

ANNOUNCEMENTS
Colorado Court of Appeals
March 6, 2025

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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.

UNPUBLISHED OPINIONS

Court of Appeals No. 22CA0124
Adams County District Court No. 21CR744
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Ernest Manzanares,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE LUM
Fox and Hawthorne*, JJ., concur

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

Court of Appeals No. 22CA1152
El Paso County District Court No. 21CR3958
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Michael Hart,

Defendant-Appellant.

JUDGMENT AND ORDER AFFIRMED

Division IV
Opinion by JUDGE PAWAR
Harris and Grove, JJ., concur

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

Court of Appeals No. 22CA1439
Arapahoe County District Court No. 21CR175
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lewis Javon Owens,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Schock and Sullivan, JJ., concur

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

Court of Appeals No. 22CA1681
City and County of Denver District Court No. 19CR8299
Honorable Ericka F. H. Englert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alejandro Garcia-Sanchez,

Defendant-Appellant.

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

Division II
Opinion by JUDGE LUM
Gomez, J., concurs
Fox, J., concurs in part and dissents in part

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

Court of Appeals No. 22CA1841
El Paso County District Court No. 21DR32203
Honorable David Prince, Judge

In re the Marriage of

Stacey Fortner,

Appellant,

and

Christopher Fortner,

Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE BROWN
Lum and Berger*, JJ., concur

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

Court of Appeals No. 23CA0091
Douglas County District Court No. 18CR296
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Peter Viet Le,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE KUHN
Welling and Schutz, JJ., concur

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

Court of Appeals No. 23CA0283
Boulder County District Court No. 17CR1441
Honorable Nancy W. Salomone, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jay Harvey,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE SCHOCK
Freyre and Sullivan, JJ., concur

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

Court of Appeals No. 23CA0899
Adams County District Court No. 22CR3408
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Mark Fernandez,

Defendant-Appellant.

SENTENCE AFFIRMED

Division IV
Opinion by JUDGE HARRIS
Grove and Pawar, JJ., concur

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

Court of Appeals No. 23CA1103
Jefferson County District Court No. 22CV233
Honorable Lindsay L. VanGilder, Judge

Milan Jankovic,

Plaintiff-Appellant,

v.

Jefferson County Board of Equalization,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE HARRIS
Brown and Lum, JJ., concur

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

Court of Appeals No. 23CA1250
El Paso County District Court No. 22CR3110
Honorable William Moller, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Ladeira Jr.,

Defendant-Appellant.

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

Division III
Opinion by JUDGE TOW
Dunn and Meirink, JJ., concur

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

Court of Appeals No. 23CA1280
Jefferson County District Court No. 21DR30933
Honorable Jack W. Berryhill, Judge

In re the Marriage of

Charlene M. Bailey,

Appellee and Cross-Appellant,

and

David E. Bailey,

Appellant and Cross-Appellee.

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

Division III
Opinion by JUDGE TOW
Dunn and Graham*, JJ., concur

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

Court of Appeals No. 23CA1835
Boulder County District Court No. 13DR30319
Honorable Thomas F. Mulvahill, Judge

In re the Marriage of

George Stephen Pittman,

Appellee,

and

Judi Beth Pittman n/k/a Judi Beth Atwood,

Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE YUN
J. Jones and Brown, JJ., concur

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

Court of Appeals No. 23CA1904
Jefferson County District Court No. 21DR30036
Honorable Philip J. McNulty, Judge

In re the Marriage of

Jessica Howard n/k/a Jessica Knepp,

Appellee,

and

Muhammad Howard,

Appellant.

APPEAL DISMISSED IN PART
AND JUDGMENT AFFIRMED

Division I
Opinion by JUDGE J. JONES
Brown and Martinez*, JJ., concur

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

Court of Appeals No. 23CA2068
Boulder County District Court No. 22CV30754
Honorable J. Keith Collins, Judge

Martin Marietta Materials, Inc., a North Carolina corporation,

Plaintiff-Appellant,

v.

Boulder County Board of Adjustment, the duly authorized administrative body
of a political subdivision of the State of Colorado,

Defendant-Appellee,

and

Save Our Saint Vrain Valley, Inc., a Colorado non-profit corporation, Barbara
Cargill, Richard Cargill, and Matt Condon,

Intervenors-Appellees.

