

*ANNOUNCEMENTS*  
*COLORADO COURT OF APPEALS*  
*March 31, 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**

[2022COA37](#)

Court of Appeals No. [20CA1052](#)  
Boulder County District Court No. 18CV30556  
Honorable Andrew R. Macdonald, Judge

Dean Houser, Individually and on Behalf of All Others Similarly Situated,  
  
Plaintiff-Appellant,

v.

CenturyLink, Inc., Glen F. Post, III, R. Stewart Ewing, Jr., David D. Cole,  
William A. Owens, Martha H. Bejar, Virginia Boulet, Peter C. Crown, W. Bruce  
Hanks, Jeffrey K. Storey, Steven T. Clontz, Mary L. Landrieu, Gregory J.  
McCray, Harvey P. Perry, Michael J. Roberts, Laurie A. Siegel, and Sunit S.  
Patel,

Defendants-Appellees.

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

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

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Colorado Court of Appeals  
March 31, 2022

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[2022COA38](#)

Court of Appeals No. [20CA2067](#)

City and County of Denver District Court No. 20CV32403

Honorable Robert L. McGahey, Jr., Judge

Clarence Herbst, Gerald Miller, Jerome Young, and Emmanuel Alfaro,

Plaintiffs-Appellants,

v.

University of Colorado Foundation and Board of Directors of the University of  
Colorado Foundation,

Defendants-Appellees,

and

Board of Regents of the University of Colorado,

Intervenor-Defendant-Appellee.

JUDGMENT AFFIRMED

Division III

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

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[2022COA39](#)

Court of Appeals No. [21CA0663](#)

Jefferson County District Court No. 20DR30410

Honorable Robert Lochary, Judge

In re the Marriage of

Cassandra Marie Turner,

Appellee,

and

Benjamin O. Turner,

Appellant.

JUDGMENT AFFIRMED

Division IV

Opinion by JUDGE TOW

Richman and Grove, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 17CA0323  
Boulder County District Court No. 13CR1682  
Honorable Ingrid S. Bakke, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Eugene Felix Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED IN PART  
AND VACATED IN PART

Division VI  
Opinion by JUDGE NAVARRO  
Harris and Freyre, JJ., concur

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

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Court of Appeals No. 18CA1519  
Weld County District Court No. 16CR742  
Honorable Thomas J. Quammen, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Samuel Lucas Pinney,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE WELLING  
Dunn and Yun, JJ., concur

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

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Court of Appeals No. 18CA1750  
El Paso County District Court No. 16CR1933  
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kenyada Antwun Lattimore,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE ROTHENBERG\*  
Welling and Yun, JJ., concur

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

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Court of Appeals No. 19CA1628  
El Paso County District Court No. 18CR2951  
Honorable Jann P. Dubois, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marty Cornell Allen,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE TOW  
Richman and Grove, JJ., concur

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

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Court of Appeals No. 19CA1796  
Arapahoe County District Court No. 18JD756  
Honorable Natalie T. Chase, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.A.H.,

Juvenile-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 19CA1830  
Arapahoe County District Court No. 17CR1701  
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Verle Arthur Robinson,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 19CA2073  
Douglas County District Court No. 18CR618  
Honorable Jeffrey K. Holmes, Judge

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

v.

Christopher Emanuel Thomas,  
  
Defendant-Appellant.

JUDGMENT AFFIRMED IN PART  
AND REVERSED IN PART

Division V  
Opinion by JUDGE ROTHENBERG\*  
Welling and Yun, JJ., concur

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

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Court of Appeals No. 20CA0272  
City and County of Denver District Court No. 02CR4294  
Honorable Edward D. Bronfin, Judge

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

v.

Phillip Leon Board,  
  
Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE WELLING  
Yun and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 20CA0808  
Arapahoe County District Court No. 16CR145  
Honorable Ryan J. Stuart, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Troy James Stafford,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE PAWAR  
Furman and Kuhn, JJ., concur

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

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Court of Appeals No. 20CA0957  
Elbert County District Court No. 19CR9  
Honorable Gary M. Kramer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Alan Golightly,

Defendant-Appellant.

