

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
February 22, 2024*

“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**

[2024COA18](#)

Court of Appeals No. [22CA2181](#)

Rio Grande County District Court No. 21CV30032

Honorable Crista Newmyer-Olsen, Judge

Laura Anzalone, Trustee of the Town of Del Norte,

Plaintiff-Appellant,

v.

Board of Trustees of the Town of Del Norte and Town of Del Norte,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE SCHUTZ  
Fox and Berger\*, JJ., concur

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ANNOUNCEMENTS  
Colorado Court of Appeals  
February 22, 2024

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[2024COA19](#)

Court of Appeals No. [23CA0058](#)

La Plata County District Court No. 21CR506

Honorable Suzanne F. Carlson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Skylan M. Brassill,

Defendant-Appellant.

ORDER AFFIRMED

Division II

Opinion by JUDGE SCHUTZ  
Fox and Martinez\*, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 21CA0093  
City and County of Denver District Court No. 19CR7923  
Honorable Shelley I. Gilman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jesus Lopez-Marquez,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE WELLING  
Yun and Lum, JJ., concur

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

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Court of Appeals No. 21CA0319  
Jefferson County District Court No. 11CR2313  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edwin Ernesto Rivera-Gracias,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE BERNARD\*  
Freyre and Brown, JJ., concur

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

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Court of Appeals No. 21CA0651  
City and County of Denver District Court No. 17CR20010  
Honorable Morris B. Hoffman, Judge

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

v.

Dmarco Jaquise Blake,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE BERNARD\*  
Freyre and Brown, JJ., concur

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

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Court of Appeals No. 21CA1103  
Larimer County District Court No. 20CR1762  
Honorable Susan Blanco, Judge

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

v.

Megan Marie Nalwood,  
  
Defendant-Appellant.

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

Division I  
Opinion by JUDGE HARRIS  
J. Jones and Gomez, JJ., concur

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

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Court of Appeals No. 21CA1647  
El Paso County District Court No. 06CR1494  
Honorable Erin Sokol, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Montrell Vincent Watson,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE SULLIVAN  
Dunn and Pawar, JJ., concur

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

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Court of Appeals No. 21CA1670  
City and County of Denver District Court No. 00CR730  
Honorable Lisa Teesch-Maguire, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lavone Bonnie Barron,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE DUNN  
Pawar and Sullivan, JJ., concur

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

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Court of Appeals No. 22CA0013  
City and County of Denver District Court No. 19CR9374  
Honorable Ericka F. H. Englert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor M. Arenas-Foote,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division II  
Opinion by JUDGE SCHUTZ  
Fox and Moultrie, JJ., concur

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

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Court of Appeals No. 22CA0166  
Arapahoe County District Court No. 04CR2102  
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edgardo Alvarez-Williamas,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE BROWN  
Freyre and Bernard\*, JJ., concur

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

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Court of Appeals No. 22CA0415  
Boulder County District Court No. 21JD53  
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of P.N.P.,

Juvenile-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE FOX  
Schutz and Martinez\*, JJ., concur

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

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Court of Appeals No. 22CA0550  
Adams County District Court No. 20CR2703  
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mander Jacy Phillips,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE PAWAR  
Dunn and Sullivan, JJ., concur

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

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Court of Appeals No. 22CA1137  
El Paso County District Court No. 20CR1516  
Honorable Diana K. May, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Ray Scott, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE DUNN  
Pawar and Sullivan, JJ., concur

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

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Court of Appeals No. 22CA1423  
Elbert County District Court No. 20CR63  
Honorable Gary M. Kramer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ethan Tyler Stephens,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE GOMEZ  
J. Jones and Harris, JJ., concur

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

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Court of Appeals No. 22CA1547  
Larimer County District Court No. 21CR1256  
Honorable Stephen J. Jouard, Judge

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

v.

David Michael Mercado, Jr.,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE FREYRE  
Brown and Bernard\*, JJ., concur

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

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Court of Appeals No. 22CA1609  
Jefferson County District Court No. 16CR2137  
Honorable Robert Lochary, Judge

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

v.

