

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*September 21, 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**

[2023COA82](#)

Court of Appeals No. [19CA0223](#)  
Douglas County District Court No. 16CR187  
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kelly James Schnorenberg,

Defendant-Appellant.

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

Division VI  
Opinion by JUDGE TAUBMAN\*  
Lipinsky and Schutz, JJ., concur

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[2023COA83](#)

Court of Appeals No. [21CA1203](#)  
Larimer County District Court No. 18CR2412  
Honorable Susan Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kari Mobley Kennedy,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE FOX  
Furman and Richman\*, JJ., concur

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[2023COA84](#)

Court of Appeals No. [22CA0790](#)  
Mesa County District Court No. 21CV30319  
Honorable Lance P. Timbreza, Judge

Faith Tolle and Grace Aragon,

Plaintiffs-Appellees,

v.

Steeland, LLC, and Jaida McKeever,

Defendants-Appellants.

ORDER AFFIRMED

Division V  
Opinion by JUDGE YUN  
Brown and Davidson\*, JJ., concur

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[2023COA85](#)

Court of Appeals No. [23CA0595](#)

Conejos County District Court No. 21CV30001

Honorable Crista Newmyer-Olsen, Judge

South Conejos School District RE-10,

Plaintiff-Appellee,

v.

Wold Architects Incorporated, d/b/a Wold Architects and Engineers, a foreign  
corporation,

Third-Party Plaintiff-Appellant.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE FOX  
Dailey and Brown, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 18CA2299  
City and County of Denver District Court No. 17CR3533  
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Demond Deshawn Hamilton,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 20CA0638  
Pueblo County District Court No. 18CR2194  
Honorable Thomas B. Flesher, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Devon D. Williams,

Defendant-Appellant.

JUDGMENT AFFIRMED IN PART, REVERSED IN PART,  
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)**

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Court of Appeals No. 20CA1908  
El Paso County District Court No. 18CR4529  
Honorable Deborah J. Grohs, Judge

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

v.

Ashley Marie Passmore,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED, ORDER VACATED,  
AND CASE REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE KUHN  
Freyre and Yun, JJ., concur

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

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Court of Appeals No. 21CA0498  
El Paso County District Court No. 18CR7887  
Honorable Lin Billings Vela, Judge

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

v.

Jacobo Eleazar Gaona,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 21CA0799  
El Paso County District Court No. 19CR5057  
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Donnell Desmon Bradley,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE FURMAN  
Fox and Richman\*, JJ., concur

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

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Court of Appeals No. 21CA1329  
Adams County District Court No. 16CR3742  
Honorable Roberto Ramirez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mark Anthony Jones,

Defendant-Appellant.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 21CA1475  
City and County of Denver District Court No. 20CV30396  
Honorable Andrew P. McCallin, Judge

Caoimhin P. Connell,

Plaintiff-Appellee,

v.

Colorado Department of Public Health and Environment, Hazardous Materials  
and Waste Management Division,

Defendant-Appellant.

JUDGMENT REVERSED  
AND CASE REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 21CA1537  
Adams County District Court No. 20CR2186  
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Quinton Walter Wells,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 21CA1807  
El Paso County District Court No. 19CR5454  
Honorable Eric Bentley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathaniel Marc Getter,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1079  
Freemont County District Court No. 19CV30048  
Honorable Lynette M. Wenner, Judge

Darby Pifer, individually and in her capacity as Trustee of the William J. Pifer  
Family Trust,

Plaintiff-Appellee and Cross-Appellant,

v.

Gudrun Roberts,

Defendant-Appellant and Cross-Appellee.

JUDGMENT 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)**

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Court of Appeals No. 22CA1207  
Jefferson County District Court No. 21CR1117  
Honorable Randall C. Arp, Judge

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

v.

Franz Christopher Fulenwider,  
  
Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE KUHN  
Freyre and Yun, JJ., concur

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

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Court of Appeals No. 22CA1252  
Mesa County District Court Nos. 18CR320 & 18CR1482  
Honorable Gretchen B. Larson, Judge

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

v.

Omar Olivas,  
  
Defendant-Appellant.

ORDER AFFIRMED

Division A  
Opinion by CHIEF JUDGE ROMÁN  
Hawthorne\* and Berger\*, JJ., concur

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

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Court of Appeals No. 22CA1350  
El Paso County District Court No. 18CR663  
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Preston Markell Bailey,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE KUHN  
Freyre and Yun, JJ., concur

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

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Court of Appeals No. 22CA1389  
Chaffee County District Court No. 21CV11  
Honorable Patrick W. Murphy, Judge

Zachariah Dobler,

Plaintiff-Appellant,

v.

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

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1641  
El Paso County District Court No. 17DR65  
Honorable William H. Moller, Judge

In re the Parental Responsibilities Concerning S.T.H., a Child,  
and Concerning Dusty Rey Hernandez,

Appellant,

and

Michelle Acito and Marc Acito,

Appellees.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 22CA1848  
Lincoln County District Court No. 22CV1  
Honorable H. Clay Hurst, Judge

Lamar Blackwell,

Plaintiff-Appellant,

v.

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

Defendant-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 23CA0214  
Mesa County District Court No. 21JV54  
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Az.C-M. and Y.C-M., Children,

and Concerning M.C-M., A.C-M., and N.C.,

Appellants.

JUDGMENT AFFIRMED

Division A  
Opinion by CHIEF JUDGE ROMÁN  
Bernard\* and Graham\*, JJ., concur

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

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Court of Appeals No. 23CA0272  
El Paso County District Court No. 21JV209  
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of X.F-C., a Child,

and Concerning B.F-C.,

Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE BERNARD\*  
Román, C.J., and Graham\*, J., concur

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

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Court of Appeals No. 23CA0348  
Pueblo County District Court No. 22CV56  
Honorable Deborah R. Eyler, Judge

Patrick L. Brenner,

Plaintiff-Appellant,

v.

Executive Director of Colorado Department of Corrections, J.R. Hall, and  
Darlene Alcala,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE BERGER\*  
J. Jones and Lum, JJ., concur

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

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Court of Appeals No. 23CA0405  
Jefferson County District Court No. 22JV30023  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning M.R.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 23CA0498  
Jefferson County District Court No. 22JV34  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R.B. a Child,

and Concerning K.G.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 23CA0696  
El Paso County District Court No. 22CR2271  
Honorable Marcus S. Henson, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Jason Lee Nawrocki,

Defendant-Appellee.

ORDER AFFIRMED

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

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

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Court of Appeals No. 23CA1210  
Pueblo County District Court No. 22MH193  
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Alyssa Jordan Wolfe,

Respondent-Appellant.

ORDER AFFIRMED

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

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

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**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. 20CA0503

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul Dale Knighting,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 22CA1515

Colorado Department of Public Health & Environment, Water Quality Control  
Division,

Plaintiff-Appellee,

v.

LKA International Inc.,

Defendant-Appellant.

Opinion Modified and  
Petition for Rehearing DENIED

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

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**MODIFIED OPINIONS**

Court of Appeals No. 21CA1543  
Arapahoe County District Court No. 19CR2183  
Honorable Shay K. Whitaker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tomas O'Malley McDonald,

Defendant-Appellant.

ORDER AFFIRMED

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

Opinion Modified  
on the Court's Own Motion

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

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Court of Appeals No. 21CA1865  
Mesa County District Court No. 20CR1664  
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Justin Brannon,

Defendant-Appellant.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE PAWAR  
Schock and Martinez\*, JJ., concur

Opinion Modified  
On the Court's Own Motion

**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. 2023.