

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
June 30, 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

[2022COA68](#)

Court of Appeals No. [18CA2337](#)
Arapahoe County District Court No. 11CR568
Honorable Jeffrey K. Holmes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Schuyler Adonis Johnson,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE TAUBMAN*
Welling and Schutz, JJ., concur

[2022COA69](#)

Court of Appeals No. [19CA1425](#)
Jefferson County District Court No. 06JV377
Honorable Ann Gail Meinster, Judge

In the Matter of the Petition of J.N.,

Petitioner-Appellant,

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

and Concerning Jefferson County Department of Human Services,

Respondent-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE HARRIS
Yun and Graham*, JJ., concur

[2022COA70](#)

Court of Appeals No. [19CA1727](#)
El Paso County District Court No. 16CR4333
Honorable Gregory R. Werner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Robert Lopez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA0029
Adams County District Court No. 14CR3083
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua W. Moore,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE RICHMAN
Dailey and Brown, JJ., concur

Prior Opinion Announced November 27, 2019, Vacated in 20SC17

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

Court of Appeals No. 19CA0532
El Paso County District Court No. 18CR634
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Arquinn Deandre Stafford,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division I
Opinion by JUDGE BERGER
Tow and Davidson*, JJ., concur

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

Court of Appeals No. 19CA0702
Pueblo County District Court No. 18CR640
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffrey Anthony Romero,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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. 19CA1372
El Paso County District Court No. 18CR3201
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Yevgeniy Vladimirovch Melnikov,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GOMEZ
Fox and Freyre, JJ., concur

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

Court of Appeals No. 19CA1578
Arapahoe County District Court No. 03CR426
Honorable Elizabeth Beebe Volz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gayle Elizabeth Rauchfuss,

Defendant-Appellant.

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

Division VII
Opinion by JUDGE BERGER
Brown and Johnson, JJ., concur

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

Court of Appeals No. 19CA1591
Weld County District Court No. 18CR2390
Honorable Stephen J. Schapanski, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sontu Saul Garcia,

Defendant-Appellant.

JUDGMENT AFFIRMED AND ORDER VACATED

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

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

Court of Appeals No. 19CA1702
Weld County District Court No. 17CR1400
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John David Lockhart,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE DUNN
Harris and Johnson, JJ., concur

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

Court of Appeals No. 19CA1809
City and County of Denver District Court No. 18CR20008
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Isaiah G. Davis,

Defendant-Appellant.

SENTENCE AFFIRMED

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

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

Court of Appeals No. 19CA1927
Jefferson County District Court No. 19CR316
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James A. Vigil,

Defendant-Appellant.

JUDGMENT AFFIRMED 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. 19CA2216
Jefferson County District Court No. 18CR2155
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Wayne Robinson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 20CA0263
El Paso County District Court No. 19CR3784
Honorable Gregory R. Werner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Keven Michael Severson,

Defendant-Appellant.

JUDGMENT REVERSED 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. 20CA0282
Prowers County District Court No. 18CR255
Honorable Stanley A. Brinkley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carrie Ann Hawkins,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE KUHN
Furman and Pawar, JJ., concur

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

Court of Appeals No. 20CA0710
Jefferson County District Court No. 18CR4903
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sean Vincent Carpenter,

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. 20CA0728
Otero County District Court No. 19CR83
Honorable Mark A. MacDonnell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Leon Gearhart,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 20CA0837
Arapahoe County District Court No. 11CR1261
Honorable Elizabeth Weishaupl, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Julio Francisco Vazquez,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE KUHN
Lipinsky and Casebolt*, JJ., concur

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

Court of Appeals No. 20CA1287
Jefferson County District Court No. 19CR1818
Honorable Robert C. Lochary, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dustin Cole Chaney,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 20CA1788
City and County of Denver District Court No. 15CR2500
Honorable Lisa Teesch-Maguire, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Derek Shane Webb,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE KUHN
Navarro and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA0030
Larimer County District Court No. 08CR1722
Honorable Laurie K. Dean, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul Minich,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA0044
Eagle County District Court No. 18CV30246
Honorable Catherine J. Cheroutes, Judge

Village Inn Plaza-Phase V Condominium Association, a Colorado nonprofit
corporation,

Plaintiff-Appellant,

v.

