

ANNOUNCEMENTS
Colorado Court of Appeals
November 27, 2024

*ANNOUNCEMENTS
COLORADO COURT OF APPEALS
November 27, 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

[2024COA124](#)

Court of Appeals No. [23CA0995](#)

City and County of Denver District Court No. 22CV32315

Honorable Marie Avery Moses, Judge

David Migoya and Denver Gazette,

Plaintiffs-Appellants,

v.

Stacy Wheeler, in her official capacity as custodian of records, and Denver Public Schools,

Defendants-Appellees,

and

Denver School Leaders Association,

Intervenor-Appellee.

ORDER AFFIRMED

Division I
Opinion by JUDGE LIPINSKY
J. Jones and Hawthorne*, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA0309
Boulder County District Court No. 19CR447
Honorable Thomas F. Mulvahill, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Zachary Orion Roper,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE TOW
Brown and Schock, JJ., concur

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

Court of Appeals No. 21CA1665
Arapahoe County District Court No. 20CR1875
Honorable Elizabeth Weishaupl, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Cameron Scott Costello,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE YUN
Harris and Graham*, JJ., concur

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

Court of Appeals No. 21CA1962
Boulder County District Court No. 18CR1835
Honorable Norma A. Sierra, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Sherry Okalani DiMarco,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Grove and Lum, JJ., concur

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

Court of Appeals No. 21CA1975
Boulder County District Court No. 19CR234
Honorable Norma A. Sierra, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James O'Brien,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE HARRIS
J. Jones and Gomez, JJ., concur

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

Court of Appeals No. 21CA2012
Boulder County District Court No. 18CR1836
Honorable Normal A. Sierra, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Curtis James DiMarco,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division V
Opinion by JUDGE FREYE
Grove and Lum, JJ., concur

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

Court of Appeals No. 22CA0202
Jefferson County District Court No. 20CR3510
Honorable Diego G. Hunt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Eugene Harrison,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Tow and Schutz, JJ., concur

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

Court of Appeals No. 22CA0852
Montezuma County District Court No. 21CR104
Honorable Christopher J. Munch, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ramon Alberto Dejesus III,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE TOW
Pawar and Schutz, JJ., concur

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

Court of Appeals No. 22CA1391
Arapahoe County District Court No. 20CR117
Honorable Joseph Whitfield, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lawrence Jerome Barkers,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Grove and Lum, JJ., concur

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

Court of Appeals No. 22CA1723
City and County of Denver District Court No. 00CR3603
Honorable Christopher J. Baumann, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Abraham Hagos,

Defendant-Appellant.

ORDERS AFFIRMED

Division I
Opinion by JUDGE J. JONES
Lipinsky and Sullivan, JJ., concur

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

Court of Appeals No. 23CA0837
Boulder County District Court No. 20DR30188
Honorable Thomas F. Mulvahill, Judge

In re the Marriage of

Sarah Bland Smith,

Appellee and Cross-Appellant,

and

James F. Butterworth,

Appellant and Cross-Appellee.

ORDERS AFFIRMED, ORDER REVERSED,
AND CASE REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE LIPINSKY
J. Jones and Sullivan, JJ., concur

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

Court of Appeals Nos. 23CA1037 & 23CA1038
City and County of Denver District Court No. 21CV30831
Honorable Alex C. Myers, Judge
Honorable Sarah B. Wallace, Judge

Brown & Caldwell, a California corporation,

Defendant-Appellee and Cross-Appellant,

v.

Smith Environmental & Engineering, Inc., a Colorado corporation,

Third-Party Defendant-Appellant and Cross-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division II
Opinion by JUDGE FOX
Schock and Bernard*, JJ., concur

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

Court of Appeals No. 23CA1615
Kit Carson County District Court No. 16CR39
Honorable Justin Haenlein, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Isaiah T. Churchwell-Bey,

Defendant-Appellant.

ORDER AFFIRMED

Division I
Opinion by JUDGE SULLIVAN
J. Jones and Lipinsky, JJ., concur

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

Court of Appeals No. 23CA1682
Jefferson County District Court No. 10CR1588
Honorable Philip J. McNulty, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher L. Moore,

Defendant-Appellant.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division A
Opinion by CHIEF JUDGE ROMÁN
Hawthorne* and Berger*, JJ., concur

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

Court of Appeals No. 23CA1695
Jefferson County District Court No. 09CR3291
Honorable Diego G. Hunt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marcus Anthony Leyba,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE HAWTHORNE*
Welling and Brown, JJ., concur

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

Court of Appeals No. 23CA1766
Douglas County District Court No. 21DR30592
Honorable Benjamin Figa, Judge

In re the Marriage of

Eric W. Trujillo, as the executor and personal representative of the estate of
Earnest R. Trujillo,

Appellee,

and

Ruth M. Trujillo,

Appellant.

