

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
September 7, 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

[2017COA115](#)

Court of Appeals No. [14CA0586](#)
Boulder County District Court No. 13CR1092
Honorable Patrick D. Butler, Judge
Honorable Thomas F. Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael A. Camarigg,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE GRAHAM
J. Jones and Welling, JJ., concur

[2017COA116](#)

Court of Appeals No. [14CA2476](#)
Adams County District Court No. 12CR3553
Honorable Mark D. Warner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kristopher Ray Jones,

Defendant-Appellant.

JUDGMENT VACATED

Division VII
Opinion by JUDGE RICHMAN
Lichtenstein and Harris, JJ., concur

[2017COA117](#)

Court of Appeals No. [15CA0449](#)
Mesa County District Court No. 07CR851
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Edward Butler,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
Fox and Plank*, JJ., concur

[2017COA118](#)

Court of Appeals No. [16CA1355](#)
Jefferson County District Court No. 15CV31189
Honorable Christopher C. Zenisek, Judge

Sodexo America, LLC,

Plaintiff-Appellant,

v.

City of Golden, Colorado; and Jeff Hansen, in his official capacity as Finance
Director of the City of Golden, Colorado,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE J. JONES
Graham and Welling, JJ., concur

[2017COA119](#)

Court of Appeals No. [16CA1416](#)
City and County of Denver Juvenile Court No. 15JV1322
Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.L.T., a Child,

and Concerning L.T.,

Respondent-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE WEBB
Booras and Freyre, JJ., concur

[2017COA120](#)

Court of Appeals No. [16CA1577](#)
Arapahoe County District Court No. 96DR611
Honorable Ben L. Leutwyler, Judge

Carl M. Williams, deceased, by Michael Williams, Personal Representative of
the Estate of Carl M. Williams,

Appellant,

and

Roberta-Diane J. Williams, n/k/a Roberta-Diane J. Perna,

Appellee.

ORDER AND JUDGMENTS REVERSED
AND CASE REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE RICHMAN
Ashby and Vogt*, JJ., concur

[2017COA121](#)

Court of Appeals No. [16CA1612](#)
Adams County District Court No. 15CR1433
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Steven Robert Paul Stanley,

Defendant-Appellee.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE FREYRE
Booras, J., concurs
Webb, J., specially concurs

UNPUBLISHED OPINIONS

Court of Appeals No. 13CA1864
Arapahoe County District Court No. 07CR1643
Honorable Kurt A. Horton, Judge
Honorable Valeria N. Spencer, Judge
Honorable Elizabeth A. Weishaupl, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Austin Verland Ray,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE BOORAS
Webb and Freyre, JJ., concur

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

Court of Appeals No. 14CA0476
Rio Grande County District Court No. 12CR147
Honorable Pattie P. Swift, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Cuevas,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE TERRY
Richman and Ashby, JJ., concur

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

Court of Appeals No. 15CA0153
City and County of Denver District Court No. 07CR2494
Honorable J. Eric Elliff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brian C. Straub,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE WELLING
Graham and J. Jones, JJ., concur

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

Court of Appeals No. 15CA0295
City and County of Denver District Court No. 14CR1090
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Terri L. Vangundy,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE TERRY
Ashby and Nieto*, JJ., concur

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

Court of Appeals No. 15CA0538
El Paso County District Court No. 13CR3109
Honorable Tim J. Schutz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gary Glen Vigil,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FREYRE
Webb and Booras, JJ., concur

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

Court of Appeals No. 15CA0740
City and County of Denver District Court No. 13CR5022
Honorable Elizabeth A. Starrs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Trujillo,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE RICHMAN
Ashby and Vogt*, JJ., concur

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

Court of Appeals No. 15CA0785
Larimer County District Court No. 13CR1783
Honorable Stephen E. Howard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juliana Sanchez,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division III
Opinion by JUDGE WEBB
Booras and Freyre, JJ., concur

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

Court of Appeals No. 15CA1204
Jefferson County District Court No. 14CR1381
Honorable Tamara R. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Codey Trahan,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE BOORAS
Webb and Freyre, JJ., concur

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

Court of Appeals No. 15CA1780
Boulder County District Court No. 07CR40
Honorable Ingrid S. Bakke, Judge
Honorable Andrew R. Macdonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Frederico Alvarado Hinojos,

Defendant-Appellant.

