

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*May 24, 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.

**UNPUBLISHED OPINIONS**

Court of Appeals No. 12CA1295  
Pueblo County District Court No. 10CR843  
Honorable David W. Crockenberg, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Acacia Lyndarr,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE HARRIS  
Richman and Lichtenstein, JJ., concur

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

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Court of Appeals No. 14CA1443  
City and County of Denver District Court No. 13CR2059  
Honorable Morris B. Hoffman, Judge  
Honorable Elizabeth A. Starrs, Judge  
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daryl D. Thompson, Sr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 15CA0040  
Larimer County District Court No. 07CR68  
Honorable Julie Kunce Field, Judge  
Honorable Stephen E. Howard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Randy D. Tallent,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 15CA1075  
El Paso County District Court No. 13CR1652  
Honorable Barney Iuppa, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John David Deford,

Defendant-Appellant.

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

Division II  
Opinion by JUDGE TOW  
Dunn and Carparelli\*, JJ., concur

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

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Court of Appeals No. 15CA1512  
Pueblo County District Court No. 13JD219  
Honorable Thomas B. Flesher, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of S.D.M.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE DUNN  
Tow and Carparelli\*, JJ., concur

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

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Court of Appeals No. 15CA2116  
Weld County District Court No. 14CR1790  
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kimberly Renee Howerton,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE HAWTHORNE  
J. Jones and Richman, JJ., concur

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

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Court of Appeals No. 15CA2136  
Pitkin County District Court No. 09CV222  
Honorable James B. Boyd, Judge

Steven G. Berkowitz,

Third-Party Plaintiff-Appellee,

v.

Michael Turchin,

Third-Party Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE HAWTHORNE  
J. Jones and Richman, JJ., concur

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

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Court of Appeals No. 16CA0246  
Weld County District Court No. 11CR355  
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leo Wayne Diederich,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE TOW  
Dunn and Carparelli\*, JJ., concur

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

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Court of Appeals No. 16CA0399  
Arapahoe County District Court No. 15CR236  
Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marcos Rodriguez-Andrades,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE FURMAN  
Román and Lichtenstein, JJ., concur

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

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Court of Appeals No. 16CA0775  
City and County of Denver District Court No. 95CR907  
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raymond Gone,

Defendant-Appellant.

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

Division I  
Opinion by JUDGE BERNARD  
Taubman and Welling, JJ., concur

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

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Court of Appeals No. 16CA1412  
Pueblo County District Court No. 15JV169  
Honorable Deborah Eyler, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.E.J.R., A.A.R., and M.V.R., Children,

and Concerning R.R. and J.V.,

Respondents-Appellants.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 16CA1585  
El Paso County District Court No. 15CR4282  
Honorable Gregory R. Werner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

George Lee Gonzales,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA1651  
Conejos County District Court No. 15CR88  
Honorable Pattie Pratt Swift, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Arthur Espinoza,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA1779  
Boulder County District Court No. 02CR151  
Honorable Maria E. Berkenkotter, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason M. Sloan,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 16CA1902  
Yuma County District Court No. 15CR3  
Honorable Charles M. Hobbs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kendall Michael David,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA1981  
City and County of Denver Juvenile Court No. 16JD505  
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.R.Y.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 16CA2243  
Fremont County District Court Nos. 16CV90 & 16CV96  
Honorable Robert Freeman, Magistrate

Eddie Dechant,

Plaintiff-Appellant,

v.

Rick Raemisch, Executive Director of the 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.

JUDGMENT AFFIRMED

Division A  
Opinion by CHIEF JUDGE LOEB  
Davidson\* and Vogt\*, JJ., concur

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

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Court of Appeals No. 16CA2245  
Fremont County District Court No. 16CV104  
Honorable Robert Freeman, Magistrate

Lloyd Maestas,

Plaintiff-Appellant,

v.

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

Defendants-Appellees.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE DAVIDSON\*  
Loeb, C.J. and Vogt\*, J., concur

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

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Court of Appeals No. 17CA0038  
Adams County District Court No. 15CR3604  
Honorable Francis C. Wasserman, Judge  
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Travis Elecine Bernal,

Defendant-Appellant.

JUDGMENT VACATED

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

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

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Court of Appeals No. 17CA0079  
Douglas County District Court No. 13DR58  
Honorable Gary M. Kramer, Judge

In re the Marriage of

Janel Warren,

Appellee,

and

Tobby Ogden,

Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE TERRY  
Freyre and Nieto\*, JJ., concur

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

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Court of Appeals No. 17CA0121  
City and County of Denver District Court No. 15CV33145  
Honorable A. Bruce Jones, Judge

Rockford Corporation, an Oregon company,

Plaintiff-Appellee,

v.

