

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
May 17, 2018

“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

[2018COA67](#)

Court of Appeals No. [15CA0300](#)
Jefferson County District Court No. 14CR928
Honorable Phillip J. McNulty, Judge
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Norman Idell Coleman,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE WEBB
Terry and Tow, JJ., concur

[2018COA68](#)

Court of Appeals No. [16CA0835](#)
Arapahoe County District Court No. 14CR2454
Honorable Michelle A. Amico, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ryan Austin Wagner,

Defendant-Appellant.

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

Division I
Opinion by JUDGE TAUBMAN
Harris and Rothenberg*, JJ., concur

[2018COA69](#)

Court of Appeals No. [16CA1983](#)
City and County of Denver District Court No. 14CV34780
Honorable Shelley I. Gilman, Judge

State of Colorado, ex rel. Cynthia H. Coffman, Attorney General for the State of Colorado; and Julie Ann Meade, Administrator, Uniform Consumer Credit Code,

Plaintiffs-Appellees and Cross-Appellants,

v.

Robert J. Hopp & Associates, LLC; The Hopp Law Firm, LLC; National Title, LLC, d/b/a Horizon National Title insurance, LLC; First National Title Residential, LLC; Safehaus Holdings Group, LLC; and Robert J. Hopp,

Defendants-Appellants and Cross-Appellees,

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE ROTHENBERG*
Taubman and Harris, JJ., concur

[2018COA70](#)

Court of Appeals No. [16CA2230](#)
Weld County District Court No. 16CV30498
Honorable Todd L. Taylor, Judge

Charles C. Bell and Shirley M. Bell,

Plaintiffs-Appellants,

v.

Land Title Guarantee Company, Orr Land Company LLC, and Tammy
Ellerman,

Defendants-Appellees.

JUDGMENT REVERSED

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

[2018COA71](#)

Court of Appeals No. [17CA0303](#)
City and County of Denver District Court No. 14CV34780
Honorable Shelley I. Gilman, Judge

State of Colorado, ex rel. Cynthia H. Coffman, Attorney General for the State of
Colorado; and Julie Ann Meade, Administrator, Uniform Consumer Credit
Code,

Plaintiffs-Appellees and Cross-Appellants,

v.

Robert J. Hopp & Associates, LLC; The Hopp Law Firm, LLC; National Title,
LLC, d/b/a Horizon National Title insurance, LLC; First National Title
Residential, LLC; Safehaus Holdings Group, LLC; Lori L. Hopp; and Robert J.
Hopp,

Defendants-Appellants and Cross-Appellees,

ORDER AFFIRMED

Division I
Opinion by JUDGE ROTHENBERG*
Taubman and Harris, JJ., concur

[2018COA72](#)

Court of Appeals No. [17CA0436](#)

Board of Assessment Appeals Case No. 68924

Robert W. Rust,

Petitioner-Appellant,

v.

Board of County Commissioners of Summit County, Colorado; and Board of
Assessment Appeals,

Respondents-Appellees.

ORDER AFFIRMED

Division VI
Opinion by JUDGE ASHBY
Furman and Fox, JJ., concur

[2018COA73](#)

Court of Appeals No. [17CA0462](#)

City and County of Denver District Court No. 15CV33347

Honorable Michael A. Martinez, Judge

Wal-Mart Stores, Inc., a Delaware corporation; and Sam's West, Inc., an
Arkansas corporation,

Plaintiffs-Appellants,

v.

Pikes Peak Rural Transportation Authority and Colorado Department of
Revenue,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE VOGT*
Berger and Plank*, JJ., concur

[2018COA73](#)

Court of Appeals No. [17CA0473](#)
Fremont County District Court No. 16PR30060
Honorable Stephen A. Groome, Judge

In the Interest of Edward William Spohr, Protected Person,

Appellant,

v.

Fremont County Department of Human Services,

Appellee.

