

ANNOUNCEMENTS
Colorado Court of Appeals
May 16, 2024

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PUBLISHED OPINIONS

[2024COA52](#)

Court of Appeals No. [20CA1987](#)
City and County of Denver District Court No. 19CR4299
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jeffrey Sloan,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE LIPINSKY
Welling and Gomez, JJ., concur

[2024COA53](#)

Court of Appeals No. [22CA1265](#)

Arapahoe County District Court No. 19CR1469

Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dennis P. Herold,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

[2024COA54](#)

Court of Appeals No. [23CA0292](#)

City and County of Denver District Court No. 21CV30994

Honorable Alex C. Myers, Judge

Andrew Ortiz,

Plaintiff-Appellee,

v.

Progressive Direct Insurance Company,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE GROVE
Tow, J., concurs
Lipinsky, J., specially concurs

[2024COA55](#)

Court of Appeals No. [23CA1498](#)

City and County of Denver District Court No. 23CV30861

Honorable Mark T. Bailey, Judge

Bruce Allen Gestner and Mary Jean Gestner,

Plaintiffs-Appellees,

v.

Bruce Michael Gestner,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV

Opinion by JUDGE SCHOCK
Navarro and Kuhn, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA0247
Jackson County District Court No. 19CR13
Honorable Stephen J. Jouard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Antonio Gonzales,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE FOX
Grove and Sullivan, JJ., concur

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

Court of Appeals No. 21CA1405
City and County of Denver District Court No. 18CR9475
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy Bourgeois,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 21CA2031
El Paso County District Court No. 20CR3822
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gage Ogdon Kohler,

Defendant-Appellant.

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

Division VI
Opinion by JUDGE LIPINSKY
Welling and Gomez, JJ., concur

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

Court of Appeals No. 22CA0532
Mesa County District Court No. 19CR1895
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Malcolm Levante Martin,

Defendant-Appellant.

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

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

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

Court of Appeals No. 22CA0805
City and County of Denver District Court No. 99CR2738
Honorable David H. Goldberg, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Abraham Hagos,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1018
Logan County District Court No. 21CR86
Honorable Stephanie M. G. Gagliano, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edgar Bustillos,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE J. JONES
Welling and Schock, JJ., concur

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

Court of Appeals No. 22CA1086
Arapahoe County District Court No. 21CR1560
Honorable Michael Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Francisco Pedroza-Lechuga,

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. 22CA1358
Weld County District Court No. 86CR570
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Phillip G. Andrade,

Defendant-Appellant.

ORDER AFFIRMED AND APPEAL
DISMISSED IN PART

Division IV
Opinion by JUDGE NAVARRO
Pawar and Johnson, JJ., concur

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

Court of Appeals No. 22CA1568
Moffat County District Court No. 14CR75
Honorable Sandra H. Gardner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Samuel Walters,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE DUNN
Yun and Moultrie, JJ., concur

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

Court of Appeals No. 22CA1717
Jefferson County District Court No. 21DR30036
Honorable Philip J. McNulty, Judge

In re the Marriage of

Jessica Howard,

Appellee,

and

Muhammad Howard,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE BROWN
Freyre and Johnson, JJ., concur

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

Court of Appeals No. 23CA0078
Montrose County District Court No. 19CV6
Honorable Mary E. Deganhart, Judge

GF Conservation Credit II, LLC,

Plaintiff-Appellee,

v.

Jimmy R. Guire II, RoseAnne Madsen Guire, Meadows Ranch LLC, and
Tsawhawbitts Meadows Ranch Dynasty Trust,

Defendants-Appellants.

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

Division A
Opinion by JUDGE HAWTHORNE*
Pawar and Taubman*, JJ., concur

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

Court of Appeals No. 23CA0451
Jefferson County District Court No. 18CR3438
Honorable Russell Klein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Earl Weichel,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0607
El Paso County District Court No. 22CR1758
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vincent Fred Vigil n/k/a Esme Vigil,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE J. JONES
Welling and Schock, JJ., concur

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

Court of Appeals No. 23CA1032
Colorado Board of Assessment Appeals
Case No. 21BAA6067

Tracy W. Matthews,

Petitioner-Appellant,

v.

Jefferson County Board of Equalization,

Respondent-Appellee,

and

Board of Assessment Appeals,

Appellee.

ORDER AFFIRMED

Division C

Opinion by JUDGE KUHN

J. Jones and Dunn, JJ., concur

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

Court of Appeals No. 23CA1245
Board of Assessment Appeals No. 21BAA2021

Roaring Fork Land No. 6, LLC,

Petitioner-Appellant,

v.

