

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
August 24, 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

[2023COA75](#)

Court of Appeals No. [21CA0137](#)

Larimer County District Court Nos. 17CR223 & 17CR2989

Honorable Laurie K. Dean, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ryan Wallace Bonde,

Defendant-Appellant.

SENTENCE AFFIRMED

Division IV

Opinion by JUDGE KUHN
Fox and Welling, JJ., concur

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ANNOUNCEMENTS
Colorado Court of Appeals
August 24, 2023

[2023COA76](#)

Court of Appeals No. [22CA1619](#)

City and County of Denver District Court Nos. 19CV33523 & 21CV30454

Honorable David H. Goldberg, Judge

Wanda Bertoia,

Plaintiff-Appellant,

v.

Denver Gateway LLC, a Colorado limited liability company,

Defendant-Appellee.

ORDER REVERSED

Division II

Opinion by JUDGE TOW

Furman and Johnson, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 19CA1788
Arapahoe County District Court No. 18CR1210
Honorable Michael Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Dudley Smith,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE DAILEY
Gomez and Vogt*, JJ., concur

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

Court of Appeals No. 20CA0266
Arapahoe County District Court No. 18CR2234
Honorable Michael Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnny Dewayne Harris, Jr.,

Defendant-Appellant.

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

Division I
Opinion by JUDGE DAILEY
Grove and Gomez, JJ., concur

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

Court of Appeals No. 20CA0551
City and County of Broomfield District Court No. 07CR200
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Edwin Marsh,

Defendant-Appellant.

ORDER AFFIRMED

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. 22CA0799
Mesa County District Court No. 18CR2051
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dwayne Thomas Rivers,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE GROVE
Dailey and Gomez, JJ., concur

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

Court of Appeals No. 20CA1524
Arapahoe County District Court No. 19JV563
Honorable Kenneth M. Plotz, Judge,
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Appellee,

In the Interest of S.M. and E.M., Children,

and Concerning E.R.,

Appellant.

JUDGMENT AND ORDER AFFIRMED

Division III
Opinion by JUDGE FREYRE
Furman and Martinez*, JJ., concur

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

Court of Appeals No. 21CA0171
El Paso County District Court No. 12CR3386
Honorable Eric Bentley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Murray Richard Basinger,

Defendant-Appellant.

ORDER 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. 21CA1197
Jefferson County District Court No. 18CR2731
Honorable Laura A. Tighe, Judge

The People of the State of Colorado

Plaintiff-Appellee,

v.

Steven Duane Lindsay,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE JOHNSON
Furman and Tow, JJ., concur

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

Court of Appeals No. 21CA1274
Delta County District Court No. 13CR104
Honorable Steven L. Schultz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Ray Barrington,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE HARRIS
Schutz and Berger*, JJ., concur

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

Court of Appeals Nos. 21CA1372 & 22CA0194
City and County of Denver District Court No. 19DR30398
Honorable Lisa C. Arnolds, Judge

In re the Marriage of

Amy Elizabeth Moore, n/k/a Amy J. Elizabeth,

Appellee,

and

Benjamin Emanuel Moore,

Appellant.

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

Division I
Opinion by JUDGE DAILEY
Grove and Gomez, JJ., concur

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

Court of Appeals No. 21CA1406
Douglas County District Court No. 20CR232
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Robert Tesar,

Defendant-Appellant.

JUDGMENT REVERSED 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. 21CA1668
Teller County District Court No. 20CR252
Honorable Scott Sells, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chancey Ray Colwell,

Defendant-Appellant.

APPEAL DISMISSED

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

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

Court of Appeals No. 21CA1747
El Paso County District Court No. 09CR1083
Honorable Frances R. Johnson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor Cirilo Acosta,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE TOW
Furman and Johnson, JJ., concur

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

Court of Appeals No. 21CA1759
City and County of Denver Probate Court No. 96PR100401
Honorable Elizabeth D. Leith, Judge

In the Matter of Sheldon K. Beren, deceased.

CJD Investors Limited Partnership, a Colorado limited partnership,

Appellant,

v.

