

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
April 20, 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**

[2017COA48](#)

Court of Appeals No. [13CA2318](#)  
City and County of Denver District Court No. 11CR3951  
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hector Toby Sifuentes,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE NAVARRO  
Taubman, J., concurs  
Graham, J., dissents

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[2017COA49](#)

Court of Appeals No. [14CA0339](#)  
Mesa County District Court No. 00CR907  
Honorable Charles A. Buss, Judge  
Honorable Brian J. Flynn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David William Wiseman,

Defendant-Appellant.

SENTENCE VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE DAILEY  
J. Jones, J., concurs  
Berger, J., specially concurs

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[2017COA50](#)

Court of Appeals No. [14CA2417](#)  
El Paso County District Court Nos. 13CR3575, 13CR3586 & 13CR3600  
Honorable Robert L. Lowrey, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brock Edward Butson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE HARRIS  
Lichtenstein and Vogt\*, JJ., concur

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[2017COA51](#)

Court of Appeals No. [15CA0878](#)  
El Paso County District Court No. 06DR65  
Honorable Theresa M. Cisneros, Judge  
Honorable Evelyn H. Sullivan, Magistrate

In re the Marriage of

Sylvia Dean, f/k/a Sylvia Cook,

Appellant,

and

Andre L. Cook,

Appellee.

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

Division VII  
Opinion by JUDGE BOORAS  
Terry, J., concurs  
Berger, J., dissents

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[2017COA52](#)

Court of Appeals No. [15CA1352](#)  
Adams County District Court No. 14CV2608  
Honorable Walter R. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jimmy Aruther Perez,

Defendant-Appellant.

ORDER AFFIRMED IN PART AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE GRAHAM  
Taubman and Navarro, JJ., concur

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[2017COA53](#)

Court of Appeals No. [15CA1557](#)  
Jefferson County District Court No. 13PR534  
Honorable Lily W. Oeffler, Judge

In re the Estate of Arlen E. Owens, deceased.

David Owens,

Petitioner-Appellee,

v.

Angela Dominguez,

Respondent-Appellant.

JUDGMENTS AFFIRMED

Division I  
Opinion by JUDGE TAUBMAN  
Graham and Navarro, JJ., concur

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[2017COA54](#)

Court of Appeals No. [16CA0388](#)  
Prowers County District Court No. 15PR30000  
Honorable Douglas A. Tallman, Judge  
Honorable M. Jon Kolomitz, Judge

In re the Estate of Paul J. Gadash, deceased.

Lorella Gadash,

Petitioner-Appellant,

v.

Estate of Paul J. Gadash by and through its Personal Representative, Linda Rose,

Appellee.

APPEAL DISMISSED IN PART  
AND ORDER AFFIRMED

Division V  
Opinion by JUDGE ROMÁN  
Booras and Fox, JJ., concur

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[2017COA55](#)

Court of Appeals No. [16CA0598](#)

Arapahoe County District Court No. 12CV1559

Honorable Elizabeth A. Weishaupl, Judge

William P. Dolan,

Plaintiff-Appellant,

v.

Fire and Police Pension Association,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I

Opinion by JUDGE GRAHAM

Taubman and Navarro, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 13CA1976  
El Paso County District Court No. 12CR903  
Honorable David L. Shakes, Judge

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

v.

Todd Wesley Eckley,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED,  
AND CASE REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 14CA0556  
Adams County District Court No. 12CR3423  
Honorable Robert W. Kiesnowski, Judge

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

v.

