

ANNOUNCEMENTS
Colorado Court of Appeals
December 19, 2024

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PUBLISHED OPINIONS

[2024COA126](#)

Court of Appeals No. [23CA0897](#)

City and County of Denver District Court Nos. 20CV31008 & 20CV31009

Honorable Eric M. Johnson, Judge

Honorable Marie Avery Moses, Judge

Honorable Martin F. Egelhoff, Judge

Veolia Water Technologies, Inc.,

Plaintiff-Appellant and Cross-Appellee,

v.

Antero Treatment LLC, Antero Resources Corporation, Antero Midstream Partners LP, and Antero Midstream Corporation,

Defendants-Appellees and Cross-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

[2024COA127](#)

Court of Appeals No. [23CA1917](#)

Arapahoe County District Court No. 00CR2218

Honorable Shay K. Whitaker, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Victor Prendergast,

Defendant-Appellant.

ORDER AFFIRMED

Division III

Opinion by JUDGE GOMEZ

Dunn and Hawthorne*, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA1243
Jefferson County District Court No. 18CR3904
Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony James Smith,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 22CA0687
Pitkin County District Court No. 21CR6
Honorable Christopher G. Seldin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anton Tower Thompson,

Defendant-Appellant.

SENTENCES AFFIRMED, ORDER VACATED,
AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 22CA1749
Arapahoe County District Court No. 20CR1149
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael David Wilson,

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)

Court of Appeals No. 23CA0435
Larimer County District Court No. 16CR380
Honorable Stephen J. Jouard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chayce Aaron Anderson,

Defendant-Appellant.

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. 23CA0655
Jefferson County District Court No. 20CR4161
Honorable Jeffrey R. Pilkington, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Karl A. Bemish,

Defendant-Appellant.

ORDER 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. 23CA1073
Mesa County District Court No. 22CV10
Honorable Paul R. Dunkelman, Judge

People of the State of Colorado,

Plaintiff-Appellee,

v.

Belinda Knisley,

Defendant,

and Concerning Tina Peters,

Appellant.

JUDGMENT VACATED

Division III

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

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

Court of Appeals No. 23CA1095
City and County of Denver District Court No. 19DR30421
Honorable Jill D. Dorancy, Judge

In re the Marriage of

Jennifer Kain Rios,

Appellant and Cross-Appellee,

and

Franklin Rios,

Appellee and Cross-Appellant.

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

Division III
Opinion by JUDGE HAWTHORNE*
Gomez and Richman*, JJ., concur

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

Court of Appeals No. 23CA1282
El Paso County District Court No. 21CV30937
Honorable Michael P. McHenry, Judge

Kenneth Medina,

Plaintiff-Appellant and Cross-Appellee,

v.

Trax Construction, Inc.,

Defendant-Appellee and Cross-Appellant.

JUDGMENT AND ORDER AFFIRMED

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

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

Court of Appeals No. 23CA1383
Pueblo County District Court No. 05CR928
Honorable Amiel Markenson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Duane Manzanares,

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. 23CA1586
City and County of Denver District Court Nos. 19CV34536, 19CV34558 &
19CV34695
Honorable Ross B.H. Buchanan, Judge
Honorable Andrew J. Luxen, Judge

Justine Pentelute, Maggie Regalia, and Tellus Core, Inc.,

Plaintiffs-Appellees,

v.

Richard M. Batenburg, Jr.; Clear Cannabis, Inc.; Subtle Escape, LLC; Subtle Relief, LLC; Cliintel Capital Group Aggressive Growth IV, LLC; Batmann Consulting, Inc.; Cliintel, LLC; Cliintel Capital Management Group, LLC; and Cliintel Capital Group, LLC, d/b/a Clear Colorado Group,

Defendants-Appellants.

JUDGMENT AFFIRMED IN PART AND REVERSED IN PART,
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)

Court of Appeals No. 23CA1706
Larimer County District Court No. 08CR281
Honorable Susan Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Joel Wolf,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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. 23CA1716
Boulder County District Court No. 20CR1906
Honorable Nancy W. Salomone, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Leon Kiyoshi Gladwell,

Defendant-Appellee.

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. 23CA1795
El Paso County District Court No. 14DR3685
Honorable Monica J. Gomez, Judge

In re the Marriage of

Timothy Corner,

Appellee,

and

Yezenia Corner n/k/a Yezenia Santos,

Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA1848
Boulder County District Court No. 22DR30217
Honorable Bruce Langer, Judge

In re the Parental Responsibilities Concerning M.L., a Child,
and Concerning Logan Smith,

Appellee,

and

Maike Leberl,

Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA1906
Arapahoe County District Court No. 08CR272
Honorable Jacob Edson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Demond Thornton Hall,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA1945
El Paso County District Court No. 19PR30166
Honorable Vincent N. Rahaman, Magistrate

In the Interest of Martin Diego Acosta, Ward.

