

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
September 9, 2021*

“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

[2021COA120](#)

Court of Appeals No. [18CA0488](#)

Arapahoe County District Court Nos. 16CR2517 & 16CR3337

Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Anthony Draper,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE BERGER
Richman and Welling, JJ., concur

[2021COA121](#)

Court of Appeals No. [18CA0792](#)

Boulder County District Court No. 16CR425

Honorable Bruce Langer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacob Vanderpauye,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE BERGER
Richman and Welling, JJ., concur

[2021COA122](#)

Court of Appeals No. [20CA0621](#)

Arapahoe County District Court No. 16CV32444

Honorable Kenneth M. Plotz, Judge

Michael Cummings,

Plaintiff-Appellee,

v.

Arapahoe County Sheriff's Office and Tyler S. Brown, in his capacity as Sheriff
of Arapahoe County,

Defendants-Appellants.

JUDGMENT REVERSED

Division VII
Opinion by JUDGE FOX
Dunn and Pawar, JJ., concur

Prior Opinion Announced August 5, 2021, WITHDRAWN

OPINION PREVIOUSLY ANNOUNCED AS "NOT PUBLISHED PURSUANT TO
C.A.R. 35(e)" ON August 5, 2021, IS NOW DESIGNATED FOR PUBLICATION

UNPUBLISHED OPINIONS

Court of Appeals No. 17CA0311
Jefferson County District Court No. 02CR2712
Honorable Laura A. Tighe, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marvin Dale Bredemeier, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division A
Opinion by CHIEF JUDGE BERNARD
Vogt* and Graham*, JJ., concur

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

Court of Appeals No. 18CA0347
El Paso County District Court No. 16CR6712
Honorable Scott B. Epstein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Troy Patrick Brown,

Defendant-Appellant.

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

Division VII
Opinion by JUDGE PAWAR
Fox and Martinez*, JJ., concur

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

Court of Appeals No. 18CA1298
El Paso County District Court No. 17CR456
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Contreras, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DAILEY
Welling and Grove, JJ., concur

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

Court of Appeals No. 18CA1970
Mesa County District Court No. 16CR5009
Honorable Lance P. Timbreza, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Walter Harold Martin,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TOW
J. Jones and Freyre, JJ., concur

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

Court of Appeals No. 19CA0341
City and County of Denver District Court No. 15CR6924
Honorable John W. Madden IV, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Frank Churchill,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE NAVARRO
Grove and Pawar, JJ., concur

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

Court of Appeals No. 19CA0821
Morgan County District Court No. 17CR160
Honorable Charles M. Hobbs, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Juan Anthony Cisneros-Gonzalez,

Defendant-Appellant.

SENTENCES AFFIRMED

Division V
Opinion by JUDGE RICHMAN
Harris and Gomez, JJ., concur

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

Court of Appeals No. 19CA2024
Mesa County District Court No. 10CR323
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert J. McClelland,

Defendant-Appellant.

APPEAL DISMISSED IN PART, ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE BROWN
Navarro and Martinez*, JJ., concur

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

Court of Appeals No. 19CA2153
El Paso County District Court No. 17CR6210
Honorable Gregory R. Werner, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Douglas Thompson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE FREYRE
J. Jones and Tow, JJ., concur

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

Court of Appeals No. 19CA2168
Weld County District Court No. 16CR2268
Honorable Julie C. Hoskins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Mason,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by CHIEF JUDGE BERNARD
Davidson* and Taubman*, JJ., concur

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

Court of Appeals No. 19CA2341
Douglas County District Court No. 18CR395
Honorable Theresa Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chauncey Scott Price,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE HARRIS
Richman and Gomez, JJ., concur

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

Court of Appeals No. 20CA0100
City and County of Denver District Court No. 19CV32062
Honorable Brian R. Whitney, Judge

Action Appliance, Inc.,

Plaintiff-Appellant,

v.

Colorado Department of Labor and Employment, Division of Labor Standards
and Statistics; and Kevin Massaro,

Defendants-Appellees.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE GRAHAM*
Navarro and Brown, JJ., concur

Prior Opinion Announced May 20, 2021 WITHDRAWN
Petition for Rehearing GRANTED

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

Court of Appeals No. 20CA0154
City and County of Denver District Court No. 19CR2547
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sonja A. Martinez,

Defendant-Appellant.

ORDER AFFIRMED

Division IV
Opinion by JUDGE TOW
J. Jones and Freyre, JJ., concur

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

Court of Appeals No. 20CA0348
Adams County District Court No. 19DR604
Honorable Edward C. Moss, Judge

In re the Marriage of

Christopher Warren Griffith,

Appellant and Cross-Appellee,

and

Lisa Marie Griffith,

Appellee and Cross-Appellant.

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

Division V
Opinion by JUDGE GROVE
J. Jones and Johnson, JJ., concur

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

Court of Appeals No. 20CA0451
City and County of Denver District Court No. 19CV30498
Honorable Morris B. Hoffman, Judge

Hemp Recovery Company, LLC,
Plaintiff-Appellee,

v.

