

ANNOUNCEMENTS
Colorado Court of Appeals
May 9, 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

[2024COA49](#)

Court of Appeals No. [23CA0282](#)

City and County of Denver District Court No. 18CR20003

Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ernie Crawley,

Defendant-Appellant.

ORDER AFFIRMED

Division VI

Opinion by JUDGE YUN

Welling and Graham*, JJ., concur

[2024COA50](#)

Court of Appeals No. [23CA0379](#)

City and County of Denver District Court No. 22CV31376

Honorable Ross B.H. Buchanan, Judge

Estate of Elijah McClain and Sheneen McClain, individually and as co-personal representative of the Estate of Elijah McClain,

Plaintiffs-Appellants,

v.

Killmer, Lane & Newman, LLP,

Defendant-Appellee.

JUDGMENT AFFIRMED IN PART
AND REVERSED IN PART

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

[2024COA51](#)

Court of Appeals No. [23CA1083](#)

Mesa County District Court No. 22PR30245

Honorable Brian J. Flynn, Judge

In the Matter of Thomas E. Hunn Living Trust,

Jiang Tao Liu,

Appellant,

v.

Carolyn Nicole Beightel,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA0405
City and County of Denver District Court No. 17CR3937
Honorable Kenneth M. Laff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason P. Brown,

Defendant-Appellant.

JUDGMENT AFFIRMED IN PART AND REVERSED IN PART,
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. 21CA1060
Arapahoe County District Court No. 17CR2548
Honorable Ryan J. Stuart, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Michael Samson,

Defendant-Appellant.

JUDGMENT AFFIRMED, ORDER VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE JOHNSON
Freyre and Brown, JJ., concur

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

Court of Appeals No. 21CA1327
El Paso County District Court No. 95CR140
Honorable Christopher J. Munch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul W. Palecek,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 21CA1712
City and County of Denver District Court No. 21CR53
Honorable Lisa Teesch-Maguire, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Frank Hickmon,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 21CA1944
Weld County District Court Nos. 19CR1027 & 20CR1240
Honorable Vincente G. Vigil, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Miguel Lopez,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1422
Delta County District Court Nos. 20CR296 & 20CR322
Honorable Steven L. Schultz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Ray Webb,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1557
Adams County District Court No. 10CR3476
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Lee Hill, Jr.,

Defendant-Appellant.

ORDER 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. 22CA1790
Pitkin County District Court No. 21DR30004
Honorable Jack W. Berryhill, Judge

In re the Marriage of

Richard L. Crandall,

Appellee,

and

Pamela Clavette a/k/a Pamela Levy,

Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1824
Weld County District Court No. 04CR1594
Honorable Timothy Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond Lara,

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. 22CA2241
Boulder County District Court No. 21DR30034
Honorable Patrick Butler, Judge

In re the Marriage of

Dona Laurita,

Appellant,

and

James C. Smith,

Appellee.

JUDGMENT AFFIRMED IN PART AND REVERSED 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. 23CA0123
Fremont County District Court No. 21CR190
Honorable Gilbert A. Martinez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Zvarrez Keaton,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0416
Fremont County District Court No. 22DR87
Honorable Michael William Meyrick, Magistrate

In re the Marriage of

Katie Fleetwood,

Appellee,

and

Christopher Fleetwood,

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. 23CA0557
City and County of Denver District Court No. 18CV33495
Honorable Andrew P. McCallin, Judge

Denver Transit Partners, LLC, a Delaware limited liability company,

Plaintiff-Appellant,

v.

Regional Transportation District, a political subdivision of the State of
Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0671
City and County of Broomfield District Court No. 17CV30184
Honorable Sean Finn, Judge

FA Expungement, LLC, a Colorado limited liability company, Estate of Charles
Sisk, Bridget L. Schaan, and Tosh D. Grebenik,

Plaintiffs-Appellees,

v.

Dochtor Kennedy,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE NAVARRO
Kuhn, J., concurs
Schock, J., dissents

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

Court of Appeals No. 23CA0718
Arapahoe County District Court No. 22CV32065
Honorable Ben L. Leutwyler III, Judge

Nelson Njoroge,

Plaintiff-Appellant,

v.

Areen Omair, Firas Omair, Bristol West Insurance Company, and Farmers
Insurance Exchange,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA0770
Adams County District Court No. 17DR30267
Honorable Rayna Gokli McIntyre, Judge

In re the Marriage of

Joseph Patrick Gallagher,

Appellant,

and

LynneAnn Lawson,

Appellee.

ORDER 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. 23CA0976
Fremont County District Court No. 16CR12
Honorable Kaitlin B. Turner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sean Patrick Overstreet,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA1173
Arapahoe County District Court Nos. 12CR1104, 12CR1288 & 12CR1312
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brandon Deshawn Campbell,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE TAUBMAN*
Navarro and Kuhn, JJ., concur

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

Court of Appeals No. 23CA1181
Jefferson County District Court No. 16DR1911
Honorable Ann Gail Meinster, Judge

In re the Parental Responsibilities Concerning R.M.R.B., a Child,
and Concerning Eric Motter and Cynthia Schippert,

Appellees,

and

Alberto Rojas, Jr.,

Appellant.

ORDER 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. 23CA1213
Montrose County District Court No. 21CV30030
Honorable Mary E. Deganhart, Judge

Beth Johnston,

Plaintiff-Appellant,

v.

Allen J. Head, individually and as Trustee of the Allen J. Head Trust dated
March 14, 2006, and Sandra L. Head as Trustee of the Sandra L. Head Trust
dated March 14, 2006,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA1819
Industrial Claim Appeals Office of the State of Colorado
DD No. 23583-2023

Catherine Carducci,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Jean-Hugues
Wendling d/b/a WaveLynx Technologies,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA1851
City and County of Denver Juvenile Court No. 21JV931
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of N.J.H-G., Jr., a Child,

and Concerning N.J.G.,

Appellant.

JUDGMENT REVERSED 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. 24CA0039
Industrial Claim Appeals Office of the State of Colorado
DD No. 32024-2023

Diana Crespin,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Ace Hardware
Corporation,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 24CA0305
Pueblo County District Court No. 23MH293
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Richard Wayne Foisel,

Respondent-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. 24CA0396
Pueblo County District Court No. 24MH66
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of

Heidi Marie Wodiuk,

Respondent-Appellant.

ORDER AFFIRMED

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

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

PETITIONS FOR REHEARING

Court of Appeals No. 21CA2075

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Scott Burdette,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 21CA2080

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Semaj Reynolds-Wynn,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 22CA1377

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Geoffrey James Lewicke,

Defendant-Appellant.

Petitions for Rehearing DENIED

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

Court of Appeals No. 23CA0190

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gediyon Fantaye Assefa,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA0311

Dustin Stalder,

Plaintiff-Appellant,

v.

Colorado Mesa University, Lynn Nordine, and Bob Lang,

Defendants-Appellees.

Petition for Rehearing DENIED

MODIFIED OPINIONS

[2024COA43M](#)

Court of Appeals No. [23CA1011](#)

El Paso County District Court No. 21CR2580

Honorable William H. Moller, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Robert Charles Allen III,

Defendant-Appellee.

ORDER REVERSED AND CASE REMANDED WITH DIRECTIONS

Division VI

Opinion by JUDGE LUM

Welling and Yun, JJ., concur

Opinion Modified

on a motion to Amend the Caption Page

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2023.