

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
July 22, 2021

“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

[2021COA97](#)

Court of Appeals No. [17CA1465](#)
Arapahoe County District Court No. 16CR2633
Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Billy Raymond Counterman,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE WELLING
Román and Brown, JJ., concur

[2021COA98](#)

Court of Appeals No. [17CA2332](#)

City and County of Denver District Court No. 14CR4770

Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Barajas,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII

Opinion by JUDGE GROVE

Fox and Harris, JJ., concur

[2021COA99](#)

Court of Appeals No. [19CA2343](#)

Larimer County District Court No. 19DR30104

Honorable Stephen E. Howard, Judge

Honorable Allen R. Schwartz, Magistrate

In re the Marriage of

Nancy Lynn Vega,

Appellee,

and

Abelardo Vega,

Appellant.

ORDER AND JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV

Opinion by JUDGE BROWN

Navarro and Casebolt*, JJ., concur

[2021COA100](#)

Court of Appeals No. [20CA0214](#)

Jefferson County District Court No. 18JD483

Honorable Gregory G. Lyman, Judge

The People of the State of Colorado,

Petitioner-Appellant,

In the Interest of N.D.O.,

Juvenile-Appellee.

RULING DISAPPROVED AND SENTENCE AFFIRMED

Division IV

Opinion by JUDGE NAVARRO

Brown and Martinez*, JJ., concur

[2021COA101](#)

Court of Appeals No. [20CA0835](#)

Routt County District Court No. 14DR51

Honorable Shelley A. Hill, Judge

In re the Marriage of

James Arthur Martin,

Appellee,

and

Sharon Rose Dumas, f/k/a Sharon Martin,

Appellant.

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

Division VII

Opinion by JUDGE FOX

Dunn and Pawar, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 18CA0438
Larimer County District Court No. 16CR2518
Honorable Carroll M. Brinegar, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jesus Antonetty-Delvalle,

Defendant-Appellant.

JUDGMENT AFFIRMED AND ORDER VACATED

Division VII
Opinion by JUDGE PAWAR
Fox and Dunn, JJ., concur

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

Court of Appeals No. 18CA1158
Boulder County District Court No. 17CR2100
Honorable Judith L. LaBuda, Judge
Honorable Andrew Hartman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew Lynn Johnson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE HARRIS
Lipinsky and Davidson*, JJ., concur

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

Court of Appeals No. 18CA1562
Boulder County District Court No. 11CR98
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jimmy Garcia,

Defendant-Appellant.

ORDERS AFFIRMED

Division I
Opinion by JUDGE DAILEY
Freyre and Yun, JJ., concur

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

Court of Appeals No. 18CA1604
El Paso County District Court No. 16CR3776
Honorable Scott Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Earnest Mazyck,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE DUNN
Fox and Pawar, JJ., concur

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

Court of Appeals No. 18CA2010
Weld County District Court No. 16CR2130
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Michael Cordova,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by CHIEF JUDGE BERNARD
Rothenberg* and Taubman*, JJ., concur

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

Court of Appeals No. 18CA2145
City and County of Denver District Court No. 16CR10198
Honorable Kenneth M. Laff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edgar Barroso,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE TAUBMAN*
J. Jones and Grove, JJ., concur

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

Court of Appeals No. 19CA0672
City and County of Denver District Court No. 17CR7663
Honorable J. Eric Elliff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnathan L. Anaya,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FURMAN
Tow and Taubman*, JJ., concur

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

Court of Appeals No. 19CA0892
El Paso County District Court No. 09CR168
Honorable Scott A. Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan Manuel Vasquez,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE FURMAN
Gomez and Taubman*, JJ., concur

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

Court of Appeals No. 19CA1361
Mesa County District Court No. 06CR468
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vincent George Kouris,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE TOW
Furman and Taubman*, JJ., concur

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

Court of Appeals No. 19CA1394
Mesa County District Court No. 18CR642
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fayanne Morosini,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE TAUBMAN*
Furman and Tow, JJ., concur

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

Court of Appeals No. 19CA1627
El Paso County District Court No. 18CR7044
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Colin S. Rogers,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE HARRIS
Lipinsky and Martinez*, JJ., concur

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

Court of Appeals No. 19CA2057
Arapahoe County District Court No. 18DR2157
Honorable Eric B. White, Judge

In re the Marriage of

Bruce Alan Silver,

Appellee,

and

Lee Ann Silver,

Appellant.

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

Division IV
Opinion by JUDGE NAVARRO
Brown and Casebolt*, JJ., concur

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

Court of Appeals No. 19CA2260
Adams County District Court No. 07CR508
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Raymond Stevenson,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by CHIEF JUDGE BERNARD
Vogt* and Graham*, JJ., concur

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

Court of Appeals No. 20CA0039
El Paso County District Court No. 19CV30704
Honorable Marcus S. Henson, Judge

Mountain View Electric Association, Inc., a Colorado rural electric corporation,

Plaintiff-Appellee,

v.

Board of County Commissioners of El Paso County, Colorado, the governing
entity of a political subdivision of the State of Colorado,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE TOW
Furman and Taubman*, JJ., concur

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

Court of Appeals No. 20CA0212
El Paso County District Court No. 08CR99
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bryant Ross Sherman,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE VOGT*
Bernard, C.J., and Graham*, J., concur

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

Court of Appeals No. 20CA0300
Boulder County District Court No. 18JV120
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Appellee,

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

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

Appellants.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE RICHMAN
Berger and Welling, JJ., concur

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

Court of Appeals No. 20CA0368
Arapahoe County District Court No. 86CR1097
Honorable Ryan J. Stuart, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stephen Sparks,

Defendant-Appellant.

