

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
March 24, 2022*

“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**

[2022COA33](#)

Court of Appeals No. [19CA0340](#)  
Gilpin County District Court No. 17CR193  
Honorable Dennis J. Hall, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Reginald Keith Clark,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE FOX  
Dailey, J., concurs in the judgment  
Schutz, J., concurs in part and dissents in part

---

[2022COA34](#)

Court of Appeals No. [19CA0342](#)  
Boulder County District Court No. 17CR578  
Honorable Patrick Butler, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Natalie Nicole Gulyas,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE HARRIS  
Navarro and Freyre, JJ., concur

---

[2022COA35](#)

Court of Appeals No. [20CA0791](#)  
Office of Administrative Courts Case No. XY 2019-0008

Geoffrey K. Ricchio,

Appellant,

v.

Colorado Securities Commissioner,

Appellee.

ORDER AFFIRMED

Division III  
Opinion by JUDGE LIPINSKY  
Gomez, J., concurs  
J. Jones, J., specially concurs

---

[2022COA36](#)

Court of Appeals No. [21CA1757](#)

Baca County District Court No. 20CV30001

Honorable Mike Davidson, Judge

Marjorie Mundell Hale; Justin Mundell, as Co-Trustee of the Sandra Kay Mundell Administrative Trust UAD June 19, 2013, Created Under the Sandra Kay Mundell Revocable Trust Dated June 19, 2013; Clinton Mundell, as Co-Trustee of the Sandra Kay Mundell Administrative Trust UAD June 19, 2013, Created Under the Sandra Kay Mundell Revocable Trust Dated June 19, 2013; Justin Mundell, as Personal Representative of the Estate of Sandra Kay Mundell, Deceased; and Clinton Mundell, as Personal Representative of the Estate of Sandra Kay Mundell, Deceased,

Plaintiffs-Appellees,

v.

Southeast Colorado Power Association,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division A  
Opinion by JUDGE RICHMAN  
Navarro and Yun, JJ., concur

---

**UNPUBLISHED OPINIONS**

Court of Appeals No. 18CA0503  
City and County of Denver District Court No. 17CR782  
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Joshua Andrews Cummings,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE BROWN  
Berger and Johnson, JJ., concur

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

---

Court of Appeals No. 18CA1306  
City and County of Denver District Court No. 17CR2290  
Honorable Morris B. Hoffman, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Elaine Gallegos,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE LIPINSKY  
J. Jones and Gomez, JJ., concur

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

---

Court of Appeals No. 18CA1609  
City and County of Denver District Court Nos. 11CR3189 & 11CR4812  
Honorable Brian R. Whitney, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roger Jay Kadell,

Defendant-Appellant.

SENTENCE AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE DAILEY  
Fox and Schutz, JJ., concur

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

---

Court of Appeals No. 19CA0611  
El Paso County District Court No. 17CR6180  
Honorable Thomas K. Kane, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Vincent Fernando Garcia,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE BERGER  
Brown and Johnson, JJ., concur

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

---

Court of Appeals No. 19CA1219  
City and County of Denver District Court No. 18CR716  
Honorable Michael J. Vallejos, Judge

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

v.

Francisco Medina Barragan,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE J. JONES  
Lipinsky and Gomez, JJ., concur

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

---

Court of Appeals No. 19CA1224  
Arapahoe County District Court No. 17CR680  
Honorable Andrew C. Baum, Judge

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

v.

Joshua Daniel Fletcher,  
  
Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE FREYRE  
Navarro and Harris, JJ., concur

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

---

Court of Appeals No. 19CA1291  
Weld County District Court No. 17CR2255  
Honorable Shannon D. Lyons, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scot Lee Stockwell,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE GOMEZ  
J. Jones and Lipinsky, JJ., concur

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

---

Court of Appeals No. 19CA1311  
Arapahoe County District Court No. 17CR2160  
Honorable Darren L. Vahle, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Chelsea Naomi Hooker,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE GOMEZ  
J. Jones and Lipinsky, JJ., concur

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

---

Court of Appeals No. 19CA1688  
Larimer County District Court No. 16CR2596  
Honorable C. Michelle Brinegar, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Matthew Everet Strunk,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE SCHUTZ  
Dailey and Fox, JJ., concur

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

---

Court of Appeals No. 19CA1700  
Jefferson County District Court No. 18CR1578  
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Orlando Flavio Rivera,

Defendant-Appellant.

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

Division VII  
Opinion by JUDGE BROWN  
Berger and Johnson, JJ., concur

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

---

Court of Appeals No. 19CA1789  
Denver Juvenile Court No. 18JD802  
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of G.T.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE HARRIS  
Navarro and Freyre, JJ., concur

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

---

Court of Appeals No. 20CA0128  
Weld County District Court No. 17CR1257  
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gabriel George Gutierrez,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division VII  
Opinion by JUDGE JOHNSON  
Berger and Brown, JJ., concur

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

---

Court of Appeals No. 20CA0541  
El Paso County District Court No. 17CR3655  
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jakkara Javon Shyeem Craig,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE YUN  
Dunn and Welling, JJ., concur

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

---

Court of Appeals No. 20CA1016  
Pueblo County District Court No. 19CR1628  
Honorable Larry C. Schwartz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Gregory Lee Howell,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by CHIEF JUDGE ROMÁN  
Vogt\* and Casebolt\*, JJ., concur

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

---

Court of Appeals No. 20CA1562  
Eagle County District Court No. 19CV30237  
Honorable Russell H. Granger, Judge

Darlene Daugherty and Karl Krueger,

Plaintiffs-Appellants,

v.