Garfield County Board of Equalization,

Respondent-Appellee,

and

Board of Assessment Appeals,

Appellee.

ORDER AFFIRMED

Division III
Opinion by JUDGE YUN
Dunn and Moultrie, JJ., concur

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

Court of Appeals No. 23CA1364
Arapahoe County District Court No. 21CV31438
Honorable Peter F. Michaelson, Judge

Atlantic Building Systems, LLC d/b/a Armstrong Steel Corporation, a Delaware
limited liability company,

Plaintiff-Appellant and Cross-Appellee,

v.

Cathy Holland-Holtz,

Defendant-Appellee and Cross-Appellant.

JUDGMENT REVERSED AND CASE REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE FREYRE
Brown and Johnson, JJ., concur

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

Court of Appeals No. 23CA1384
City and County of Denver District Court No. 06CR190
Honorable Jennifer B. Torrington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

L.C. Jackson, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division A
Opinion by JUDGE BERGER*
Román, C.J., and Hawthorne*, J., concur

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

Court of Appeals No. 23CA1539
City and County of Denver Juvenile Court No. 20JV713
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning L.N.P. and T.C.,

Appellants.

JUDGMENT AFFIRMED

Division I

Opinion by JUDGE J. JONES
Welling and Schock, JJ., concur

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

Court of Appeals No. 23CA1541
El Paso County District Court No. 21JV648
Honorable Robin Chittum, Judge

The People of the State of Colorado,

Appellee,

In the Interest of T.L. and L.L., Children,

and Concerning J.L. and A.L.,

Appellants.

JUDGMENT AFFIRMED

Division III

Opinion by JUDGE MOULTRIE
Dunn and Yun, JJ., concur

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

Court of Appeals No. 23CA1590
El Paso County District Court No. 20JV580
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.A.,

Appellant.

JUDGMENT AFFIRMED

Division I

Opinion by JUDGE J. JONES
Welling and Schock, JJ., concur

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

Court of Appeals No. 23CA1623
Mesa County District Court No. 22CV30353
Honorable Gretchen B. Larson, Judge

Kelly Milan,

Plaintiff-Appellant,

v.

Sean Eubanks and Sarah Eubanks,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI

Opinion by JUDGE FREYRE
Lipinsky and Schutz, JJ., concur

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

Court of Appeals No. 23CA1674
Larimer County District Court No. 23JV30043
Honorable Laurie K. Dean, Judge

The People of the State of Colorado,

Petitioner,

In the Interest of S.M., Child,

and Concerning S.M.,

Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1769
City and County of Denver Juvenile Court No. 22JV128
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.R.C.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1961
Boulder County District Court No. 21JV568
Honorable J. Keith Collins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of V.R.T., a Child,

and Concerning V.P.T.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE DUNN
Yun and Moultrie, JJ., concur

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

Court of Appeals No. 23CA1974
City and County of Denver Juvenile Court No. 22JV30575
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning M.J.Y. and P.A.E.,

Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE WELLING
J. Jones and Schock, JJ., concur

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

Court of Appeals No. 23CA2053
City and County of Denver County Juvenile Court No. 22JV30360
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of N.M.W., a Child,

and Concerning A.A.W.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA2107
Delta County District Court No. 22JV30020
Honorable Steven L. Schultz, Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.M. and C.M., Children,

and Concerning R.M.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE YUN
Dunn and Moultrie, JJ., concur

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

Court of Appeals No. 23CA2194
Weld County District Court No. 22JV110
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.B.,

Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE MOULTRIE
Dunn and Yun, JJ., concur

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

Court of Appeals No. 23CA2212
City and County of Denver Juvenile Court No. 22JV30609
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

In the Interest of D.L.M.A., a Child,

and Concerning I.A.A.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE SCHOCK
J. Jones and Welling, JJ., concur

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

Court of Appeals No. 24CA0187
Industrial Claim Appeals Office of the State of Colorado
DD No. 35048-2023

Shannon Bell,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Denver Northglenn
Hotels LLC,

Respondents.

ORDER AFFIRMED

Division V
Opinion by JUDGE BROWN
Harris and Lum, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals No. 21CA1058

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Jorgenson,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA0651

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lindsay Michelle Petschauer,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA1314

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Warren Emery Worthington,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1443

Bernard Kenneth Rivers, Jr.,

Plaintiff-Appellant,

v.

Todd Taylor, Dana Nichols, Jeffrey Romeo, Troy Hause, James Hartmann,
State of Colorado, and Michael Rourke,

Defendants-Appellees,

and

Kenneth Barker,

Defendant.

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. 2023.