La Bottega, Inc., a Colorado corporation,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA0104
La Plata County District Court No. 19CV30163
Honorable Suzanne F. Carlson, Judge

Alpha Omega Properties and Investments, LLC,
Plaintiff-Appellant,

v.

Christopher James Burnett and Kristin Anne Burnett,
Defendants-Appellees.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals Nos. 21CA0142 & 21CA0518
Weld County District Court No. 16CV30789
Honorable Todd Taylor, Judge

Vernon E. Randel and Cheryl V. Randel,
Plaintiffs-Appellants,

v.

Parkland Homeowners Association, Inc.,
Defendant-Appellee.

JUDGMENT AND ORDER AFFIRMED,
AND CASE REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE GOMEZ
Fox and Davidson*, JJ., concur

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

Court of Appeals No. 21CA0163
Teller County District Court No. 18JV8
Honorable Scott A. Sells, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.B. and B.B.,

Appellants.

APPEAL DISMISSED IN PART AND JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0173
Boulder County District Court No. 20CV30835
Honorable Patrick Butler, Judge

Lisa Runkel and Sylvan T. Runkel, III,

Plaintiffs-Appellants,

v.

Owners Insurance Company,

Defendant-Appellee.

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. 21CA0785
Arapahoe County District Court No. 16PR30600
Honorable Amanda Bradley, Magistrate

In re the Matter of Galina Marion, Ward,

Robert Marion, Co-Guardian,

Appellant,

v.

Natalya Panteleyeva, Co-Guardian,

Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE BERGER
Dailey and Tow, JJ., concur

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

Court of Appeals No. 21CA0803
Fremont County District Court Nos. 03CR159 & 03CR253
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward Allen Clutts, a/k/a Edward Allen,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA0880
Arapahoe County District Court No. 18CR881
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Kemp-Boyd,

Defendant-Appellant.

ORDER 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. 21CA0933
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-101-459

Amritpal Singh,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, MKBS LLC, d/b/a
Metro Taxi, and Pinnacol Assurance,

Respondents.

ORDER AFFIRMED

Division VI
Opinion by JUDGE DUNN
Harris and Johnson, JJ., concur

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

Court of Appeals No. 21CA0943
Fremont County District Court No. 21CV12
Honorable Lynette M. Wenner, Judge

Michael Farrow,

Plaintiff-Appellant,

v.

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

Defendants-Appellees.

ORDER AFFIRMED

Division C
Opinion by JUDGE RICHMAN
Dunn and Kuhn, JJ., concur

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

Court of Appeals No. 21CA0959
Douglas County District Court No. 19DR109
Honorable Andrew C. Baum, Judge

In re the Marriage of

Michael David Marshall,

Appellant,

and

Kelly Lynn Marshall,

Appellee.

ORDER AFFIRMED

Division VII
Opinion by JUDGE BERGER
Johnson, J., concurs
Brown, J., dissents

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

Court of Appeals No. 21CA0979
Adams County District Court No. 18CR4253
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Guadalupe Antonio Ramirez-Medina,

Defendant-Appellant.

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. 21CA1158
Weld County District Court No. 18DR390
Honorable Kimberly B. Schutt, Judge

In re the Parental Responsibilities Concerning Le.P. and Ly.P., Children,
and Concerning Maria G. Flores,

Appellant,

and

David Richard Preciado,

Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA1227
Mesa County District Court No. 19JV250
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning C.K.,

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)

Court of Appeals No. 21CA1692
El Paso County District Court No. 21JV181
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.S., L.S., and T.A., Children,

and Concerning P.S. and T.L.,

Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE BERGER
Dailey and Tow, JJ., concur

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

Court of Appeals No. 22CA0707
City and County of Denver Probate Court No. 22MH314
Honorable Beth A. Tomerlin, Magistrate

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Ryan Dean Seylhouwer,

Respondent-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE GROVE
Furman and Yun, 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. 21CA0502

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Horacio Arraz Saenz,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 21CA0699

PPE Gregg County #4-H, L.P.,

Plaintiff-Appellant,

v.

Dan Cook,

Defendant-Appellee.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1141

In re the Marriage of

Kim Anh Bradley,

Appellant,

and

Dana Bradley,

Appellee.

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.