

ANNOUNCEMENTS  
Colorado Court of Appeals  
October 3, 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**

[2024COA106](#)

Court of Appeals No. [22CA0237](#)

Jefferson County District Court No. 19CR4149

Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alec d’Estree,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE FOX  
Sullivan, J., concurs  
Grove, J., specially concurs

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[2024COA107](#)

Court of Appeals Nos. [23CA0792](#) & [23CA2021](#)

Eagle County District Court No. 22DR93

Honorable Rachel J. Olguin-Fresquez, Judge

In re the Marriage of

Christopher Paul Pawelec,

Appellee,

and

Katarzyna Julia Pawelec,

Appellant.

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

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

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[2024COA108](#)

Court of Appeals No. [23CA1030](#)

Adams County District Court No. 21CV31338

Honorable Teri L. Vasquez, Judge

Michelle Norton and Brandon Thompson,

Plaintiffs-Appellants,

v.

Jeffrey Clay Ruebel, Esq. and Ruebel & Quillen, LLC, a Colorado limited liability company,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 22CA0705  
Adams County District Court No. 19CR5043  
Honorable Jeffrey Smith, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sergey Victor Kondratishin,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I

Opinion by JUDGE J. JONES  
Lipinsky and Sullivan, JJ., concur

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

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Court of Appeals No. 22CA0875  
Adams County District Court No. 18CR3756  
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Deshawn Anthony Avila,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II

Opinion by JUDGE FOX  
Johnson and Schock, JJ., concur

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

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Court of Appeals No. 22CA1206  
Arapahoe County District Court No. 04CR3080  
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Matthew Cook,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE WELLING  
Lipinsky and Gomez, JJ., concur

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

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Court of Appeals No. 22CA1592  
Morgan County District Court No. 21CR103  
Honorable Carl S. McGuire, III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Noe Maniz,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE TAUBMAN\*  
J. Jones and Sullivan, JJ., concur

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

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Court of Appeals No. 22CA2025  
Pitkin County District Court No. 21CR47  
Honorable Christopher G. Seldin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Lee Marlow,

Defendant-Appellant.

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

Division III  
Opinion by JUDGE DUNN  
Navarro and Gomez, JJ., concur

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

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Court of Appeals No. 23CA0006  
Arapahoe County District Court No. 15CR2605  
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Dehawn Farrow,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE JOHNSON  
Fox and Schock, JJ., concur

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

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Court of Appeals No. 23CA1337  
Jefferson County District Court Nos. 18CR3007 & 20CR3304  
Honorable Meegan A. Miloud, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael A. Schindlbeck,

Defendant-Appellant.

SENTENCES AFFIRMED

Division VII  
Opinion by JUDGE TOW  
Pawar and Schutz, JJ., concur

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

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Court of Appeals No. 23CA1799  
Larimer County District Court No. 20CV30800  
Honorable Laurie K. Dean, Judge  
Honorable Gregory M. Lammons, Judge

No Pipe Dream Corporation, Save the Poudre, and Barry Feldman,

Plaintiffs-Appellants and Cross-Appellees,

v.

Larimer County Board of County Commissioners; Commissioner Tom Donnelly,  
in his official capacity as a Larimer County Commissioner; and Commissioner  
Steve Johson, in his official capacity as a Larimer County Commissioner,

Defendants-Appellees,

and

Northern Integrated Supply Project Water Activity Enterprise,

Defendant-Appellee and Cross-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 23CA1970  
Mesa County District Court No. 20CV30309  
Honorable Valerie J. Robison, Judge

Norma J. Innis and Richard L. Innis,

Plaintiffs-Appellees,

v.

Dain D. Innis and Lynnette Y. Innis,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE JOHNSON  
Fox and Schock, JJ., concur

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

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Court of Appeals No. 23CA2002  
Larimer County District Court No. 22CV30584  
Honorable Stephen J. Jouard, Judge

Michael Velgersdyk and Amanda Velgersdyk,

Plaintiffs-Appellants,

v.

