

ANNOUNCEMENTS
Colorado Court of Appeals
July 11, 2024

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PUBLISHED OPINIONS

[2024COA71](#)

Court of Appeals No. [21CA0111](#)

City and County of Denver District Court No. 19CV31692

Honorable Michael J. Vallejos, Judge

Daniel Wolf,

Plaintiff-Appellant,

v.

Michael J. Brenneman and Jeffrey B. Selby,

Defendants-Appellees.

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

Division I
Opinion by JUDGE BERGER*
Tow and Martinez*, JJ., concur

Prior Opinion Announced July 28, 2022, Vacated in 22SC682

[2024COA72](#)

Court of Appeals No. [21CA0267](#)

Adams County District Court No. 19CR3518

Honorable Tomee Crespín, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Julian Vigil,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI

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

[2024COA73](#)

Court of Appeals No. [23CA0106](#)

Mesa County District Court No. 21CR1901

Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Thomas Hupke,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI

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

[2024COA74](#)

Court of Appeals No. [23CA1827](#)

Arapahoe County District Court No. 20CV31510

Honorable Thomas Henderson, Judge

Honorable Christopher C. Cross, Judge

Craig Hospital, a Colorado non-profit corporation,

Plaintiff-Appellant,

v.

Blue Cross Blue Shield of Kansas, a Kansas
corporation,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II

Opinion by JUDGE FOX

Grove and Sullivan, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 22CA0077
Boulder County District Court No. 14CR437
Honorable Andrew Hartman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Emily Elizabeth Cohen,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1129
El Paso County District Court No. 19CR4511
Honorable Eric Bentley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Micheal Robert Cochran,

Defendant-Appellant.

JUDGMENT AND ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1354
Morgan County District Court No. 21CR225
Honorable Stephanie M.G. Gagliano, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald Wayne Gentry,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA2050
Arapahoe County District Court No. 04CR1256
Honorable Joseph Whitfield, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gabriel Esparza,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA2213
El Paso County District Court No. 14CR1962
Honorable David L. Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marshall M. Hughes,

Defendant-Appellant.

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

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

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

Court of Appeals No. 23CA0361
Mesa County District Court No. 99CR60
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Harry Earl Pedersen,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA0400
Arapahoe County District Court No. 01CR3217
Honorable David Karpel, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Emanuel Vernell Pittman,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE WELLING
Schock and Taubman*, JJ., concur

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

Court of Appeals No. 23CA0481
Douglas County District Court No. 21CR1064
Honorable Patricia D. Herron, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Donald Louis Gerle,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE GOMEZ
Kuhn and Richman*, JJ., concur

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

Court of Appeals No. 23CA0554
City and County of Denver District Court No. 01CR3805
Honorable Alex C. Myers, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Christian Lane,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0556
City and County of Denver District Court No. 01CR2287
Honorable Alex C. Myers, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Christian Lane,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0814
Adams County District Court No. 08CR3612
Honorable Kyle Seedorf, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph D. Jackson,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA0831
Weld County District Court No. 20DR30492
Honorable W. Troy Hause, Judge

In re the Marriage of

Andrew Simonson,

Appellant,

and

Bonnie Simonson,

Appellee.

JUDGMENT AFFIRMED

Division A
Opinion by CHIEF JUDGE ROMÁN
Bernard* and Richman*, JJ., concur

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

Court of Appeals No. 23CA0920
Boulder County District Court No. 20DR30407
Honorable J. Keith Collins, Judge

In re the Marriage of

Robert Bradford Heap,

Appellant,

and

Carol Linda Vilate,

Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA0983
City and County of Denver District Court No. 22CV110
Honorable Kandace C. Gerdes, Judge

Abade Irizarry and Frank Sturgell,

Plaintiffs-Appellants,

v.