APPEAL DISMISSED IN PART
AND JUDGMENT AFFIRMED

Division I
Opinion by JUDGE J. JONES
Lipinsky and Sullivan, JJ., concur

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

Court of Appeals No. 23CA1775
Jefferson County District Court No. 22CR2763
Honorable Lindsay VanGilder, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Ruben Marquez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE J. JONES
Lipinsky and Sullivan, JJ., concur

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

Court of Appeals No. 23CA2155
Arapahoe County District Court No. 16DR924
Honorable Michelle Jones, Judge

In re the Marriage of

Chad Alan Propst,

Appellee,

and

Courtney Ann Propst,

Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE SCHUTZ
Tow and Pawar, JJ., concur

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

Court of Appeals No. 24CA0263
Jefferson County District Court No. 21CV112
Honorable Ryan P. Loewer, Judge

Leslie Robin Stevens, as Trustee of Hunter's Living Trust,

Plaintiff-Appellant,

v.

Brandy Chase II Homeowners Association, Inc. and Antares Property Services,
Inc., d/b/a Associa Colorado Association Services,

Defendants-Appellees.

ORDER AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division III
Opinion by JUDGE GOMEZ
Dunn and Navarro, JJ., concur

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

Court of Appeals No. 24CA0336
Industrial Claim Appeals Office of the State of Colorado
WC No. 5-198-416

United Continental Holdings, Inc.,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Tracy Slusher,

Respondents.

ORDER AFFIRMED

Division I
Opinion by JUDGE BERGER*
Lipinsky and Sullivan, JJ., concur

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

Court of Appeals No. 24CA0366
Crowley County District Court No. 19CR13
Honorable Samuel S. Vigil, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Alfredo P. Gonzalez,

Defendant-Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE DUNN
Gomez and Hawthorne*, JJ., concur

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

Court of Appeals No. 24CA0409
City and County of Denver District Court No. 21DR30028
Honorable Demetria E. Trujillo, Judge

In re the Parental Responsibilities Concerning SFC-M, a Child,
and Concerning Jennifer Clayton

Appellee,

and

Joel Austin Meaney,

Appellant.

ORDER AFFIRMED

Division II
Opinion by JUDGE JOHNSON
Fox and Schock, JJ., concur

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

Court of Appeals No. 24CA0620
Arapahoe County District Court No. 22DR1582
Honorable Richard H. Ferro, Magistrate

In re the Marriage of

Sarah Jane Harvey,

Appellant,

and

Stephen Harrison Harvey,

Appellee.

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

Division II
Opinion by JUDGE SCHOCK
Fox and Johnson, JJ., concur

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

Court of Appeals No. 24CA0639
Jefferson County District Court No. 22JV30212
Honorable Ann Gail Meinster, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.A.Q., L.L.Q., L.J.Q., and J.T.Q., Jr., Children,
and Concerning C.L.P. and J.T.Q.,

Appellants.

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

Division V
Opinion by JUDGE GROVE
Freyre and Lum, JJ., concur

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

Court of Appeals No. 24CA0812
Adams County District Court No. 22JV30042
Honorable Emily Lieberman, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning C.R.P.,

Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Tow and Schutz, JJ., concur

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

Court of Appeals No. 24CA0917
Jefferson County District Court No. 23DR894
Honorable Diego G. Hunt, Judge

In re the Marriage of

Kamal Y. Mustafa,

Appellant,

and

Sumaya S. Badr,

Appellee.

JUDGMENT AFFIRMED

Division A

Opinion by JUDGE HAWTHORNE*
Tow, J., and Berger*, J., concur

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

Court of Appeals No. 24CA0997
City and County of Denver Juvenile Court No. 23JV30663
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Appellee,

In the Interest of I.E.A., a Child,

and Concerning S.A.,

Appellant.

JUDGMENT AFFIRMED

Division VI

Opinion by JUDGE HAWTHORNE*
Welling and Brown, JJ., concur

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

Court of Appeals No. 24CA1061
Industrial Claim Appeals Office of the State of Colorado
DD No. 9171-2024

Chris Morrison,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Stolle Machinery
Company, LLC,

Respondents.

ORDER SET ASIDE AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE SULLIVAN
J. Jones and Lipinsky, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals No. 22CA0448

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Steven Ray Muniz,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 23CA1892

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Christopher Nathaniel Green,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals No. 24CA0247

Bud Forbes,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, Barbee's Freeway
Ford, and Mid-Century Insurance Company,

Respondents.

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. 2024.