Alisa Acosta,

Appellant,

v.

Raul Acosta, Guardian for Martin Diego Acosta,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA1976
Boulder County District Court No. 20CR2138
Honorable Nancy W. Salomone, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward Herbert Hoid,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA2179
City and County of Denver District Court No. 22CV33164
Honorable Mark T. Bailey, Judge

J.L.,

Plaintiff-Appellant,

v.

Regis University, a non-profit Colorado corporation,

Defendant-Appellee.

JUDGMENT 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. 23CA2220
Fremont County Court No. 22JV30075
Honorable Kaitlin B. Turner, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning C.H.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE GRAHAM*
Román, C.J., and Hawthorne*, J., concur

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

Court of Appeals No. 23CA2227
Delta County District Court No. 23PR30058
Honorable Steven L. Schultz, Judge

In the Matter of William E. Swinehart,

Kenneth Swinehart,

Appellant,

v.

William E. Swinehart and Arta Kay Denison,

Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA2244
La Plata County District Court No. 23CR18
Honorable Nathaniel Baca, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Jacob Daniel John Jost,

Defendant-Appellee.

SENTENCE VACATED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE BROWN
Hawthorne*, J., concurs
Welling, J., dissents

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

Court of Appeals No. 24CA0037
City and County of Denver District Court No. 11CR4876
Honorable Alex C. Meyers, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Billy Lawrence Jackson,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 24CA0137
City and County of Denver District Court Nos. 19CV34536, 19CV34558 &
19CV34695
Honorable Andrew J. Luxen, Judge

Justine Pentelute, Maggie Regalia, and Tellus Core, Inc.,

Plaintiffs-Appellees,

v.

Richard M. Batenburg, Jr.; Clear Cannabis, Inc.; Subtle Escape, LLC; Subtle Relief, LLC; Cliintel Capital Group Aggressive Growth IV, LLC; Batmann Consulting, Inc.; Cliintel, LLC; Cliintel Capital Management Group, LLC; and Cliintel Capital Group, LLC, d/b/a Clear Colorado Group,

Defendants-Appellants.

JUDGMENT AFFIRMED IN PART AND REVERSED IN PART,
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)

Court of Appeals No. 24CA0219
Grand County District Court No. 22CV30063
Honorable Mary C. Hoak, Judge

Cynthia Southway and Hayden Southway,

Plaintiffs-Appellees,

v.

John Crone,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE LUM
Freyre and Grove, JJ., concur

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

Court of Appeals No. 24CA0271
Fremont County District Court No. 24CV1
Honorable Patrick W. Murphy, Judge

Keith Reynolds,

Plaintiff-Appellant,

v.

Executive Director of the Colorado Department of Corrections,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE LUM
Freyre and Grove, JJ., concur

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

Court of Appeals No. 24CA0340
City and County of Denver District Court No. 14CR1513
Honorable Karen L. Brody, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Wakefield,

Defendant-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. 24CA0687
City and County of Denver Juvenile Court No. 21JV425
Honorable J. Robert Lowenbach, Judge

The People of the State of Colorado,

Appellee,

In the Interest of L.C.C. and I.P.W., Children,

and Concerning S.L.W. and M.R.C.,

Appellants.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE HAWTHORNE*
Román, C.J., and Graham*, J., concur

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

Court of Appeals No. 24CA0861
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-101-459-010

Amritpal Singh,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; MKBS, LLC, d/b/a/
Metro Taxi; and Pinnacol Assurance,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 24CA0868
Logan County District Court No. 21JV20
Honorable Stephanie M.G. Gagliano, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.G. and J.G., Children,

and Concerning R.D.G., II,

Appellant.

JUDGMENT AFFIRMED

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

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

PETITIONS FOR REHEARING

Court of Appeals No. 21CA1962

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sherry Okalani DiMarco,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 22CA1723

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Abraham Hagos,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA0837

In re the Marriage of

Sarah Bland Smith,

Appellee and Cross-Appellant,

and

James F. Butterworth,

Appellant and Cross-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1801

In re the Marriage of

Christopher Everett Stone,

Appellee and Cross-Appellant,

and

Iryna Hermanova Stone, n/k/a Iryna Hermanova Mokhoshchokova,

Appellant and Cross-Appellee.

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.