

**ANNOUNCEMENTS**

**COLORADO COURT OF APPEALS**

*June 14, 2007*

“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.

Click on the case number to view published and modified published opinions.

**PUBLISHED OPINIONS**

Court of Appeals No.: [04CA2605](#)

Gunnison County District Court No. 02CV97

Honorable Charles R. Greenacre, Judge

Skyland Metropolitan District, a Colorado special district; and East River Regional Sanitation District, a Colorado special district,

Plaintiffs-Appellees and Cross-Appellants,

v.

Mountain West Enterprise, LLC, a Colorado limited liability company; and Daniel Gallagher,

Defendants-Appellants and Cross-Appellees.

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

**Division II**

**Opinion by: JUDGE LOEB**

**Rothenberg and Terry, JJ., concur**

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Court of Appeals No.: [05CA2054](#)

La Plata County District Court No. 02CV159

Honorable David L. Dickinson, Judge

Luis Sotelo, surviving parent of Carlos Sotelo,  
Plaintiff,

v.

Hutchens Trucking Company, Inc.,

Defendant-Appellant,

and

Crane Service, LLC,

Defendant-Appellee.

ORDER AFFIRMED

Division VI

Opinion by: JUDGE RUSSEL  
Dailey and Graham, JJ., concur

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Court of Appeals No.: [05CA2577](#)

City and County of Denver District Court No. 04CV9720

Honorable H. Jeffrey Bayless, Judge

Colorado Community Health Network; et al.,

Plaintiffs-Appellants,

v.

Colorado General Assembly; et al.,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division IV  
Opinion by: JUDGE NIETO\*  
Hawthorne and Criswell\*, JJ., concur

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Court of Appeals No.: [06CA0065](#)  
Arapahoe County District Court No. 05CV1425  
Honorable Michael J. Spear, Judge

Safari 300, Ltd., d/b/a Cherry Creek State Park Shooting Center, Inc.; Peggy Duckworth; and Allan Duckworth,

Plaintiffs-Appellees,

v.

Hamilton Family Enterprises, Inc.,

Defendant-Appellant,

and

Colorado Department of Natural Resources, Division of Parks and Outdoor Recreation; Robert Toll; Carolyn Armstrong; and City of Greenwood Village,

Defendants-Appellees.

ORDER AFFIRMED

Division V  
Opinion by: JUDGE TERRY  
Dailey and Carparelli, JJ., concur

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Court of Appeals No.: [06CA0073](#)  
Adams County District Court No. 04CR1861  
Honorable C. Scott Crabtree, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Janene Williams,

Defendant-Appellant.

JUDGMENT REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by: JUDGE CARPARELLI  
Dailey and Terry, JJ., concur

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Court of Appeals No.: [06CA0083](#)

Boulder County District Court No. 03CV2198

Honorable Morris W. Sandstead, Jr., Judge

Safehouse Progressive Alliance for Nonviolence, Inc., f/k/a Boulder County  
Safehouse, Inc., a Colorado nonprofit corporation,

Plaintiff-Appellant,

v.

Qwest Corporation, a Colorado corporation; McLeodUSA Publishing Company, d/  
b/a Yellow Book USA, an Iowa corporation; and Verizon Directories Corporation, a  
Delaware corporation,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division II  
Opinion by: JUDGE CASEBOLT  
Román and Rovira\*, JJ., concur

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Court of Appeals No.: [06CA0489](#)

Jefferson County District Court No. 94CR419

Honorable William P. DeMoulin, Judge  
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dennis Michael Sisson,

Defendant-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division II  
Opinion by: JUDGE CASEBOLT  
Rothenberg and Román, JJ., concur

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Court of Appeals No.: [06CA0608](#)  
La Plata County District Court No. 05CV119  
Honorable David L. Dickinson, Judge

Matthew Kenna, Janet Kenna, Pete Skartvedt, and Ann Rilling,

Plaintiffs-Appellees,

v.

Roxy Huber, Executive Director of the Department of Revenue, State of Colorado,

Defendant-Appellant.

JUDGMENT VACATED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by: JUDGE GRAHAM  
Vogt and Hawthorne, JJ., concur

Court of Appeals No.: [06CA1567](#)  
Larimer County District Court No. 04JV138  
Honorable Terence A. Gilmore, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of C.H., a Child,

and Concerning M.J.H., a/k/a M.J.S.,

Respondent-Appellant.

