

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
April 13, 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.

UNPUBLISHED OPINIONS

Court of Appeals No. 13CA1605
City and County of Denver District Court No. 12CR4578
Honorable Michael J. Vallejos, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daryl Dwayne Thompson,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE J. JONES
Dailey and Berger, JJ., concur

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

Court of Appeals No. 14CA0917
Mesa County District Court No. 12CR1264
Honorable Thomas W. Ossola, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Darren Wayne English,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II
Opinion by JUDGE BERGER
Dailey and J. Jones, JJ., concur

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

Court of Appeals No. 14CA1098
Arapahoe County District Court No. 12CR566
Honorable Elizabeth Beebe Volz, Judge
Honorable James F. Macrum, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert John Aranda,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

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

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

Court of Appeals No. 14CA1172
Adams County District Court No. 13CR619
Honorable Jill-Ellyn Straus, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mario Mosses Oliveros,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA1707
City and County of Denver District Court No. 13CR5282
Honorable Edward D. Bronfin, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victoria P. Solomon,

Defendant-Appellant.

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

Division II
Opinion by JUDGE J. JONES
Dailey and Berger, JJ., concur

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

Court of Appeals No. 14CA2184
Arapahoe County District Court No. 13CR205
Honorable Christopher C. Cross, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Terry Lee Bates, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 14CA2369
Pueblo County District Court No. 07CR1661
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Albert Lee Pacheco,

Defendant-Appellant.

ORDERS AFFIRMED

Division VII
Opinion by JUDGE LICHTENSTEIN
Richman and Harris, JJ., concur

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

Court of Appeals No. 15CA0163
El Paso County District Court No. 13JD1091
Honorable Barney Iuppa, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of D-N.M.G.,

Juvenile-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE LICHTENSTEIN
Richman and Harris, JJ., concur

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

Court of Appeals No. 15CA0455
Weld County District Court No. 13CR1331
Honorable Timothy G. Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Andres Marquez,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 15CA0794
Weld County District Court No. 14CR1421
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Alan Taylor,

Defendant-Appellant.

JUDGMENT 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)

Court of Appeals No. 15CA0861
Jefferson County District Court No. 13JD645
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.L.J.E.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 15CA0984
Adams County District Court Nos. 14CR1795 & 14CR2255
Honorable Sharon D. Holbrook, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lorenzo Leon Estrada,

Defendant-Appellant.

SENTENCES AFFIRMED

Division II
Opinion by JUDGE DAILEY
J. Jones and Berger, JJ., concur

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

Court of Appeals No. 15CA1118
Weld County District Court No. 09CV1068
Honorable Todd L. Taylor, Judge

George E. Girardi and Teresa Girardi,

Plaintiffs-Appellants,

v.

Alexander K. Kovacs; CB Richard Ellis, Inc.; and Scott G. Olson,

Defendants-Appellees.

JUDGMENT 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. 15CA1207
Weld County District Court No. 01CR367
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John G. Snyder,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE J. JONES
Dailey and Berger, JJ., concur

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

Court of Appeals No. 15CA1250
Jefferson County District Court No. 98CR2550
Honorable Christie A. Bachmeyer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacob Nicholas Garcia,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE FURMAN
Terry and Welling, JJ., concur

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

Court of Appeals No. 15CA1434
Arapahoe County District Court No. 04CR47
Honorable Michael J. Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Thomas E. Espinoza,

Defendant-Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE DAILEY
J. Jones and Berger, JJ., concur

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

Court of Appeals No. 15CA1678
Adams County District Court No. 14CR3159
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Andrew Lopez,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by CHIEF JUDGE LOEB
Rothenberg* and Casebolt*, JJ., concur

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

Court of Appeals No. 15CA1692
City and County of Denver District Court No. 14DR30750
Honorable Kandace C. Gerdes, Judge

In re the Marriage of

Wazir-Ali Muhammad Al-Haqq,

Appellee,

and

Nellie Faye Reese,

Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 15CA1971
Arapahoe County District Court No. 05CR3665
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jason Benjamin Reynolds,

Defendant-Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 15CA2079
Adams County District Court No. 14CR2755
Honorable Emil A. Rinaldi, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott L. Nederstadt,

Defendant-Appellant.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE BERGER
Dailey and J. Jones, JJ., concur

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

Court of Appeals No. 16CA0149
Pueblo County District Court No. 11DR950
Honorable Kimberly Jo Karn, Judge

In re the Marriage of

Zachary Mason,

Appellant,

and

Iryna B. Mason,

Appellee.

