

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
October 5, 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

[2023COA91](#)

Court of Appeals No. [20CA1746](#)

Weld County District Court Nos. 19CR2108 & 19CR2109

Honorable Vincente G. Vigil, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathan Crawford Hollis,

Defendant-Appellant.

ORDER VACATED

Division VII
Opinion by JUDGE TOW
Brown and Schock, JJ., concur

[2023COA92](#)

Court of Appeals No. [21CA1364](#)
Arapahoe County District Court No. 19CR1181
Honorable Shay K. Whitaker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cedar L. Mortenson,

Defendant-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE JOHNSON
Lum, J., concurs
Dailey, J., concurs in part and dissents in part

[2023COA93](#)

Court of Appeals No. [22CA1119](#)
Gunnison County District Court No. 22CV30017
Honorable J. Steven Patrick, Judge

Andrew Brookhart, in his official capacity as the executive director and
custodian of records of the Gunnison County Library District,

Plaintiff-Appellee,

v.

Mark Reaman, in his capacity as editor of the Crested Butte News,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE LIPINSKY
Schutz, J., concurs
Taubman*, J. dissents

[2023COA94](#)

Court of Appeals No. [22CA1804](#)

Larimer County District Court No. 22CV30268

Honorable Gregory M. Lammons, Judge

Farmers Insurance Exchange,

Plaintiff-Appellee,

v.

Alicia Royce Kretzer and Nathan Kretzer,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division VI

Opinion by JUDGE WELLING
Lipinsky and Gomez, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 20CA0559
Adams County District Court No. 18CR3263
Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gary Lynn Wideman,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE NAVARRO
Grove and Martinez*, JJ., concur

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

Court of Appeals No. 20CA0911
Fremont County District Court No. 18CR679
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas Randall Addington,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 20CA1843
City and County of Denver District Court No. 16CR2421
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Amos Rogers,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE GROVE
Navarro and Martinez*, JJ., concur

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

Court of Appeals No. 21CA0154
Jefferson County District Court No. 14CR271
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rustin James Melphy,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA0250
City and County of Denver Juvenile Court No. 19JD256
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.E.G.,

Juvenile-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE BROWN
Tow and Schock, JJ., concur

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

Court of Appeals No. 21CA0552
Weld County District Court No. 20CV30593
Honorable Todd Taylor, Judge

MLS Properties LLC, 736 Baseline LLC, 2528 W 16th Street LLC, 3200 Village Vista Drive LLC, Adams Bank Trust, Ashton Greeley Property LLC, Scott T Banzhaf, BFI Medical Waste Inc, Boulder Marine Inc, Boulder Scientific Co, Brown Business Properties LLC, C & K Investment Properties LLC, Capitol 3109 LLC, Carbon Element SPE LLC, Code 3 Associates Inc, Crestone Peak Resource Holdings LLC, Diesel Service Property LI LLC, Early Education Enterprises LLC, EJ Holdings Inc, Exit LTP Investments LLC, FEI Energy Fund LLC, Ferrous Development LLC, First National Bank of Johnstown, Garretson Family Partnership LLLP, GEP Investments Inc, Gtuida LLC, Highway 119 LLC, Jagadar LLC, Kersey Hotel LLC, Liberty Aviation LLC, Marsid Land LLC, MJ 3106 LLC, Mountain States Rosen LLC, MP 4665 LLC, Nan Madeira Stuart Trust, Norlarco Credit Union, NVW LLC, PAR 4 Properties LLC, PHI Enterprises LLC, Raw Property LLC, RC 4689 LLC, Riggs & Dicken Properties LLC, Ritchie Bros Properties Inc, Rolinda Colorado Co LTD, Silver Coin Investments, Texas Roadhouse Holdings LLC, Union Colony Bank, Ana Uyemjura, Weaver 880 LLC, Westlake Village LI LLC, Westlake Village LLC, White Peaks Property LI LLC, Wide Open Real Estate LLC, Willco LV Development LLLP, and Willco VIII Development LLLP,

Plaintiffs-Appellants,

v.

Weld County Board of Equalization and Brenda Dones, Weld County Assessor,
Defendants-Appellees.

JUDGMENT AFFIRMED

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

Prior Opinion Announced October 6, 2022, Vacated in 22SC853

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

Court of Appeals No. 21CA0795
Weld County District Court No. 19CR2624
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Ray Glover, Jr.,

Defendant-Appellant.

SENTENCE REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA1001
Washington County District Court No. 19CR47
Honorable Stephanie M.G. Gagliano, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michelle Leann Orth,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Grove and Martinez*, JJ., concur

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

Court of Appeals No. 21CA1269
Elbert County District Court No. 20CR31
Honorable Gary M. Kramer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Patrice Adolphe Alcock,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE LIPINSKY
Welling and Gomez, JJ., concur

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

Court of Appeals No. 21CA1320
El Paso County District Court No. 20CR4674
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rocky James Cantrell,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1340
El Paso County District Court No. 16CR4956
Honorable Timothy Schutz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dywand Datron Julien,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1576
Jefferson County District Court No. 06CR1797
Honorable Russell Klein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Billy Edwin Reid,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE LIPINSKY
Welling and Gomez, JJ., concur

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

Court of Appeals No. 21CA1601
Moffat County District Court No. 14CR75
Honorable Sandra H. Gardner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Samuel Walters,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE GROVE
Navarro and Martinez*, JJ., concur

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

Court of Appeals No. 21CA1786
Weld County District Court No. 18CR1388
Honorable Timothy G. Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cristipher Lawrence Shafer,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BROWN
Tow and Schock, JJ., concur

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

Court of Appeals No. 21CA1932
City and County of Denver District Court No. 21CR89
Honorable Eric M. Johnson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward K. Reavis-Woody,

Defendant-Appellant.