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

Division II
Opinion by JUDGE FOX
Bernard, J., concurs
Dailey, J., concurs in part and dissents in part

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

Court of Appeals No. 16CA0261
El Paso County District Court Nos. 14CR2108 & 14CR2279
Honorable David S. Prince, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Paul R. Martinez,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
Bernard and Fox, JJ., concur

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

Court of Appeals No. 16CA0422
City and County of Broomfield District Court No. 14CR6
Honorable Edward C. Moss, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael W. Goltart,

Defendant-Appellant.

SENTENCE AFFIRMED

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

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

Court of Appeals No. 16CA0745
Cheyenne County District Court No. 15CR9
Honorable Stanley A. Brinkley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Danny William Carter,

Defendant-Appellant.

APPEAL DISMISSED

Division I
Opinion by JUDGE NIETO*
Taubman and Lichtenstein, JJ., concur

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

Court of Appeals No. 16CA1072
City and County of Denver District Court No. 15CV32782
Honorable A. Bruce Jones, Judge

Dana Collins, individually, and as Personal Representative of the Estate of
John Robert Collins, deceased,

Plaintiff-Appellee,

v.

State of Colorado and Colorado Department of Transportation,

Defendants-Appellants.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE BERNARD
Dailey, J., concurs
Fox, J., dissents

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

Court of Appeals No. 16CA1225
Huerfano County District Court No. 14JV22
Honorable Claude W. Appel, Judge
City and County of Denver Juvenile Court No. 15JV56
Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning D.R.C.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE RICHMAN
Lichtenstein and Harris, JJ., concur

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

Court of Appeals No. 16CA1315
Garfield County District Court No. 14JV105
Honorable Denise K. Lynch, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.J.T. and M.T.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Berger and Harris, JJ., concur

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

Court of Appeals No. 16CA1770
Douglas County District Court No. 13DR686
Honorable Robert R. Lung, Judge

In re the Parental Responsibilities Concerning A.G.C., a Child,

and Concerning Laura Marie Casares,

Appellee,

and

Guadalupe Casares, Jr.,

Appellant.

ORDERS AFFIRMED IN PART
AND APPEAL DISMISSED IN PART

Division VII
Opinion by JUDGE FOX
J. Jones and Freyre, JJ., concur

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

Court of Appeals No. 16CA1900
Arapahoe County District Court No. 15JV1019
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning K.M.,

Respondent-Appellant.

JUDGMENT 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. 16CA1980
El Paso County District Court No. 15JV917
Honorable Linda Billings Vela, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.K.M., a Child,

and Concerning Y.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Berger and Harris, JJ., concur

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

Court of Appeals No. 17CA0014
Adams County District Court No. 15JV240
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.E.B-K., a Child,

and Concerning A.D.B. and L.A.K.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE LICHTENSTEIN
Taubman and Kapelke*, JJ., concur

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

Court of Appeals No. 17CA0108
El Paso County District Court No. 15JV1747
Honorable Tim J. Schutz, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of X.M-J., a Child,

and Concerning M.M. and R.J.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE J. JONES
Fox and Freyre, JJ., concur

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

Court of Appeals No. 17CA0119
Adams County District Court No. 16JV273
Honorable John E. Popovich, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.W., M.W., and J.W. Jr., Children,

and Concerning J.W.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FOX
J. Jones and Freyre, JJ., concur

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

Court of Appeals No. 17CA0174
City and County of Denver Juvenile Court No. 16JV889
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Petitioner Appellee,

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

and Concerning A.V.T.,

Respondent Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE FREYRE
Jones and Fox, JJ., concur

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

Court of Appeals No. 17CA0239
City and County of Denver Probate Court No. 15PR31081
Honorable Elizabeth D. Leith, Judge

In re the Estate of Michael W. Herrera, Protected Person.

Deborah Ornelas,

Appellant,

v.

Robert Herrera, Court Appointed Guardian,

Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE BERGER
Webb and Lichtenstein, 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. 14CA0587

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andrew Mikeal Franks,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

Court of Appeals No. 14CA1034

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fran J. Martinez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA0173

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Woodrow Pickard,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 15CA0699

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lawson P. Garrison,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 15CA0717

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Coleman Backstrom Stewart,

Defendant-Appellant.

Petition for Rehearing DENIED
Jones, J., would GRANT

Court of Appeals No. 15CA0989

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Valdamar Lansky,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0431

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry Neil Grant,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0562

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Roger Duncan,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1590

In re the Parental Responsibilities Concerning T.H. and A.H., Children,
and Concerning Cynthia Dawn Fields,

Appellee,

and

James Hamilton,

Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA2076

In re the Marriage of John Benjamin Leyba,

Appellee,

And

Chandra Leyba,

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. 2016.