JUDGMENT AND SENTENCE AFFIRMED

Division V  
Opinion by JUDGE YUN  
Welling and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 20CA1040  
City and County of Denver District Court No. 12CR729  
Honorable Karen L. Brody, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lavern George McKoy,

Defendant-Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 20CA1097  
Weld County District Court No. 18CR2523  
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Travis James Glasco,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 20CA1868  
Alamosa County District Court No. 19JV15  
Honorable Amanda C. Hopkins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.D., a Child,

and Concerning L.D., Jr., and A.H., n/k/a A.D.,

Appellants.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE NAVARRO  
Brown and Kuhn, JJ., concur

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

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Court of Appeals No. 20CA2030  
Douglas County District Court No. 20CV30395  
Honorable Jeffrey K. Holmes, Judge

Scott Winter,

Plaintiff-Appellant and Cross-Appellee,

v.

Colorado Department of Transportation,

Defendant-Appellee and Cross-Appellant.

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

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

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

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Court of Appeals No. 20CA2045  
Moffat County District Court No. 19CV30048  
Honorable Michael A. O'Hara, III, Judge

Center for Biological Diversity and Sierra Club,  
Plaintiffs-Appellants,

v.

Colorado Department of Public Health & Environment, Air Pollution Control  
Division,

Defendant-Appellee,

and

Colowyo Coal Company L.P. and Tri-State Generation and Transmission  
Association, Inc.,

Intervenors-Appellees.

ORDER AFFIRMED

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

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

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March 31, 2022

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Court of Appeals No. 21CA0107  
Arapahoe County District Court No. 20DR30432  
Honorable Peter F. Michaelson, Judge

In re the Parental Responsibilities Concerning T.W., a Child,  
and Concerning Anita Kay Kopecky,

Appellee,

and

Steven Jay Walters,

Appellant.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE FREYRE  
Navarro and Graham\*, JJ., concur

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

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Court of Appeals No. 21CA0121  
City and County of Denver District Court No. 97CR3503  
Honorable David H. Goldberg, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jimmy Lee Williams,

Defendant-Appellant.

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

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

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

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Court of Appeals No. 21CA0251  
El Paso County District Court No. 20CV31863  
Honorable Gregory R. Werner, Judge

Ronald Merryman,

Petitioner-Appellant,

v.

Anita Merryman,

Respondent-Appellee.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE YUN  
Welling and Rothenberg\*, JJ., concur

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

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Court of Appeals No. 21CA0583  
Boulder County District Court No. 16DR30327  
Honorable Nancy W. Salomone, Judge

In re the Marriage of

Stefani R. Sarvadi, f/k/a Stefani R. Sullivan,

Appellee,

and

Louis J. Sullivan,

Appellant.

ORDER AFFIRMED

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

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

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Court of Appeals No. 21CA0636  
El Paso County District Court No. 00CR2758  
Honorable Marcus S. Henson, Judge

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Matthew James Romero,

Defendant-Appellee.

ORDER REVERSED

Division II  
Opinion by JUDGE PAWAR  
Furman and Kuhn, JJ., concur

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

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Court of Appeals No. 21CA0673  
Boulder County District Court No. 18JV125  
Honorable Andrew Hartman, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.G.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE WELLING  
Dunn and Yun, JJ., concur

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

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Court of Appeals No. 21CA1688  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 37830-2021

Tim A. Rivers,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and All Terrain Ponds  
and Sprinklers,

Respondents.

ORDER AFFIRMED

Division II  
Opinion by JUDGE KUHN  
Furman and Pawar, JJ., concur

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

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Court of Appeals No. 22CA0173  
Pueblo County District Court No. 20MH135  
Honorable Timothy O'Shea, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Deltjuan Deonb Vance,

Respondent-Appellant.

ORDER AFFIRMED

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

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

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**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. 20CA0139

B. Holdings & Distribution, Inc.,

Plaintiff-Appellee,

v.

Grant Orvis,

Defendant-Appellant.

Petitions for Rehearing DENIED

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

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Court of Appeals No. 21CA0722

Edward O'Connell,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and City and County of  
Denver, Colorado,

Respondents.

Opinion Modified and  
Petition for Rehearing DENIED

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

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Court of Appeals No. 21CA0842

The People of the State of Colorado,

Appellee,

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

and Concerning J.P.,

Appellant.

Opinion Modified and  
Petition for Rehearing DENIED

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

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