

ANNOUNCEMENTS
Colorado Court of Appeals
October 17, 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

[2024COA113](#)

Court of Appeals No. [23CA0658](#)

Las Animas County District Court No. 21CV30053

Honorable J. Clay McKisson, Judge

Trinidad Area Health Association d/b/a Mt. San Rafael Hospital, a Colorado nonprofit corporation,

Plaintiff-Appellant,

v.

Trinidad Ambulance District, a Colorado special district,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE SULLIVAN
J. Jones and Taubman*, JJ., concur

[2024COA114](#)

Court of Appeals No. [23CA1813](#)

City and County of Denver District Court No. 21CV34116

Honorable Kandace C. Gerdes, Judge

Denise McLellan,

Plaintiff-Appellant,

v.

Lyle Weiss,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI

Opinion by JUDGE BROWN

Welling and Moultrie, JJ., concur

[2024COA115](#)

Court of Appeals No. [24CA0192](#)

Mesa County District Court No. 23CV30418

Honorable Gretchen B. Larson, Judge

Juana Rios de Martinez,

Plaintiff-Appellant,

v.

Alfredo Jose Martinez Landaverde, Martinez Family Corporation, a Colorado corporation, Martinez Investments LLC, a Colorado limited liability company, Nivia Hernandez, and Tessa Arce,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I

Opinion by JUDGE J. JONES

Sullivan and Taubman*, JJ., concur

[2024COA116](#)

Court of Appeals No. [24CA0262](#)

Arapahoe County District Court No. 21CV31374

Honorable Elizabeth Beebe Volz, Judge

The Pool Company, Inc., an Oregon corporation qualified to do business in Colorado,

Plaintiff-Appellant,

v.

MW Golden Constructors, a Colorado corporation, and Western Surety Company, a South Dakota corporation,

Defendants-Appellees.

APPEAL DISMISSED

Division I

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

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA0949
Jefferson County District Court No. 20CR973
Honorable Jason Carrithers, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond Jose Salazar,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE KUHN
Freyre and Yun, JJ., concur

Prior Opinion Announced October 12, 2023, Vacated in 23SC824

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

Court of Appeals No. 21CA1582
Boulder County District Court No. 19CR1505
Honorable Norma A. Sierra, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hugo Armando Arceo Trevizo,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BROWN
Welling and Hawthorne*, JJ., concur

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

Court of Appeals No. 22CA0491
Ouray County District Court No. 19CR15
Honorable D. Cory Jackson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy Alan Toney,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA1212
Douglas County District Court No. 21CR469
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dennis Floyd Ladd,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1632
Boulder County District Court No. 21CR70
Honorable Thomas F. Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vincent Steven Calhoun,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 22CA1702
City and County of Denver District Court No. 21CR3206
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Weldon B. McCoy,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BROWN
Welling and Moultrie, JJ., concur

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

Court of Appeals No. 22CA1932
Adams County District Court No. 10CR1042
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ryan John Meyer,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE NAVARRO
Dunn and Richman*, JJ., concur

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

Court of Appeals No. 22CA2176
Adams County District Court No. 20CR3610
Honorable Robert W. Kiesnowski Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Reagan Christopher Garcia,

Defendant-Appellant.

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

Division V
Opinion by JUDGE GROVE
Freyre and Lum, JJ., concur

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

Court of Appeals No. 23CA0605
Boulder County District Court No. 21DR30037
Honorable Bruce Langer, Judge

In re the Marriage of

Nicole K. Collins,

Appellee,

and

Scott J. Goldstone,

Appellant.

APPEAL DISMISSED IN PART, JUDGMENT AFFIRMED,
AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA0791
El Paso County District Court No. 20DR62
Honorable David Prince, Judge

In re the Marriage of

Sean P. Stanton,

Appellee,

and

Stephanie May Stanton, n/k/a Stephanie May Barrett,

Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE SCHOCK
Fox and Johnson, JJ., concur

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

Court of Appeals No. 23CA1621
El Paso County District Court No. 21CV31903
Honorable David Shakes, Judge

Heartwood Custom Cabinetry, LLLP, a Colorado limited liability limited
partnership,

Plaintiff-Appellant,

v.

Charles Kent Harrington and Lynn Harrington f/k/a Lynn Lemay,

Defendants-Appellees,

v.

Tracy Victor Martinez,

Third-Party Defendant-Appellant.

JUDGMENT AND ORDER AFFIRMED

Division IV
Opinion by JUDGE YUN
Harris and Kuhn, JJ., concur

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

Court of Appeals No. 23CA1687
Arapahoe County District Court No. 09CR810
Honorable David N. Karpel, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Moore-Vivour,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA1877
El Paso County District Court No. 23JV6
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

In the Interest of M.V., Jr., a Child,

and Concerning T.A.V.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE BROWN
Graham* and Richman*, JJ., concur

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

Court of Appeals No. 23CA1943
Jefferson County District Court No. 20CV30537
Honorable Diego G. Hunt, Judge

John E. Bonati; Charles A. Bonati, Jr.; and Crystal A. Bonati,

Plaintiffs-Appellees,

v.

