

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
December 14, 2017*

“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

[2017COA154](#)

Court of Appeals No. [14CA1234](#)
Jefferson County District Court No. 12CR2275
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Abdu-Latif Kazembe Abu-Nantambu-El,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE BOORAS
Freyre, J., concurs in part and dissents in part
Webb, J., dissents

[2017COA155](#)

Court of Appeals No. [16CA0419](#)
Weld County District Court No. 14JD569
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of I.S.,

Juvenile-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE HAWTHORNE
Dailey and Welling, JJ., concur

[2017COA156](#)

Court of Appeals No. [16CA1379](#)
Weld County District Court No. 14JD547
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.D.,

Juvenile-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE BERGER
Lichtenstein, J., concurs
Webb, J., dissents

[2017COA157](#)

Court of Appeals No. [16CA2072](#)
El Paso County District Court No. 14JV1642
Honorable Linda Billings Vela, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning L.J.G.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Román and Lichtenstein, JJ., concur

[2017COA158](#)

Court of Appeals No. [16CA2158](#)
Pueblo County District Court No. 15CV30438
Honorable Jill S. Mattoon, Judge

Wells Fargo Financial Colorado, Inc.,

Plaintiff-Appellant,

v.

Del Olivas, in his official capacity as Treasurer of Pueblo County, Colorado,

Defendant,

and

Bob Housman and John Moran,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE RICHMAN
Taubman and Furman, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 11CA1271
Grand County District Court No. 10CR67
Honorable Mary C. Hoak, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Susan Leigh Stock,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE KAPELKE*
Furman and Lichtenstein, JJ., concur

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

Court of Appeals No. 14CA0415
Douglas County District Court No. 04CR820
Honorable Paul A. King, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tembor Terri Rector,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE GRAHAM
Dunn, J., concurs
Booras, J., dissents

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

Court of Appeals No. 14CA0475
Mesa County District Court No. 13CR540
Honorable Thomas W. Ossola, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy Wayne McNamara,

Defendant-Appellant.

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

Division V
Opinion by JUDGE ROMÁN
Navarro and Ashby, JJ., concur

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

Court of Appeals No. 14CA0832
City and County of Denver District Court No. 12CR10231
Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Wilson,

Defendant-Appellant.

ORDER VACATED

Division VI
Opinion by JUDGE PLANK*
Terry and Harris, JJ., concur

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

Court of Appeals No. 14CA1047
El Paso County District Court No. 12CR2692
Honorable Barbara L. Hughes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jasim Mohammed Hassi Ramadon,

Defendant-Appellant.

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

Division V
Opinion by JUDGE NAVARRO
Román and Ashby, JJ., concur

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

Court of Appeals No. 14CA1230
Adams County District Court No. 13CR2743
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Eugene Shively,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
Román and Ashby, JJ., concur

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

Court of Appeals No. 14CA2309
Jefferson County District Court No. 13CR408
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Corena Sue Bales,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ASHBY
Román and Navarro, JJ., concur

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

Court of Appeals No. 15CA0279
Moffat County District Court Nos. 11CR178 & 12CR7
Honorable Michael A. O'Hara, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher F. Genova,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE LICHTENSTEIN
Webb and Berger, JJ., concur

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

Court of Appeals No. 15CA0684
El Paso County District Court No. 14CR3107
Honorable David A. Gilbert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kestine Alyssa Berry,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE DUNN
Graham and Booras, JJ., concur

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

Court of Appeals No. 15CA1362
Arapahoe County District Court No. 12CR752
Honorable Marilyn Leonard Antrim, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Johnathan Thomas Ratcliff,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Furman and Richman, JJ., concur

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

Court of Appeals No. 15CA1398
Adams County District Court No. 93CR1676
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Alvin Breaux,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE GRAHAM
Booras and Dunn, JJ., concur

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

Court of Appeals No. 15CA1518
El Paso County District Court No. 11CR2145
Honorable Deborah J. Grohs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dean Porter Watson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROMÁN
Navarro and Ashby, JJ., concur

