

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
March 7, 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

[24COA25](#)

Court of Appeals No. [23CA0073](#)
Chaffee County District Court No. 22CV30020
Honorable Dayna Vise, Magistrate

Matthew K. Hobbs,

Plaintiff-Appellant and Cross-Appellee,

v.

City of Salida and Drew Nelson, in his official capacity as City of Salida
Administrator,

Defendants-Appellees,

and

Giant Hornet LLC, d/b/a HighSide! Bar and Grill,

Defendant-Appellee and Cross-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE SCHUTZ
Hawthorne*, J., concurs
J. Jones, J., dissents

UNPUBLISHED OPINIONS

Court of Appeals No. 20CA0863
El Paso County District Court No. 18CR7583
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan Yamar Best,

Defendant-Appellant.

JUDGMENT AFFIRMED
AND CASE REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE HARRIS
Pawar and Gomez, JJ., concur

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

Court of Appeals No. 21CA0472
El Paso County District Court No. 19CR3367
Honorable Jill M. Brady, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gerald Michael Fernandez,

Defendant-Appellant.

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

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

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

Court of Appeals No. 21CA0971
City and County of Denver District Court No. 15CR3692
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dante Anthony Walker,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE J. JONES
Harris and Gomez, JJ., concur

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

Court of Appeals No. 21CA1424
El Paso County District Court No. 17CR1736
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marco Antonio Garcia-Bravo,

Defendant-Appellant.

ORDER VACATED 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)

Court of Appeals No. 21CA1473
Jefferson County District Court No. 10CR406
Honorable Phillip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daryll Glenn Brown,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA1588
Arapahoe County District Court No. 20JD336
Honorable Don J. Toussaint, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of R.S.,

Juvenile-Appellant.

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

Division I
Opinion by JUDGE J. JONES
Harris and Gomez, JJ., concur

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

Court of Appeals No. 21CA1743
Adams County District Court No. 17CR4284
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bryant Montoya,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Kuhn and Schock, JJ., concur

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

Court of Appeals No. 22CA0016
Mesa County District Court No. 20CR1141
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kobe Gregory Taylor,

Defendant-Appellant.

ORDER AFFIRMED IN PART
AND VACATED IN PART

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

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

Court of Appeals No. 22CA0181
Weld County District Court Nos. 18CR1767 & 18CR1921
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Billy Ray Hendrix,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0234
Boulder County District Court Nos. 17CR1927 & 19CR1442
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael V. Dunkum,

Defendant-Appellant.

JUDGMENTS AFFIRMED

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

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

Court of Appeals No. 22CA0651
Douglas County District Court No. 20CR26
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lindsay Michelle Petschauer,

Defendant-Appellant.

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

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

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

Court of Appeals No. 22CA1068
Eagle County District Court No. 20CR304
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Owen Fergus-Jean,

Defendant-Appellant.

JUDGMENT AFFIRMED IN PART AND REVERSED IN PART,
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)

Court of Appeals No. 22CA1382
Grand County District Court No. 19CV30049
Honorable Mary C. Hoak, Judge

Kris Fattor; Ann Fattor; Ed Pino; Jason Munoz, Paula Younger; John Halpin; Jeff Fifield; Lauren Fifield; John Russel; Leslie Russell; H and B, LLC, a Minnesota limited liability company; Pratt-Southwell Development, LLC, a Colorado limited liability company; and Apres Investments, LLC, a Colorado limited liability company,

Plaintiffs-Appellants and Cross-Appellees,

v.

Iron Horse Condominiums Association, Inc.,

Defendant-Appellee and Cross-Appellant.

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

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

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

Court of Appeals No. 22CA1429
El Paso County District Court No. 00CR4799
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lonnie Ray Robertson,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1838
City and County of Denver District Court No. 15CR3646
Honorable Martin F. Egelhoff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Delonta D. Crank,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA2254
City and County of Denver District Court No. 13CV32857
Honorable David H. Goldberg, Judge

State of Colorado, ex rel. Philip J. Weiser, Attorney General,
Plaintiff-Appellee,

v.

Adam Cole Shryock,
Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0039
City and County of Denver District Court No. 21CV32965
Honorable Alex C. Myers, Judge

Dennis Anaya,
Plaintiff-Appellant,

v.

School District No. 1 in the City and County of Denver d/b/a Denver Public
Schools,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0129
Adams County District Court No. 17CV31603
Honorable Mark D. Warner, Judge

Renegade Oil & Gas Company, LLC,

Plaintiff-Appellant,

v.

Anadarko Petroleum Corporation, a Delaware corporation; Anadarko Land Corporation, a Nebraska corporation; Anadarko E&P Onshore LLC, a Delaware limited liability company; Kerr-McGee Gathering LLC, a Colorado limited liability company; and Western Gas Holdings LLC, a Delaware limited liability company,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0242
El Paso County District Court No. 20CV31948
Honorable G. David Miller, Judge

Heather Hartung,

Plaintiff-Appellant,

v.

Sheryl Goessman, Brett Goessman,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE RICHMAN*
Román, C.J., and Graham*, J., concur

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

Court of Appeals No. 23CA0563
El Paso County District Court No. 22JA30035
Honorable Lin Billings Vela, Judge

In the Matter of the Petition of E.R.H.,

Appellee,

for the Adoption of E.E.A., a Child,

and Concerning H.M.G-L,

Appellant.

JUDGEMENT AFFIRMED

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

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

Court of Appeals No. 23CA0581
Arapahoe County District Court No. 20CV31115
Honorable J. Robert Lowenbach, Judge

Rebecca Ann Hogan and Betty Ramona Medina,
Plaintiffs-Appellants,

v.

City of Englewood d/b/a Broken Tee Golf Course,
Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0707
Pitkin County District Court No. 22CV30056
Honorable Christopher G. Seldin, Judge

KDR Trust,

Plaintiff-Appellant,

v.

City of Aspen, a Colorado home rule municipality,
Defendant-Appellee.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE FOX
Schutz and Moultrie, JJ., concur

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

Court of Appeals No. 23CA0896
City and County of Denver Juvenile Court No. 20JV824
Honorable James F. Hartmann, Jr., Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.S. and S.S., Children,

and Concerning M.M. and O.S. III,

Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1093
El Paso County District Court No. 21JV637
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.G. and D.G.,

Appellants.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE TOW
Lipinsky and Grove, JJ., concur

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

Court of Appeals No. 23CA1339
Arapahoe County District Court No. 22JV107
Honorable Don J. Toussaint, Judge

The People of the State of Colorado,

Appellee,

In the Interest of D.U., Jr., a Child,

and Concerning D.U.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA2037
Industrial Claim Appeals Office of the State of Colorado
DD No. 31585-2023

Travis Greer,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and MedRide, LLC,

Respondents.

ORDER SET ASIDE AND CASE REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE LUM
Welling and Yun, 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. 22CA1132

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew Douglas Shrader,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA1677

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond Wilson Fredericks,

Defendant-Appellant.

Petition for Rehearing DENIED

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