MarkWest Liberty Midstream & Resources, LLC, a Delaware company,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA0192  
Garfield County District Court No. 14DR11  
Honorable James B. Boyd, Judge

In re the Marriage of

Kassie M. Burtard,

Appellee and Cross-Appellant,

and

Eric J. Casaus,

Appellant and Cross-Appellee.

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

Division V  
Opinion by JUDGE ROMÁN  
Furman and Lichtenstein, JJ., concur

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

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Court of Appeals No. 17CA0833  
City and County of Denver District Court Nos. 15CV713 & 15CV34501  
Honorable Edward D. Bronfin, Judge

Patrick J. McDivitt,

Plaintiff-Appellant,

v.

Public Employees' Retirement Association of Colorado; Public Employees'  
Retirement Association of Colorado Board of Trustees in their official capacity;  
and Office of the Colorado State Court Administrator,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA0856  
Fremont County District Court No. 16DR29  
Honorable Stephen A. Groome, Judge

In re the Marriage of

Jessica Lynn Putzer, n/k/a Jessica Lynn Desotelle,

Appellee,

and

Larry C. Putzer,

Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA0893  
Arapahoe County District Court No. 15CV31831  
Honorable John L. Wheeler, Judge

Lisa Anderson and the Jack Alan Prather Revocable Trust, dated February 20, 2003,

Plaintiffs-Appellees,

v.

David Cook; Alpertcook Venture II, LLC, a Colorado limited liability company;  
and DWC, LLC, a Colorado limited liability company,

Defendants-Appellants,

and

Nathan White, as Trustee of the Jack Alan Prather Revocable Trust, dated  
February 20, 2003,

Third-Party Defendant-Appellee.

ORDER REVERSED

Division II  
Opinion by JUDGE DUNN  
Tow and Carparelli\*, JJ., concur

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

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Court of Appeals No. 17CA0907  
Arapahoe County District Court No. 16CV33066  
Honorable John L. Wheeler, Judge

Atlantic Building Systems, LLC, d/b/a Armstrong Steel Corporation,  
Plaintiff-Appellant,

v.

Great Western Building Systems, LLC; Jan Eric Beavers; Karl P. Hatfield; and  
Timothy L. Dodge,

Defendants-Appellees.

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

Division II  
Opinion by JUDGE KAPELKE\*  
Dailey and Navarro, JJ., concur

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

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Court of Appeals No. 17CA1046  
Weld County District Court No. 16JV226  
Honorable Elizabeth B. Strobel, Judge

The People of the State of Colorado,  
Petitioner-Appellee,

In the Interest of N.A.S-L., a Child,  
and Concerning L.L. and A.S.,

Respondent-Appellants.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1150  
Douglas County District Court No. 17CV30134  
Honorable Shay K. Whitaker, Judge

Roberta Jean Matthews,

Plaintiff-Appellant,

v.

The Colorado Department of Revenue, Division of Motor Vehicles,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division A  
Opinion by CHIEF JUDGE LOEB  
Davidson\* and Vogt\*, JJ., concur

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

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Court of Appeals No. 17CA1152  
Jefferson County District Court No. 16CV331  
Honorable Laura A. Tighe, Judge

Joseph A. Camp,

Plaintiff-Appellant,

v.

Daniel Brennan,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 17CA1210  
Las Animas County District Court No. 16DR30021  
Honorable Claude W. Appel, Judge

In re the Marriage of

Laurie Graeff,

Appellee,

and

John Graeff,

Appellant.

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

Division A  
Opinion by JUDGE CARPARELLI\*  
Loeb, C.J. and Casebolt\*, J., concur

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

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Court of Appeals No. 17CA1667  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 19228-2017

Bills Sooper, Inc.,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Jon A. Nix,

Respondents.

ORDER AFFIRMED

Division A  
Opinion by JUDGE VOGT\*  
Loeb, C.J. and Davidson\*, J., concur

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

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Court of Appeals No. 17CA1699  
City and County of Denver District Court No. 11CR10309  
Honorable Catherine A. Lemon, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Damian Lynch,

Defendant-Appellee.

ORDER AFFIRMED

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

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

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Court of Appeals No. 17CA1738  
Adams County District Court No. 16JV102  
Honorable Katherine R. Delgado, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Z.A.S., a Child,

and Concerning S.M.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

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**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. 14CA1752

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andre Demetrius Willi Jones,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 17CA2021

David K. Edwards,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Dillon Companies,  
Inc.,

Respondents.

Petition for Rehearing DENIED

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

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\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2017.