

ANNOUNCEMENTS
Colorado Court of Appeals
May 28, 2026

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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

[2026 COA 40](#)
Court of Appeals No. [24CA1169](#)
Weld County District Court No. 22CR293
Honorable Timothy Kerns, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Danny Marceleno,

Defendant-Appellant.

ORDER AFFIRMED

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

[2026 COA 41](#)

Court of Appeals No. [24CA2067](#)

El Paso County District Court Nos. 02CR5134, 03CR26 & 03CR46

Honorable Robin Chittum, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

J.P.,

Defendant-Appellant.

ORDERS REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division III

Opinion by JUDGE DUNN

Harris and Moultrie, JJ., concur

[2026 COA 42](#)

Court of Appeals No. [25CA0987](#)

City and County of Denver District Court No. 24CV32194

Honorable Jill D. Dorancy, Judge

Shia Brooks, for herself and as Common law Spouse and heir to the Estate of
Gavin Tweed,

Plaintiff-Appellant,

v.

City and County of Denver, Denver Health and Hospital Authority, Paul Pazen,
in his individual and official capacities, Elias Diggins, in his individual and
official capacities, and Donna Lynne, in her individual and official capacities,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division II

Opinion by JUDGE SULLIVAN

Fox and Kuhn, JJ., concur

UNPUBLISHED OPINIONS

Court of Appeals No. 21CA0311
Arapahoe County District Court No. 17CR3039
Honorable Michael Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jacob Alexander Shockey,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE FREYRE
Yun, J. and Martinez*, J., concur

Prior Opinion Announced December 21, 2023, Reversed in 24SC117

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

Court of Appeals No. 21CA0744
Weld County District Court Nos. 20CR1152 & 20CR1324
Honorable Vincente G. Vigil, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Victorino Lagunas, Jr.,

Defendant-Appellant.

ORDER VACATED AND CASE
REMANDED WITH DIRECTIONS

Division VII
Opinion by JUDGE BROWN
Tow and Schock, JJ., concur

Prior Opinion Announced September 14, 2023, Vacated in 23SC767

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

Court of Appeals Nos. 23CA1309 & 23CA1317
Jefferson County District Court No. 14CR2322
Honorable Tamara S. Russell, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Scott Alan Gallegos,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE WELLING
Schock and Lum, JJ., concur

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

Court of Appeals No. 23CA1351
Larimer County District Court No. 06CR859
Honorable Stephen J. Jouard, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Robert Anthony Vaughan,

Defendant-Appellant.

ORDER AFFIRMED

Division VII
Opinion by JUDGE PAWAR
Johnson and Gomez, JJ., concur

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

Court of Appeals No. 23CA1611
City and County of Denver District Court No. 14CR10280
Honorable Edward D. Bronfin, Judge
Honorable Alex C. Myers, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Ricardo Sarabia-Martinez,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE GOMEZ
Moultrie and Berger*, JJ., concur

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

Court of Appeals No. 23CA1700
Adams County District Court No. 22CR889
Honorable Kyle Seedorf, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Hayden Allen Banks,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division VI
Opinion by JUDGE SCHOCK
Grove and Yun, JJ., concur

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

Court of Appeals No. 23CA1932
Adams County District Court No. 21CR341
Honorable Patrick H. Pugh, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

James Paul Montoya,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE SULLIVAN
Pawar and Meirink, JJ., concur

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

Court of Appeals No. 24CA0331
Jefferson County District Court No. 01CR3022
Honorable Randall C. Arp, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Daniel Luque Rosales,

Defendant-Appellant.

ORDER AFFIRMED

Division A
Opinion by CHIEF JUDGE ROMÁN
Martinez*, and Taubman*, JJ., concur

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

Court of Appeals No. 24CA0493
El Paso County District Court No. 23CR2322
Honorable Jill Brady, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Donald Smith,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE LUM
Welling and Schock, JJ., concur

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

Court of Appeals No. 24CA0818
City and County of Denver District Court No. 14CR10280
Honorable Alex C. Myers, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jose Ricardo Sarabia-Martinez,

Defendant-Appellant.

ORDER AFFIRMED

Division VI
Opinion by JUDGE GOMEZ
Moultrie and Berger*, JJ., concur

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

Court of Appeals No. 24CA1323
City and County of Denver District Court No. 23CV31623
Honorable Sarah B. Wallace, Judge

Courtney Woodruff, Gheri Smith, Cristobal Zambrano, Casey Hodges, Joshua Shipley, Wesley Morgan, and Shannon Copeland,

Plaintiffs-Appellants,

v.

