

ANNOUNCEMENTS  
Colorado Court of Appeals  
May 22, 2025

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“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**

[2025COA51](#)

Court of Appeals No. [23CA1608](#)

Adams County District Court No. 21DR30037

Honorable Judith L. Labuda, Judge

In re the Parental Responsibilities Concerning C.E.S.K., a Child,

and Concerning Noah Ryan Somma,

Appellant,

and

Diane E. Kanagy,

Intervenor-Appellee.

JUDGMENT VACATED, ORDER REVERSED,  
AND CASE REMANDED WITH DIRECTIONS

Division V  
Opinion by JUDGE SCHOCK  
Freyre and Sullivan, JJ., concur

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[2025COA52](#)

Court of Appeals No. [24CA1093](#)

Adams County District Court No. 23CV30630

Honorable Teri L. Vasquez, Judge

BNC Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado, and BNC Metropolitan District No. 2, a quasi-municipal corporation and political subdivision of the State of Colorado,

Plaintiffs-Appellants,

v.

BNC Metropolitan District No. 3, a quasi-municipal corporation and political subdivision of the State of Colorado, Theodore Antenucci, Janis L. Emanuel, Robert Bol, Julianna Antenucci, and Pauline Bol,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by JUDGE BROWN  
J. Jones and Yun, JJ., concur

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## **UNPUBLISHED OPINIONS**

Court of Appeals No. 22CA0873  
Jefferson County District Court No. 18CR3105  
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee and Cross-Appellant,

v.

Alex Christopher Ewing,

Defendant-Appellant and Cross-Appellee.

JUDGMENT AND ORDER AFFIRMED AND RULING DISAPPROVED

Division I  
Opinion by JUDGE BROWN  
J. Jones and Yun, JJ., concur

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

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Court of Appeals No. 22CA1209  
La Plata County District Court No. 21CR1  
Honorable Suzanne F. Carlson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Damon Lamont Matthews,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 22CA1589  
Weld County District Court No. 21CR876  
Honorable Marcello A. Kopcow, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Theodore Anthony Rojas II,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE BROWN  
Dunn and Schock, JJ., concur

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

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Court of Appeals No. 23CA0810  
Mesa County District Court No. 21CR1611  
Honorable Matthew D. Barrett, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Nicole M. Grant,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE GROVE  
Welling and Johnson, JJ., concur

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

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Court of Appeals No. 23CA0859  
City and County of Denver Juvenile Court No. 22JD368  
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of G.L-P.,

Juvenile-Appellant.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE LIPINSKY  
Pawar and Hawthorne\*, JJ., concur

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

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Court of Appeals No. 23CA0993  
City and County of Denver District Court No. 17CV32604  
Honorable Jill D. Dorancy, Judge

Heartland Biogas, LLC,

Plaintiff-Appellant,

v.

Colorado Department of Public Health and Environment and Weld County  
Board of County Commissioners,

Defendants-Appellees.

JUDGMENT AFFIRMED

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

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

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Court of Appeals No. 23CA1077  
Adams County District Court No. 19CR1077  
Honorable Robert W. Kiesnowski, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Israel L Suarez,

Defendant-Appellant.

ORDER AFFIRMED

Division V  
Opinion by JUDGE WELLING  
Grove and Johnson, JJ., concur

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

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Court of Appeals No. 23CA1119  
El Paso County District Court No. 22CR2960  
Honorable David Shakes, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Walter Clyde Burnett,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division A  
Opinion by JUDGE SCHOCK  
Dunn and Brown, JJ., concur

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

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Court of Appeals No. 23CA1197  
City and County of Denver Probate Court No. 12PR1772  
Honorable Elizabeth D. Leith, Judge

In the Interest of Joanne Black, a Protected Person.

Bernard Black, individually and as Suspended Trustee for the Supplemental  
Needs Trust for the Benefit of Joanne Black,

Appellant,

v.

Jeanette Goodwin, Conservator,

Appellee.

ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE HARRIS  
Yun and Kuhn, JJ., concur

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

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Court of Appeals No. 23CA1735  
Larimer County District Court No. 17CR1011  
Honorable Juan G. Villaseñor, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scot Lee Stockwell,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE FOX  
Harris and Schutz, JJ., concur

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

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Court of Appeals No. 23CA2143  
City and County of Denver District Court Nos. 21CV30049 & 21CV30886  
Honorable Sarah B. Wallace, Judge

Center for Biological Diversity, Colorado Latino Forum, and Sierra Club,  
Plaintiffs-Appellants,

v.

Colorado Department of Public Health and Environment, Air Pollution Control  
Division, and American Petroleum Institute Colorado,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE BROWN  
J. Jones and Yun, JJ., concur

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

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Court of Appeals No. 24CA0343  
Douglas County District Court No. 22CV98  
Honorable Andrew C. Baum, Judge

Kenneth O'Hanlon,  
Plaintiff-Appellant,

v.

Patrick Gillette and Tracie Noel Lechman,  
Defendants-Appellees.

JUDGMENT AFFIRMED

Division VII  
Opinion by JUDGE MOULTRIE  
Lipinsky and Johnson, JJ., concur

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

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Court of Appeals No. 24CA0443  
City and County of Broomfield District Court No. 22CV30131  
Honorable Sean Finn, Judge

Red Sky Ranch Metropolitan District,

Plaintiff-Appellant,

v.

