

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
July 20, 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**

[2023COA70](#)

Court of Appeals No. [21CA1713](#)  
Weld County District Court No. 17CR1903  
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jessica Jo Roberson,

Defendant-Appellant.

ORDER VACATED

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

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ANNOUNCEMENTS  
Colorado Court of Appeals  
July 20, 2023

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[2023COA71](#)

Court of Appeals No. [22CA0122](#)

City and County of Denver District Court No. 21CV56

Honorable Stephanie L. Scoville, Judge

Allen Anderson,

Plaintiff-Appellant,

v.

Shorter Arms Investors, LLC, and PK Management, LLC,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE TOW  
Navarro, J., concurs  
Schutz, J., dissents

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 20CA2040  
City and County of Denver District Court No. 19CR3457  
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Miguel Gutierrez-Chavez,

Defendant-Appellant.

ORDER AFFIRED

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. 21CA0333  
Eagle County District Court No. 18CR69  
Honorable Rachel J. Olguin-Fresquez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christian Arman Garcia-Chevez,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE LIPINSKY  
Harris and Berger\*, JJ., concur

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

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Court of Appeals No. 21CA0352  
Adams County District Court No. 00CR1673  
Honorable Mark D. Warner, Judge

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

v.

Daniel Gregory Melina,  
  
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. 21CA0463  
Alamosa County District Court Nos. 15CR304 & 16CR400  
Honorable Martin A. Gonzales, Judge

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

v.

Lonnie Cooper,  
  
Defendant-Appellant.

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

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. 21CA0878  
Jefferson County District Court No. 14CR3027  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Craig Sebastian Robledo-Valdez,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE BROWN  
Dunn and Gomez, JJ., concur

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

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Court of Appeals No. 21CA1365  
Arapahoe County District Court No. 18CR820  
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Travon Jamir Sanders,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUSTICE MARTINEZ\*  
Pawar and Schock, JJ., concur

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

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Court of Appeals No. 21CA1489  
Weld County District Court No. 03CR1561  
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Robles,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE BROWN  
Dunn and Gomez, JJ., concur

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

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Court of Appeals No. 21CA1667  
El Paso County District Court No. 19CR6866  
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Jarrod Simmons,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE NAVARRO  
Yun and Hawthorne,\* JJ., concur

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

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Court of Appeals No. 21CA1867  
Larimer County District Court No. 14CR1343  
Honorable Susan Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Darren Everett Heimann,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 21CA1911  
City and County of Denver District Court No. 12CR1154  
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brandon D. Campbell,

Defendant-Appellant.

ORDER AFFIRMED IN PART AND REVERSED 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. 22CA0123  
Weld County District Court No. 20CV62  
Honorable Todd Taylor, Judge

Advantage Incorporated, LLC,  
Plaintiff-Appellant,

v.

Colorado Treatment Services, LLC,  
Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA0360  
El Paso County District Court No. 22CV30035  
Honorable Thomas K. Kane, Judge

Colorado Springs Fellowship Church,  
Plaintiff-Appellee,

v.

Arnisha Renee Gainer and Nicholas Charles Gainer,  
Defendants-Appellants.

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. 22CA0839  
City and County of Denver District Court No. 21CV113  
Honorable Alex C. Myers, Judge

Moses A. Bellamy,  
Plaintiff-Appellant,

v.

University of Denver and University of Denver Campus Police,  
Defendants-Appellees.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE GOMEZ  
Dailey and Taubman\*, JJ., concur

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

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Court of Appeals No. 22CA1005  
Jefferson County District Court No. 21CV30577  
Honorable Robert Lochary, Judge

CSAA General Insurance Company, d/b/a AAA Insurance,  
Plaintiff-Appellee,

v.

Bernard Richard Pfluger,  
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. 22CA1026  
San Miguel County District Court No. 20DR30012  
Honorable Keri A. Yoder, Judge

In re the Marriage of

Kenneth Curfman,

Appellant,

and

Mariana Cantir,

Appellee.

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. 22CA1049  
Douglas County District Court No. 20DR81  
Honorable Jacob A. Edson, Judge

In re the Parental Responsibilities Concerning I.A., a Child,  
and Concerning David A. Figueroa,

Appellant,

and

Gabriela Magana-Melo,

Appellee.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE DUNN  
J. Jones and Lum, JJ., concur

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

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Court of Appeals No. 22CA1102  
Pueblo County District Court No. 18CR2263  
Honorable Thomas B. Flesher, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gabriel Samuel Salazar,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 22CA1151  
Adams County District Court No. 20PR88  
Honorable Donald S. Quick, Judge

In re the Estate of Michael Vincent Young, deceased.