Tschetter Sulzer, P.C.; Cornerstone Apartment Services, Inc.; RedPeak Properties, LLC; Echelon Property Group, LLC; Colorado Apartment Association, Inc.; and Asset Living, LLC,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE GROVE
J. Jones and Schutz, JJ., concur

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

Court of Appeals No. 24CA1474
City and County of Denver District Court No. 22CR5246
Honorable Eric M. Johnson, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jazmine N. French,

Defendant-Appellant.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 24CA2015
Boulder County District Court No. 23CR1091
Honorable Dea M. Lindsey, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael Shawn Scott,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE GOMEZ
Grove and Moultrie, JJ., concur

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

Court of Appeals No. 25CA0114
City and County of Denver District Court No. 23CV31623
Honorable Sarah B. Wallace, Judge

Courtney Woodruff, Gheri Smith, Cristobal Zambrano, Shannon Copeland,
Casey Hodges, Joshua Shipley, and Wesley Morgan,

Plaintiffs-Appellees,
v.

Cornerstone Apartment Services, Inc.; RedPeak Properties, LLC; Echelon
Property Group, LLC; Colorado Apartment Association, Inc.; and Asset Living,
LLC,
Defendants-Appellants.

ORDER AFFIRMED

Division I
Opinion by JUDGE GROVE
J. Jones and Schutz, JJ., concur

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

Court of Appeals No. 25CA0129
Boulder County District Court No. 21CV30092
Honorable Michael Kotlarczyk, Judge

Donald H. Ellis,

Plaintiff-Appellant,

v.

Madison G. Bartimmo,

Defendant-Appellee.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE LUM
J. Jones and Martinez*, JJ., concur

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

Court of Appeals No. 25CA0187
Pueblo County District Court No. 23DR136
Honorable Tayler Thomas, Judge

In re the Marriage of

Ginger Nicole Franzoy n/k/a Ginger Nicole Steffan,

Appellee and Cross-Appellant,

and

Trey Michael Franzoy,

Appellant and Cross-Appellee.

JUDGMENT AFFIRMED AND CASE
REMANDED WITH DIRECTIONS

Division IV
Opinion by JUDGE LUM
Welling and Schock, JJ., concur

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

Court of Appeals No. 25CA0228
Douglas County District Court No. 22DR30844
Honorable Daniel Warhola, Judge

In re the Marriage of

Rebecca A. Aardal,

Appellee,

Mark B. Neifert,

Appellant.

ORDER AFFIRMED

Division III
Opinion by JUDGE FREYRE
Johnson and Kuhn, JJ., concur

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

Court of Appeals No. 25CA0258
Garfield County District Court No. 24CV21
Honorable Denise Lynch, Judge

David J. Gottorff,

Plaintiff-Appellant,

v.

Patrick Fuhwere, Warden of the Correctional Center; Anthony Johnson, Major of the Rifle Correctional Center; Lee Terraz, Case Manager for the Rifle Correctional Center; and Felicia Cobrado, Case Manager for the Rifle Correctional Center,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Welling and Lum, JJ., concur

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

Court of Appeals No. 25CA0912
Eagle County District Court No. 23CV30115
Honorable Paul R. Dunkelman, Judge

The Chateau Christian Townhouses Association, Inc., a Colorado non-profit corporation; Villa Valhalla Association, Inc., a Colorado non-profit corporation; Kaciana Associates; LeiboVail LLC; Stephen N. Six; and Johnfry LLC,

Plaintiffs-Appellees,

v.

VailPoint LLC, a Colorado limited liability company,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE YUN
Lipinsky and Schutz, JJ., concur

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

Court of Appeals No. 25CA0915
Eagle County District Court No. 24DR3
Honorable Russell H. Granger, Judge

In re the Marriage of

Christine L. Noteware n/k/a Christine L. Cordaro,

Appellee,

and

Jonathan Ryan Noteware,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE SCHUTZ
Lipinsky and Yun, JJ., concur

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

Court of Appeals No. 25CA0941
Summit County District Court No. 24CV30019
Honorable Reed W. Owens, Judge

Beaver Plaza Condominium Owners' Association, Inc.,

Plaintiff-Appellant,

v.

Kelly Ballou and I Am Free LLC d/b/a Pinnacle Property Management, LLC,

Defendants-Appellees.

JUDGMENT REVERSED AND CASE
REMANDED WITH DIRECTIONS

Division I
Opinion by JUDGE FOX
J. Jones and Dunn, JJ., concur

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

Court of Appeals No. 25CA0992
El Paso County District Court No. 24CV32207
Honorable William Bain, Judge

Patrick Frydendall and Laurie Frydendall,

Plaintiffs-Appellants and Cross-Appellees,

v.