Christopher P. Boyd and Foothills Ventures, LLC,
Defendants-Appellants.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE TOW
J. Jones and Freyre, JJ., concur

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

Court of Appeals No. 20CA0814
El Paso County District Court No. 19DR30093
Honorable G. David Miller, Judge

In re the Marriage of

Christopher A. Manly,

Appellant and Cross-Appellee,

and

Amber L. Manly, n/k/a Amber O'Donnell,

Appellee and Cross-Appellant.

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

Division II
Opinion by JUDGE ROMÁN
Harris and Lipinsky, JJ., concur

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

Court of Appeals No. 20CA0877
Arapahoe County District Court No. 18CV30871
Honorable Elizabeth Weishaupl, Judge

Girls for Gunslingers, LLC,
Plaintiff-Appellant,

v.

John Melamed,
Defendant-Appellee.

ORDER AFFIRMED

Division IV
Opinion by JUDGE J. JONES
Freyre and Tow, JJ., concur

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

Court of Appeals No. 20CA0934
Crowley County District Court No. 19DR10
Honorable Michael A. Schiferl, Judge

Cody Joseph Finch,
Appellant,

v.

Ashton Marie Vanstrom-DeLorenzo,
Appellee.

ORDER AFFIRMED

Division III
Opinion by JUDGE TOW
Furman and Gomez, JJ., concur

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

Court of Appeals No. 20CA1132
Logan County District Court No. 20CV35
Honorable Michael K. Singer, Judge

Christopher Shetskie,
Plaintiff-Appellant,

v.

Executive Director of Colorado Department of Corrections and Warden of
Sterling Correctional Facility,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE FOX
Welling and Johnson, JJ., concur

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

Court of Appeals No. 20CA1303
Fremont County District Court No. 19CR28
Honorable Lynette M. Wenner, Judge

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

v.

Lisa Marie Dohrmann,
Defendant-Appellee.

ORDER AFFIRMED

Division IV
Opinion by JUDGE J. JONES
Freyre and Tow, JJ., concur

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

Court of Appeals No. 20CA1976
El Paso County District Court No. 19JV167
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.Y.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE DUNN
Dailey and Kuhn, JJ., concur

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

Court of Appeals No. 20CA2007
Douglas County District Court No. 19JV105
Honorable H. Clay Hurst, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.S.,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE KUHN
Dailey and Dunn, JJ., concur

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

Court of Appeals No. 21CA0063
Jefferson County District Court No. 18JV498
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

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

and Concerning F.L.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE WELLING
Fox and Johnson, JJ., concur

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

Court of Appeals No. 21CA0067
Fremont County District Court No. 19JV25
Honorable Lynette M. Wenner, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning K.F. and C.B.,

Appellants.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE J. JONES
Grove and Johnson, JJ., concur

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

Court of Appeals No. 21CA0229
City and County of Denver Juvenile Court No. 19JV1086
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.V.R.T., a Child,

and Concerning Y.A.T.,

Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by CHIEF JUDGE BERNARD
Davidson* and Taubman*, JJ., concur

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

Court of Appeals No. 21CA0339
Jefferson County District Court No. 20JV143
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning S.C.,

Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE YUN
Román and Berger, JJ., concur

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

Court of Appeals No. 21CA0404
Boulder County District Court No. 19JV284
Honorable Bruce Langer, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning V.C.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE JOHNSON
J. Jones and Grove, JJ., concur

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

Court of Appeals No. 21CA0444
Industrial Claim Appeals Office of the State of Colorado
DD No. 4010-2021

Bertha A. Maines,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Montessori Casa
International,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE FREYRE
J. Jones and Tow, JJ., concur

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

Court of Appeals No. 21CA1025
Pueblo County District Court No. 20MH215
Honorable Timothy M. O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Linda Thi Tran,

Respondent-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE FOX
Welling and Johnson, JJ., concur

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

Court of Appeals No. 21CA1124
Jefferson County District Court No. 10DR2056
Honorable Laura A. Tighe, Judge

In re the Marriage of

Tanja B. Warnick,

Appellee,

and

Jonathan Luke Warnick,

Appellant,

and Concerning the Jefferson County Department of Human Services,

Intervenor.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division A
Fox, Welling, and Brown, JJ.
PER CURIAM

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

[21COA105M](#)

Court of Appeals No. [20CA0668](#)

Mary Walker and Carley Cervi,

Plaintiffs-Appellants,

v.

Women's Professional Rodeo Association, Inc.; Doreen Wintermute, in her official capacity as Chief Executive Officer; and Sheridan-Wyo-Rodeo, Incorporated,

Defendants-Appellees.

Opinion Modified and
Petition for Rehearing DENIED

Court of Appeals No. 20CA0100

Action Appliance, Inc.,

Plaintiff-Appellant,

v.

Colorado Department of Labor and Employment, Division of Labor Standards and Statistics; and Kevin Massaro,

Defendants-Appellees.

Prior Opinion Announced May 20, 2021 WITHDRAWN
Petition for Rehearing GRANTED

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

MODIFIED OPINIONS

[21COA109M](#)

Court of Appeals No. [21CA0282](#)

Huerfano County District Court No. 19CR282

Honorable Leslie J. Gerbracht, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Chad W. Brothers,

Defendant-Appellee.

ORDER AFFIRMED

Division I

Opinion by JUDGE YUN

Dailey and Freyre, JJ., concur

Opinion Modified

On the Court's Own Motion

Announced August 12, 2021

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2020.