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

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

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

Court of Appeals No. 24CA0004
Pitkin County District Court No. 22CV30105
Honorable Christopher G. Seldin, Judge

Susan D. Flynn Revocable Trust,

Plaintiff-Appellee,

v.

Joseph Arnold Scott,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE BROWN
J. Jones and Yun, JJ., concur

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

Court of Appeals No. 24CA0073
Arapahoe County District Court No. 17CR1810
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

JZell James Gilbert,

Defendant-Appellant.

SENTENCE AFFIRMED

Division V
Opinion by JUDGE SULLIVAN
Freyre and Schock, JJ., concur

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

Court of Appeals No. 24CA0359
San Miguel County District Court No. 22CV30045
Honorable J. Steven Patrick, Judge

Scythian Ltd., Cloud 9 Investments, LLC, and Cloud 9 Land Holdings, LLC,
Plaintiffs-Appellants,

v.

Town of Mountain Village, Colorado, Town of Mountain Village Town Council,
Colorado, Tiara Telluride, LLC, and Vault Management, LLC,

Defendants-Appellees.

JUDGMENTS AFFIRMED

Division III
Opinion by JUDGE TOW
Dunn and Meirink, JJ., concur

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

Court of Appeals No. 24CA0361
San Miguel County District Court No. 23CV30035
Honorable J. Steven Patrick, Judge

Scythian Ltd., Cloud 9 Investments, LLC, and Cloud 9 Land Holdings, LLC,
Plaintiffs-Appellants,

v.

Town of Mountain Village, Colorado, Town of Mountain Village Town Council,
Colorado, Tiara Telluride, LLC, and Vault Management, LLC,

Defendants-Appellees.

JUDGMENTS AFFIRMED

Division III
Opinion by JUDGE TOW
Dunn and Meirink, JJ., concur

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

Court of Appeals No. 24CA0469
City and County of Denver District Court No. 23CV576
Honorable J. Eric Elliff, Judge

Edward Hoid,

Plaintiff-Appellant,

v.

CBS-4 News and Wendy McMahon,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE HAWTHORNE*
Fox and Lum, JJ., concur

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

Court of Appeals No. 24CA0470
City and County of Denver District Court No. 23CV577
Honorable J. Eric Elliff, Judge

Edward Hoid,

Plaintiff-Appellant,

v.

Denver Post and Mac Tully, CEO, President, Manager,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE HAWTHORNE*
Fox and Lum, JJ., concur

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

Court of Appeals No. 24CA0474
Boulder County District Court No. 21CV30913
Honorable Stephen A. Groome, Judge

Daniel B. Stern,

Plaintiff-Appellee,

v.

Matthew W. Farncombe, Aurum LLC, a Colorado limited liability company, and
16518808 LLC, a Colorado limited liability company,

Defendants-Appellants.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE GROVE
Harris and Pawar, JJ., concur

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

Court of Appeals No. 24CA0502
San Miguel County District Court No. 22CV4
Honorable Keri A. Yoder, Judge

Mark Halper,

Plaintiff-Appellant,

v.

Jerry D. Moore; Linda K. Moore; Michael J. Lynch; and Robinson Waters &
O'Dorisio, P.C.,

Defendants-Appellees.

ORDER AFFIRMED

Division II
Opinion by JUDGE GOMEZ
Fox and Lum, JJ., concur

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

Court of Appeals No. 24CA0547
Fremont County District Court No. 23CV17
Honorable Lynette M. Wenner, Judge

Ashlea A. Hopkins,

Plaintiff-Appellee,

v.

Joseph M. Coffelt,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE FREYRE
Schock and Sullivan, JJ., concur

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

Court of Appeals No. 24CA0583
Arapahoe County District Court No. 23JV16
Honorable Victoria Ellen Klingensmith, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning D.H.,

Appellant,

and C.B.,

Appellee.

JUDGMENT AFFIRMED

Division A
Opinion by CHIEF JUDGE ROMÁN
Martinez* and Graham*, JJ., concur

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

Court of Appeals No. 24CA0671
State Personnel Board No. 2024B023

Jason Soltani,

Complainant-Appellant,

v.

Department of Human Services, Colorado Mental Health Hospital in Pueblo,

Respondent-Appellee,

and

State Personnel Board,

Appellee.

