

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
December 9, 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**

[2021COA147](#)

Court of Appeals No. [20CA0690](#)

City and County of Denver District Court No. 17CV34787

Honorable Morris B. Hoffman, Judge

Anthony T. Accetta and Nancy Accetta,

Plaintiffs-Appellants,

v.

Brooks Towers Residences Condominium Association, Inc., a Colorado nonprofit corporation; Mark Trenka in his official capacity as a member of the Board of Directors of Brooks Towers Residences Condominium Association, Inc.; Marla Grant in her official capacity as a member of the Board of Directors of Brooks Towers Residences Condominium Association, Inc.; Bill Clarke in his official capacity as a member of the Board of Directors of Brooks Towers Residences Condominium Association, Inc.; Clay Courter in his official capacity as a member of the Board of Directors of Brooks Towers Residences Condominium Association, Inc.; Robb Green in his official capacity as a member of the Board of Directors of Brooks Towers Residences Condominium Association, Inc.; and Joan Foster in her official capacity as a member of the Board of Directors of Brooks Towers Residences Condominium Association, Inc.,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE FOX  
Johnson, J., concurs  
Welling, J., dissents

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 17CA0535  
Jefferson County District Court No. 15CR1468  
Honorable Todd L. Vriesman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Orlando Sanchez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE JOHNSON  
Fox and Welling, JJ., concur

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

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Court of Appeals No. 17CA1543  
Jefferson County District Court No. 16CR1611  
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Angel Antonio Romero,  
  
Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE JOHNSON  
Grove and Vogt\*, JJ., concur

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

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Court of Appeals No. 18CA0382  
El Paso County District Court Nos. 17CR948, 17CR1781, 17CR4361  
Honorable Robert L. Lowrey, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Kenneth Miles Ueding,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE FURMAN  
Lipinsky and Brown, JJ., concur

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

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Court of Appeals No. 18CA1122  
City and County of Denver District Court No. 17CR5428  
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Reggie Ellis Watkins,  
  
Defendant-Appellant.

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

Division I  
Opinion by JUDGE DUNN  
Dailey and Kuhn, JJ., concur

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

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Court of Appeals No. 18CA2390  
El Paso County District Court No. 14CR3758  
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Raul Alejandro Paz,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE BERGER  
Román and Yun, JJ., concur

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

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Court of Appeals No. 19CA0143  
Larimer County District Court No. 13CR1782  
Honorable Gregory M. Lammons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fernando Miranda Pena,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE LIPINSKY  
Furman and Brown, JJ., concur

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

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Court of Appeals No. 19CA0577  
Douglas County District Court No. 17CR37  
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bryan Theodore Brugge,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE KUHN  
Dailey and Dunn, JJ., concur

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

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Court of Appeals No. 19CA1053  
Jefferson County District Court No. 17CR2799  
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Felipe Hernandez-Escajeda,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE DAILEY  
Dunn and Kuhn, JJ., concur

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

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Court of Appeals No. 19CA1670  
City and County of Denver District Court No. 05CR3716  
Honorable Kenneth M. Laff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeremy D. Ellerton,

Defendant-Appellant.

ORDER AFFIRMED

Division I  
Opinion by JUDGE DAILEY  
Dunn and Kuhn, JJ., concur

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

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Court of Appeals Nos. 19CA1784 & 19CA2177  
City and County of Denver District Court No. 17CV34514  
Honorable Brian R. Whitney, Judge

Joe L. Silver,

Plaintiff-Appellant and Cross-Appellee,

v.

S&D Law,

Defendant-Appellee and Cross-Appellant,

and

Steve Kelly and Gary Blum,

Defendants-Appellees.

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

Division III  
Opinion by JUDGE BROWN  
Bernard, C.J., and Graham\*, J., concur

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

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Court of Appeals No. 19CA1790  
Garfield County District Court No. 17CR297  
Honorable John F. Neiley, Judge

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

v.

Jason Brandon Perdue,  
  
Defendant-Appellee.

SENTENCES VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE TOW  
J. Jones and Casebolt\*, JJ., concur

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

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Court of Appeals No. 19CA1891  
Adams County District Court No. 18CR844  
Honorable Donald S. Quick, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Flora Madeline Garcia,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 19CA2117  
Adams County District Court No. 18CR3648  
Honorable Tomee Crespín, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Brett Thomas Little,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE J. JONES  
Freyre and Tow, JJ., concur

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

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Court of Appeals No. 19CA2338  
Jefferson County District Court No. 19CR313  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Matthew David Rector,  
  
Defendant-Appellant.

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

Division V  
Opinion by JUDGE RICHMAN  
Harris and Gomez, JJ., concur

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

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Court of Appeals No. 19CA2354  
Arapahoe County District Court No. 18CR2033  
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan William Hultquist,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE J. JONES  
Freyre and Tow, JJ., concur

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

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Court of Appeals No. 20CA0124  
Douglas County District Court No. 17CR484  
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David James Martinez,

Defendant-Appellant.

ORDER AFFIRMED

Division A  
Opinion by JUDGE FREYRE  
Fox and Lipinsky, JJ., concur

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

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Court of Appeals No. 20CA0180  
El Paso County District Court No. 17CR4138  
Honorable Erin Sokol, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Alexander Purcell,

Defendant-Appellant.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE NAVARRO  
Grove and Pawar, JJ., concur

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

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Court of Appeals No. 20CA0358  
El Paso County District Court No. 18CR663  
Honorable Larry E. Schwartz, Judge  
Honorable Robert L. Lowrey, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Preston Markell Bailey,

Defendant-Appellant.

