

ANNOUNCEMENTS  
Colorado Court of Appeals  
January 22, 2026

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COLORADO COURT OF APPEALS  
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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**

2026COA4

Court of Appeals No. 24CA1985  
Routt County District Court No. 21DR30033  
Honorable Mary C. Hoak, Judge

In re the Parental Responsibilities Concerning W.P.A.S., a Child,  
and Concerning Jonathan William Sanders,  
Appellant,  
and  
Kristen Renea Andrea,  
Appellee.

APPEAL DISMISSED IN PART, ORDER REVERSED,  
AND CASE REMANDED WITH DIRECTIONS

Division VII  
Opinion by JUDGE TOW  
Lum and Moultrie, JJ., concur

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## **UNPUBLISHED OPINIONS**

Court of Appeals No. 22CA1594  
Adams County District Court No. 20CR3432  
Honorable Roberto Ramírez, Judge

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

v.

Daniel Michael Boerner,  
Defendant-Appellant.

**JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS**

Division IV  
Opinion by JUDGE JOHNSON  
Harris and Schock, JJ., concur

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

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Court of Appeals No. 23CA0398  
Larimer County District Court No. 21CR920  
Honorable Stephen J. Jouard, Judge

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

v.

Bryan Steven Mau,  
Defendant-Appellant.

**JUDGMENT AFFIRMED IN PART  
AND VACATED IN PART**

Division VII  
Opinion by JUDGE PAWAR  
Gomez and Graham\*, JJ., concur

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

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Court of Appeals No. 23CA0722  
City and County of Denver District Court No. 21CR2233  
Honorable Jay S. Grant, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Erik O. Penn,

Defendant-Appellant.

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

Division VI  
Opinion by JUDGE GROVE  
Yun and Schock, JJ., concur

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

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Court of Appeals No. 23CA1294  
Jefferson County District Court No. 20CR2437  
Honorable Meegan A. Miloud, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Lila Ann Atencio,

Defendant-Appellant.

**ORDER AFFIRMED**

Division VII  
Opinion by JUDGE PAWAR  
Gomez and Martinez\*, JJ., concur

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

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Court of Appeals No. 24CA0866  
Jefferson County District Court No. 18CR987  
Honorable Christopher C. Zenisek, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Marcus Anthony Vigil,

Defendant-Appellant.

**ORDER AFFIRMED**

Division A  
Opinion by CHIEF JUDGE ROMÁN  
Graham\* and Taubman\*, J.J., concur

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

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Court of Appeals No. 24CA0971  
Mesa County District Court No. 15CR114  
Honorable Gretchen B. Larson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Larry D. Church,

Defendant-Appellant.

**ORDER AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS**

Division VI  
Opinion by JUDGE YUN  
Grove and Schock, JJ., concur

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

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Court of Appeals No. 24CA1241  
Adams County District Court No. 21CR2074  
Honorable Sean Finn, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Matthew Anthony Allender,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE DUNN  
Moultrie and Bernard\*, JJ., concur

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

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Court of Appeals No. 24CA1628  
Arapahoe County District Court No. 19DR30703  
Honorable Michelle Jones, Judge

In re the Marriage of

Silke Bates,

Appellee,

and

Kevin Bates,

Appellant.

JUDGMENT AFFIRMED

Division I  
Opinion by JUDGE SCHUTZ  
J. Jones and Grove, JJ., concur

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

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Court of Appeals No. 24CA1667  
City and County of Denver District Court No. 08CR10481  
Honorable Ericka F.H. Englert, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Shun Birch,

Defendant-Appellant.

ORDER AFFIRMED

Division II  
Opinion by JUDGE FOX  
Kuhn and Sullivan, JJ., concur

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

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Court of Appeals No. 24CA1708  
El Paso County District Court No. 17CR456  
Honorable Eric Bentley, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

David Contreras, Jr.,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by JUDGE HARRIS  
Dunn and Moultrie, JJ., concur

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

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Court of Appeals No. 24CA2115  
El Paso County District Court No. 23DR2152  
Honorable Chad Miller, Judge

In re the Marriage of

Darryl Tyrone Harley,

Appellant,

and

Michelle Annette Harley,

Appellee.

**JUDGMENT AFFIRMED**

Division VII  
Opinion by JUDGE GOMEZ  
Pawar and Martinez\*, JJ., concur

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

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Court of Appeals No. 24CA2136  
Routt County District Court No. 23CV30004  
Honorable Michael A. O'Hara III, Judge

Christopher Cotton,

Plaintiff-Appellee,

v.