Ryan Holmes, Colorado State Trooper; Harold Johnson, Colorado State Trooper; Colorado State Patrol; Cindi Markwell, Secretary of the Senate; Office of the President of the Senate; Jack Wegert, Sergeant-At-Arms; Stephen Rosenthal, Sergeant-At-Arms; Jon Judson, Sergeant-At-Arms; Dennie G. Hancock, III, Sergeant-At-Arms; Michael Fohrd, Sergeant-At-Arms; James Davis, Sergeant-At-Arms; James Eichman, Sergeant-At-Arms; Roger Pankau, Sergeant-At-Arms; Frank Lombardi, Chief Sergeant-At-Arms; Matthew Flora, Sergeant-At-Arms; and Theodore Abad, Sergeant-At-Arms,

Defendants-Appellees.

APPEAL DISMISSED IN PART
AND JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN*
Welling and Schock, JJ., concur

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

Court of Appeals No. 23CA1034
Larimer County District Court No. 22CV30471
Honorable Joseph D. Findley, Judge

Benjamin E. Davenport and Kirk A. Smith,

Plaintiffs-Appellants,

v.

Phillip A. Parrott and Campbell Killin Brittan & Ray, LLC, a Colorado limited liability company,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1265
Summit County District Court No. 23CV30050
Honorable Karen A. Romero, Judge

LBI Group, LLC, a Colorado limited liability company; Steven Robert Anderson;
and Debra Sue Anderson,

Plaintiffs-Appellants,

v.

Tim Scanlan,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1421
El Paso County District Court No. 20DR30379
Honorable Erin Sokol, Judge

In re the Marriage of

Michael Ernest Slancik,

Appellee,

and

Rhonda Lee Slancik n/k/a Rhonda Lee Cavanaugh,

Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA1445
City and County of Denver District Court No. 97CR3503
Honorable Darryl F. Shockley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jimmy Williams,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE RICHMAN*
Gomez and Kuhn, JJ., concur

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

Court of Appeals No. 23CA1532
Weld County District Court No. 23CV30277
Honorable Todd Taylor, Judge

Reistad Consult AS, a Norwegian Registered Company,

Plaintiff-Appellant,

v.

Dale N. Burman; Loretta M. Burman; Melanie Anne Martin f/k/a Melanie Anne Luark; Ivan D. Ansel; Kim M. Ansel; and PDC Energy, Inc., a Delaware corporation,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1717
Montrose County District Court No. 19CV6
Honorable Mary E. Deganhart, Judge

GF Conservation Credit II, LLC,

Plaintiff-Appellant,

v.

Jimmy R. Guire II; Roseanne Madsen Guire; Meadows Ranch, LLC; Tsawhawbitts Meadows Ranch Trust; Tsawhawbitts Meadows Ranch Dynasty Trust; GW 39 Irrevocable Trust; TMR39, LLC; TMR40, LLC; and TMR44, LLC,

Defendants-Appellees.

ORDER AFFIRMED AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA2014
City and County of Denver Juvenile Court No. 22JV30831
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.T., A.A., T.A., G.K.L.A., and A.K.L-L.A., Children,
and Concerning A.A. and T.T.,

Appellants.

JUDGMENT AND 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. 23CA2153
Industrial Claim Appeals Office of the State of Colorado
DD No. 70279-2021

Disability Examination Services, LLC,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and the Division of
Unemployment Insurance Employer Services – Integrity/Employer Audits,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA2221
Fremont County District Court No. 22JV7
Honorable Kaitlin B. Turner, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning T.B.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 24CA0021
Adams County District Court No. 21JV84
Honorable Emily Lieberman, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.K.T. and E.G.T., Children,

and Concerning B.S.S.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE KUHN
Tow and Gomez, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals Nos. 23CA0374 & 23CA0883

Grant D. Orvis,

Plaintiff-Appellant,

v.

Billy Seiber; Steve Silverman; MPG Consulting, LLC, a Colorado limited liability company; Adam Orens; and Salmeron Barnes,

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.