff-Appellee,

v.

Bill Elder, in his official capacity as Sheriff of El Paso County, Colorado,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE RICHMAN
Johnson and Casebolt*, JJ., concur

[2022COA107](#)

Court of Appeals No. [19CA0915](#)
Arapahoe County District Court No. 17CR1064
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jesus Rodriguez-Morelos,

Defendant-Appellant.

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

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

[2022COA108](#)

Court of Appeals No. [20CA1742](#)
City and County of Denver District Court No. 18CV34745
Honorable Michael J. Vallejos, Judge

M.G. Dyess, Inc., a Mississippi corporation,

Plaintiff-Appellant,

v.

MarkWest Liberty Midstream & Resources, L.L.C., a Delaware limited liability
corporation,

Defendant-Appellee.

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

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

[2022COA109](#)

Court of Appeals No. [21CA0601](#)

City and County of Denver District Court No. 20CV33689

Honorable Alex C. Myers, Judge

Joseph A. Salazar,

Plaintiff-Appellee,

v.

Public Trust Institute and Suzanne Staiert,

Defendants-Appellants.

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

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

[2022COA110](#)

Court of Appeals No. [21CA0700](#)

Weld County District Court No. 19CV30091

Honorable Shannon D. Lyons, Judge

Great Northern Properties, LLLP, a Colorado limited liability limited
partnership,

Plaintiff-Appellant,

v.

Extraction Oil and Gas, Inc., Richmark Energy Partners, LLC, and Richmark
Royalties, LLC,

Defendants-Appellees.

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

Division IV
Opinion by JUDGE BROWN
Vogt* and Hawthorne*, JJ., concur

U N P U B L I S H E D O P I N I O N S

Court of Appeals No. 19CA2049
El Paso County District Court No. 18CR6232
Honorable Marcus S. Henson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Israel Santillan Lopez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 19CA2198
City and County of Denver District Court No. 17CR5597
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eric O. Ukuni,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Furman and Richman, JJ., concur

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

Court of Appeals No. 20CA0189
Adams County District Court No. 18CR1568
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott Daniels Barkley,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 20CA0899
Fremont County District Court No. 19CR65
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gary Sanders, Jr.,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE PAWAR
Harris and Gomez, JJ., concur

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

Court of Appeals No. 20CA1499
Arapahoe County District Court No. 18CR1003
Honorable Ryan J. Stuart, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dustin Aaron Schwarz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
Welling and Johnson, JJ., concur

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

Court of Appeals No. 20CA1785
City and County of Denver District Court No. 10CR3235
Honorable Kenneth M. Laff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Francine Erica Segura,

Defendant-Appellant.

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

Division VII
Opinion by JUDGE HARRIS
Pawar and Gomez, JJ., concur

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

Court of Appeals No. 20CA1844
Washington County District Court No. 00CR15
Honorable Charles M. Hobbs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tilford Hiram Gash Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE DAILEY
Furman and Richman, JJ., concur

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

Court of Appeals No. 21CA0095
Jefferson County District Court No. 19CR2573
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Cruz,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE DUNN
Grove and Schutz, JJ., concur

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

Court of Appeals No. 21CA0162
City and County of Denver District Court No. 20CV30737
Honorable Martin F. Egelhoff, Judge

Judith A. Zallaps, individually as the Insured under the Sun Life Assurance Company of Canada Futurity Accumulator Flexible Premium Variable Universal Life Insurance Policy No. 2220001483, and as a Trustee for and on behalf of the Ilgvars J. Zallaps Family Trust, a Colorado trust; and Ilgvars J. Zallaps Family Trust, a Colorado trust,

Plaintiffs-Appellants,

v.

Merrill Lynch, Pierce, Fenner & Smith, Inc., a Delaware corporation; Wells Fargo Advisors Financial Network, LLC, a Delaware limited liability company; Garner Allen Mabry IV; Todd Michael Schwartz; and Schwartz Mabry Private Wealth Advisory, LLC, a Colorado limited liability company,

Defendants-Appellees.

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

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

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

Court of Appeals No. 21CA0654
Fremont County District Court No. 18CV164
Honorable Lynette M. Wenner, Judge

Michael Farrow,

Plaintiff-Appellant,

v.