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

Court of Appeals No. 15CA1635
City and County of Denver District Court No. 15CR135
Honorable Ann B. Frick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott A. Eberhart,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE PLANK*
Terry and Harris, JJ., concur

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

Court of Appeals No. 15CA1798
Boulder County District Court No. 14CR387
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eman Ali,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
Berger, J., concurs
Vogt*, J., specially concurs

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

Court of Appeals No. 15CA1978
Eagle County District Court No. 08CR366
Honorable Russell H. Granger, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ian Michael Ranney,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE FURMAN
Taubman and Richman, JJ., concur

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

Court of Appeals No. 15CA2009
El Paso County District Court No. 10CR2438
Honorable G. David Miller, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hanif Sims,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
Hawthorne and Welling, JJ., concur

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

Court of Appeals No. 16CA0273
Pueblo County District Court No. 14CR2197
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ian James Lindeman,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE TAUBMAN
Furman and Richman, JJ., concur

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

Court of Appeals No. 16CA0604
Weld County District Court No. 15CR21
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Emilee Frances Vidimos,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by CHIEF JUDGE LOEB
Márquez* and Vogt*, JJ., concur

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

Court of Appeals No.16CA0768
Douglas County District Court No. 01CR600
Honorable Paul A. King, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Herman Fareti,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE FURMAN
Taubman and Richman, JJ., concur

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

Court of Appeals No. 16CA0841
Morgan County District Court No. 15CR22
Honorable Douglas R. Vannoy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian Smith,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE RICHMAN
Taubman and Furman, JJ., concur

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

Court of Appeals No. 16CA0921
Weld County District Court No. 11JD9
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.L.A.,

Juvenile-Appellant.

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

Division IV
Opinion by JUDGE GRAHAM
Booras and Dunn, JJ., concur

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

Court of Appeals No. 16CA1472
Adams County District Court No. 14DR30436
Honorable Donald S. Quick, Judge
Honorable M. Jon Kolomitz, Judge

In re the Marriage of

Penny Christensen,

Appellee,

and

Russell W. Andrews,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE KAPELKE*
Terry and Harris, JJ., concur

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

Court of Appeals No. 16CA1696
El Paso County District Court No. 11DR2337
Honorable Marla R. Prudek, Judge

In re the Marriage of

Amy Christine May,

Appellee,

and

Steven Lee May,

Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE FURMAN
Taubman and Richman, JJ., concur

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

Court of Appeals No. 16CA1763
Boulder County District Court No. 15DR5
Honorable Bruce Langer, Judge

In re the Marriage of

Clinton Brian Blackwood,

Appellant,

and

Lisabeth Claire Hall,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE DUNN
Graham and Booras, JJ., concur

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

Court of Appeals No. 16CA1802
El Paso County District Court No. 11CR178
Honorable Richard V. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Tyler Groce,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE BOORAS
Graham and Dunn, JJ., concur

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

Court of Appeals No. 16CA1995
Mesa County District Court No. 16CR51
Honorable Thomas M. Deister, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Neckolas Joseph Darnell,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE PLANK*
Terry and Harris, JJ., concur

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

Court of Appeals No. 16CA2112
Weld County District Court No. 15CV30675
Honorable Timothy G. Kerns, Judge

C. Bradley Keirnes,

Plaintiff-Appellant,

v.

Waste Management of Colorado, Inc., a Colorado corporation; and Waste
Management Holdings, Inc., a Delaware corporation,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ASHBY
Navarro and Carparelli*, JJ., concur

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

Court of Appeals No. 16CA2152
Arapahoe County District Court No. 14CV32139
Honorable Charles M. Pratt, Judge

Chris Bermel,

Plaintiff-Appellant,

v.

BlueRadios, Inc.,

Defendant-Appellee.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE WEBB
Berger and Rothenberg*, JJ., concur

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

Court of Appeals No. 16CA2222
Mesa County District Court No. 14CR1556
Honorable Lance Phillip Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Jay Corbett,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE WELLING
Dailey and Hawthorne, JJ., concur

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

Court of Appeals No. 16CA2224
Fremont County District Court No. 16CV72
Honorable Robert Freeman, Magistrate

James M. Bertolo,

Plaintiff-Appellant,

v.