Hector Alvarez-Martinon,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE HAWTHORNE  
Ashby and Freyre, JJ., concur

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

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Court of Appeals No. 14CA1035  
Jefferson County District Court No. 04CR3020  
Honorable Lily W. Oeffler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eugene Robert Trujillo,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE HAWTHORNE  
Ashby and Carparelli\*, JJ., concur

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

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Court of Appeals No. 14CA1388  
Weld County District Court No. 13CR1576  
Honorable Robert S. Hyatt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gabriel Ian Orozco,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE TERRY  
Furman, J., concurs  
Welling, J., dissents

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

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Court of Appeals No. 14CA1686  
El Paso County District Court No. 10PR884  
Honorable Teresa M. Cisneros, Judge

In the Matter of Cozart Williams,

and

Next Step Adult Care Management, LLC; Robert Francisco, d/b/a Next Step  
Adult Care Management, LLC; Annette Bonnart, d/b/a Next Step Adult Care  
Management, LLC; and Janice Eder, d/b/a Eder and Hasling, Inc.,

Appellees,

and

Joyce Sanchez and Wayna Marshall,

Attorneys-Appellees,

v.

Gwendolyn M. Lawson, f/k/a Gwendolyn M. Solomon,

Attorney-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE WEBB  
Nieto\* and Casebolt\*, JJ., concur

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

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Court of Appeals No. 14CA2221  
Arapahoe County District Court No. 12CR2354  
Honorable Frederick T. Martinez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher John Maher,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE ASHBY  
Hawthorne and Freyre, JJ., concur

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

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Court of Appeals No. 15CA0810  
Boulder County District Court Nos. 12CR311, 12CR884 & 13CR313  
Honorable Thomas F. Mulvahill, Judge  
Honorable Andrew R. MacDonald, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Daniel Steinle,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED,  
AND CASE REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE FREYRE  
Hawthorne and Ashby, JJ., concur

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

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Court of Appeals No. 15CA0888  
Arapahoe County District Court No. 11CR1947  
Honorable Marilyn Leonard Antrim, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alexander Christian Greer,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE TERRY  
Furman and Welling, JJ., concur

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

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Court of Appeals No. 15CA0898  
City and County of Broomfield County District Court No. 13CR274  
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kingsakhorn King Vorasane,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division IV  
Opinion by JUDGE ASHBY  
Hawthorne and Davidson\*, JJ., concur

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

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Court of Appeals No. 15CA1057  
City and County of Denver District Court No. 14DR30078  
Honorable Sheila A. Rappaport, Judge

In re the Marriage of

Marisa Ann Simm,

Appellee and Cross-Appellant,

and

Edward Scott Simm,

Appellant and Cross-Appellee.

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

Division IV  
Opinion by JUDGE ASHBY  
Hawthorne and Freyre, JJ., concur

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

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Court of Appeals No. 15CA1420  
Mesa County District Court No. 14DR30067  
Honorable Brian J. Flynn, Judge

In re the Marriage of

Ginny L. Parko,

Appellee,

and

Jerry F. Parko,

Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE BERNARD  
Casebolt\*, J, concurs  
Webb, J., specially concurs

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

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Court of Appeals No. 16CA0027  
El Paso County District Court No. 09DR205  
Honorable Robert L. Lowrey, Judge

In re the Marriage of

Stephanie M. Parks, n/k/a Stephanie M. Seales,

Appellant,

and

Jason P. Parks,

Appellee.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE HAWTHORNE  
Ashby and Freyre, JJ., concur

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

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Court of Appeals No. 16CA0480  
City and County of Denver Probate Court No. 04PR647  
Honorable Elizabeth D. Leith, Judge

In re the Estate of Sanford Vance, deceased.

Dana M. Robinson,

Appellant,

v.

Marcie R. McMinimee, Special Administrator for the Estate of Sanford Vance,

Appellee.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE WEBB  
Bernard and Dunn, JJ., concur

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

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Court of Appeals No. 16CA0566  
City and County of Denver Juvenile Court No. 15JD934  
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of O.K.L.B.,

Juvenile-Appellant.

SENTENCE AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE GRAHAM  
Taubman and Navarro, JJ., concur

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

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Court of Appeals No. 16CA0955  
Arapahoe County District Court No. 15CV32281  
Honorable Elizabeth A. Weishaupl, Judge

Wayne Francis Yakes,

Plaintiff-Appellant,

v.