Robert M. Goodyear, Jr., in his capacity as Personal Representative of the
Estate of Sheldon K. Beren, and David I. Beren,

Appellees.

ORDER AFFIRMED

Division IV
Opinion by JUDGE FOX
Welling and Kuhn, JJ., concur

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

Court of Appeals No. 21CA2074
Adams County District Court No. 15CR2365
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shaun Jeff Snow,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE DAILEY
Grove and Gomez, JJ., concur

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

Court of Appeals No. 22CA0103
City and County of Denver District Court No. 17DR31024
Honorable Jill D. Dorancy, Judge

In re the Marriage of

Thomas Edward Morrissey,

Appellee,

and

Kanika Neang Morrissey,

Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE FOX
Welling and Kuhn, JJ., concur

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

Court of Appeals No. 22CA0257
Arapahoe County District Court No. 18CR1522
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Latasha Vernett Grimes-Kelly,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE WELLING
Fox and Kuhn, JJ., concur

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

Court of Appeals No. 22CA0682
Arapahoe County District Court No. 19CR1162
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marquis Moore,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE DAVIDSON*
Román, C.J., and Taubman*, J., concur
NOT PUBLISHED PURSUANT TO C.A.R. 35(e)

Court of Appeals No. 22CA0698
Arapahoe County District Court No. 20DR31960
Honorable Cynthia Mares, Judge

In re the Marriage of

Leslie Alfano,

Appellee,

and

Anthony Alfano,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FREYRE
Pawar, J., concurs
Schock, J., concurs in part and dissents in part

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

Court of Appeals No. 22CA0730
Garfield County District Court No. 18DR30045
Honorable Anne K. Norrdin, Judge

In re the Parental Responsibilities Concerning L.D.S. and R.C.S., Children,
and Concerning Ivy Hughes,

Appellant,

and

Cody Skurupey,

Appellee.

JUDGMENT REVERSED

Division IV
Opinion by JUDGE WELLING
Fox and Kuhn, JJ., concur

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

Court of Appeals No. 22CA0751
Eagle County District Court No. 19CR172
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robin Jay Clifton,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA0777
Boulder County District Court No. 19CV30310
Honorable Andrew Hartman, Judge

Graham Miller,

Plaintiff-Appellant,

v.

Sherrill Verplank,

Defendant-Appellee.

ORDER AFFIRMED

Division II
Opinion by JUDGE BERGER*
Furman and Tow, JJ., concur

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

Court of Appeals No. 22CA0846
Arapahoe County District Court No. 21CV233
Honorable Frederick T. Martinez, Judge

Godwin Igboanugo,

Plaintiff-Appellant,

v.

Rosemary Igboanugo,

Defendant-Appellee.

JUDGMENT AND ORDER AFFIRMED

Division B
Opinion by JUDGE TOW
Grove and Schutz, JJ., concur

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

Court of Appeals No. 22CA0880
City and County of Denver District Court No. 21CV30547
Honorable J. Eric Elliff, Judge

Parkway Condominiums I Homeowners Association, Inc.,

Plaintiff-Appellee,

v.

Hanh Ho Tran,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division B
Opinion by JUDGE GROVE
Tow and Schutz, JJ., concur

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

Court of Appeals No. 22CA0997
El Paso County District Court No. 18CV260
Honorable William H. Moller, Judge

Craig S. Robledo,

Plaintiff-Appellant,

v.

Rick Raemisch, Director of Colorado Department of Corrections; Billy Atha,
Steven Bade; Raymond Cole; Simon Dewalt; Jessica Dorsey; Terry Jaques;
Jason Lengerich; Travis Trani; and Dean Williams,

Defendants-Appellees.

ORDER AFFIRMED

Division II
Opinion by JUDGE TOW
Furman and Johnson, JJ., concur

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

Court of Appeals No. 22CA1281
Larimer County District Court No. 19CV30900
Honorable Joseph D. Findley, Judge

Slapstick, LLC,

Plaintiff,

v.

Larimer County Sports, LLC,

Defendant-Appellant,

and

Jonathan Glen Sysum,

Defendant-Appellee.

