

ANNOUNCEMENTS
Colorado Court of Appeals
June 27, 2024

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“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

[2024COA66](#)

Court of Appeals No. [21CA1584](#)

Adams County District Court Nos. 19CR4352, 20CR2217 & 20CR3032

Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roy Matthew Miller,

Defendant-Appellant.

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

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

Prior Opinion Announced May 2, 2024, WITHDRAWN
Petition for Rehearing GRANTED

Announced June 27, 2024

UNPUBLISHED OPINIONS

Court of Appeals No. 20CA1360
San Miguel County District Court No. 17CR29
Honorable Keri A. Yoder, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Madani Ceus,

Defendant-Appellant.

JUDGMENT 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. 22CA0312
El Paso County District Court No. 20CR4373
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vanessa Jeanette Taylor,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE YUN
Welling, J., concurs
Lum, J., specially concurs

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

Court of Appeals No. 22CA0314
El Paso County District Court No. 18CR3651
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vanessa Jeanette Taylor,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA0982
La Plata County District Court No. 21CR169
Honorable Suzanne F. Carlson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Austin Wayne Matlock,

Defendant-Appellant.

ORDER AFFRIMED

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

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

Court of Appeals No. 22CA1480
Douglas County District Court No. 17CR12
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John E. Cornell,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE HARRIS
Lum and Graham*, JJ., concur

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

Court of Appeals Nos. 22CA2186 & 23CA0663
Larimer County District Court No. 20CV30843
Honorable Joseph D. Findley, Judge

Joseph Duran,

Plaintiff-Appellee,

v.

Jaclyn Montoya, John Kosmicki, and Kosmicki Investment Services, LLC,

Defendants-Appellants.

JUDGMENT AND ORDERS AFFIRMED

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

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

Court of Appeals No. 23CA0238
El Paso County District Court No. 21DR32666
Honorable Marla Prudek, Judge

In re the Marriage of

Erin S. Kenrick n/k/a Erin S. Barnett,

Appellant,

and

David Gerald Kenrick,

Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE LUM
Harris and Graham*, JJ., concur

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

Court of Appeals No. 23CA0784
City and County of Denver Probate Court No. 17PR30772
Honorable Elizabeth D. Leith, Judge

In the Matter of Sharon M. Wells, a Protected Person.

David Wells and Gregory Wells,

Appellants

v.

Marcie R. McMinimee, Conservator; Ayo Labote, Guardian Ad Litem;
and Human Network Systems, Inc.,

Appellees.

ORDER AFFIRMED AND APPEAL DISMISSED IN PART

Division IV
Opinion by JUDGE JOHNSON
Navarro and Pawar, JJ., concur

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

Court of Appeals No. 23CA0840
Garfield County District Court No. 21CV5
Honorable Denise K. Lynch, Judge

Jeremiah Casper,

Plaintiff-Appellant,

v.

Lou Vallario, Garfield County Sheriff; Jim Myer, Jail Commander; and Sgt.
Brassfield,

Defendants-Appellees.

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

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

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

Court of Appeals No. 23CA0900
City and County of Denver District Court No. 15DR2376
Honorable R. Michael Mullins, Judge

In re the Parental Responsibilities Concerning A.L.B., a Child,

and Concerning Alicia Marie Brown,

Appellant,

and

Mathew Friess,

Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUSTICE MARTINEZ*
Lipinsky and Schutz, JJ., concur

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

Court of Appeals No. 23CA0974
Lake County District Court No. 22CR4
Honorable Catherine J. Cheroutes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Landon Lavelle Mentink,

Defendant-Appellant.

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. 23CA1228
El Paso County District Court No. 21CV30978
Honorable Thomas K. Kane, Judge

SYNQ3 Restaurant Solutions, LLC, f/k/a Stellar Restaurant Solutions, LLC, a
Nevada limited liability company,

Plaintiff-Appellee,

v.