CASE REMANDED WITH DIRECTIONS

Division VI  
Opinion by: JUDGE RUSSEL  
Dailey and Graham, JJ., concur

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Court of Appeals No.: [06CA1961](#)  
Douglas County District Court No. 04JD517  
Honorable Timothy L. Fasing, Judge  
Honorable Louis A. Gresh, Magistrate

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of M.A.M.,

Juvenile-Appellant.

ORDER REVERSED AND CASE  
REMANDED WITH DIRECTIONS

Division IV  
Opinion by: JUDGE BERNARD

Casebolt and Hawthorne, JJ., concur

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**U N P U B L I S H E D      O P I N I O N S**

Court of Appeals No.: 04CA1969  
City and County of Denver District Court No. 96CR4345  
Honorable Robert L. McGahey, Jr., Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Edward Ray Williams,

Defendant-Appellant.

ORDER AFFIRMED

Division III

Opinion by: JUDGE BERNARD  
Roy and Kapelke\*, JJ., concur

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

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Court of Appeals No.: 05CA0812  
Arapahoe County District Court No. 03CR3057  
Honorable Jack F. Smith, Judge  
Honorable Michael J. Spear, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Bruce Arthur Halstead,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division II

Opinion by: JUDGE ROMÁN  
Rothenberg and Casebolt, JJ., concur

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

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Court of Appeals No.: 05CA0817  
City and County of Denver District Court No. 04CR4205  
Honorable William D. Robbins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Danny Paul Pommerville,

Defendant-Appellant.

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

Division II

Opinion by: JUDGE CASEBOLT  
Rothenberg and Roman, JJ., concur

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Court of Appeals No.: 05CA1876  
City and County of Denver District Court No. 04CV1256  
Honorable Catherine A. Lemon, Judge

The Guides, Ltd., d/b/a The Africa House,

Plaintiff-Appellant,

v.

Miller, Lane, Killmer & Griesen, LLP; David H. Miller; Darold W. Killmer; and  
Killmer & Lane, LLP,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division III

Opinion by: JUDGE KAPELKE\*  
Roy and Bernard, JJ., concur

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

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Court of Appeals No.: 05CA1978  
Morgan County District Court No. 04CR58  
Honorable Kevin Hoyer, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Pedro Lucero,

Defendant-Appellant.

JUDGMENT AFFIRMED

Division I

Opinion by: JUDGE J. JONES  
Márquez and Taubman, JJ., concur

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

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Court of Appeals No.: 05CA2284  
Costilla County District Court No. 96CV014

Honorable Pattie P. Swift, Judge

Elizabeth DeHerrera, as mother and next friend of Lucas DeHerrera,  
Plaintiff-Appellant,

v.

Sentry Insurance Company,  
Defendant-Appellee.

JUDGMENT AFFIRMED

Division II  
Opinion by: JUDGE CASEBOLT  
Román and Sternberg\*, JJ., concur

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

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Court of Appeals Nos.: 05CA2490 & 06CA0249  
Arapahoe County District Court No. 86DR1279  
Honorable Robert H. Russell, II, Judge

In re the Marriage of

Catherine A. Keiser,

Appellee,

and

Johnny W. Morrison,

Appellant,

and Concerning

Chris Matz,

Attorney-Appellant,

and

Jefferson County Department of Human Services,

Intervenor-Appellee.

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

Division III  
Opinion by: JUDGE KAPELKE\*  
Roy and Bernard, JJ., concur

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

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Court of Appeals No.: 05CA2532  
Jefferson County District Court No. 97CR339  
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Brent Adrian Smeltzer,

Defendant-Appellant.

ORDER AFFIRMED

Division III  
Opinion by: JUDGE KAPELKE\*  
Roy and Bernard, JJ., concur

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

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Court of Appeals No.: 05CA2541

El Paso County District Court No. 03CV4522  
Honorable Robert L. Lowrey, Judge

John D. Garvin and Julie M. Garvin,

Plaintiffs-Appellants,

v.

Janice L. Greutzmacher; Gordon L. Greutzmacher; Dean R. Greenhoe; and Laura  
L. Englehardt,

Defendants-Appellees.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division V  
Opinion by: JUDGE CARPARELLI  
Dailey and Terry, JJ., concur

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

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Court of Appeals No.: 05CA2578  
Jefferson County District Court Nos. 00CR997, 02CR3138, 03CR2339 & 05CR11  
Honorable Jane A. Tidball, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Jonathan Dean Sheppard,

Defendant-Appellant.