Executive Director of the Colorado Department of Corrections and the Warden
of the Fremont Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
Welling and Johnson, JJ., concur

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

Court of Appeals No. 21CA0792
Moffat County District Court No. 15CR252
Honorable Michael A. O'Hara, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Coltin Josiah Saulnier,

Defendant-Appellant.

ORDER AFFIRMED

Division P
Opinion by JUDGE NAVARRO
Bernard* and Vogt*, JJ., concur

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

Court of Appeals No. 21CA0871
El Paso County District Court No. 20DR30379
Honorable Erin Sokol, Judge

In re the Marriage of

Michael Slancik,

Appellee,

and

Rhonda Slancik, n/k/a Rhonda Cavanaugh,

Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE YUN
Fox and Tow, JJ., concur

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

Court of Appeals No. 21CA1671
Jefferson County District Court No. 19JV109
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.H., a Child,

and Concerning M.H. and B.M.,

Appellants.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE J. JONES
Welling and Schutz, JJ., concur

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

Court of Appeals No. 21CA1821
Adams County District Court No. 20JV167
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.L.C. a Child,

and Concerning S.L.B.,

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. 21CA1823
Mesa County District Court No. 19JV400
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.R., D.R., J.R., and P.R., Children,

and Concerning L.R.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Grove and Schutz, JJ., concur

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

Court of Appeals No. 21CA2044
El Paso County District Court No. 18JV1255
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.A, H.A., and J.A., Children,

and Concerning S.A.,

Appellant,

and

and A.A.

Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0156
Alamosa County District Court No. 21JV39
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning R.G.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE GROVE
Dunn and Schutz, JJ., concur

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

Court of Appeals No. 22CA0246
El Paso County District Court No. 20JV825
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.M.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Berger and Lipinsky, JJ., concur

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

Court of Appeals No. 22CA0310
Pueblo County District Court No. 21JV29
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.R.L.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE JOHNSON
Navarro and Welling, JJ., concur

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

Court of Appeals No. 22CA0461
City and County of Denver Juvenile Court No. 20JV823
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.O.U., a Child,

and Concerning S.U.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE SCHUTZ
Dunn and Grove, JJ., concur

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

Court of Appeals No. 22CA0701
Industrial Claim Appeals Office of the State of Colorado
DD No. 43255-2021

Edward Castillo,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Richard Nestor,
Inc.,

Respondents.

ORDER AFFIRMED

Division I
Opinion by JUDGE FURMAN
Dailey and Richman, JJ., concur

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

Court of Appeals No. 22CA1025
Industrial Claim Appeals Office of the State of Colorado
DD No. 16960-2022

Lien Le,

Petitioner,

v.

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

Respondents.

ORDER AFFIRMED

Division I
Opinion by JUDGE RICHMAN
Dailey and Furman, 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. 19CA0323

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Barbara Ann Freeman,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA1782

Singer Island Gateway LLC and Richard J. Lazzara,

Plaintiffs-Appellees,

v.

John G. Nelson,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1163

Craig S. Robledo,

Plaintiff-Appellant,

v.

Warden of the Arkansas Valley Correctional Facility,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1164

Craig S. Robledo,

Plaintiff-Appellant,

v.

Stephanie Sandoval,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1565

In re the Marriage of

Tugce Korkmaz f/k/a Tugce Yavuzer,

Appellant,

and

Suleyman Yavuzer,

Appellee,

and Concerning Arapahoe County Department of Human Services,

Intervenor-Appellee.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

Court of Appeals No. 19CA2098
Mesa County District Court No. 18CR596
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph William Peace,

Defendant-Appellant.

JUDGMENT REVERSED, SENTENCES VACATED,
AND CASE REMANDED WITH DIRECTIONS

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

Opinion Modified
On the Court's Own Motion

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

[2022COA87M](#)

Court of Appeals No. [20CA2051](#)

City and County of Denver District Court No. 17CV31764

Honorable Robert L. McGahey, Jr., Judge

Susan Ann Scholle, as Personal Representative for the Estate of Daniel B. Scholle,

Plaintiff-Appellee,

v.

Edward Ehrichs, M.D.; Michael Rauzzino, M.D.; and HCA-HealthONE, LLC,
d/b/a Sky Ridge Medical Center,

Defendants-Appellants.

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

Division I
Opinion by JUDGE DAILEY
Tow, J., concurs
Berger, J., concurs in part and dissents in part

Opinion Modified
On the Court's Own Motion

Announced July 28, 2022

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