JUDGMENT REVERSE AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE DAILEY  
Dunn and Kuhn, JJ., concur

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

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Court of Appeals No. 20CA0660  
Jefferson County District Court No. 19CR1046  
Honorable Robert Lochary, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Jonathan Isaih Cancino,  
  
Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division VII  
Opinion by JUDGE GROVE  
Navarro and Pawar, JJ., concur

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

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Court of Appeals No. 20CA0715  
Mesa County District Court No. 09CR1091  
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Michael J. Simpson,  
  
Defendant-Appellant.

ORDER VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE FREYRE  
J. Jones and Tow, JJ., concur

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

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Court of Appeals No. 20CA1124  
Arapahoe County District Court No. 19CV315  
Honorable Elizabeth A. Weishaupl, Judge

Michael A. Collins,

Plaintiff-Appellant,

v.

Comcast Cable Communications, LLC,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division A  
Opinion by CHIEF JUDGE BERNARD  
Martinez\* and Graham\*, JJ., concur

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

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Court of Appeals No. 20CA1145  
Boulder County District Court No. 11CR1188  
Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Phillip John Glynn,

Defendant-Appellant.

ORDER REVERSED, SENTENCE VACATED,  
AND CASE REMANDED WITH DIRECTIONS

Division A  
Berger, Welling, and Johnson, JJ.  
PER CURIAM

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

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Court of Appeals No. 20CA1147  
La Plata County District Court No. 12CR165  
Honorable Scott B. Epstein, Judge

The People of the State of Colorado,  
  
Plaintiff-Appellee,

v.

Tommy Lee Mitchell,  
  
Defendant-Appellant.

ORDER VACATED

Division I  
Opinion by JUDGE DUNN  
Dailey and Kuhn, JJ., concur

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

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Court of Appeals No. 20CA1434  
Douglas County District Court No. 19CV30216  
Honorable David J. Stevens, Judge

Blue Horizon Therapy LLC, Randy Stewart, and Heidi Stewart,  
  
Plaintiffs-Appellants and Cross-Appellees,

v.

Kathy & Johnny, Inc., a Colorado corporation,  
  
Defendant-Appellee and Cross-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE GOMEZ  
Richman and Harris, JJ., concur

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

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Court of Appeals No. 20CA2057  
Logan County District Court No. 19JV11  
Honorable Carl S. McGuire, III, Judge

The People of the State of Colorado,

Appellee,

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

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

Appellants.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE HARRIS  
Richman and Gomez, JJ., concur

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

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Court of Appeals No. 21CA0119  
Mesa County District Court No. 20DR404  
Honorable William T. McNulty, Magistrate

In re the Parental Responsibilities Concerning C.B.F.C., A.C., and A.C.F.,  
Children,

and Concerning J. Guadalupe Cortes Aguilera,

Appellant,

and

Ana Christina Figueroa Gomez,

Appellee.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE LIPINSKY  
Furman and Brown, JJ., concur

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

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Court of Appeals No. 21CA0138  
City and County of Denver District Court No. 19DR1755  
Honorable Jennifer B. Torrington, Judge

In re the Marriage of

Roukiatou Geraldo,

Appellant,

and

Koami Nkouka,

Appellee.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE TOW  
J. Jones and Freyre, JJ., concur

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

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Court of Appeals No. 21CA0214  
Larimer County District Court No. 11DR947  
Honorable Carroll M. Brinegar, Judge

In re the Marriage of

Robert Brannock,

Appellant,

and

Laura Turner,

Appellee.

ORDER AFFIRMED

Division A  
Opinion by CHIEF JUDGE BERNARD  
Martinez\* and Graham\*, JJ., concur

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

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Court of Appeals No. 21CA0464  
Jefferson County District Court No. 18JV487  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of D.S. and M.S., Children,

and Concerning A.S. and J.S.,

Appellants.

JUDGMENT AFFIRMED AND APPEAL DISMISSED IN PART

Division II  
Opinion by JUDGE ROMÁN  
Berger and Yun, JJ., concur

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

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Court of Appeals No. 21CA0523  
Jefferson County District Court No. 19JV452  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.C.,

Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE JOHNSON  
Fox and Welling, JJ., concur

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

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Court of Appeals No. 21CA0544  
Adams County District Court No. 19JV390  
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.C.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE RICHMAN  
Harris and Gomez, JJ., concur

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

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Court of Appeals No. 21CA0546  
Fremont County District Court No. 19JV58  
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning P.C.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE HARRIS  
Richman and Gomez, JJ., concur

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

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Court of Appeals No. 21CA0556  
El Paso County District Court No. 20JV583  
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of O.T. and T.T., Children,

and Concerning K.T.,

Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE BERGER  
Román and Yun, JJ., concur

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

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Court of Appeals No. 21CA0587  
Mesa County District Court No. 19JV282  
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Appellee,

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

And Concerning E.D.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE GOMEZ  
Richman and Harris, JJ., concur

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

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Court of Appeals No. 21CA0973  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 25655-2021

Kristen Marie Bellemare,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Keystone  
Achievements,

Respondents.

APPEAL DISMISSED

Division I  
Opinion by JUDGE KUHN  
Dailey and Dunn, JJ., concur

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

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