KDSW Holdings, LLLP, a Colorado limited liability limited partnership; and
Keith V. Bonati,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE SCHOCK
Fox and Johnson, JJ., concur

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

Court of Appeals No. 23CA2045
Arapahoe County District Court No. 17CR3556
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Miguel Angel Leon-Caballero,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 24CA0352
Adams County District Court Nos. 00CR952 & 00CR1592
Honorable Kyle Seedorf, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Swain Collier, Jr.,

Defendant-Appellant.

ORDERS AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE BROWN
Welling and Hawthorne*, JJ., concur

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

Court of Appeals No. 24CA0425
City and County of Denver Juvenile Court No. 22JV30567
Honorable Elizabeth Beckers Strobel, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.H.G., a Child,

and Concerning S.M.H.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 24CA0435
Larimer County District Court No. 23JA30022
Honorable Sarah B. Cure, Judge

In the Matter of the Petition of B.C-H.,

Appellant,

for the Adoption of J.L., a Child,

and Concerning B.R.L.,

Appellee.

JUDGMENT AFFIRMED

Division II

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

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

Court of Appeals No. 24CA0476
Weld County District Court No. 21JV60
Honorable James F. Hartmann, Judge

The People of the State of Colorado,

Appellee,

In the Interest of K.D., a Child,

and Concerning D.D. and A.G.,

Appellants.

JUDGMENT AFFIRMED

Division V

Opinion by JUDGE FREYRE
Grove and Lum, JJ., concur

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

Court of Appeals No. 24CA0521
Costilla County District Court No. 21JV2
Honorable Crista Newmyer-Olsen, Judge

The People of the State of Colorado,

Appellee,

In the Interest of C.A.P. and G.U.P., Children,

and Concerning:

S.A.W.,

Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by JUDGE WELLING
Brown and Moultrie, JJ., concur

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

Court of Appeals No. 24CA0549
City and County of Denver Juvenile Court No. 22JV30545
Honorable Elizabeth Joan McCarthy, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.S.C-W., a Child,

and Concerning L.W.C. and C.S.P.,

Appellants.

JUDGMENT AFFIRMED

Division III

Opinion by JUDGE DUNN
Navarro and Taubman*, JJ., concur

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

Court of Appeals No. 24CA0567
Arapahoe County District Court No. 22JV348
Honorable Victoria Klingensmith, Judge

The People of the State of Colorado,

Appellee,

In the Interest of B.T.R-S., a Child,

and Concerning S.T.S.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 24CA0587
Jefferson County District Court No. 23JV30026
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning B.S.S.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE GROVE
Freyre and Lum, JJ., concur

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

Court of Appeals No. 24CA0622
Adams County District Court No. 23JV30064
Honorable Emily Lieberman, Judge

The People of the State of Colorado,

Appellee,

In the Interest of I.R.S., a Child,

and Concerning E.V.M.,

Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 24CA0634
City and County of Denver Juvenile Court No. 22JV30597
Honorable Ronald M. Mullins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.N.R.A., a Child,

and Concerning A.J.A.,

Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE SCHOCK
Fox and Johnson, JJ., concur

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

Court of Appeals No. 24CA0656
Costilla County District Court No. 23JV30000
Honorable Kimberly D. Cortez, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.F., III, A.F. and Z.F., Children,

and Concerning B.J.L.,

Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by JUDGE BROWN

WELLING and HAWTHORNE*, JJ., concur

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

Court of Appeals No. 24CA0735
Industrial Claim Appeals Office of the State of Colorado
DD No. 463-2024

Douglas Jones,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and T Mobile USA, Inc.,

Respondents.

ORDER AFFIRMED

Division I

Opinion by JUDGE SULLIVAN

J. Jones and Lipinsky, JJ., concur

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

Court of Appeals No. 24CA1387
Pueblo County District Court No. 24MH30052
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Edward S. Leensvaart,

Respondent-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 24CA1432
Pueblo County District Court No. 24MH30059
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

v.

In the Interest of Benjamin Dane Robinson,

Respondent-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE SCHUTZ
Tow and Pawar, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals No. 22CA1084

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Phillip Marcus Albritton,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1427

Mark Beard,

Plaintiff-Appellant,

v.

Max Parry,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA2073

In re the Marriage of

Karla Rosete Kowalski, n/k/a Karla Rosete Nunez,

Appellee,

and

Robert Gerard Kowalski,

Appellant.

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. 2024.