Rick Raemisch, Executive Director, Colorado Department of Corrections; Randy Lind, Warden of the Colorado Territorial Correctional Facility; Colorado State Parole Board; Joe Morales; and Sex Offender Management Board,

Defendants-Appellees.

ORDER AFFIRMED

Division IV
Opinion by JUDGE GRAHAM
Booras and Dunn, JJ., concur

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

Court of Appeals No. 16CA2244
Fremont County District Court No. 16CV98
Honorable Robert Freeman, Magistrate

Walter Dixon,

Plaintiff-Appellant,

v.

Rick Raemisch, Executive Director, Colorado Department of Corrections; Randy Lind, Warden of the Colorado Territorial Correctional Facility; Colorado State Parole Board; Joe Morales; and Sex Offender Management Board,

Defendants-Appellees.

ORDER AFFIRMED

Division IV
Opinion by JUDGE BOORAS
Graham and Dunn, JJ., concur

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

Court of Appeals No. 16CA2246
Fremont County District Court No. 16CV100
Honorable Robert Freeman, Magistrate

Forrest Layman,

Plaintiff-Appellant,

v.

Rick Raemisch, Executive Director, Colorado Department of Corrections; Randy Lind, Warden of the Colorado Territorial Correctional Facility; Colorado State Parole Board; Joe Morales; and Sex Offender Management Board,

Defendants-Appellees.

ORDER AFFIRMED

Division IV
Opinion by JUDGE DUNN
Graham and Booras, JJ., concur

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

Court of Appeals No. 17CA0275
Pueblo County District Court No. 13JV493
Honorable Deborah R. Eyler, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.D.M., a Child,

and Concerning E.D.R., a/k/a J.G., and O.M.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE NAVARRO
Román and Ashby, JJ., concur

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

Court of Appeals No. 17CA0457
El Paso County District Court No. 15JV283
Honorable Tim J. Schutz, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.B., I.B., and C.D., Children,

and Concerning C.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE FURMAN
Taubman and Richman, JJ., concur

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

Court of Appeals No. 17CA0530
Mesa County District Court No. 14JV183
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning T.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by CHIEF JUDGE LOEB
Márquez* and Vogt*, JJ., concur

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

Court of Appeals No. 17CA0561
Arapahoe County District Court No. 15JV992
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning S.D.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE MÁRQUEZ*
Loeb, C.J., and Vogt*, J., concur

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

Court of Appeals No. 17CA0690
Mesa County District Court No. 15JV462
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of T.D., C.D., C.D., and T.D., Children,

and Concerning H.D.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE VOGT*
Loeb, C.J., and Márquez*, J., concur

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

Court of Appeals No. 17CA0763
City and County of Denver Juvenile Court No. 16JV436
Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.D.B., Jr., Child,

and Concerning B.O. and J.D.B.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE BOORAS
Graham and Dunn, JJ., concur

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

Court of Appeals No. 17CA1068
Larimer County District Court No. 16JV367
Honorable Stephen E. Howard, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning K.P.L.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ASHBY
Román and Navarro, JJ., concur

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

Court of Appeals No. 17CA1574
Industrial Claim Appeals Office of the State of Colorado
DD No. 14101-2017

Marsha De Clue,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Pinnacle
Consultation, Inc.,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE DUNN
Graham and Booras, JJ., concur

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

P E T I T I O N S F O R R E H E A R I N G

Court of Appeals No. 16CA1198

Michael J. Sos,

Plaintiff-Appellee,

v.

Roaring Fork Transportation Authority, a statutory regional transportation authority,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1540

Daphne Dick,

Plaintiff-Appellant,

v.

Builder Services Group, Inc., d/b/a Allied Insulation, a Florida corporation;
Confidence Plumbing Company, Inc., a Colorado corporation; and KB Home
Colorado, Inc., a Colorado corporation,

Defendants-Appellees.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA0140

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning J.C. and H.S.,

Respondents-Appellants.

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. 2017.