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

Division III
Opinion by JUDGE J. JONES
Dunn and Lum, JJ., concur

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

Court of Appeals No. 21CA1983
Douglas County District Court No. 21CR525
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Elijah Thomas Shipman,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA0015
Jefferson County District Court No. 19CR3772
Honorable Christopher C. Zenisek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Paul Mackenzie,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE SCHOCK
Tow and Brown, JJ., concur

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

Court of Appeals No. 22CA0017
Weld County District Court No. 20CR580
Honorable Vincente G. Vigil, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eugene Stefan Jaszczyk,

Defendant-Appellant.

ORDER VACATED

Division VII
Opinion by JUDGE SCHOCK
Tow and Brown, JJ., concur

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

Court of Appeals No. 22CA0266
La Plata County District Court No. 21PR30116
Honorable Todd P. Norvell, Judge

In re the Estate of Deirdre Kathleen Cotter, deceased.

Randall Scott Hagen,

Appellant,

v.

William Stephen Cotter,

Appellee.

ORDER AFFIRMED

Division VII
Opinion by JUDGE TOW
Brown and Schock, JJ., concur

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

Court of Appeals No. 22CA0509
Pueblo County District Court No. 21CR943
Honorable Amiel Markenson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vicente Antonio Martinez-Ortega,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE WELLING
Kuhn, J., concurs
Fox, J., dissents

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

Court of Appeals No. 22CA0640
City and County of Denver District Court No. 94CR4540
Honorable Jennifer B. Torrington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lewis L. Pulce,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0736
City and County of Denver District Court No. 11CR4313
Honorable Ericka F. H. Englert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Warren Henry Foster,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0739
City and County of Denver District Court No. 20CV32891
Honorable A. Bruce Jones, Judge

Travelers Indemnity Company,

Plaintiff-Appellee,

v.

Juan Cartaya,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE WELLING
Lipinsky and Gomez, JJ., concur

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

Court of Appeals No. 22CA0981
El Paso County District Court No. 21CR1763
Honorable Frances Johnson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leland Glenn Abbe,

Defendant-Appellant

ORDER AFFIRMED

Division III
Opinion by JUDGE JOHNSON
Schutz and J. Jones, JJ., concur

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

Court of Appeals No. 22CA1134
Arapahoe County District Court No. 20CV32068
Honorable John E. Scipione, Judge

James Sweet and Mary Sweet,

Plaintiffs-Appellants,

v.

William Dodson and Janis Dodson,

Defendants-Appellees.

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

Division VI
Opinion by JUDGE GOMEZ
Welling and Lipinsky, JJ., concur

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

Court of Appeals No. 22CA1220
Alamosa County District Court No. 19CR413
Honorable Kim D. Cortez-Rodriguez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Yvonne Rosalee Arredondo,

Defendant-Appellant and Cross-Appellee,

and

City of Alamosa,

Cross-Appellant,

v.

Alonzo Christopher Payne,

Cross-Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE YUN
Freyre and Kuhn, JJ., concur

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

Court of Appeals No. 22CA1426
Adams County District Court No. 96CR1640
Honorable Roberto Ramirez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael John Fisher,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE JOHNSON
J. Jones and Schutz, JJ., concur

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

Court of Appeals No. 22CA1539
El Paso County District Court No. 21DR30078
Honorable Marcus S. Henson, Judge

In re the Marriage of

David Paul Hellbusch,

Appellant,

and

Denise Christina Hellbusch, n/k/a Denise Christina Warwick,

Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1942
Boulder County District Court No. 20JV273
Honorable Robert Gunning, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.E. and A.E., Children,

and Concerning A.C.,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE FURMAN
Tow and Johnson, JJ., concur

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

Court of Appeals No. 23CA0189
Arapahoe County District Court No. 21JV362
Honorable Don J. Toussaint, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning N.M.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0465
Garfield County District Court No. 20JV64
Honorable Denise K. Lynch, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.P.,

Appellant.

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

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

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

Court of Appeals No. 23CA0468
El Paso County District Court No. 23CV31
Honorable Gregory R. Werner, Judge

Jabari J. Johnson,

Plaintiff-Appellant,

v.

Draper,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE FOX
Freyre and Lipinsky, JJ., concur

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

Court of Appeals No. 23CA0551
City and County of Denver Juvenile Court No. 21JV829
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.D.D.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0672
Industrial Claim Appeals Office of the State of Colorado
DD No. 627-2023

Cedric Johnson,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and SCI Colorado
Funeral Services, LLC,

Respondents.

ORDER AFFIRMED

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

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

-23-
ANNOUNCEMENTS
Colorado Court of Appeals
October 5, 2023

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2023.