The Colorado Department of Revenue, Division of Motor Vehicles,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 16CA1006  
Larimer County District Court No. 15CV30301  
Honorable Gergory M. Lammons, Judge

Richard Larsen,

Plaintiff-Appellee,

v.

Cutler Repaving, Inc. a Delaware foreign corporation,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE FREYRE  
Hawthorne and Ashby, JJ., concur

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

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Court of Appeals No. 16CA1356  
Yuma County District Court No. 15JV15  
Honorable Michael K. Singer, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.P. III and S.W., Children,

and Concerning B.O.,

Respondent-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE ROMÁN  
Booras and Fox, JJ., concur

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

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Court of Appeals No. 16CA1453  
City and County of Denver District Court No. 15JV759  
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.M.L., L.D.L., A.L.L., E.C.L., and S.D.L., Children,

and Concerning A.L. and L.L.,

Respondents-Appellants.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE WEBB  
Bernard and Dunn, JJ., concur

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

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Court of Appeals No. 16CA1488  
Arapahoe County District Court No. 15JV685  
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning J.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE MÁRQUEZ\*  
Furman and Welling, JJ., concur

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

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Court of Appeals No. 16CA1520  
Weld County District Court No. 15JV277  
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.R. and L.R., Children,

and Concerning K.C. and S.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE BERNARD  
Webb and Dunn, JJ., concur

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

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Court of Appeals No. 16CA1549  
Mesa County District Court No. 15JV102  
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of I.A., A.A., J.A., Children,

and Concerning J.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE HAWTHORNE  
Ashby and Freyre, JJ., concur

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

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Court of Appeals No. 16CA1556  
Industrial Claim Appeals Office of the State of Colorado  
WC Nos. 4-712-263 & 4-726-134

Jeckonias N. Muragara,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; Sears Holdings, d/b/a  
Sears Roebuck & Company; and Ace American Insurance Company,

Respondents.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE ASHBY  
Hawthorne and Freyre, JJ., concur

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

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Court of Appeals No. 16CA1561  
Mesa County District Court No. 16JV108  
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning B.W.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE NAVARRO  
Taubman and Graham, JJ., concur

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

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Court of Appeals No. 16CA1684  
Industrial Claim Appeals Office of the State of Colorado  
WC No. 4-947-730

Karen Adams,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; Heart of the Rockies  
Regional Medical Center and CHA Trust,

Respondents.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE KAPELKE\*  
Loeb, C.J., and Vogt\*, J., concur

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

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Court of Appeals No. 16CA1702  
El Paso County District Court No. 15JV618  
Honorable Lin Billings Vela, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D.M., J.O., B.O., and A.O., Children,

and Concerning A.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE FREYRE  
Hawthorne and Ashby, JJ., concur

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

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Court of Appeals No. 16CA1750  
Teller County District Court No. 16JV5  
Honorable Teresa M. Cisneros, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of P.H., a Child,

and Concerning B.H.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE DUNN  
Webb and Bernard, JJ., concur

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

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Court of Appeals No. 16CA1839  
Weld County District Court No. 15JV399  
Honorable Elizabeth B. Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning E.E.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE FOX  
Román and Booras, JJ., concur

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

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Court of Appeals No. 16CA1930  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 14574-2016

Krista L. Edmonds-Radford,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and University  
Colorado Hospital Authority,

Respondents.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE VOGT\*  
Loeb, C.J., and Kapelke\*, J., concur

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

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Court of Appeals No. 17CA0025  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 13941-2016

Terri L. Foechterle,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Western Regional  
EMS Council,

Respondents.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE FREYRE  
Hawthorne and Ashby, 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. 16CA0101

Broomfield Senior Living Owner, LLC, a Delaware limited liability company;  
and Sunrise Development, Inc., LLC, a Virginia corporation,

Plaintiffs-Appellants,

v.

R.G. Brinkmann Company, d/b/a Brinkmann Constructors, a Missouri  
corporation,

Defendant-Appellee.

Petition for Rehearing DENIED

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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. 2016.