SENTENCES AND ORDERS AFFIRMED

Division B  
Davidson, C.J., Casebolt and Webb, JJ.

PER CURIAM

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

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Court of Appeals No.: 05CA2641  
City and County of Denver District Court No. 95CR1413  
Honorable Christina M. Habas, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Miguel Quirino,

Defendant-Appellant.

ORDER AFFIRMED

Division B  
Davidson, C.J., Casebolt and Webb, JJ.  
PER CURIAM

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

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Court of Appeals No.: 05CA2699  
Jefferson County District Court No. 03CV3395  
Honorable Leland P. Anderson, Judge

Network Affiliates, Inc.,

Plaintiff-Appellee,

v.

Nancy Tanchel, M.D. and Liberty Laser Eye Center,

Defendants-Appellants.

JUDGMENT AFFIRMED AND CASE  
REMANDED WITH DIRECTIONS

Division I  
Opinion by: CHIEF JUDGE DAVIDSON  
Metzger\* and Ruland\*, JJ., concur

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

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Court of Appeals No.: 06CA0181  
Costilla County District Court No. 01CV23  
Honorable Pattie P. Swift, Judge  
Honorable Robert W. Ogburn, Judge

Alyssa Martinez,

Plaintiff-Appellant and Cross-Appellee,

v.

Ryan E. Roberts,

Defendant-Appellee and Cross-Appellant.

ORDER AFFIRMED

Division I  
Opinion by: JUDGE TAUBMAN  
Márquez and J. Jones, JJ., concur

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

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Court of Appeals No.: 06CA0188  
City and County of Denver Probate Court No. 03PR1572  
Honorable C. Jean Stewart, Judge

In re the Estate of Harold L. Meadoff, a/k/a Harold Meadoff and Hal Meadoff,  
deceased.

William Meadoff, Personal Representative; Jill S. Vincent; and Connie C. Vincent,  
Petitioners-Appellees,

v.

Susan Meadoff,  
Respondent-Appellant.

CASE REMANDED WITH DIRECTIONS

Division I

Opinion by: JUDGE TAUBMAN  
Márquez and J. Jones, JJ., concur

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

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Court of Appeals No.: 06CA0197  
City and County of Denver District Court No. 05CV7373  
Honorable Lawrence A. Manzanares, Judge

Farmers Insurance Exchange,

Plaintiff-Appellee,

v.

Robin South,  
Defendant-Appellant.

ORDER AFFIRMED

Division II

Opinion by: JUDGE WEBB  
Casebolt and Román, JJ., concur

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

Court of Appeals No.: 06CA0561  
Jefferson County District Court No. 97DR1644  
Honorable Christopher J. Munch, Judge  
Honorable Cecilia Curtis, Magistrate

In re the Marriage of

Michael L. Jacobs,

Appellant,

and

Natalie L. Jacobs,

Appellee.

**ORDERS AFFIRMED**

Division VI  
Opinion by: JUDGE WEBB  
Loeb and Russel, JJ., concur

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

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Court of Appeals No.: 06CA0745  
Logan County District Court No. 05CV202  
Honorable Michael K. Singer, Judge

James Bettner,

Plaintiff-Appellant,

v.

Terry Bartruff, Carol Soares, and Michele LaPorte,

Defendants-Appellees.

JUDGMENT AFFIRMED

Division V  
Opinion by: JUDGE TERRY  
Dailey and Carparelli, JJ., concur

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

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Court of Appeals No.: 06CA0886  
El Paso County District Court No. 03CR853  
Honorable Kirk S. Samelson, Judge  
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Michael A. Gibson,

Defendant-Appellant.

ORDER AFFIRMED

Division B  
Casebolt, Carparelli and Loeb, JJ.  
PER CURIAM

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Court of Appeals No.: 06CA0922  
City and County of Denver District Court No. 00CR4087  
Honorable William D. Robbins, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Kosal So,  
Defendant-Appellant.

ORDER AFFIRMED

Division B  
Casebolt, Carparelli and Loeb, JJ.  
PER CURIAM

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

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Court of Appeals No.: 06CA1092  
Bent County District Court No. 83CR5  
Honorable M. Jon Kolomitz, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Mario Carlos Reyes

Defendant-Appellant.