Eagle County Colorado Board of County Commissioners,

Defendant-Appellee,

and

Warner Property Company, Ltd.,

Intervenor-Appellee.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE BROWN  
Berger and Johnson, JJ., concur

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

---

Court of Appeals No. 20CA1667  
La Plata County District Court No. 19CV30163  
Honorable Suzanne F. Carlson, Judge

Alpha Omega Properties and Investments, LLC,  
Plaintiff-Appellant,

v.

Christopher James Burnett and Kristin Anne Burnett,  
Defendants-Appellees.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE YUN  
Dunn and Welling, JJ., concur

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

---

Court of Appeals No. 20CA1792  
Douglas County District Court No. 17PR112  
Honorable H. Clay Hurst, Judge

In re the Estate of Christel G. Jones, deceased.

Patrick Torsten Jones, as Personal Representative of the Estate of Christel G. Jones,

Appellant and Cross-Appellee,

v.

Claudia Dinwiddie,

Appellee and Cross-Appellant.

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

Division V  
Opinion by JUDGE YUN  
Dunn and Welling, JJ., concur

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

---

Court of Appeals No. 20CA1860  
City and County of Denver District Court No. 20CV31140  
Honorable Andrew P. McCallin, Judge

Champa Street 2736, LLC, a Colorado limited liability company,  
Plaintiff-Appellee,

v.

Christina Somes,  
Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE GROVE  
Richman and Tow, JJ., concur

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

---

Court of Appeals No. 21CA0264  
City and County of Denver District Court No. 20DR1139  
Honorable Ericka F.H. Englert, Judge

In re the Marriage of

Simone Canaday,

Appellee,

and

Sean Daughtry,

Appellant.

ORDER VACATED

Division IV  
Opinion by JUDGE RICHMAN  
Tow and Grove, JJ., concur

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

---

Court of Appeals No. 21CA0613  
El Paso County District Court No. 20CV31667  
Honorable Thomas K. Kane, Judge

Jonathan F. Kornely,  
Plaintiff-Appellant,

v.

Colorado Department of Revenue, Division of Motor Vehicles, acting by and  
through its Executive Director, Mark Ferrandino,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE KUHN  
Pawar and Graham\*, JJ., concur

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

---

Court of Appeals No. 21CA0707  
Boulder County District Court No. 19JV242  
Honorable Andrew Hartman, Judge

The People of the State of Colorado,  
Appellee,

In the Interest of B.R.D., a Child,  
and Concerning R.D.,

Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE VOGT\*  
Román, C.J., and Casebolt\*, J., concur

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

---

Court of Appeals No. 21CA0868  
El Paso County District Court No. 19JV231  
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning A.B. and J.H.,

Appellants.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE TAUBMAN\*  
Román, C.J., and Casebolt\*, J., concur

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

---

Court of Appeals No. 21CA0901  
Phillips County District Court No. 21CV4  
Honorable Stephanie M.G. Gagliano, Judge

Doug Bergstrom,

Petitioner-Appellee,

v.

Troy Kinney,

Respondent-Appellant.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE JOHNSON  
Berger and Brown, JJ., concur

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

---

Court of Appeals No. 21CA0924  
City and County of Denver Juvenile Court No. 20JV391  
Honorable D. Brett Woods, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.M.C.,

Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE CASEBOLT\*  
Román, C.J., and Vogt\*, J., concur

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

---

Court of Appeals No. 21CA0931  
Garfield County District Court No. 19JV112  
Honorable John F. Neiley, Judge

The People of the State of Colorado,

Appellee,

In the Interest of R.T., H.T., and C.T., Children,

and Concerning J.B. and S.T.,

Appellants.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE BROWN  
Berger and Johnson, JJ., concur

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

---

Court of Appeals No. 21CA1044  
Larimer County District Court No. 20JV193  
Honorable Gregory M. Lammons, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning R.M. and M.W.,

Appellants.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE YUN  
Dunn and Welling, JJ., concur

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

---

Court of Appeals No. 22CA0125  
Pueblo County District Court No. 22MH5  
Honorable Timothy Michael O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Richard Craig Schwartz,

Respondent-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE FURMAN  
Pawar and Kuhn, 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. 16CA0446

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Rafael Perez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

---

Court of Appeals No. 19CA1308

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Arnold Roman Martinez,

Defendant-Appellant.

Petition for Rehearing DENIED

---

Court of Appeals No. 20CA0853

Eric St. George,

Plaintiff-Appellant,

v.

E.E.,

Defendant-Appellee.

Petition for Rehearing DENIED

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

---

Court of Appeals No. 21CA0346

The People of the State of Colorado,

Appellee,

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

and Concerning R.B.,

Appellant.

Petition for Rehearing DENIED

---

\*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2021.