

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
July 27, 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

[2017COA98](#)

Court of Appeals No. [14CA0986](#)
El Paso County District Court No. 13CR1193
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Caleb Charles Butler,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

[2017COA99](#)

Court of Appeals No. [15CA0717](#)
Boulder County District Court No. 14CR884
Honorable Patrick D. Butler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Coleman Backstrom Stewart,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE GRAHAM
Welling, J., concurs
J. Jones, J., concurs in part and dissents in part

[2017COA100](#)

Court of Appeals No. [15CA1955](#)
Adams County District Court No. 14CR3348
Honorable Patrick T. Murphy, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Angelita Sue Ramos,

Defendant-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

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

[2017COA101](#)

Court of Appeals No. [16CA0590](#)
El Paso County District Court No. 14CV34155
Honorable David A. Gilbert, Judge

Michele Pacitto, Jr.,

Plaintiff-Appellee,

v.

Charles M. Prignano and Francis P. Prignano,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE RICHMAN
Casebolt* and Carparelli*, JJ., concur

[2017COA102](#)

Court of Appeals No. [16CA0704](#)
Jefferson County District Court No. 09CR3045
Honorable Dennis Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Douglas L. Baker,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

[2017COA103](#)

Court of Appeals No. [16CA0733](#)
Jefferson County District Court No. 15CV31037
Honorable Christopher J. Munch, Judge

Owners Insurance Company, a Michigan corporation,
Petitioner-Appellant,

v.

Dakota Station II Condominium Association, Inc., a Colorado corporation,
Respondent-Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE RICHMAN
Vogt*, J., concurs
Terry, J., concurring in part and dissenting in part

[2017COA104](#)

Court of Appeals No. [16CA1358](#)
Industrial Claim Appeals Office of the State of Colorado
DD No. 5162-2016

Varsity Tutors LLC,
Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Division of
Unemployment Insurance Employer Services – Integrity/Employer Audits,
Respondents.

ORDER REVERSED

Division II
Opinion by JUDGE BERNARD
Dailey and Fox, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals Nos. 14CA0063 & 14CA0797
City and County of Denver District Court No. 10CV6699
Honorable Herbert L. Stern, III, Judge

Tad S. Rogers,

Plaintiff-Appellee and Cross-Appellant,

v.

Forest City Stapleton, Inc., a Colorado corporation; and FC Stapleton II, LLC, a
Colorado limited liability company,

Defendants-Appellants and Cross-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 14CA0106
City and County of Denver District Court No. 13CR172
Honorable Catherine A. Lemon, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Glenn R. Hernandez,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA0478
El Paso County District Court No. 12CR4638
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John M. Halaseh,

Defendant-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE HAWTHORNE
Navarro and Casebolt*, JJ., concur

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

Court of Appeals No. 14CA0649
Weld County District Court No. 12CR428
Honorable Timothy G. Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Clarence Pinkstaff,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 15CA0530
Eagle County District Court No. 14CR172
Honorable Paul R. Dunkelman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alejandro Plascencia-Gonzalez,

Defendant-Appellant.

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

Division II
Opinion by JUDGE FURMAN
Dailey and Harris, JJ., concur

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

Court of Appeals No. 15CA0632
Gilpin County District Court No. 14CR37
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenny Lee Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE HARRIS
Furman and Berger, JJ., concur

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

Court of Appeals No. 15CA1287
Arapahoe County District Court No. 14CR161
Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Del Dawan Bankett,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BERGER
Furman and Harris, JJ., concur

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

Court of Appeals No. 16CA0277
Arapahoe County District Court No. 99CR2788
Honorable F. Stephen Collins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Irons,

Defendant-Appellant.

ORDER 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. 16CA1197
Larimer County District Court No. 14CV30694
Honorable Stephen E. Howard, Judge

Nancy Wallace, as the Personal Representative of the Estate of Catherine Roberts,

Plaintiff-Appellee,

v.

Benjamin Roberts, Burke Roberts, and David Roberts,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 16CA1199
Arapahoe County District Court No. 14CV186
Honorable Kurt A. Horton, Judge

Uppercuts, LLC, Andre Deegan, and Nazario Sandoval,

Plaintiffs-Appellants,

v.

Charlene Estrada and Tyrone Martin,

Defendants-Appellees.

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. 16CA1373
Chaffee County District Court No. 15CV6
Honorable Patrick W. Murphy, Judge

Anthony Anderson,

Plaintiff-Appellant,

v.

Executive Director of the Colorado Department of Corrections and Warden of
Buena Vista Correctional Facility,

Defendants-Appellees.

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. 16CA1806
Arapahoe County District Court No. 14CV33057
Honorable Charles M. Pratt, Judge

Community Banks of Colorado, a Division of NBH Bank, N.A.,

Plaintiff-Appellee,

v.

Richard A. Landy and Landy Enterprises, Inc.,

Defendants-Appellants.

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. 16CA1849
Summit County District Court No. 15JV4
Honorable Mark D. Thompson, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning K.J.L. and A.M.G.,

Respondents-Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA1955
Arapahoe County District Court No. 15JV664
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning K.A.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA2012
Mesa County District Court No. 15JV464
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning B.G., a/k/a B.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division A
Opinion by JUDGE VOGT*
Loeb, C.J., and Plank*, J., 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

[2017COA81M](#)

Court of Appeals No. [14CA0562](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kyree Davon Howard-Walker,

Defendant-Appellant.

Opinion Modified and
Petitions for Rehearing DENIED

Court of Appeals No. 15CA2000

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Fernandez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 16CA0481

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott Alan Oldright,

Defendant-Appellant.

Petition for Rehearing DENIED
Hawthorne, J., would GRANT

Court of Appeals No. 17CA0366

Compassion International, Inc.,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Deborah D. Webb,

Respondents.

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.