Leeroy Cervantes-Rodriguez,  
  
Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE YUN  
Welling and Lum, JJ., concur

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

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Court of Appeals No. 22CA1630  
Arapahoe County District Court No. 21CR179  
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richel Lee Gurule,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE GROVE  
Tow and Lipinsky, JJ., concur

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

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Court of Appeals No. 22CA1737  
Colorado State Board of Addiction Counselor Examiners and  
Colorado State Board of Unlicensed Psychotherapists  
Case Nos. 2017-3057 & 2019-7688

Colorado State Board of Addiction Counselor Examiners and  
Colorado State Board of Unlicensed Psychotherapists,

Petitioners-Appellees,

v.

Steven Duane Baldwin, License NO. ACD-0001309 and Registration NO. NLC-  
0110029,

Respondent-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE BROWN  
Freyre and Bernard\*, JJ., concur

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

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Court of Appeals No. 22CA1773  
Routt County District Court No. 16DR14  
Honorable Mary C. Hoak, Judge

In re the Marriage of

Leslie Susan Bova,

Appellant,

and

Joseph Steven Frisch,

Appellee.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE PAWAR  
Dunn and Sullivan, JJ., concur

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

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Court of Appeals No. 22CA1826  
El Paso County District Court No. 21CV194  
Honorable David A. Gilbert, Judge

Darrell Fortner and Jenniffer Fortner,

Plaintiffs-Appellants,

v.

Peoplefirst Homecare of Colorado, LLC, and Kindred at Home-Personal Home  
Care Assistance-Denver and At Home Healthcare, a corporation,

Defendants-Appellees.

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. 22CA1973  
San Miguel County District Court No. 15DR30013  
Honorable D. Corey Jackson, Judge

In re the Marriage of

Christine McGinley Hooper, n/k/a Christine McGinley,

Appellant,

and

Bruce Wilson Hooper,

Appellee.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE GROVE  
Tow and Lipinsky, JJ., concur

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

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Court of Appeals No. 22CA2080  
Las Animas County District Court No. 18CV30068  
Honorable M. Jon Kolomitz, Judge

Henry L. Solano, District Attorney for the Third Judicial District, in his official capacity and on behalf of the Third Judicial District Attorney's Office,

Intervenor-Appellee and Cross-Appellant,

v.

Max Vezzani, in his official capacity as Huefano County Commissioners,  
Gerald Cisneros, in his official capacity as Huefano County Commissioners,  
and Ray Garcia, in his official capacities as Huerfano County Commissioners,

Intervenors-Appellants and Cross-Appellees.

JUDGMENT REVERSED  
AND APPEAL DISMISSED IN PART

Division III  
Opinion by JUDGE PAWAR  
Sullivan and Richman\*, JJ., concur

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

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Court of Appeals No. 22CA2177  
El Paso County District Court No. 22CR518  
Honorable Erin Sokol, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carlos Alfredo Diaz Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE GOMEZ  
J. Jones and Harris, JJ., concur

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

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Court of Appeals No. 22CA2270  
Arapahoe County District Court No. 21DR30979  
Honorable Cynthia Mares, Judge

In re the Marriage of

Stephanie Freeman Ward,

Appellant,

and

Arlen Kennedy Ward,

Appellee.

ORDER AFFIRMED

Division III  
Opinion by JUDGE DUNN  
Pawar and Sullivan, JJ., concur

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

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Court of Appeals No. 23CA0153  
Jefferson County District Court No. 21CV232  
Honorable Diego G. Hunt, Judge

Robert West,

Plaintiff-Appellant,

v.

Jefferson County Board of Equalization,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE SULLIVAN  
Dunn and Pawar, JJ., concur

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

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Court of Appeals No. 23CA0285  
City and County of Denver District Court No. 21CV34060  
Honorable David H. Goldberg, Judge

Cheryl A. Moss,

Plaintiff-Appellant,

v.

Colorado Department of Health Care Policy and Financing,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE LUM  
Welling and Yun, JJ., concur

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

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Court of Appeals No. 23CA0377  
El Paso County District Court No. 21CV30728  
Honorable Thomas K. Kane, Judge

Calvin Cole,

Plaintiff-Appellant,

v.

