

*ANNOUNCEMENTS  
COLORADO COURT OF APPEALS  
January 18, 2024*

“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**

[2024COA6](#)

Court of Appeals No. [21CA0116](#)  
Weld County District Court No. 19CR2209  
Honorable Marcelo A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alexander Ryan Fregosi,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE FREYRE  
Yun and Kuhn, JJ., concur

Prior Opinion Announced November 30, 2023, WITHDRAWN

OPINION PREVIOUSLY ANNOUNCED AS “NOT PUBLISHED PURSUANT TO  
C.A.R. 35(e)” ON November 30, 2023, IS NOW DESIGNATED FOR  
PUBLICATION

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[2024COA7](#)

Court of Appeals No. [21CA1676](#)  
Arapahoe County District Court No. 19CR1443  
Honorable Ben L. Leutwyler III, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Demarea Deshawn Mitchell,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE YUN  
Freyre and Richman\*, JJ., concur

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[2024COA8](#)

Court of Appeals No. [22CA2120](#)  
Jefferson County District Court No. 21CV30399  
Honorable Russell Klein, Judge

Cory Wolven,

Plaintiff-Appellee,

v.

Jeanmadi del Rosario Velez,

Defendant-Appellant.

JUDGMENT AFFIRMED  
AND CASE REMANDED WITH DIRECTIONS

Division II  
Opinion by JUDGE FOX  
Schutz and Berger\*, JJ., concur

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**UNPUBLISHED OPINIONS**

Court of Appeals No. 21CA1117  
Larimer County District Court No. 18CR1536  
Honorable C. Michelle Brinegar, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Deshawn Travon Watson,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE HAWTHORNE\*  
J. Jones and Schutz, JJ., concur

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

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Court of Appeals No. 21CA1180  
City and County of Denver District Court No. 15CR4709  
Honorable David H. Goldberg, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Emanuel Pittman,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE FREYRE  
Brown and Bernard\*, JJ., concur

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

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Court of Appeals No. 21CA1945  
Jefferson County District Court No. 19CR2250  
Honorable Lindsay VanGilder, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Roger Allan Coderre,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE GRAHAM\*  
Pawar and Taubman\*, JJ., concur

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

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Court of Appeals No. 22CA0193  
El Paso County District Court No. 21JV388  
Honorable Jessica L. Curtis, Judge

The People of the State of Colorado,

Appellee,

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

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

Appellants.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE DUNN  
Pawar and Martinez\*, JJ., concur

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

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Court of Appeals No. 22CA0512  
Adams County District Court No. 20CR279  
Honorable Priscilla J. Loew, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Fermin Gonzalez-Flores,

Defendant-Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division III  
Opinion by JUDGE GRAHAM\*  
Pawar and Taubman\*, JJ., concur

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

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Court of Appeals No. 22CA0647  
El Paso County District Court No. 86CR200240  
Honorable William B. Main, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bradley James Mitchell,

Defendant-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE YUN  
Welling and Lum, JJ., concur

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

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Court of Appeals No. 22CA0699  
Mesa County District Court No. 21CR264  
Honorable Valerie J. Robison, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nicholas King Surroz,

Defendant-Appellant.

APPEAL DISMISSED

Division III  
Opinion by JUDGE J. JONES  
Johnson and Schutz, JJ., concur

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

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Court of Appeals No. 22CA1187  
City and County of Denver District Court No. 04CR2010  
Honorable Kandace C. Gerdes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward E. Hudson,

Defendant-Appellant.

ORDER AFFIRMED

Division A  
Opinion by JUSTICE MARTINEZ\*  
Román, C.J., and Davidson\*, J., concur

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

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Court of Appeals No. 22CA1217  
Arapahoe County District Court No. 16CR1157  
Honorable Eric B. White, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Duglas Hernandez-Barrientos,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE J. JONES  
Johnson and Schutz, JJ., concur

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

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Court of Appeals No. 22CA1332  
Adams County District Court No. 21CR1706  
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Sykes, Jr.,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI  
Opinion by JUDGE YUN  
Welling and Lum, JJ., concur

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

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Court of Appeals No. 22CA1487  
Mesa County District Court No. 19CR2405  
Honorable Matthew D. Barrett, Judge

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

v.

Ja'el Childress,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE SCHUTZ  
J. Jones and Johnson, JJ., concur

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

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Court of Appeals No. 22CA1607  
Summit County District Court No. 21DR30001  
Honorable Mark D. Thompson, Judge

In re the Marriage of

Ema Landis,

Appellee,

and

Andy Frank Landis,

Appellant.

JUDGEMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by JUSTICE MARTINEZ\*  
Fox and Schutz, JJ., concur

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

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Court of Appeals Nos. 22CA1670 & 22CA1672  
Adams County District Court Nos. 17CR1693 & 17CR1828  
Honorable Jeffrey A. Smith, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Elias Paul Trujillo,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE FREYRE  
Brown and Bernard\*, JJ., concur

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

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Court of Appeals No. 22CA1740  
City and County of Denver District Court Nos. 10CR5606 & 11CR174  
Honorable Christopher J. Baumann, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lloyd Neal,

Defendant-Appellant.

ORDER AFFIRMED

Division A  
Opinion by JUDGE DAVIDSON\*  
Román, C.J., and Martinez\*, J., concur

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

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Court of Appeals No. 22CA1878  
Adams County District Court No. 22DR409  
Honorable Kelley R. Southerland, Magistrate

In re the Parental Responsibilities Concerning M.R.G., a Child,

Tyler Cirwithian,

Appellee,

and

Timna Gipson,

Appellant,

and Concerning Adams County Department of Human Services,

Intervenor-Appellee.