Stephen D. Tebo, d/b/a Tebo Properties,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA1271
El Paso County District Court No. 21DR32666
Honorable Marla Prudek, Judge

In re the Marriage of

Erin S. Kenrick n/k/a Erin S. Barnett,

Appellant,

and

David Gerald Kenrick,

Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE LUM
Harris and Graham*, JJ., concur

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

Court of Appeals Nos. 23CA1398 & 23CA1755
Boulder County District Court No. 22CV30175
Honorable Dea M. Lindsey, Judge

Olivia Carranza and Olivia Carranza as Personal Representative of the Estate of
Ricardo Medina-Rojas,

Plaintiffs-Appellants,

v.

Lafayette Leasing, LLC, d/b/a Waneka Park, Lafayette Senior Living OPCO,
LLC, d/b/a Waneka Park Assisted Living Residence, Madison Realty Equities,
LLC, SAL Management Group, LLC, and SAL of Colorado, LLC,

Defendants-Appellees.

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

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

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

Court of Appeals No. 23CA1626
City and County of Denver District Court No. 22CV33346
Honorable Shelley I. Gilman, Judge

Colorado Workers for Innovative and New Solutions,

Plaintiff-Appellant,

v.

State Personnel Director; and Colorado Department of Labor and Employment,
Division of Labor Standards and Statistics,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE SCHOCK
Welling and Berger*, JJ., concur

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

Court of Appeals No. 23CA1697
City and County of Denver District Court No. 23DR30769
Honorable Marie Avery Moses, Judge

In re the Parental Responsibilities Concerning S.S., a Child,
and Concerning FNU Rajinder Kaur,
Appellant,
and
Dalbir Kaur and Gurbhej Singh,
Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1816
City and County of Denver Juvenile Court No. 22JV142
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,
Appellee,
In the Interest of N.M.R. and A.R.R., Children,
and Concerning N.R.R.,
Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE SCHOCK
Welling and Berger*, JJ., concur

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

Court of Appeals No. 23CA1853
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-193-443

Winford Lee,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Insperity Services LP,
and Indemnity Insurance Company of NA,

Respondents.

Order Affirmed

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

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

Court of Appeals No. 23CA1889
El Paso County District Court No. 15DR31205
Honorable Laura N. Findorff, Judge

In re the Marriage of

Seth D. Myers,

Appellee,

and

Sarah B. Myers n/k/a Sarah B. Wright,

Appellant,

and

Cynthia Sutherland and Daniel Sutherland,

Intervenors.

APPEAL DISMISSED

Division IV
Opinion by JUDGE PAWAR
Navarro and Johnson, JJ., concur

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

Court of Appeals No. 23CA2004
Grand County District Court No. 21CV30003
Honorable Mary C. Hoak, Judge

Bryce McCallum and Patty McCallum,

Plaintiffs-Appellants,

v.

David L. Dewey and Mary T. Dewey,

Defendants-Appellees.

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

Division VII
Opinion by JUDGE TOW
Kuhn and Taubman*, JJ., concur

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

Court of Appeals No. 23CA2102
Adams County District Court No. 22JV30089
Honorable Emily Lieberman, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.B-P., a Child,

and Concerning N.A.B-P. and S.O.,

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. 24CA0054
Fremont County District Court No. 22JV30082
Honorable Kaitlin B. Turner, Judge

The People of the State of Colorado,

Appellee,

In the Interest of Z.J.D., a Child,

and Concerning B.A.M.,

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. 24CA0085
Jefferson County District Court No. 23JV30076
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of X.B-L., a Child,

and Concerning A.B.,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE GROVE
Fox and Sullivan, JJ., concur

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

Court of Appeals No. 24CA0729
Pueblo County District Court No. 24MH30015
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of David Louis Burke,

Respondent-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE JOHNSON
Navarro and Pawar, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals No. 21CA0405

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason P. Brown,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 21CA1584

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roy Matthew Miller,

Defendant-Appellant.

Prior Opinion Announced May 2, 2024, WITHDRAWN
Petition for Rehearing GRANTED

Court of Appeals No. 23CA0815

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry Eugene Fuller,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1284

Alpertcook Venture II LLC,

Plaintiff-Appellant,

v.

Jack Alan Prather Trust; Nathan White Jr. as Trustee of the Jack Alan Prather Trust; Xiangdong Guo; and Tao Zhang,

Defendants-Appellees.

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.