

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
December 7, 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

[2023COA115](#)

Court of Appeals No. [20CA1717](#)
Lake County District Court No. 15CR26
Honorable Catherine J. Cheroutes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Maria Laida Day,

Defendant-Appellant.

JUDGMENT AND ORDER REVERSED
AND CASE REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE FOX
Román, C.J., and Furman, J., concur

[2023COA116](#)

Court of Appeals Nos. [22CA0313](#) & [22CA0727](#)
Boulder County District Court No. 21DR30037
Honorable Andrew Hartman, Judge

In re the Marriage of

Nicole Collins,

Appellee,

and

Scott Goldstone,

Appellant.

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

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

[2023COA117](#)

Court of Appeals No. [22CA1612](#)
El Paso County District Court No. 19CR7654
Honorable Eric Bentley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kyle Andrew Zoller,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

[2023COA118](#)

Court of Appeals No. [22CA1934](#)

Arapahoe County District Court No. 22CV30927

Honorable Elizabeth Beebe Volz, Judge

The Sentinel Colorado,

Plaintiff-Appellant,

v.

Kadee Rodriguez, City Clerk, in her official capacity as Records Custodian for
City of Aurora,

Defendant-Appellee.

ORDER REVERSED

Division II
Opinion by JUDGE FURMAN
Román, C.J., and Fox, J., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA1133
El Paso County District Court No. 16CR3477
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert James Rainey,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

Prior Opinion Announced March 18, 2021, Reversed in 21SC285

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

Court of Appeals No. 21CA1412
Arapahoe County District Court No. 21CV30864
Honorable Peter F. Michaelson, Judge

Weingarten Sheridan, LLC, a Colorado limited liability company,
Plaintiff-Appellee,

v.

Regal Cinemas, Inc., a Tennessee corporation,
Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE GOMEZ
Harris and Pawar, JJ., concur

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

Court of Appeals No. 21CA1664
Boulder County District Court No. 20CR36
Honorable Andrew Hartman, Judge

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

v.

Brandt Owen Deboard,
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA1738
City and County of Denver District Court No. 20CR3674
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher G. Smith,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA1883
Weld County District Court No. 20CR1391
Honorable Julie Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Vance Nicholson,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA1963
El Paso County District Court No. 08CR1909
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Allen Clapp,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0294
Adams County District Court No. 20CR991
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Jose Carrau,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0369
El Paso County District Court No. 19CR6196
Honorable Marcus S. Henson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven F. Reycraft,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0599
Arapahoe County District Court No. 20CR1425
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Deshawn Demarcus House,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1085
Morgan County District Court No. 21CR170
Honorable Robert C. James, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Amanda Joyce Loos,

Defendant-Appellee.

APPEAL DISMISSED

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

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

Court of Appeals Nos. 22CA1433 & 22CA1891
City and County of Denver District Court No. 21CV31539
Honorable Shelley I. Gilman, Judge

Western Development, Inc., Keith A. Novick, as Trustee of the Novick Family Irrevocable Trust dated 10/9/2009, and Keith A. Novick in his individual capacity,

Plaintiffs-Appellees and Cross-Appellants,

v.

Sabalos, LLC, a Colorado limited liability company, and Lionshead Inn, LLC, a Colorado limited liability company,

Defendants-Appellants and Cross-Appellees.

JUDGMENT AFFIRMED, ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1440
El Paso County District Court No. 21CR2533
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Quanzarius Dangelo Howard,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1816
Pueblo County District Court No. 18CV30236
Honorable Gregory J. Styduhar, Judge

Alexander Benavidez,

Plaintiff-Appellant,

v.

Toni Jon Lucero, D.D.S.,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA2014
City and County of Broomfield District Court No. 21CV30426
Honorable Sean Finn, Judge

Marco Tabone,

Plaintiff-Appellant,

v.

Patrick Forkins and Elite Rim N Tire LLC,

Defendants-Appellees.

JUDGMENT REVERSED 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. 22CA2054
Teller County District Court No. 22CV30023
Honorable Scott Sells, Judge

Erin O'Connell,

Plaintiff-Appellant,

v.

Woodland Park School District; Woodland Park School District Board of Education; and Chris Austin, in his official capacity as Board Member, Gary Brovetto, in his official capacity as Board Member, David Illingworth, II, in his official capacity as Board Member, Suzanne Patterson, in her official capacity as Board Member, and David Rusterholtz, in his official capacity as Board Member,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VII
Opinion by JUSTICE MARTINEZ*
Tow and Brown, JJ., concur

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

Court of Appeals No. 22CA2237
El Paso County District Court No. 22CV30909
Honorable Gregory R. Werner, Judge

Tucco Home Improvements LLC,

Plaintiff-Appellee,

v.

Air Pros One Source LLC,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division C
Opinion by CHIEF JUDGE ROMÁN
J. Jones and Dunn, JJ., concur

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

Court of Appeals No. 23CA0280
El Paso County District Court No. 22JV61
Honorable Diana K. May, Judge

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

and J.F.,

Petitioner,

and Concerning M.D.,

Respondent-Appellant,

and

El Paso County Child Support Services,

Intervenor-Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0620
Weld County District Court No. 21JV431
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.H., H.H., and C.H., Children,

and Concerning M.H. and T.H.,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0916
Jefferson County District Court No. 21JV447
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning R.C.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0973
Rio Grande County District Court No. 23JV30001
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.V.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE TAUBMAN*
Román, C.J., and Richman*, J., concur

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

Court of Appeals No. 23CA1059
Adams County District Court No. 22JV138
Honorable Emily Lieberman, Judge

The People of the State of Colorado,

Appellee,

In the Interest of F.S. and J.S., Children,

and Concerning L.S.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE RICHMAN*
Román, C.J., and Taubman*, J., concur

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

Court of Appeals No. 23CA1665
City and County of Denver Probate Court No. 22MH229
Honorable Elizabeth D. Leith, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Dyamond N. Wright,

Respondent-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE TOW
Brown and Schock, 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. 22CA0331

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Adrian Elijah Salazar,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 22CA2047

In re the Marriage of

Bret J. Garrison,

Appellant,

and

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

Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA2138

The People of the State of Colorado,

Appellee,

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

and Concerning J.M.,

Appellant.

Petition for Rehearing DENIED

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.