City of Colorado Springs, a Home Rule City and Colorado Springs Utilities, a
wholly owned enterprise of the City of Colorado Springs,

Defendants-Appellees and Cross-Appellants.

JUDGMENT AFFIRMED

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

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

Court of Appeals No. 25CA1102
City and County of Denver District Court No. 24CV31249
Honorable Christopher J. Baumann, Judge

Karla Kahm, individually and as heir at law of Richard Kahm, deceased,

Plaintiff-Appellant,

v.

Hospice of Metro Denver, Inc., d/b/a The Denver Hospice, a Colorado nonprofit
corporation,

Defendant-Appellee.

JUDGMENT AFFIRMED

Division VI
Opinion by JUDGE MOULTRIE
Gomez and Berger*, JJ., concur

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

Court of Appeals No. 25CA1196
Jefferson County District Court No. 16DR234
Honorable Russell Klein, Judge

In re the Parental Responsibilities Concerning L.P.F., a Child,
and Concerning Renee Fisher,

Appellee,

and

Henry Lu,

Appellant.

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

Division III
Opinion by JUDGE DUNN
Harris and Moultrie, JJ., concur

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

Court of Appeals No. 25CA1319
Douglas County District Court No. 04CR706
Honorable Victoria Klingensmith, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Delmart Edward Vreeland,

Defendant-Appellant.

ORDER VACATED

Division I
Opinion by JUDGE J. JONES
Fox and Dunn, JJ., concur

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

Court of Appeals No. 25CA1331
Douglas County District Court No. 20DR30416
Honorable Daniel Warhola, Judge

In re the Marriage of

Mason Barnett Cantar,

Appellant,

and

Victoria Ann Rimmel-Cantar,

Appellee.

ORDER AFFIRMED

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

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

Court of Appeals No. 25CA1553
Boulder County District Court No. 24DR30032
Honorable Robert R. Gunning, Judge

In re the Parental Responsibilities Concerning S.M.A., a Child,

and Concerning Jordan Christopher Ashcraft,

Appellant,

and

Elena Irene Barrera,

Appellee.

JUDGMENT AFFIRMED

Division VII
Opinion by JUDGE SULLIVAN
Pawar and Meirink, JJ., concur

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

Court of Appeals No. 25CA1886
Rio Grande County District Court No. 24JV30005
Honorable Michael A. Gonzales, Judge

The People of the State of Colorado,

Appellee,

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

and Concerning C.V. a/k/a C.A.,

Appellant.

JUDGMENT AFFIRMED

Division V
Opinion by JUDGE SCHUTZ
Lipinsky and Yun, JJ., concur

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

Court of Appeals No. 25CA2164
Arapahoe County District Court No. 22JV414
Honorable Shay Whitaker, Judge

The People of the State of Colorado,

Appellee,

In the Interest of E.R. and Z.L., Children,

and Concerning A.B.,

Appellant.

JUDGMENT AFFIRMED

Division IV
Opinion by JUDGE SCHOCK
Welling and Lum, JJ., concur

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

PETITIONS FOR REHEARING

Court of Appeals No. 22CA0465

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Laurence William Simpson,

Defendant-Appellant.

Petition for Rehearing DENIED

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

Court of Appeals Nos. 23CA1375 & 23CA2187

In the Interest of A.M.E., n/k/a A.M.H., a Child,

and Concerning J.L.E.,

Appellant,

and

J.J.H.,

Appellee.

Petition for Rehearing DENIED

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

Court of Appeals No. 25CA0983

Karl Holt,

Plaintiff-Appellee,

v.

Savanna Clark,

Defendant-Appellant.

Petition for Rehearing DENIED

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

MODIFIED OPINIONS

Court of Appeals No. 25CA0374

In re the Marriage of

Jeremy Stradtmann,

Appellant,

and

Andrea Stradtmann,

Appellee.

Opinion Modified on the Court's Own Motion

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

Announced April 23, 2026

[2026 COA 29M](#)

Court of Appeals No. [25CA0687](#)

Danny English and Dean English,

Plaintiffs-Appellees,

v.

Shirley J. Thorpe,

Defendant-Appellant.

Opinion Modified
on the Court's Own Motion

*Sitting by assignment of the Chief Justice under provisions of Colo. Const. art. VI, § 5(3), and § 24-51-1105, C.R.S. 2025.