Kathy H. Young,

Appellant,

v.

Richard N. Youngworth, Personal Representative of the Estate of Michael  
Young,

Appellee.

ORDER 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. 22CA1250  
City and County of Denver District Court Nos. 15CR6740, 15CR6969,  
18CR237 & 18CR838  
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Max A. Maestas,

Defendant-Appellant.

ORDERS AFFIRMED

Division A  
Opinion by CHIEF JUDGE ROMÁN  
Davidson\* and Hawthorne\*, JJ., concur

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

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Court of Appeals No. 22CA1253  
Mesa County District Court No. 21CR1209  
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aleksandr A. Nesterenko,

Defendant-Appellant.

APPEAL DISMISSED

Division V  
Opinion by JUDGE YUN  
Navarro and Hawthorne\*, JJ., concur

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

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Court of Appeals No. 22CA1299  
Boulder County District Court No. 11CR209  
Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Calvin C. Nagy,

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. 22CA1305  
City and County of Denver District Court No. 22CV31245  
Honorable A. Bruce Jones, Judge

Maria Victoria Reynolds,

Plaintiff-Appellant,

v.

Great Northern Insurance Company,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1362  
City and County of Denver District Court No. 04CR549  
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Todd O'Conner Mayes,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 22CA1517  
El Paso County District Court No. 19JV175  
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning E.S.,

Appellant.

JUDGMENT AFFIRMED

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

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Court of Appeals No. 22CA1653  
Arapahoe County District Court No. 20JV260  
Honorable Bonnie H. McLean, Judge

In re the Parental Responsibilities Concerning A.M. and N.M., Children,  
and Concerning J.G.,

Appellant,

and

L.M.,

Appellee.

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. 22CA1753  
Adams County District Court No. 20JV339  
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.S.,

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. 22CA1756  
Adams County District Court No. 21CV30465  
Honorable Mark D. Warner, Judge

Frank Apodaca,

Plaintiff-Appellant,

v.

First Rate, Inc., d/b/a Imperium Event Center, a Colorado corporation,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1769  
Adams County District Court No. 21JV112  
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Appellee,

In the Interest of B.E., a Child,

and Concerning B.D. and D.E.,

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. 22CA1906  
Mesa County District Court No. 11CR1108  
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David A. Relaford,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE HAWTHORNE\*  
Navarro and Yun, JJ., concur

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

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Court of Appeals No. 22CA1955  
El Paso County District Court No. 20JV299  
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.A.M., a Child,

and Concerning J.M.,

Appellant.

JUDGMENT 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. 22CA1993  
Adams County District Court No. 21JV257  
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning M.T.,

Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE GOMEZ  
Dailey and Bernard\*, JJ., concur

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

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Court of Appeals No. 22CA2029  
El Paso County District Court No. 21JV398  
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.H.,

Appellant.

JUDGMENT 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. 22CA2180  
Jefferson County District Court No. 21JV521  
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of W.S., and B.S., Children,

and Concerning M.S.,

Appellant.

JUDGMENT AFFIRMED

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

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Court of Appeals No. 23CA0128  
City and County of Denver Juvenile Court No. 22JV30485  
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning L.R.G.,

Appellant.

JUDGMENT AFFIRMED

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

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Court of Appeals No. 23CA0200  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 42510-2022

Elsa Ghidei,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Division of  
Unemployment Insurance PEB Team,

Respondents.

ORDER AFFIRMED

Division I  
Opinion by JUDGE BERNARD\*  
Dailey and Gomez, JJ., concur

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

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Court of Appeals No. 23CA0233  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 117-2023

Eric Setford,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Premier Group  
Construction Staf,

Respondents.

ORDER 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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**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. 20CA0828

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kevin T. Maher,

Defendant-Appellant.

Opinion Modified and  
Petition for Rehearing DENIED

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

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Court of Appeals No. 21CA0976

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenneth Alfonso Gallegos,

Defendant-Appellant.

Petition for Rehearing DENIED

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Court of Appeals Nos. 22CA0624 & 22CA1286

Irene B. Pittman,

Plaintiff-Appellant,

v.

Restoration Services, Inc.,

Defendant-Appellee.

Petition for Rehearing DENIED

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

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Court of Appeals No. 22CA0745

Forney Museum of Transportation, a Colorado non-profit corporation,

Plaintiff-Appellant,

v.

4301 Brighton LLC, a Colorado limited liability company,

Defendant-Appellee.

Petition for Rehearing DENIED

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

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\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2022.