Thompson Crossing II Association,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE FOX  
Johnson and Schock, JJ., concur

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

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Court of Appeals No. 23CA2200  
Industrial Claim Appeals Office of the State of Colorado  
WC No. 5-131-365

Spirit Hospitality II LLC, d/b/a Candlewood LLC and Truck Insurance  
Exchange,

Petitioners,

v.

Industrial Claim Appeals Office of the State of Colorado and Juliana Luis,

Respondents.

ORDER AFFIRMED

Division V  
Opinion by JUDGE LUM  
Brown and Berger\*, JJ., concur

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

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Court of Appeals No. 24CA0015  
Jefferson County District Court No. 21CV30119  
Honorable Todd L. Vriesman, Judge

In the Matter of the Estate of Sharon G. Sturm, deceased.

John C. Taylor, Jr., and Sherril A. Sturm,

Appellees,

v.

Bob L. Sturm Trust and Sharon G. Sturm Trust by the Trustee, Bob L. Sturm,  
Jr.,

Appellants.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE PAWAR  
Tow and Schutz, JJ., concur

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

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Court of Appeals No. 24CA0089  
Pueblo County District Court No. 23PR30096  
Honorable Timothy O'Shea, Judge

In the Matter of the Estate of Jonna Kay McClure, deceased.

Joseph Anthony Lopez,

Appellant,

v.

Stephanie L. Moore,

Appellee.

ORDERS AFFIRMED

Division III  
Opinion by JUDGE GOMEZ  
Dunn and Navarro, JJ., concur

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

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Court of Appeals No. 24CA0135  
Colorado State Board of Nursing Case No. 20228640

State Board of Nursing, State of Colorado,

Petitioner-Appellee,

v.

Latisha C. Trujillo, RN, License No. RN-1653574,

Respondent-Appellant.

APPEAL DISMISSED

Division VII  
Opinion by JUDGE TOW  
Pawar and Schutz, JJ., concur

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

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Court of Appeals No. 24CA0151  
Industrial Claim Appeals Office of the State of Colorado  
WC No. 4-753-828

Enterprise Claims Management, Inc., and Cannon Cochran Management  
Services,

Petitioners,

v.

Industrial Claim Appeals Office of the State of Colorado and Fozia H. Mohamed,  
Respondents.

ORDER AFFIRMED

Division III  
Opinion by JUDGE DUNN  
Navarro and Gomez, JJ., concur

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

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Court of Appeals No. 24CA0436  
City and County of Denver Juvenile Court No. 23JV30185  
Honorable Elizabeth Strobel, Judge  
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

In the Interest of S.M.J., C.M.F., and K.F., Children,

and Concerning D.M.B.,

Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE HARRIS  
Yun and Kuhn, JJ., concur

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

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Court of Appeals No. 24CA0475  
Douglas County District Court No. 23JV35  
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.M.,

Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE MOULTRIE  
Welling and Brown, JJ., concur

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

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Court of Appeals No. 24CA0791  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 10153-2024

Katie Maines,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Children's Hospital  
Colorado,

Respondents.

ORDER AFFIRMED

Division I  
Opinion by JUDGE LIPINSKY  
J. Jones and Sullivan, JJ., concur

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

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Court of Appeals No. 24CA0859  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 4445-2024

Ararso Kemer,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Express Services  
Inc,

Respondents.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE KUHN  
Harris and Yun, JJ., concur

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

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**PETITIONS FOR REHEARING**

Court of Appeals No. 23CA0334

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Philipp Mendoza,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 23CA1562

In re the Marriage of

Allyson Ann McCale,

Appellant,

and

Donald Richard McCale, III,

Appellee.

Petition for Rehearing DENIED

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

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**PUBLISHED ORDER**

[2024COA109](#)

Court of Appeals No. [24CA0451](#)

Arapahoe County District Court No. 23CV31428

Honorable Thomas W. Henderson, Judge

Said M. Said,

Plaintiff-Appellee,

v.

Mohamed Magdy, M.D.,

Defendant-Appellant.

MOTION DENIED

Division A

Order by JUDGE HARRIS  
Schutz and Lum, JJ., concur

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\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2024.