JUDGMENT VACATED

Division III
Opinion by JUDGE TERRY
Webb and Rothenberg*, JJ., concur

[2018COA74](#)

Court of Appeals No. [17CA1534](#)
Weld County District Court No. 16JV231
Honorable Elizabeth B. Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of I.B.-R., A.B.-R., M.B.-R., and A.R., Children,

and Concerning J.S.R., C.M.H., f/k/a C.M.R., and S.B.-R.,

Respondents-Appellants.

ORDER OF LIMITED REMAND

Division A
Loeb, C.J., Ashby and Welling, JJ.
PER CURIAM

UNPUBLISHED OPINIONS

Court of Appeals No. 14CA1177
Morgan County District Court No. 13CR152
Honorable Douglas R. Vannoy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Casandra Bustos,

Defendant-Appellant.

JUDGMENT REVERSED, SENTENCES VACATED,
AND CASE REMANDED WITH DIRECTIONS

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

Prior Opinion Announced December 28, 2017, WITHDRAWN
Petition for Rehearing DENIED

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

Court of Appeals No. 14CA2088
Prowers County District Court No. 13CR71
Honorable Stanley A. Brinkley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Pilar Altamirano Zavala,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 15CA0211
Jefferson County District Court No. 13CR2489
Honorable Christopher J. Munch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Alias Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE
Berger and Miller*, JJ., concur

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

Court of Appeals No. 15CA0428
Weld County District Court No. 13CR1986
Honorable Timothy Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan Manuel Velasquez-Trinidad,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE MILLER*
Hawthorne and Berger, JJ., concur

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

Court of Appeals No. 15CA0928
Adams County District Court No. 14CR669
Honorable Jill-Ellyn Straus, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Manuel D. Escobar,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FOX
Webb and Richman, JJ., concur

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

Court of Appeals No. 15CA1963
Boulder County District Court No. 14CR978
Honorable Patrick D. Butler, Judge
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Feliciano Bautista,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE HAWTHORNE
Berger and Miller*, JJ., concur

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

Court of Appeals No. 16CA0976
Adams County District Court No. 15CR1652
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Michael Winters,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE TERRY
Navarro and Carparelli*, JJ., concur

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

Court of Appeals No. 16CA1164
El Paso County District Court No. 15CR1220
Honorable William B. Bain, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Royce Elias Marquis,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division VI
Opinion by JUDGE NAVARRO
Terry and Carparelli*, JJ., concur

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

Court of Appeals No. 16CA1455
Weld County District Court No. 14CR2052
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joey Ray Hernandez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FREYRE
Terry and Navarro, JJ., concur

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

Court of Appeals No. 16CA1610
Adams County District Court No. 98CR306
Honorable Thomas R. Ensor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Edward Thomas,

Defendant-Appellant.

ORDER AFFIRMED

Division A
Opinion by CHIEF JUDGE LOEB
Casebolt* and Carparelli*, JJ., concur

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

Court of Appeals No. 16CA2049
Adams County District Court No. 14JV262
Honorable John E. Popovich, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.W.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE CASEBOLT*
Loeb, C.J., and Carparelli*, J., concur

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

Court of Appeals No. 17CA0072
Montezuma County District Court No. 15JV17
Honorable Douglas S. Walker, Judge

The State of Colorado,

Petitioner-Appellee,

In the Interest of B.L.H., Child,

and Concerning A.T.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE BERGER
Hawthorne and Miller*, JJ., concur

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

Court of Appeals No. 17CA0190
City and County of Denver District Court No. 11CV7967
Honorable Kenneth M. Laff, Judge
Honorable A. Bruce Jones, Judge

The Hal Marshall Sears Revocable Trust Dated June 18, 1993; The Hal Sears
Money Purchase Pension Plan; and Ramblas Financial, LLC,

Plaintiff-Appellants and Cross-Appellees,

v.