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

Division I
Opinion by JUDGE FREYRE
Yun and Graham*, JJ., concur

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

Court of Appeals No. 20CA0471
Mesa County District Court No. 13CR1310
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robyn Lee Webber,

Defendant-Appellant.

ORDER AFFIRMED, JUDGMENT AND SENTENCE
VACATED, AND CASE REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE PAWAR
Fox and Dunn, JJ., concur

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

Court of Appeals No. 20CA0662
El Paso County District Court No. 17CV32759
Honorable Chad Miller, Judge

Joshua Wonders,

Plaintiff-Appellee,

v.

Nicholas Budnella,

Third-Party Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FREYRE
Dailey and Yun, JJ., concur

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

Court of Appeals No. 20CA0770
El Paso County District Court No. 18CR6183
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gilberto Chavez, Jr.,

Defendant-Appellant.

SENTENCE AFFIRMED

Division II
Opinion by JUDGE LIPINSKY
Harris and Martinez*, JJ., concur

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

Court of Appeals No. 20CA0789
City and County of Denver District Court No. 14CV33587
Honorable Michael J. Vallejos, Judge

Edward O. Byrne 2005 Irrevocable Trust,
Plaintiff-Appellant,

v.

DCP Midstream, LP, a Delaware limited partnership,
Defendant-Appellee.

ORDER AFFIRMED

Division III
Opinion by JUDGE TOW
Furman and Taubman*, JJ., concur

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

Court of Appeals No. 20CA0872
Arapahoe County District Court No. 18JD719
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,
Petitioner-Appellant,

In the Interest of I.N.,

Juvenile-Appellee.

APPEAL DISMISSED

Division III
Opinion by JUDGE TAUBMAN*
Furman and Tow, JJ., concur

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

Court of Appeals No. 20CA0889
City and County of Denver District Court No. 13CR4524
Honorable Kenneth M. Laff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jerome C. Gilbert,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE YUN
Dailey and Freyre, JJ., concur

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

Court of Appeals No. 20CA1198
City and County of Denver District Court No. 19DR30421
Honorable Elizabeth A. Starrs, Judge

In re the Marriage of

Jennifer Kain Rios,

Appellee,

and

Franklin Rios,

Appellant.

JUDGMENT AFFIRMED, ORDER VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE TAUBMAN*
Bernard and Rothenberg*, JJ., concur

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

Court of Appeals No. 20CA1364
City and County of Denver District Court No. 14DR1993
Honorable Darryl F. Shockley, Judge

In re the Marriage of

Daniel Eugene Wallace,

Appellant,

and

Elizabeth Kristine Miller, f/k/a Elizabeth Kristine Wallace,

Appellee.

APPEAL DISMISSED IN PART
AND ORDER AFFIRMED

Division I
Opinion by JUDGE FREYRE
Dailey and Yun, JJ., concur

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

Court of Appeals No. 20CA1482
Pitkin County District Court No. 11DR47
Honorable Christopher G. Seldin, Judge

In re the Marriage of

Jean-Pierre Remy Pedinielli,

Appellant,

and

Diana Duffey,

Appellee.

ORDER AFFIRMED

Division II
Opinion by JUDGE LIPINSKY
Román and Davidson*, JJ., concur

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

Court of Appeals No. 20CA1540
Larimer County District Court No. 18JV371
Honorable Daniel M. McDonald, Judge

The People of the State of Colorado,

Appellee,

In the Interest of F.T., a Child,

and Concerning C.T. and R.T.,

Appellants.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FOX
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 20CA1733
El Paso County District Court No. 18JV1332
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning N.P.,

Appellant,

and

S.F. and C.O.,

Intervenors-Appellees.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FOX
Dunn and Pawar, JJ., concur

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

Court of Appeals No. 20CA1756
El Paso County District Court No. 14DR1505
Honorable Marla R. Prudek, Judge

In re the Parental Responsibilities Concerning D.J.R., a Child,
and Concerning Lauren Jamais Stewart,

Appellant,

and

Christopher Samuel Roberts,

Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE DAILEY
Freyre and Yun, JJ., concur

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

Court of Appeals No. 20CA1817
City and County of Denver Juvenile Court No. 19JV1286
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of JEH, a Child,

and Concerning TLB,

Appellant.

CASE REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE RICHMAN
Berger and Welling, JJ., concur

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

Court of Appeals No. 20CA1897
Adams County District Court No. 28JV423
Honorable Patrick Pugh, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.L. a Child,

and Concerning P.L.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE BROWN
Graham* and Martinez*, JJ., concur

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

Court of Appeals No. 20CA1944
La Plata County District Court No. 17JV42
Honorable William L. Herringer, Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.T., R.C., and A.T., Children,

and Concerning R.C.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GROVE
J. Jones and Davidson*, JJ., concur

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

Court of Appeals No. 20CA2086
El Paso County District Court No. 18JV725
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.N.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BERGER
Richman and Welling, JJ., concur

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

Court of Appeals No. 21CA0002
Adams County District Court No. 19JV309
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.F.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE YUN
Dailey and Freyre, JJ., concur

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

Court of Appeals No. 21CA0144
El Paso County District Court No. 20JV297
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning N.H.,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUSTICE MARTINEZ*
Harris and Lipinsky, JJ., concur

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

Court of Appeals No. 21CA0528
Industrial Claim Appeals Office of the State of Colorado
DD No. 290-2021

Maribeth Addona,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Bethesda
Foundation,

Respondents.

ORDER AFFIRMED

Division VI
Opinion by JUDGE WELLING
Richman and Berger, 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. 16CA0049

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Crisoforo Valera-Castillo,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 19CA1686

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sergey Genadievich Novitskiy,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA0733

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stevie Brown,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 20CA1475

Timothy Browne,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and City of Colorado
Springs, Colorado,

Respondents.

Petition for Rehearing DENIED

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2020.