William Scholle,

Defendant-Appellant.

**JUDGMENT AFFIRMED**

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

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

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Court of Appeals No. 25CA0372  
Washington County District Court No. 24DR4  
Honorable Matthew W.E. Bradley, Magistrate

In re the Marriage of

Brock Maggard,

Appellee,  
and

Cheyenne Maggard,

Appellant.

**JUDGMENT AFFIRMED**

Division II  
Opinion by JUDGE KUHN  
Fox and Sullivan, JJ., concur

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

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Court of Appeals No. 25CA0646  
Larimer County District Court No. 12CR1156  
Honorable Susan Blanco, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Evertt Hurtado,

Defendant-Appellant.

**ORDER AFFIRMED**

Division II  
Opinion by JUDGE SULLIVAN  
Fox and Kuhn, JJ., concur

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

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Court of Appeals No. 25CA0721  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 5090-2025

LaTasha Nicholson,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado,  
Respondent.

**ORDER AFFIRMED**

Division I  
Opinion by JUDGE KUHN  
J. Jones and Moultrie, JJ., concur

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

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Court of Appeals No. 25CA0869  
Pueblo County District Court No. 18DR98  
Honorable Dorothy A. Radakovich, Magistrate  
Honorable Tayler M. Thomas, Judge

In re the Marriage of

Evelynn Harmes,

Appellee,

and

Harry Cooper,

Appellant.

**APPEAL DISMISSED IN PART AND ORDER AFFIRMED**

Division IV  
Opinion by JUDGE FREYRE  
Brown and Schutz, JJ., concur

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

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Court of Appeals No. 25CA0977  
Industrial Claim Appeals Office of the State of Colorado  
WC No. 5-267-135

Mary D. Hargon,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado, and Milvets Systems Technology, Inc.,

Respondents,

and

Twin City Fire Insurance Company,

Insurer-Respondent.

**ORDER SET ASIDE AND CASE REMANDED WITH DIRECTIONS**

Division II  
Opinion by JUDGE SULLIVAN  
Fox and Kuhn, JJ., concur

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

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Court of Appeals No. 25CA1119  
Gunnison County District Court No. 23JV30000  
Honorable Kellie L. Starritt, Judge

The People of the State of Colorado,  
Appellee,  
In the Interest of Z.J., a Child,  
and Concerning D.R.S.,  
Appellant.

JUDGMENT AFFIRMED

Division IV  
Opinion by JUDGE BROWN  
Freyre and Schutz, JJ., concur

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

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Court of Appeals No. 25CA1204  
City and County of Denver Juvenile Court No. 23JV30749  
Honorable Laurie A. Clark, Judge

The People of the State of Colorado,  
Appellee,  
In the Interest of K.W., T.L.L.S.C., and A.J.R.S.C., Children,  
and Concerning A.W., M.E.W., and I.C.,  
Appellants.

JUDGMENT AFFIRMED

Division III  
Opinion by JUDGE LIPINSKY  
Dunn and Kuhn, JJ., concur

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

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Court of Appeals No. 25CA1539  
Arapahoe County District Court No. 24JV166  
Honorable Bonnie H. McLean, Judge

The People of the State of Colorado,

Appellee,

In the Interest of A.T.G.Z.K.S.B., a Child,

and Concerning O.D.M.B.,

Appellant.

**JUDGMENT AFFIRMED**

Division VI  
Opinion by JUDGE SCHUTZ  
Freyre and Brown, JJ., concur

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

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Court of Appeals No. 25CA2161  
Pueblo County District Court No. 25MH30109  
Honorable Amiel Markenson, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Andrew Jason Depatie,

Respondent-Appellant.

**ORDER AFFIRMED**

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

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

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Court of Appeals No. 25CA2209  
La Plata County District Court No. 25MH46  
Honorable Nathaniel Baca, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of Tabitha Niver,

Respondent-Appellant.

ORDER AFFIRMED

Division VII  
Opinion by JUDGE GOMEZ  
Pawar and Johnson, JJ., concur

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

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## **PETITIONS FOR REHEARING**

Court of Appeals No. 22CA1786

The People of the State of Colorado,

Plaintiff-Appellee,

v.

De Ovay Malik Johnson,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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2025COA95M

Court of Appeals No. 23CA1793

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Garland Kay Malcolm,

Defendant-Appellant.

Opinion Modified  
Petition for Rehearing GRANTED

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Court of Appeals No. 24CA0784

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Mason,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No. 25CA0172

Jason Haubenreiser,

Plaintiff-Appellant,

v.

Asset Living, LLC,

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. 2025.