The Goodyear Tire & Rubber Company,

Defendant-Appellee and Cross-Appellant.

JUDGMENT AND ORDER AFFIRMED

Division I
Opinion by JUDGE MÁRQUEZ*
Taubman and Harris, JJ., concur

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

Court of Appeals No. 17CA0467
Pitkin County District Court No. 08CV181
Honorable Daniel B. Petre, Judge

Lenado Twelve, LLC, a Colorado limited liability company; and Last Chance No. 2, Inc., a Colorado corporation,

Appellees,

v.

Board of County Commissioners of Pitkin County, Colorado,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE MÁRQUEZ*
Taubman and Harris, JJ., concur

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

Court of Appeals No. 17CA0853
Jefferson County District Court No. 16CV293
Honorable Laura A. Tighe, Judge

Joseph A. Camp,

Plaintiff-Appellant,

v.

Jefferson County District Attorney,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE BERGER
Bernard and Freyre, JJ., concur

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

Court of Appeals No. 17CA0858
Douglas County District Court No. 11CR100
Honorable Paul A. King, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Micah Joel Woody,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE BERGER
Bernard and Davidson*, JJ., concur

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

Court of Appeals No. 17CA0967
Boulder County District Court No. 04DR400
Honorable Thomas Francis Mulvahill, Judge

In re the Marriage of

Leah R. Josenhans,

Appellee,

and

Charles A. Josenhans,

Appellant.

ORDERS AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Bernard and Welling, JJ., concur

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

Court of Appeals No. 17CA1078
Arapahoe County District Court No. 16DR30347
Honorable Frederick T. Martinez, Judge

In re the Marriage of

Wendy Vernon-Dzaman, n/k/a Vernon,

Appellant,

and

Grant Dzaman,

Appellee.

JUDGMENT AND ORDER AFFIRMED

Division III
Opinion by JUDGE RICHMAN
Webb and Fox, JJ., concur

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

Court of Appeals No. 17CA1408
Mesa County District Court No. 16JV106
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.A.R. and S.N.R., Children,

and Concerning N.R. and S.R.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE HARRIS
Taubman and Márquez*, JJ., concur

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

Court of Appeals No. 17CA1628
Arapahoe County District Court No. 16JV155
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.S., J.S., and H.S., Children,

and Concerning T.S.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WEBB
Richman and Fox, JJ., concur

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

Court of Appeals No. 17CA1682
Adams County District Court No. 17JV51
Honorable Edward C. Moss, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.M. a Child,

and Concerning L.K.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE FOX
Webb and Richman, JJ., concur

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

Court of Appeals No. 17CA1905
Mesa County District Court No. 15JV302
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of N.T.W., a Child,

and Concerning S.N.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE WELLING
Taubman and Bernard, JJ., concur

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

Court of Appeals No. 17CA2028
City and County of Denver District Court No. 10CR2187
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Joshua Levi Holley,

Defendant-Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUDGE NIETO*
Terry and Freyre, 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. 14CA1177

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Casandra Bustos,

Defendant-Appellant.

Prior Opinion Announced December 28, 2017, WITHDRAWN
Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0198

In the Interest of Joanne Black, Protected Person,

Appellee and Cross-Appellant,

v.

Bernard Black, in his Capacity as Trustee for the Supplemental Needs Trust for
the Benefit of Joanne Black,

Appellant and Cross-Appellee.

Petition for Rehearing DENIED

Court of Appeals No. 16CA0366

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daryll Glenn Brown,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

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

[2018COA48M](#)

Court of Appeals No. [16CA0826](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Anthony Wayne Henry,

Defendant-Appellant.

Opinion Modified and
Petition for Rehearing DENIED

Court of Appeals No. 16CA1268

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joseph P. Lucero,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA1608

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gordon L. Johnston,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA0113

Bobby R. Hayes,

Plaintiff-Appellant,

v.

Robin Feffer,

Defendant-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. 2017.