

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*June 15, 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**

[2023COA53](#)

Court of Appeals No. [21CA2057](#)

City and County of Denver District Court No. 20CV31154

Honorable Christopher J. Baumann, Judge

Rowean Brennan,

Plaintiff-Appellee and Cross-Appellant,

v.

Broadmoor Hotel Inc.,

Defendant-Appellant and Cross-Appellee,

and

Colorado Department of Labor and Employment, Division of Labor Standards  
and Statistics,

Defendant-Appellee.

JUDGMENT AFFIRMED IN PART AND REVERSED IN PART

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

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[2023COA54](#)

Court of Appeals No. [22CA1009](#)

Arapahoe County District Court No. 21CV30646

Honorable Elizabeth Beebe Volz, Judge

Tremitek, LLC, a Pennsylvania limited liability company,

Plaintiff-Appellant,

v.

Resilience Code, LLC, a Colorado limited liability company, and Chad Prusmack,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE SCHOCK  
Pawar and Vogt\*, JJ., concur

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[2023COA55](#)

Court of Appeals No. [22CA1076](#)

Mesa County District Court No. 22PR30006

Honorable Christopher J. Munch, Judge

In re the Estate of Leonard Paul Liebe Sr., Deceased.

Chelsea Ducray, Personal Representative of the Estate of Leonard Paul Liebe,  
Sr.,

Appellant,

v.

Myranda Hunter,

Appellee.

ORDER AFFIRMED

Division A  
Opinion by JUDGE FOX  
Freyre and Lipinsky, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 19CA0748  
City and County of Denver District Court No. 18CR1341  
Honorable Karen L. Brody, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher R. Johnson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 19CA1701  
La Plata County District Court No. 17CR180  
Honorable Suzanne F. Carlson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Silvino Martinez-Perez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE BROWN  
Navarro and Yun, JJ., concur

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

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Court of Appeals No. 20CA0173  
Morgan County District Court No. 18CR257  
Honorable Charles M. Hobbs, Judge

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

v.

Juvenal Holguin Jr.,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE LIPINSKY  
Harris and Schutz, JJ., concur

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

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Court of Appeals No. 20CA0407  
Boulder County District Court No. 18CR2316  
Honorable Andrew Hartman, Judge

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

v.

Jose Luis Valdez-Rascon,  
  
Defendant-Appellant.

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

Division VI  
Opinion by JUDGE SCHUTZ  
Harris and Lipinsky, JJ. concur

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

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Court of Appeals No. 20CA0628  
Douglas County District Court No. 09CR76  
Honorable Patricia D. Herron, Judge

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

v.

David Avery Leiserson,  
  
Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 20CA0823  
Lake County District Court No. 17CR13  
Honorable Catherine J. Cheroutes, Judge

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

v.

Adam Robert Slattery,  
  
Defendant-Appellant.

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

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

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

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Court of Appeals No. 20CA1035  
Douglas County District Court No. 19CV30565  
Honorable David J. Stevens, Judge

Jerome D. Silvernagel and Dan Wu,

Plaintiffs-Appellants,

v.

US Bank National Association,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

Prior Opinion Announced October 21, 2021, Reversed in 21SC836

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

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Court of Appeals No. 20CA1963  
El Paso County District Court No. 19CR5213  
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dennis Menchaca Lara,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 21CA1272  
Arapahoe County District Court Nos. 19CR418 & 19CR699  
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tre Miekale Carrasco,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE NAVARRO  
Brown, J., concurs  
Yun, J., dissents

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

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Court of Appeals Nos. 21CA1717 & 22CA0424  
City and County of Denver District Court No. 19CV31580  
Honorable Michael A. Martinez, Judge

William Olinger,

Plaintiff-Appellant,

v.

David L. Norton,

Defendant-Appellee.