JUDGMENT AFFIRMED

Division II  
Opinion by JUSTICE MARTINEZ\*  
Fox and Schutz, JJ., concur

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

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Court of Appeals No. 22CA1919  
Larimer County District Court No. 13CV31098  
Honorable Juan G. Villaseñor, Judge

DS&K Investments, LLC,  
Plaintiff-Appellee,

v.

Karen L. Osborn,  
Intervenor-Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE KUHN  
Freyre and Yun, JJ., concur

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

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Court of Appeals No. 22CA2221  
City and County of Denver District Court No. 22CV28  
Honorable Shelley I. Gilman, Judge

World Capital Brokerage, Inc.,  
Plaintiff-Appellant,

v.

Howard Schall Hill,  
Defendant-Appellee.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE KUHN  
Yun and Martinez\*, JJ., concur

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

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Court of Appeals No. 23CA0001  
Arapahoe County District Court No. 21CV31799  
Honorable Frederick T. Martinez, Judge

Scott Michael Combs,

Plaintiff-Appellant and Cross-Appellee,

v.

Michael A. Hug,

Defendant-Appellee and Cross-Appellant.

JUDGMENT AFFIRMED

Division C  
Opinion by JUDGE J. JONES  
Román, C.J., and Dunn, J., concur

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

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Court of Appeals No. 23CA0108  
Board of Assessment Appeals Case No. 21BAA4933

Seaco, LLC,

Petitioner-Appellant,

v.

Jefferson County Board of Equalization and Colorado Board of Assessment  
Appeals,

Defendants-Appellees.

ORDER AFFIRMED

Division V  
Opinion by JUDGE FREYRE  
Yun and Kuhn, JJ., concur

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

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Court of Appeals No. 23CA0127  
Park County District Court No. 16CV30086  
Honorable Amanda Hunter, Judge

Brian and Catherin Bertrand Living Trust,  
Plaintiff-Appellee and Cross-Appellant,

v.

Daniel McAuliffe,

Attorney-Appellant and Cross-Appellee.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE PAWAR  
Hawthorne\*, J., concurs  
Taubman\*, J., concurs in part and dissents in part

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

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Court of Appeals Nos. 23CA0188 & 23CA0740  
Boulder County District Court No. 17DR30329  
Honorable Andrew Hartman, Judge

In re the Marriage of

Karla Rosete Kowalski, n/k/a Karla Rosete Nunez,

Appellee,

and

Robert Gerard Kowalski,

Appellant.

APPEAL DISMISSED IN PART,  
AND ORDERS AFFIRMED IN PART AND REVERSED IN PART

Division A  
Opinion by JUDGE GRAHAM\*  
Román, C.J., and Taubman\*, J., concur

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

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Court of Appeals No. 23CA0271  
El Paso County District Court No. 14CR1083  
Honorable Michael P. McHenry, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nathaniel Lee Mancha,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE BROWN  
Freyre and Bernard\*, JJ., concur

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

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Court of Appeals No. 23CA0313  
El Paso County District Court No. 15CR2473  
Honorable Monica J. Gomez, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Leila Marie McCoy,

Defendant-Appellant.

ORDER AFFIRMED

Division A  
Opinion by JUDGE DAVIDSON\*  
Román, C.J., and Taubman\*, J., concur

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

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Court of Appeals No. 23CA0623  
Adams County District Court No. 98CR452  
Honorable Kyle Seedorf, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marquis Allen Scott,

Defendant-Appellant.

APPEAL DISMISSED

Division III  
Opinion by JUDGE PAWAR  
Dunn and Martinez\*, JJ., concur

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

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Court of Appeals No. 23CA0699  
Larimer County District Court No. 20JV338  
Honorable Laurie K. Dean, Judge

The People of the State of Colorado,

Appellee,

In the Interest of C.W., Jr., and D.W., Children,

and Concerning D.B., and C.W., Sr.,

Appellants.

JUDGMENT AFFIRMED

Division III  
Opinion by JUSTIC MARTINEZ\*  
Dunn and Pawar, JJ., concur

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

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Court of Appeals No. 23CA0812  
Boulder County District Court No. 21JV584  
Honorable J. Keith Collins, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.A.M-G., a Child,

and Concerning M.G.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE YUN  
Freyre and Kuhn, JJ., concur

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

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Court of Appeals No. 23CA0986  
City and County of Denver Juvenile Court No. 22JV32  
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.Y.S.G. and L.M.V-M., Children,

and Concerning T.L.M.,

Appellant.

JUDGMENT AFFIRMED

Division V  
Opinion by JUDGE KUHN  
Freyre and Yun, JJ., concur

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

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Court of Appeals No. 23CA1258  
Delta County District Court No. 22JV30018  
Honorable Steven L. Schultz, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.N.R., a Child,

and Concerning S.R.,

Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

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

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

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Court of Appeals No. 23CA1320  
City and County of Denver Juvenile Court No. 21JV267  
Honorable Pax Moultrie, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.A.R-C., a Child,

and Concerning J.E.R.,

Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE NAVARRO  
Kuhn and Schock, 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. 20CA1626

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jorge Tena,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 21CA1147

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Belinda May Wells-Yates,

Defendant-Appellant.

Petition for Rehearing DENIED

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Court of Appeals No. 21CA1381

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Timothy Paul Calderon,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 22CA0599

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Deshawn Demarcus House,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 22CA1516

Marc Schulte and Bridget Farrell,

Plaintiffs-Appellants,

v.

All Seasons Construction Inc., a Colorado corporation,

Defendant-Appellee.

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. 2023.