ORDER AFFIRMED

Division VI
Opinion by JUDGE WELLING
Furman and Márquez, JJ., concur

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

Court of Appeals No. 16CA0426
Adams County District Court No. 13CR3209
Honorable Francis C. Wasserman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jedrick Shane Claussen,

Defendant-Appellant.

JUDGMENT AFFIRMED, SENTENCE VACATED,
AND CASE REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE LICHTENSTEIN
Richman and Harris, JJ., concur

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

Court of Appeals No. 16CA0513
Ouray County District Court No. 12DR24
Honorable Mary E. Deganhart, Judge

In re the Marriage of

Lynne F. La Corte,

Appellant,

and

James R. Irvine,

Appellee.

APPEAL DISMISSED IN PART AND ORDERS AFFIRMED

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

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

Court of Appeals No. 16CA0660
Arapahoe County District Court No. 15CV30248
Honorable Peter F. Michaelson, Judge

Gregory D. Geller,

Plaintiff-Appellee,

v.

William Piper; Piper Development LLC, a Colorado limited liability company;
William T. Piper, Joint Revocable Trust; and Miriam J. Piper, Joint Revocable
Trust,

Defendants-Appellants.

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

Division II
Opinion by JUDGE J. JONES
Dailey and Berger, JJ., concur

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

Court of Appeals No. 16CA0927
La Plata County District Court No. 15CV30195
Honorable Jeffrey R. Wilson, Judge

Maralex Disposal, LLC,

Plaintiff-Appellant,

v.

Brice D. Ferguson, Trustee of the Dara M. Ferguson Trust of 1991,

Defendant-Appellee.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA1208
Moffat County District Court No. 15CV30026
Honorable Michael A. O'Hara III, Judge

Mildred H. Baysinger,

Plaintiff-Appellant,

v.

Niagara Properties, Inc., d/b/a Golden Arms Apartments,

Defendant-Appellee.

ORDER REVERSED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 16CA1244
Arapahoe County District Court No. 14DR2322
Honorable David J. Stevens, Judge
Honorable H. Clay Hurst, Magistrate

Michelle Clare,

Appellee,

v.

Michael Gibson,

Appellant.

ORDER AFFIRMED

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

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

Court of Appeals No. 16CA1377
Arapahoe County District Court No. 14JV1374
Honorable Theresa M. Slade, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.M.C. and M.M.C., Children,

and Concerning S.M.,

Respondent-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 16CA1497
Jefferson County District Court No. 15JV321
Honorable Ann G. Meinster, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of L.L. and N.L., Children,

and Concerning J.D.L.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE ROTHENBERG*
Loeb, C.J., and Casebolt*, J., concur

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

Court of Appeals No. 16CA1519
El Paso County District Court No. 14JV1137
Honorable Linda Billings-Vela, Judge

The People of the State of Colorado,

Petitioner Appellee,

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

and Concerning B.S.,

Respondent Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA1564
City and County of Denver Juvenile Court No. 15JV1018
Honorable Donna Schmalberger, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of A.G. and L.O., Children,

and Concerning S.G.,

Respondent-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 16CA1572
Montrose County District Court No. 15JV56
Honorable David S. Westfall, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.S. and B.S., Children,

and Concerning J.S., Jr.,

Respondent-Appellant.

JUDGMENT VACATED AND CASE
REMANDED WITH DIRECTIONS

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

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

Court of Appeals No. 16CA1739
City and County of Denver Juvenile Court No. 15JV1426
Honorable Donna J. Schmalberger, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of K.-A.C.K. and T.R.D., Jr., Children,

and Concerning A.R.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE CASEBOLT*
Loeb, C.J., and Rothenberg*, J., concur

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

Court of Appeals No. 17CA0004
Industrial Claim Appeals Office of the State of Colorado
DD No. 15726-2016

Joel W. Pankow,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Division of
Unemployment Insurance Customer Service Benefits,

Respondents.

ORDER AFFIRMED

Division IV
Opinion by JUDGE ASHBY
Hawthorne and Freyre, 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. 15CA0414

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bradford Steven Raehal,

Defendant-Appellant.

Petition for Rehearing DENIED

Court of Appeals No. 16CA0460

In re the Marriage of

Robert Harvey,

Appellee,

and

Keri Rusthoi,

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. 2016.