

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
October 19, 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

[2023COA96](#)

Court of Appeals No. [20CA1960](#)
Douglas County District Court No. 17CR381
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chauncey Scott Price,

Defendant-Appellant.

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

Division V
Opinion by JUDGE FREYRE
Yun and Kuhn, JJ., concur

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ANNOUNCEMENTS
Colorado Court of Appeals
October 19, 2023

[2023COA97](#)

Court of Appeals No. [22CA2178](#)

Larimer County District Court No. 21CR1606

Honorable Laurie K. Dean, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brennan Fleet Tanner,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division A
Opinion by CHIEF JUDGE ROMÁN
Davidson*, J., concurs
Bernard*, J., specially concurs

UNPUBLISHED OPINIONS

Court of Appeals No. 20CA0229
Larimer County District Court No. 17CR2950
Honorable C. Michelle Brinegar, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Terrence Paul Triffet,

Defendant-Appellant.

JUDGMENT AFFIRMED

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. 20CA1716
Adams County District Court No. 16CR1750
Honorable Sean Finn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Boaz Obadiah Powell,

Defendant-Appellant.

ORDER AND SENTENCE 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. 21CA0217
Mesa County District Court No. 12CR314
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Dale Stepp,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE FREYRE
Kuhn and Taubman*, JJ., concur

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

Court of Appeals No. 21CA1310
Jefferson County District Court No. 15CR2512
Honorable Russell Klein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Phillip Lyle Kolberg,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FURMAN
FOX and PAWAR, JJ., concur

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

Court of Appeals No. 21CA1628
Weld County District Court No. 20CR1350
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Donald William Millard,

Defendant-Appellant.

ORDER AFFIRMED

Division A
Opinion by JUDGE LIPINSKY
Fox and Freyre, JJ., concur

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

Court of Appeals No. 22CA0041
Arapahoe County District Court No. 14CR329
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Abdullah Jhalil Ratcliff,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0349
Pueblo County District Court No. 06CR2052
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Caine Matthew Gonzales,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0437
Jefferson County District Court No. 20CR147
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronn Gregory Wyman,

Defendant-Appellant.

JUDGMENT 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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ANNOUNCEMENTS
Colorado Court of Appeals
October 19, 2023

Court of Appeals No. 22CA0444
Douglas County District Court No. 20DR30142
Honorable Andrew C. Baum, Judge

In re the Marriage of

Charles Wilber Nutting,

Appellant and Cross-Appellee,

and

Angela Hope Nutting,

Appellee and Cross-Appellant.

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)

Court of Appeals No. 22CA0549
El Paso County District Court No. 20M2947
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Abdul Raziq,

Defendant-Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0623
Fremont County District Court No. 11CR6
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Stevie Brown,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0657
Routt County District Court No. 17DR30043
Honorable Mary C. Hoak, Judge

In re the Parental Responsibilities Concerning A.F., a Child,

and Concerning Converse Smith Fields,

Appellee,

and

Monique Joy Cressey,

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. 22CA0806
Arapahoe County District Court No. 21CR111
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jaime Joseph Cardona,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0828
City and County of Denver District Court No. 00CR166
Honorable Jennifer B. Torrington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Darnell Lewis Prelow,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0891
Larimer County District Court No. 04CR1945
Honorable Susan J. Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Sidney Triggs,

Defendant-Appellant.

ORDER 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. 22CA1105
Montrose County District Court No. 14CR110
Honorable Keri A. Yoder, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kevin Larson,

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)

Court of Appeals No. 22CA1221
City and County of Denver District Court No. 20CV30751
Honorable Shelley I. Gilman, Judge

GT Resources LLC,

Plaintiff-Appellee and Cross-Appellant,

v.

Black Hills Corporation, Black Hills Exploration & Production Inc., and Black Hills Gas Resources Inc.,

Defendants-Appellants and Cross-Appellees.

JUDGMENT REVERSED 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. 22CA1238
Boulder County District Court No. 22CV30326
Honorable Andrew Hartman, Judge

National Oilwell Varco, LP,

Plaintiff-Appellee,

v.

Ryan Nygard and RJIHose, Incorporated,

Defendants-Appellants.

ORDER AFFIRMED

Division I
Opinion by JUDGE BERNARD*
Gomez, J., specially concurs
Grove, J., concurs in part and dissents in part

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

Court of Appeals No. 22CA1424
Boulder County District Court No. 20DR968
Honorable Judith L. Labuda, Judge

In re the Marriage of

Ladan Arissian,

Appellant,

and

Hooman Shadnia,

Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1622
Weld County District Court No. 17DR30496
Honorable Shannon D. Lyons, Judge

In re the Marriage of

Megan Jo Dell,

Appellee,

and

Raymond Bryson Danks,

Appellant.

APPEAL DISMISSED IN PART
AND JUDGMENT AND ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1716
Arapahoe County District Court No. 21DR30478
Honorable Cajardo R. Lindsey, Judge

In re the Marriage of

Ali Ghamkhar,

Appellee,

and

Mehrnaz Mashhadi,

Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1910
Adams County District Court No. 21PR30954
Honorable Sara Price, Magistrate

In re the Estate of Dorothy Heinz, deceased.

Tiffany Hutto,

Appellant,

v.

Penny D. Carnahan and Roger Heinz,

Appellees.

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

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

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

Court of Appeals No. 22CA1949
Logan County District Court No. 22CV30003
Honorable Stephanie M.G. Gagliano, Judge

Douglas C. Brown,

Plaintiff-Appellant,

v.

Riverside Fabrication, Inc., a Colorado corporation, and Gregory J. Gertge,

Defendants-Appellees.

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. 22CA2047
Montrose County District Court No. 21DR30023
Honorable D. Cory Jackson, Judge

In re the Marriage of

Bret J. Garrison,

Appellant,

and

Jaelynn L. Garrison n/k/a Jaelynn L. Bemis,

Appellee.

JUDGMENT REVERSED AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA2058
Boulder County District Court No. 20CV30004
Honorable Andrew Hartman, Judge

Cynthia Sass,

Plaintiff-Appellant,

v.

Cary St. Onge,

Defendant-Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0116
Weld County District Court No. 20CR1870
Honorable Vincente G. Vigil, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathanial Koon,

Defendant,

and Concerning Dustin Synn,

Intervenor-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0209
Adams County District Court No. 20DR852
Honorable Brett Martin, Judge

In re the Marriage of

Maria Gandara Delgado,

Appellant,

and

Juan Banuelos Alamillo,

Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE BERNARD*
Navarro and Grove, JJ., concur

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

Court of Appeals No. 23CA0223
City and County of Denver Juvenile Court No. 20JV792
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of T.L.K., J.M.K., and J.K., Children,

and Concerning I.M.W. and J.L.K.,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0273
City and County of Denver Juvenile Court No. 22JV30600
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning R.A.C. and J.R.C.,

Appellants.

JUDGMENT REVERSED 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. 23CA0490
Mesa County District Court No. 20JV181
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning B.M. and K.M.,

Appellants.

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. 23CA0545
Alamosa County District Court No. 22JV30003
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of M.M.R. Jr., a Child,

and Concerning B.C.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Dunn and Hawthorne*, 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. 21CA0521

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Eulogio Vigil,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA0790

Faith Tolle and Grace Aragon,

Plaintiffs-Appellees,

v.

Steeland, LLC, and Jaida McKeever,

Defendants-Appellants.

Petition for Rehearing DENIED

MODIFIED OPINIONS

Court of Appeals No. 21CA0894
Adams County District Court No. 14CR2108
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Luis Loya,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

Opinion Modified
On the Court's Own Motion

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. 2023.