Richard Craig,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE MOULTRIE  
Fox and Schutz, JJ., concur

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

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Court of Appeals No. 23CA0485  
Boulder County District Court No. 18CR608  
Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Charles M. Schmidt, Jr.,

Defendant-Appellant.

ORDER VACATED

Division II  
Opinion by JUDGE SCHUTZ  
Fox and Moultrie, JJ., concur

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

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Court of Appeals No. 23CA0525  
Arapahoe County District Court No. 21CV183  
Honorable Elizabeth BeeBe Volz, Judge

Dawnyel Kay Himes,  
Defendant-Appellant,

v.

Kent Place Holdings, LLC,  
Plaintiff-Appellee.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE FREYRE  
Brown and Bernard\*, JJ., concur

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

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Court of Appeals No. 23CA0536  
Mesa County District Court No. 21JA69  
Honorable Brian J. Flynn, Judge

In the Matter of the Petition of J.A.M.,

Appellee,

for the Adoption of S.A.M.M.C, a Child,

and Concerning J.R.,

Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE SCHUTZ  
Fox and Moultrie, JJ., concur

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

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Court of Appeals No. 23CA0649  
City and County of Denver District Court No. 22CV31415  
Honorable Kandace C. Gerdes, Judge

Sara Hammerle,

Plaintiff-Appellant,

v.

James H. Johnson,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE YUN  
Welling and Lum, JJ., concur

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

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Court of Appeals No. 23CA0652  
Fremont County District Court No. 22CR361  
Honorable Patrick W. Murphy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Jamen Leonard,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE SCHUTZ  
Fox and Moultrie, JJ., concur

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

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Court of Appeals No. 23CA0913  
Adams County District Court No. 21JV249  
Honorable Caryn A. Datz, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.Q., Jr., a Child,

and Concerning L.R.Q.,

Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE KUHN  
Navarro and Schock, JJ., concur

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

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Court of Appeals No. 23CA1238  
Mesa County District Court No. 23JV19  
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning M.F.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE BERNARD\*  
Freyre and Brown, JJ., concur

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

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Court of Appeals No. 23CA1328  
Douglas County District Court No. 21JV181  
Honorable H. Clay Hurst, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.C.W.H. and B.C.W.H., Children,

and Concerning C.L. and W.C.P.H.,

Appellants.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE LIPINSKY  
Tow and Grove, JJ., concur

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

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Court of Appeals No. 23CA1360  
City and County of Denver Juvenile Court No. 22JV30718  
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.A.W.B.,

Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE GROVE  
Tow and Lipinsky, JJ., concur

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

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Court of Appeals No. 23CA1439  
Arapahoe County District Court No. 23JV30004  
Honorable Don J. Touissant, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R.C.E., a Child,

and Concerning C.L.E.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE BERNARD\*  
Freyre and Brown, JJ., concur

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

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Court of Appeals No. 23CA2164  
Pueblo County District Court No. 23MH450  
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of

Denise Snow,

Respondent-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE PAWAR  
Dunn and Sullivan, 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. 23CA0004

Stone Group Holdings LLC, a Colorado limited liability company,  
Plaintiff-Appellee,

v.

Todd Ellison and MC2 Boulder LLC, d/b/a Marquis Cannabis, a Colorado  
limited liability company,

Defendants-Appellants

and

D.J. Marcus

Attorney-Appellant.

Petition for Rehearing DENIED

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Court of Appeals No. 23CA0081

Terrence M. Wyles,

Plaintiff-Appellant,

v.

Williams Law, P.C., d/b/a The Vasilco Law Group; Patrick Vasilco; Michael  
Williams; and T.J. Carney,

Defendants-Appellees.

Petition for Rehearing DENIED

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

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Court of Appeals No. 23CA0651

William C. Danks,

Plaintiff-Appellant,

v.

Theodore A. Buderus, Daniel J. Buderus, Julie Ann Buderus, and Susan H.  
Buderus,

Defendants-Appellees.

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. 2023.