

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
November 16, 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

[2023COA108](#)

Court of Appeals No. [22CA1502](#)
Weld County District Court No. 19CV30976
Honorable Todd Taylor, Judge

Chance Gresser, individually and as parent, natural guardian, next of friend and on behalf of his daughter, C.G., and Erin Gresser, individually and as parent, natural guardian, next of friend and on behalf of her daughter, C.G.,

Plaintiffs-Appellees,

v.

Banner Health, d/b/a North Colorado Medical Center,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

[2023COA109](#)

Court of Appeals No. [22CA1791](#)

Arapahoe County District Court No. 22CV30998

Honorable Elizabeth Beebe Volz, Judge

Samuel Perez,

Plaintiff-Appellant,

v.

By the Rockies, LLC, and Duane Layton,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE PAWAR
Furman, J., concurs
Fox, J., dissents

UNPUBLISHED OPINIONS

Court of Appeals No. 19CA2317
Jefferson County District Court No. 18CR2868
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Isaac David Davis,

Defendant-Appellant.

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

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

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

Court of Appeals No. 21CA0741
City and County of Denver District Court No. 19CR9696
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eric Patrick Brandt,

Defendant-Appellant.

SENTENCES 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. 21CA1061
El Paso County District Court No. 18CR6097
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sheri Lynn Espinoza,

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. 21CA2068
Arapahoe County District Court No. 13CR2039
Honorable Shay K. Whitaker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jamale D. Townsell,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE JOHNSON
J. Jones, J., concurs
Schutz, J., dissents

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

Court of Appeals No. 22CA0533
Jefferson County District Court No. 19CR2705
Honorable Robert Lochary, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Russell Edward Blair,

Defendant-Appellant.

ORDER 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. 22CA1413
Adams County District Court No. 11CR1307
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Harley David Sharp,

Defendant-Appellant.

ORDERS AFFIRMED

Division A
Opinion by JUDGE PAWAR
Graham* and Berger*, JJ., concur

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

Court of Appeals No. 22CA1457
El Paso County District Court No. 21CR3193
Honorable Monica J. Gomez, Judge

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

v.

Daniel Keith Duffield,
Defendant-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE PAWAR
Hawthorne* and Richman*, JJ., concur

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

Court of Appeals No. 22CA1473 & 22CA1984
Montrose County District Court No. 19CV30031
Honorable Mary E. Deganhart, Judge

Jimmy Guire II, as Trustee for GW46 Irrevocable Trust,
Plaintiff-Appellant,

v.

Western Fuels-Colorado LLC, n/k/a Elk Ridge Mining & Reclamation, LLC,
Defendant-Appellee.

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

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

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

Court of Appeals No. 22CA1710
Boulder County District Court No. 13DR30319
Honorable Thomas F. Mulvahill, Judge

In re the Marriage of

George Stephen Pittman,

Appellee,

and

Judi Beth Pittman, n/k/a Judi Beth Atwood,

Appellant.

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

Division A
Opinion by JUDGE GRAHAM*
Pawar and Berger*, JJ., concur

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

Court of Appeals No. 22CA1783
Adams County District Court No. 21CR3739
Honorable Rayna Gokli McIntyre, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sierra Suzanne Pantoja,

Defendant-Appellant.

ORDER 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. 22CA1796
Boulder County District Court No. 10CR141
Honorable Patrick Butler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Delano M. Medina,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1839
Jefferson County District Court No. 17DR942
Honorable Robert Lochary, Judge

In re the Marriage of

Christopher Michael Stephens,

Appellee,

and

Annette Christine Stephens,

Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1844
Larimer County District Court No. 21DR30547
Honorable Joseph D. Findley, Judge

In re the Parental Responsibilities Concerning J.B.H., a Child,
and Concerning Christina May Price,

Appellant,

and

Jeremy John Hepburn,

Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1896
Routt County District Court No. 22CV30025
Honorable Michael A. O'Hara, III, Judge

Stefan Sladek,

Plaintiff-Appellant,

v.

Division of Motor Vehicles, Department of Revenue, State of Colorado,

Defendant-Appellee.

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. 22CA2010
Jefferson County District Court No. 21CV30702
Honorable Jason D. Carrithers, Judge

Ramon Baca,

Plaintiff-Appellant,

v.

Walgreen Company, d/b/a Walgreens, 7667 West Jewell LLC, and LC Property
Management LLC,

Defendants-Appellees.

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

Division C
Opinion by JUDGE DUNN
J. Jones and Kuhn, JJ., concur

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

Court of Appeals No. 22CA2117
Boulder County District Court No. 22CR1810
Honorable Nancy W. Salomone, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Evan Michael Platteel,

Defendant-Appellee.

ORDER 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. 22CA2175
El Paso County District Court No. 17DR281
Honorable Monica J. Gomez, Judge

In re the Marriage of

Aaron D. Minks, a/k/a Ares Minks,

Appellant,

and

Andrea S. Minks, n/k/a Andrea Brown,

Appellee.

ORDER AFFIRMED IN PART AND REVERSED IN PART

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

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

Court of Appeals No. 23CA0051
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-188-401

Safeway, Inc.,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Janice Sewald,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0156
Logan County District Court No. 22CV37
Honorable Charles M. Hobbs, Judge

Michael D. Farrow,
Plaintiff-Appellant,

v.

Vickie Nira, Health Service Administrator for Sterling Correctional Facility,
Defendant-Appellee.

ORDER AFFIRMED

Division D
Opinion by JUDGE PAWAR
Freyre and Tow, JJ., concur

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

Court of Appeals No. 23CA0322
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-153-276

Carlos R. Hull,
Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Midwest Floor
Coverings, Inc., and CopperPoint General Insurance Company,

Respondents.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA0347
City and County of Denver District Court No. 09CR3546
Honorable Nikea T. Bland, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan Lorenzo Johnson,

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. 23CA0532
City and County of Denver District Court No. 07CR3121
Honorable Jennifer B. Torrington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Freddy Anthony Aguilera-Zamora,

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. 23CA0717
El Paso County District Court No. 20JV912
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning B.L.,

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. 23CA1619
City and County of Broomfield District Court No. 23MH44
Honorable Sean Finn, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.D.M.,

Respondent-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE WELLING
Lipinsky and Gomez, 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. 21CA1269

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Patrice Adolphe Alcock,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1785

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robin Jay Clifton,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA0891

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Sidney Triggs,

Defendant-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.