

ANNOUNCEMENTS
Colorado Court of Appeals
December 26, 2024

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
December 26, 2024*

“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

[2024COA128](#)

Court of Appeals No. [24CA0190](#)
Arapahoe County District Court No. 23CV198
Honorable Elizabeth Beebe Volz, Judge

Alim Al-Hamim,

Plaintiff-Appellant,

v.

Star Hearthstone, LLC, and IRT Living,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

[2024COA129](#)

Court of Appeals No. [24CA1584](#)

City and County of Denver Probate Court No. 22MH229

Honorable Beth A. Tomerlin, Magistrate

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.N.W.,

Respondent-Appellant.

ORDER AFFIRMED

Division A

Opinion by JUDGE BERGER*

Román, C.J., and Hawthorne*, J., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 22CA0975
Arapahoe County District Court No. 19CR2080
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott Alan Mathews, Jr.,

Defendant-Appellant.

JUDGMENT 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. 22CA1355
City and County of Denver District Court No. 21CR2074
Honorable Christopher J. Baumann, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph Alden Corey,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE TOW
Pawar, J., concurs
Schutz, J., specially concurs

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

Court of Appeals No. 22CA2119
Jefferson County District Court No. 21CR1403
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wayne Darrell Nelson,

Defendant-Appellant.

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. 23CA0083
Mesa County District Court No. 21CA1934
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mary Catherine Brophy,

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. 23CA0967
Douglas County District Court No. 22CR557
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Courtland Walker,

Defendant-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. 23CA1053
City and County of Broomfield District Court No. 22CR123
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew Aaron Medina,

Defendant-Appellant.

ORDER 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. 23CA1881
Summit County District Court No. 18CV30171
Honorable Reed W. Owens, Judge

David C. Bradford and Anne E. Bradford,

Plaintiffs-Appellees and Cross-Appellants,

v.

Michelle Hart and Michelle Hart Trust,

Defendants-Appellants and Cross-Appellees.

ORDERS 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. 23CA1956
City and County of Denver Probate Court No. 23PR30408
Honorable Elizabeth D. Leith, Judge

In the Matter of the Estate of Dorene Gayla Whiteside, deceased.

Shlonda Butts-Cosby,

Appellant,

v.

Shellisa L. Holloway, Melissa Schwartz, and Ta'Sha Burt,

Appellees.

ORDER AFFIRMED

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

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

Court of Appeals No. 23CA2028
Arapahoe County District Court No. 22CR41
Honorable Jacob A. Edson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shantail Horton,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 23CA2130
El Paso County District Court No. 22PR31869
Honorable Vincent N. Rahaman, Magistrate

In the Matter of the Estate of Johnny B. Rice, deceased.

Harvey Sender, Bankruptcy Trustee,

Intervenor-Appellant,

v.

Annette Kunovic,

Appellee.

ORDER REVERSED AND CASE REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 23CA2152
Elbert County District Court No. 20CV30061
Honorable Andrew C. Baum, Judge

Anthony Puca and Laura Puca,

Plaintiffs-Appellants,

v.

Earl E. Peterson, Caroline R. Peterson a/k/a Carol Peterson, and Elkhorn
Ranch Homeowner's Association, Inc.,

Defendants-Appellees.

JUDGMENT 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. 24CA0001
Adams County District Court No. 21DR30567
Honorable Rayna Gokli McIntyre, Judge

In re the Parental Responsibilities Concerning N.M.D., a Child,

and Concerning Gary Lynn Duerksen,

Appellant,

and

Sara Rae Hanson,

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. 24CA0082
Jefferson County District Court No. 22DR126
Honorable Tamara S. Russell, Judge

In re the Marriage of

Erik G. Bradberry,

Appellee,

and

Heidi L. Bradberry,

Appellant.

APPEAL DISMISSED IN PART, 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. 24CA0242
Jefferson County District Court No. 21JV493
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of T.S., X.J.S., Al. S., and An. S., Children,

and Concerning D.A., S.M.S., and H.S.,

Appellants.

JUDGMENT 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. 24CA0282
City and County of Denver Juvenile Court No. 22JV30734
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of J.C. III and T.C., Children,

and Concerning J.A.C. II,

Appellant.

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. 24CA0443
Larimer County District Court No. 23CV30389
Honorable Juan G. Villaseñor, Judge

Denice Anderson,

Plaintiff-Appellee,

v.

Shawn Gegus-Brown, a/k/a Shawn Brown,

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. 24CA0777
Weld County District Court No. 23PR264
Honorable Julie C. Hoskins, Judge

In the Matter of the Estate of Evelyn L. Enderson, deceased.

Keith Enderson,

Appellant,

v.

Larry Enderson and Carolyn Ragsdale,

Appellees.

ORDER 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. 24CA0892
Montrose County District Court No. 19JV61
Honorable D. Cory Jackson, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.L.E.,

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. 24CA0939
Jefferson County District Court No. 22JV8
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of M.S.G., a Child,

and Concerning J.S.C.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE BERNARD*
Román, C.J., and Richman*, J., concur

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

Court of Appeals No. 24CA1128
Adams County District Court No. 23JV30158
Honorable Emily Lieberman, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.W.G-B., a Child,

and Concerning D.L.B.,

Appellant.

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. 24CA1622
Industrial Claim Appeals Office of the State of Colorado
DD No. 5553-2024

Jillian Gardner,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and RB American
Group LLC,

Respondents.

ORDER AFFIRMED

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

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

Court of Appeals No. 24CA1914
Pueblo County District Court No. 24MH30074
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.M.E.,

Respondent-Appellant.

ORDER AFFIRMED

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

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

PETITIONS FOR REHEARING

Court of Appeals No. 22CA0130

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mark Antonio Lewis,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals Nos. 23CA1037 & 23CA1038

Brown & Caldwell, a California corporation,

Defendant-Appellee and Cross-Appellant,

v.

Smith Environmental & Engineering, Inc., a Colorado corporation,

Third-Party Defendant-Appellant and Cross-Appellee.

Opinion Modified On the Court's Own Motion
and Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1879

In re the Marriage of

Meghann Mary Ward Battles, n/k/a Meghann Mary Ward McPherson,

Appellee,

and

Cort Owen Battles,

Appellant.

Opinion Modified On the Court's Own Motion
and Petition for Rehearing DENIED

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

Court of Appeals No. 24CA0038

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregory Mark Owens,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 24CA1061

Chris Morrison,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Stolle Machinery
Company, LLC,

Respondents.

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.