ORDER AFFIRMED

Division II
Opinion by JUDGE JOHNSON
Furman and Tow, JJ., concur

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

Court of Appeals No. 22CA1347
Arapahoe County District Court No. 21PR463
Honorable Michelle A. Amico, Judge

In the Matter of the Estate of Helga Fields, deceased.

Christopher Lyle Fields,

Appellant,

v.

Armin Fields,

Appellee.

ORDER AFFIRMED

Division IV
Opinion by JUDGE WELLING
Fox and Kuhn, JJ., concur

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

Court of Appeals No. 22CA1419
City and County of Denver District Court No. 21DR2278
Honorable Jill D. Dorancy, Judge

In re the Marriage of

Tamara Jean Williams,

Appellant,

and

Kenneth Carl Cagle,

Appellee.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE KUHN
Fox and Welling, JJ., concur

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

Court of Appeals No. 22CA1657
City and County of Denver Juvenile Court No. 22JV30043
Honorable D. Brett Woods, Judge

In the Interest of H.R.P., a Child,
and Concerning J.N.P., n/k/a J.N.H.,

Appellee,

and

J.R.B.,

Appellant.

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

Division I
Opinion by JUDGE GROVE
Dailey and Gomez, JJ., concur

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

Court of Appeals No. 22CA2043
Garfield County District Court No. 21JV22
Honorable Anne K. Norrdin, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.P.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE LUM
J. Jones and Dunn, JJ., concur

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

Court of Appeals No. 22CA2051
Mesa County District Court No. 20JV23
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning L.B.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FREYRE
Pawar and Schock, JJ., concur

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

Court of Appeals No. 22CA2192
Adams County District Court No. 21JV241
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.W.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE GRAHAM*
Harris and Richman,* JJ., concur

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

Court of Appeals No. 23CA0057
Adams County District Court No. 18JV427
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.L.,

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. 23CA0157
Arapahoe County District Court No. 22DR30945
Honorable James Xavier Quinn, Judge

In re the Marriage of

Sara Khatib,

Appellee,

and

Saleh Hamdan,

Appellant.

APPEAL DISMISSED IN PART AND JUDGMENT AFFIRMED

Division I
Opinion by JUDGE GOMEZ
Dailey and Grove, JJ., concur

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

Court of Appeals No. 23CA0269
City and County of Denver Juvenile Court No. 21JV679
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of D.J.J.S., a child,

and Concerning T.M.B. and J.H.S,

Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
Brown and Yun, JJ., concur

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

Court of Appeals No. 23CA0295
City and County of Denver Juvenile Court No. 22JV1
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.K. and D.G.,

Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE YUN
Navarro and Brown, JJ., concur

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

Court of Appeals No. 23CA0440
Industrial Claim Appeals Office of the State of Colorado
DD No. 44115-2022

Robert Potts,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Division of
Unemployment Insurance(Customer Service Center),

Respondents.

ORDER AFFIRMED

Division I
Opinion by JUDGE GOMEZ
Dailey and Grove, JJ., concur

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

Court of Appeals No. 23CA0587
City and County of Denver Juvenile Court No. 21JV521
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of M.L.V., a Child,

and Concerning G.L.V.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE SCHOCK
Freyre and Pawar, JJ., concur

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

Court of Appeals No. 23CA1100
City and County of Denver Probate Court No. 23MH551
Honorable Elizabeth D. Leith, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Melody Anne Ramsey,

Respondent-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE FURMAN
Tow and Johnson, 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. 19CA1540

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dalani D. Bland,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 19CA2113

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Corey Kowaski Ardoin,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1342

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward A. Clutts,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1806

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sidney Eugene Phillips, II,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA0947

In re the Marriage of

Stefan Hays Davenport,

Appellee,

and

Heather Cammisa-Davenport, n/k/a Heather Cammisa,

Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 22CA1026

In re the Marriage of

Kenneth Curfman,

Appellant,

and

Mariana Cantir,

Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA1906

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David A. Relaford,

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. 2022.