

ANNOUNCEMENTS
COLORADO COURT OF APPEALS
October 25, 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UNPUBLISHED OPINIONS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. 14CA1288
Alamosa County District Court No. 86CR25
Honorable Michael A. Gonzales, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry Ray Porter,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE WEBB
Harris and Welling, JJ., concur

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

Court of Appeals No. 14CA2414
Jefferson County District Court No. 09CR1088
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

William Alan Gay,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE RICHMAN
Berger and Kapelke*, JJ., concur

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

Court of Appeals No. 15CA1041
Montezuma County District Court No. 05CR58
Honorable Jeffrey R. Wilson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Aric Jerome Miera,

Defendant-Appellant.

ORDER AFFIRMED

Division V
Opinion by JUDGE KAPELKE*
Richman and Berger, JJ., concur

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

Court of Appeals No. 15CA1079
City and County of Denver District Court No. 13CR1018
Honorable J. Eric Elliff, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shaun Tobelmann,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCES VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE DAILEY
Ashby and Nieto*, JJ., concur

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

Court of Appeals No. 15CA1924
Jefferson County District Court No. 13CR796
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Warren Dale Watson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TERRY
Taubman and Fox, JJ., concur

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

Court of Appeals No. 15CA2091
Arapahoe County District Court No. 14CR2041
Honorable Elizabeth Beebe Volz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua James Brooks,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE ASHBY
Dailey and Nieto*, JJ., concur

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

Court of Appeals No. 16CA0808
City and County of Denver District Court No. 10CR837
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ronald Leslie Webster,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE ASHBY
Dailey and Nieto*, JJ., concur

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

Court of Appeals No. 16CA0910
Moffat County District Court No. 14CR171
Honorable Mary C. Hoak, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jasen Albert Teal,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division III
Opinion by JUDGE WEBB
Harris and Welling, JJ., concur

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

Court of Appeals No. 16CA1711
City and County of Denver District Court No. 09CR3459
Honorable Andrew P. McCallin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John Arthur Allen,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
Ashby and Nieto*, JJ., concur

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

Court of Appeals No. 16CA2185
Elbert County District Court No. 15DR30043
Honorable Jeffrey K. Holmes, Judge

In re the Marriage of

Laura Katherine Sartorello,

Appellee,

and

Peter John Sartorello,

Appellant.

JUDGMENT AFFIRMED IN PART, REVERSED IN PART,
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)

Court of Appeals No. 17CA0281
Adams County District Court No. 01CR1609
Honorable Craig R. Welling, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Robert Allen Padilla,

Defendant-Appellee

ORDER AFFIRMED

Division II
Opinion by JUDGE NIETO*
Dailey and Ashby, JJ., concur

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

Court of Appeals No. 17CA0357
Adams County District Court No. 15CR879
Honorable Donald S. Quick, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Eugenelee Carter,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Terry and Fox, JJ., concur

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

Court of Appeals No. 17CA0711
Chaffee County District Court No. 15DR30034
Honorable Patrick W. Murphy, Judge

In re the Marriage of

William Burdette Berringer, by and through Brenda Berringer as Guardian,
Appellant,

and

Shellee Lin Berringer,

Appellee.

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

Division III
Opinion by JUDGE WEBB
Harris and Welling, JJ., concur

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

Court of Appeals No. 17CA0862
Douglas County District Court No. 14DR30648
Honorable Michael Spear, Judge

In re the Parental Responsibilities of G.C.M.S., a Child,
and Concerning Claire Matheson Siemer,

Appellant,

and

Jonathan Lee Steffey,

Appellee.

ORDER AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Berger and Kapelke*, JJ., concur

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

Court of Appeals No. 17CA1341
City and County of Denver District Court No. 14CV33718
Honorable J. Eric Elliff, Judge

Gerald Rome, Commissioner for the State of Colorado,

Plaintiff-Appellee,

v.

John Koral,

Defendant-Appellant

ORDER AFFIRMED

Division II
Opinion by JUDGE NIETO*
Dailey and Ashby, JJ., concur

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

Court of Appeals No. 17CA1359
Jefferson County District Court No. 15DR30161
Honorable Ann G. Meinster, Judge

In re the Parental Responsibilities Concerning K.P.B., a Child,
and Concerning Amalia E. Beltran,
Appellee,
and
Wyn Barrett,
Appellant.

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

Division VII
Opinion by JUDGE NAVARRO
J. Jones and Martinez*, JJ., concur

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

Court of Appeals No. 17CA1693
El Paso Court District Court No. 16JV959
Honorable Timothy J. Schutz, Judge

The People of the State of Colorado,
Petitioner-Appellee,
In the Interest of C.K., a Child,
and Concerning D.K. and D.B.,
Respondents-Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE HAWTHORNE
Bernard and Tow, JJ., concur

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

Court of Appeals No. 17CA1778
City and County of Denver District Court No. 16CV30509
Honorable A. Bruce Jones, Judge

Jessica Sellars,

Plaintiff-Appellant,

v.

David Wray,

Defendant-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE FOX
Taubman and Terry, JJ., concur

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

Court of Appeals No. 17CA1791
Garfield County District Court No. 16CV30209
Honorable John F. Neiley, Judge

Jay Barner and Tracy Barner,

Plaintiffs-Appellees and Cross-Appellants,

v.

