

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
January 12, 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

[2023COA1](#)

Court of Appeals No. [19CA2403](#)

City and County of Denver District Court No. 03CR2984

Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Allen Cox,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I

Opinion by JUDGE SCHOCK
Dailey and Furman, JJ., concur

[2023COA2](#)

Court of Appeals No. [20CA0646](#)
El Paso County District Court No. 07CR3317
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Audrey Lee Tennyson,

Defendant-Appellant.

ORDERS AFFIRMED

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

[2023COA3](#)

Court of Appeals No. [21CA0094](#)
Arapahoe County District Court No. 17CR3091
Honorable Ben L. Leutwyler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richard Joseph Karwacki,

Defendant-Appellant.

ORDER REVERSED, SENTENCE VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE TAUBMAN*
J. Jones and Kuhn, JJ., concur

[2023COA4](#)

Court of Appeals No. [22CA0174](#)

Douglas County District Court No. 20DR30832

Honorable Andrew C. Baum, Judge

In re the Marriage of

Basil Badawiyeh,

Appellant,

and

Michelle Mary Badawiyeh,

Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

UNPUBLISHED OPINIONS

Court of Appeals No. 20CA1128
Adams County District Court No. 18CR4843
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ana Leyva,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Fox and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA0047
Boulder County District Court No. 20CV30509
Honorable Patrick Butler, Judge

Michael Greene,

Plaintiff-Appellant,

v.

Colorado Department of Revenue and Beth McKendree, Hearing Officer,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE HARRIS
Román, C.J., and Navarro, J., concur

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

Court of Appeals No. 21CA1155
El Paso County District Court No. 63CR11521
Honorable Marla Prudek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rosco Charles Ford,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA1321
Pueblo County District Court No. 19CR2564
Honorable Amiel Markenson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dustin Giovanni Vigil,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE BROWN
Dunn and Gomez, JJ., concur

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

Court of Appeals No. 21CA1548
Real Estate Commission Nos. 2020-0036 & 2020-0037

Colorado Real Estate Commission,

Petitioner-Appellee,

v.

Laura Coram and Donald Coram,

Respondents-Appellants.

APPEAL DISMISSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA1611
Douglas County District Court No. 20CV66
Honorable David J. Stevens, Judge

David Michael Rome,

Plaintiff-Appellant,

v.

Parker Adventist Hospital and Lisa Niebergall,

Defendants-Appellees.

ORDER AFFIRMED

Division VII
Opinion by JUDGE HARRIS
Grove and Kuhn, JJ., concur

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

Court of Appeals No. 21CA1710
Jefferson County District Court No. 19CV30826
Honorable Randall C. Arp, Judge

Raphael Mukendi,

Plaintiff-Appellee,

v.

Bradley Schrock,

Defendant-Appellant.

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

Division II
Opinion by JUDGE KUHN
J. Jones and Brown, JJ., concur

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

Court of Appeals No. 21CA1798
La Plata County District Court No. 21CV30083
Honorable Suzanne F. Carlson, Judge

American Heritage Railways, Inc., a Florida corporation; Durango & Silverton
Narrow Gauge Railroad Company, a Colorado corporation,

Plaintiffs-Appellants,

v.

Board of County Commissioners of La Plata County, Colorado,

Defendant-Appellee.

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

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

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

Court of Appeals No. 21CA1937
City and County of Denver District Court No. 16DR30328
Honorable Nikea T. Bland, Judge

In re the Marriage of

Kristen Weinraub,

Appellee,

and

Rory F. Carpenter,

Appellant.

ORDER AFFIRMED

Division A
Opinion by CHIEF JUDGE ROMÁN
Martinez* and Vogt*, JJ., concur

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

Court of Appeals No. 22CA0126
Adams County District Court No. 20DR30417
Honorable Emily Lieberman, Judge

In re the Parental Responsibilities Concerning J.H., a Child,
and Concerning Sventon Arthur Burm,

Appellee,

and

Kai-Sylience Harris-Cook,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE BROWN
J. Jones and Kuhn, JJ., concur

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

Court of Appeals No. 22CA0763
El Paso County District Court No. 20JV610
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning L.W.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE VOGT*
Román, C.J., and Martinez*, J., concur

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

Court of Appeals No. 22CA0964
Adams County District Court No. 21JV17
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning H.S.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1046
Adams County District Court No. 20JV214
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of P.C.C., a Child,

and Concerning H.M.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE SCHUTZ
Navarro and Tow, JJ., concur

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

Court of Appeals No. 22CA1120
Arapahoe County District Court No. 21JV21
Honorable Don Jesse Toussaint, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.J.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE JOHNSON
Dailey and Lum, JJ., concur

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

Court of Appeals No. 22CA1239
El Paso County District Court No. 20JV869
Honorable Robin Lynn Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Kil.R. and Kia.R, Children,

and Concerning W.R.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1650
Pueblo County District Court No. 21MH111
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Gary Alan Redmond,

Respondent-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1846
City and County of Denver Probate Court No. 22MH229
Honorable Beth A. Tomerlin, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Dyamond N. Wright,

Respondent-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1904
Pueblo County District Court No. 22MH147
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Vincent Cardenas,

Respondent-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE WELLING
Furman 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. 19CA1034

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Deidre Shalaine Lopez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA2184

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jamie Edward Bock,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA1864

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.M.,

Juvenile-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0576

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Zacharia Childers,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1134

Sukle Construction, LLC,

Plaintiff-Appellant,

v.

Christopher Wayne Tiffany,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1187

Michael Farrow,

Plaintiff-Appellant,

v.

Executive Director of the Colorado Department of Corrections and Warden of
Buena Vista Correctional Complex,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1969

David K. Emick,

Plaintiff-Appellant,

v.

State of Colorado, Mark Ferrandino, and Deborah Van Wyke,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA0450

Kira Overfield,

Petitioner,

v.

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

Respondents.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

Court of Appeals No. 21CA1335

Santa Rosa Developers Ltd., a California limited partnership,

Plaintiff-Appellee and Cross-Appellant,

v.

Garry L. Forney; Susan A. Forney; and Bull Enterprises Inc., d/b/a Bull Enterprises of Colorado, Inc.,

Defendants-Appellants and Cross-Appellees.

Opinion Modified
On the Court's Own Motion

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. 2022.