JUDGMENT AFFIRMED, ORDER REVERSED,  
AND CASE REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE TOW  
Navarro and Schutz, JJ., concur

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

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ANNOUNCEMENTS  
Colorado Court of Appeals  
June 15, 2023

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Court of Appeals No. 21CA1723  
Pueblo County District Court No. 12CR125  
Honorable Gilbert Martinez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Humberto Garcia, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 21CA1943  
City and County of Denver District Court No. 20CV32561  
Honorable Alex C. Myers, Judge

Ellen Tate,

Plaintiff-Appellant,

v.

Thomas Carroll,

Defendant-Appellant,

and

Marsha Tate, a/k/a Tolly Tate,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division B  
Opinion by JUDGE TOW  
Vogt\* and Richman\*, JJ., concur

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

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Court of Appeals No. 21CA2050  
City and County of Denver District Court No. 06CR7406  
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregory Mark Owens,

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)**

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Court of Appeals No. 21CA2052  
Jefferson County District Court No. 20CR3960  
Honorable Russell Klein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Derek Marshall Katz,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA0176  
City and County of Denver District Court No. 12CR3016  
Honorable Jennifer B. Torrington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marquis Dejuan Garrison,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE LIPINSKY  
Harris and Schutz, JJ., concur

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

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Court of Appeals No. 22CA0185  
Boulder County District Court No. 18CR1845  
Honorable Thomas F. Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tanner Anthony Valdez,

Defendant-Appellant.

ORDER VACATED

Division III  
Opinion by JUDGE DUNN  
Lum, J., concurs  
J. Jones, J., specially concurs

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

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Court of Appeals No. 22CA0449  
Gunnison County District Court No. 18CR111  
Honorable J. Steven Patrick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christian Alec Ball,

Defendant-Appellant.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE PAWAR  
Freyre and Schock, JJ., concur

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

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Court of Appeals No. 22CA0586  
Archuleta County District Court No. 21DR30002  
Honorable Jeffrey R. Wilson, Judge

In re the Marriage of

Dawn Marie Kolpin,

Appellee,

and

Gary Richard Hedgecock,

Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 22CA0602  
Boulder County District Court No. 20CV30837  
Honorable Stephen E. Howard, Judge

Rock Creek Master Homeowners Association, Inc.,  
Plaintiff-Appellant and Cross-Appellee,

v.

Jefferson County, Colorado, as successor in interest to the Jefferson County  
Airport Authority,

Defendant-Appellee and Cross-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA0617  
Boulder County District Court No. 19CV30832  
Honorable Bruce Langer, Judge

Richard Podoll,  
Plaintiff-Appellant,

v.

Michael J. Repine, MD,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division D  
Opinion by JUDGE TOW  
Román, C.J., and Freyre, J., concur

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

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Court of Appeals No. 22CA1088  
Adams County District Court No. 10CR3184  
Honorable Roberto Ramirez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Bradley McCullar,

Defendant-Appellant.

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ORDER AFFIRMED

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

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

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Court of Appeals No. 22CA1242  
El Paso County District Court No. 18CR6183  
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gilberto Chavez Jr.,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 22CA1321  
Adams County District Court No. 18JV319  
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of N.K.M. and A.L.G., Children,

and Concerning N.G. and S.M.,

Appellants.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1582  
Jefferson County District Court No. 21JV277  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning M.O. and T.W.,

Appellants.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1655  
Arapahoe County District Court No. 18JV611  
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning U.H., Jr., a/k/a U.F.,

Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1673  
El Paso County District Court No. 19JV408  
Honorable Robin Lynn Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.D. and L.C.,

Appellants.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE PAWAR  
Freyre and Schock, JJ., concur

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

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Court of Appeals No. 22CA2163  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 39750-2022

Georgia Hester Ward,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Dollar Tree Stores,  
Inc.,

Respondents.

ORDER AFFIRMED

Division V  
Opinion by JUDGE NAVARRO  
Brown and Yun, 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. 21CA1499

The People of the State of Colorado,

Appellee,

In the Interest of Pa.G. and Pr.G., Children,

and Concerning F.H.,

Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 22CA0299

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

Dolgormaa Byambaa,

Appellee,

and

John Frederick Hagen,

Appellant.

Petition for Rehearing DENIED

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

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