Town of Silt, Colorado,

Defendant-Appellant and Cross-Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE FOX
Taubman and Terry, JJ., concur

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

Court of Appeals No. 17CA1806
Larimer County District Court No. 16CV30038
Honorable Stephen J. Jouard, Judge

Rocky Mountain Hydro-Seeding, LLC, d/b/a Rocky Mountain Hydro Seed,
Plaintiff-Appellee,

v.

Bellisimo, Inc.; Bucking Horse, LLC; Bucking Horse Farm, LLC; SideHill
Residential Association, Inc.; and Johnson Farm LLC,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE TOW
Hawthorne and Bernard, JJ., concur

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

Court of Appeals No. 17CA2020
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-013-335

Linda Dizmang,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Axis Financial
Management, and Norguard Insurance,

Respondents.

ORDER AFFIRMED

Division I
Opinion by JUDGE TERRY
Taubman and Fox, JJ., concur

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

Court of Appeals No. 17CA2159
Weld County District Court No. 17CV30382
Honorable Todd L. Taylor, Judge

Jeffrey Baum, individually and as next friend of E.B. and C.B., Children, and
Karla Baum, individually and as next friend of E.B. and C.B., Children,

Plaintiffs-Appellants,

v.

Anadarko Petroleum Corporation and Noble Energy, Inc.,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE HARRIS
Webb and Welling, JJ., concur

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

Court of Appeals No. 17CA2165
Industrial Claim Appeals Office of the State of Colorado
WC No. 4-881-225

Salahaddin Amin,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Schneider National
Carriers, and Liberty Mutual Insurance Company,

Respondents.

ORDER AFFIRMED

Division I
Opinion by JUDGE FOX
Taubman and Terry, JJ., concur

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

Court of Appeals No. 17CA2179
City and County of Denver District Court No. 17CV12
Honorable David H. Goldberg, Judge

Makeen Investment Group, LLC,

Plaintiff-Appellant,

and

Akeem Makeen,

Appellant,

v.

Woodstream Falls Condominium Association, Inc.

Defendant-Appellee.

APPEAL DISMISSED IN PART
AND ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
Ashby and Nieto*, JJ., concur

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

Court of Appeals No. 17CA2263
Pueblo County District Court No. 16JV24
Honorable William D. Alexander, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of R.J.F., R.A.F., and Ri.J.F., Children,

and Concerning R.L.F.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE WELLING
Webb and Harris, JJ., concur

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

Court of Appeals No. 17CA2297
Weld County District Court No. 17CV76
Honorable Todd L. Taylor, Judge

Bernard Kenneth Rivers, Jr.-El,

Plaintiff-Appellant,

v.

City of Greeley, Colorado,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE TAUBMAN
Terry and Fox, JJ., concur

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

Court of Appeals No. 18CA0058
Arapahoe County District Court No. 15DR30961
Honorable Bonnie H. McLean, Judge

In re the Marriage of

Danielle Alfaro,

Appellant,

and

Matthew Duerksen,

Appellee.

ORDERS AFFIRMED

Division I
Opinion by JUDGE TERRY
Taubman and Fox, JJ., concur

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

Court of Appeals No. 18CA0083
Weld County District Court No. 16JV783
Honorable Elizabeth Strobel, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning M.D.M.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Román and Berger, JJ., concur

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

Court of Appeals No. 18CA0142
Industrial Claim Appeals Office of the State of Colorado
DD No. 27789-2017

Keith L. Kilen,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Globe Facility
Limited Partnership,

Respondents.

ORDER AFFIRMED

Division III
Opinion by CHIEF JUDGE LOEB
Kapelke* and Márquez*, JJ., concur

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

Court of Appeals No. 18CA0198
Fremont County District Court No. 17JV26
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.M.B., a Child,

and Concerning C.B.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division III
Opinion by JUDGE KAPELKE*
Loeb, C.J., and Márquez*, J., concur

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

Court of Appeals No. 18CA0273
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-013-170

Velma R. Brooks,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Aurora Public
School District,

Respondents.

ORDER AFFIRMED

Division III
Opinion by JUDGE MÁRQUEZ*
Loeb, C.J., and Kapelke*, J., concur

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

Court of Appeals No. 18CA0319
Weld County District Court No. 17DR30447
Honorable Marcelo A. Kopcow, Judge

In re the Parental Responsibilities Concerning M.N.Z.C., a Child,

and Concerning Lorenzo A. Zarate Chuta,

Appellant,

and

Florencio Zarate Ixcayau,

Appellee.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE ASHBY
Dailey and Nieto*, 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. 15CA1078

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Forsythia Eliese Owen,

Defendant-Appellant.

Petitions for Rehearing DENIED

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

Court of Appeals No. 16CA1220

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Raimondo Albert Rodriguez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA1198

Ecoblast, LLC, d/b/a High Impact,

Plaintiff-Appellant,

v.

Country Mutual Insurance Company, an Illinois corporation,

Defendant-Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 17CA2072

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victor A. Lopez,

Defendant-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. 2018.