Vail Associates, Inc., a Colorado corporation, Vail Resorts, Inc., a Colorado corporation, VR Holdings, Inc., a Colorado corporation, Vail Resorts Development Company, a Colorado corporation, the Vail Corporation, a Colorado corporation, and Holland Creek Metropolitan District, a political subdivision,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE HAWTHORNE\*  
Lipinsky and Johnson, JJ., concur

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

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Court of Appeals No. 24CA0517  
Weld County District Court No. 17DR30496  
Honorable Shannon D. Lyons, Judge

In re the Marriage of

Megan Jo Dell,

Appellant,

and

Raymond Bryson Danks,

Appellee.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE KUHN  
Welling and Schutz, JJ., concur

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

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Court of Appeals No. 24CA0585  
City and County of Denver District Court No. 18CV34745  
Honorable Andrew J. Luxen, Judge

M.G. Dyess, Inc., a Mississippi corporation,

Plaintiff-Appellee,

v.

MarkWest Liberty Midstream & Resources, L.L.C., a Delaware limited liability  
corporation,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE FOX  
Gomez and Hawthorne\*, JJ., concur

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

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Court of Appeals No. 24CA0864  
Weld County District Court No. 20CV30844  
Honorable Todd Taylor, Judge

Christopher Stansberry and Cheryl Stansberry,

Plaintiffs-Appellants,

v.

Blyth Elkerton,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE PAWAR  
Grove, J., concurs  
Berger\*, J., dissents

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

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Court of Appeals No. 24CA1036  
Weld County District Court No. 21JV63  
Honorable W. Troy Hause, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning J.W.,

Appellant.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE SCHOCK  
Dunn and Brown, JJ., concur

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

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Court of Appeals No. 24CA1075  
Delta County District Court No. 22PR5  
Honorable Steven L. Schultz, Judge

In re the Estate of Fletcher Kehmeier, deceased.

Thomas Kehmeier,

Appellant,

v.

Mariel Kehmeier,

Appellee.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by JUDGE FREYRE  
Gomez and Meirink, JJ., concur

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

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Court of Appeals No. 24CA1078  
Dolores County District Court No. 17DR30001  
Honorable William Young Furse, Judge

In re the Marriage of

Jeremy Wade Veach,

Appellant,

and

Skye Lunn Veach,

Appellee.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE FREYRE  
Gomez and Meirink, JJ., concur

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

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Court of Appeals No. 24CA1129  
Eagle County District Court No. 22DR30032  
Honorable Rachel Olguin-Fresquez, Judge

In re the Marriage of

Lauren Khouri Smith,

Appellee,

and

Dennis Kuznetsov,

Appellant.

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

Division IV  
Opinion by JUDGE GOMEZ  
Freyre and Meirink, JJ., concur

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

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Court of Appeals No. 24CA1201  
Pueblo County District Court No. 23DR30158  
Honorable Tayler M. Thomas, Judge

In re the Marriage of

Peggy Samuelson,

Appellee,

and

Shawn Samuelson,

Appellant.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division VI  
Opinion by JUDGE WELLING  
Kuhn and Schutz, JJ., concur

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

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Court of Appeals No. 24CA1225  
Moffat County District Court No. 23CV30047  
Honorable Brittany Schneider, Judge

Moffat County Education Association,

Plaintiff-Appellant,

v.

Moffat County School District RE-1 and Moffat County School District RE-1  
Custodian of Records,

Defendants-Appellees.

ORDER AFFIRMED

Division IV  
Opinion by JUDGE GOMEZ  
Freyre and Meirink, JJ., concur

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

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Court of Appeals No. 24CA1696  
Weld County District Court No. 22JV133  
Honorable Anita Crowther, Judge  
Honorable Meghan Patrice Saleebey, Judge

The People of the State of Colorado,

Petitioner,

In the Interest of L.R. and D.R., Children,

and Concerning T.F.,

Appellant.

JUDGMENT AFFIRMED

Division II  
Opinion by JUDGE FOX  
Gomez and Lum, JJ., concur

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

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Court of Appeals No. 24CA1816  
City and County of Denver District Court No. 24CV506  
Honorable Sarah B. Wallace, Judge

Abdelraziq Hussein,

Plaintiff-Appellant,

v.

UCHealth,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE MEIRINK  
Freyre and Gomez, JJ., concur

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

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Court of Appeals No. 25CA0255  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 29095-2024

Alejandro Medrano,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado,

Respondent.

ORDER AFFIRMED

Division III  
Opinion by JUDGE SCHOCK  
Dunn and Brown, JJ., concur

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

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Court of Appeals No. 25CA0370  
Pueblo County District Court No. 24MH30074  
Honorable Scott B. Epstein, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of E.M.E.,

Respondent-Appellant.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE LUM  
Lipinsky and Pawar, JJ., concur

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

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Court of Appeals No. 25CA0456  
Pueblo County District Court No. 25MH30022  
Honorable Gregory J. Styduhar, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Marvin Tyrone Boyd,

Respondent-Appellant.

ORDER AFFIRMED

Division VI  
Opinion by JUDGE YUN  
Tow and Sullivan, JJ., concur

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

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## **PETITIONS FOR REHEARING**

Court of Appeals No. 22CA1903

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert William Hicks,

Defendant-Appellant.

Opinion Modified On the Court's Own Motion  
and Petition for Rehearing DENIED

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

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Court of Appeals No. 23CA0923

The People of the State of Colorado,

Plaintiff-Appellant,

v.

Yechezkel Meir Goldman,

Defendant-Appellee.

Petition for Rehearing DENIED

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

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Court of Appeals No. 24CA1035

Hal Hebert,

Plaintiff-Appellant,

v.

August William Ritter, Jr., a/k/a Bill Ritter, Jr.,

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. 2024.