ORDER AFFIRMED

Division III
Opinion by JUDGE DUNN
Tow and Meirink, JJ., concur

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

Court of Appeals No. 24CA0779
Mesa County District Court No. 22DR30049
Honorable Gretchen B. Larson, Judge

In re the Marriage of

Matthew James Miller,

Appellant,

and

Karlene A. Lambuth,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 24CA0825
City and County of Denver District Court No. 22CV32310
Honorable Jill D. Dorancy, Judge

Bryce McCallum and Patty McCallum,

Plaintiffs-Appellants,

v.

Colorado Department of Transportation,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE J. JONES
Brown and Yun, JJ., concur

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

Court of Appeals No. 24CA0849
El Paso County District Court No. 22CV32210
Honorable Russell H. Granger, Judge

Steven S. Marken, in his capacity as Trustee of the John B. Servatius Living Trust,

Plaintiff-Appellee,

v.

Megan M. Knez, n/k/a Megan M. Graham, and Joseph J. Graham,

Defendants-Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE SCHOCK
Freyre and Sullivan, JJ., concur

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

Court of Appeals No. 24CA0857
Mesa County District Court No. 21JV236
Honorable Richard T. Gurley, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R-G.J.M., a Child,

and Concerning T.M.,

Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE DUNN
Tow and Graham*, JJ., concur

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

Court of Appeals No. 24CA0933
Delta County District Court No. 23CV30007
Honorable Mary E. Deganhart, Judge

Patsy R. Bennett,

Plaintiff-Appellant,

v.

Lori Ann Reed and Robert Reed,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE SULLIVAN
Freyre and Schock, JJ., concur

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

Court of Appeals No. 24CA0998
El Paso County District Court No. 23JV30837
Honorable Diana K. May, Judge
Honorable Jayne Candea-Ramsey, Magistrate

The People of the State of Colorado,

Appellee,

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

and Concerning I.G. and J.T.,

Appellants.

JUDGMENTS REVERSED

Division IV
Opinion by JUDGE PAWAR
Harris and Grove, JJ., concur

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

Court of Appeals No. 24CA1024
El Paso County District Court No. 22JV30014
Honorable Scott Bradford Epstein, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.H. and B.J.W.,

Appellants.

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

Division I
Opinion by JUDGE YUN
J. Jones and Brown, JJ., concur

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

Court of Appeals No. 24CA1270
Jefferson County District Court No. 22JV30220
Honorable Lindsay L. VanGilder, Judge

The People of the State of Colorado,

Appellee,

In the Interest of F.S., a Child,

and Concerning A.S.,

Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUSTICE MARTINEZ*
Román, C.J., and Graham*, J., concur

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

Court of Appeals No. 24CA1464
Weld County District Court No. 20JV250
Honorable Anita Crowther, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.Q. and C.D.,

Appellants.

JUDGMENT AFFIRMED

Division A

Opinion by JUDGE GRAHAM*
Román, C.J., and Martinez*, J., concur

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

Court of Appeals No. 24CA1588
Weld County District Court No. 23JV108
Honorable Anita Crowther, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R.M., a Child

and Concerning K.M.

Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by JUDGE SCHUTZ
Welling and Kuhn, JJ., concur

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

Court of Appeals No. 24CA1623
Industrial Claim Appeals Office of the State of Colorado
DD No. 20002-2024

Eddie Aziz

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado,

Respondent.

ORDER AFFIRMED

Division VI
Opinion by JUDGE SCHUTZ
Welling and Kuhn, JJ., concur

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

Court of Appeals No. 24CA2118
Industrial Claim Appeals Office of the State of Colorado
DD No. 27900-2024

Darin T. Vasquez,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado,

Respondent.

ORDER AFFIRMED

Division IV
Opinion by JUDGE PAWAR
Harris and Grove, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals No. 22CA0208

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Maurice Walker,

Defendant-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. 22CA0563

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lucas Bienvenido Mena,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 23CA1240

Joe L. Silver,

Plaintiff-Appellant and Cross-Appellee

v.

S&D Law, Steve Kelly, and Gary Blum,

Defendants-Appellees and Cross-Appellants.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1367

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

and Concerning Kristin Lee a/k/a Kristin Ellias,

Appellee,

and

William Muhr,

Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA2229

Board of County Commissioners of the County of Gunnison Colorado,

Plaintiff-Appellee,

v.

David Joseph Gottorff,

Defendant-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.