ORDER AFFIRMED

Division B  
Casebolt, Carparelli and Loeb, JJ.  
PER CURIAM

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

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Court of Appeals No.: 06CA1522  
City and County of Denver District Court No. 97DR2141  
Honorable J. Stephen Phillips, Judge

In re the Marriage of

Elizabeth Hoffman, n/k/a Elizabeth Anthony,

Appellant,

and

Curtis T. Hoffman,

Appellee.

ORDERS AFFIRMED

Division VI

Opinion by: JUDGE LOEB

Webb and Russel, JJ., concur

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

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Court of Appeals No.: 06CA1571

Industrial Claim Appeals Office of the State of Colorado

WC No. 4-543-730

Connie Anderson,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado; SOS Staffing Services;  
and ACE, USA,

Respondents.

ORDER SET ASIDE AND CASE  
REMANDED WITH DIRECTIONS

Division III

Opinion by: JUDGE RUSSEL

Bernard and Sternberg\*, JJ., concur

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

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Court of Appeals No.: 06CA1620  
City and County of Denver District Court No. 06CV1548  
Honorable Catherine A. Lemon, Judge

Abraham Hagos,  
  
Plaintiff-Appellant,

v.

Larry Valencia, detective,  
  
Defendant-Appellee,  
  
and

City and County of Denver,  
  
Appellee.

**JUDGMENT AFFIRMED**

Division V  
Opinion by: JUDGE CARPARELLI  
Dailey and Terry, JJ., concur

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

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Court of Appeals No.: 06CA1658  
City and County of Denver District Court No. 00CR979  
Honorable Shelley I. Gilman, Judge

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

v.

Mark Troy Ramirez,

Defendant-Appellant.

ORDER AFFIRMED

Division B

Davidson, C.J., Casebolt and Webb, JJ.

PER CURIAM

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

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Court of Appeals No.: 06CA1935

El Paso County District Court No. 03JV943

Honorable J. Patrick Kelly, Judge

The People of the State of Colorado,

Petitioner-Appellee,

In the Interest of J.C., Child,

and Concerning E.C. and J.M.,

Respondents-Appellees,

and G.C. and J.C.,

Special Respondents-Appellants.

ORDER AFFIRMED

Division IV

Opinion by: JUDGE VOGT

Graham and Hawthorne, JJ., concur

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

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Court of Appeals No.: 06CA2022  
El Paso County District Court No. 04JV938  
Honorable Theresa M. Cisneros, Judge

The People of the State of Colorado,

Petitioner,

In the Interest of B.S. and J.F., Children,

Upon the Petition of the El Paso Department of Human Services,

Petitioner-Appellee,

and Concerning T.S.,

Respondent-Appellant.

ORDER VACATED

Division IV

Opinion by: JUDGE HAWTHORNE  
Vogt and Graham, JJ., concur

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

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Court of Appeals No.: 06CA2115  
Larimer County District Court No. 94CR921  
Honorable James H. Hiatt, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Wilson Lopez,

Defendant-Appellant.

ORDER AFFIRMED

Division B  
Davidson, C.J., Casebolt and Webb, JJ.  
PER CURIAM

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

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Court of Appeals No.: 06CA2585  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 12032-2006

Stephen L. Hymes,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Community College of  
Denver,

Respondents.

ORDER AFFIRMED

Division VI  
Opinion by: JUDGE RUSSEL  
Webb and Loeb, JJ., concur

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

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Court of Appeals No.: 06CA2621  
Industrial Claim Appeals Office of the State of Colorado  
DD No. 13469-2006

Daniel C. Sanders,

Petitioner,

v.

Industrial Claim Appeals Office of the State of Colorado and Advantage Security, Inc.,

Respondents.

ORDER AFFIRMED

Division II

Opinion by: JUDGE ROMÁN  
Rothenberg and Casebolt, JJ., concur

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

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Court of Appeals No.: 06CA2660  
City and County of Denver District Court Nos. 96CR3272 & 00CR4504  
Honorable Christina M. Habas, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Donald L. Murphy,

Defendant-Appellant.

ORDER AFFIRMED

Division B

Davidson, C.J., Rothenberg and Webb, JJ.  
PER CURIAM

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

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Court of Appeals No.: 06CA2675  
Jefferson County District Court No. 02CR1141  
Honorable Margie L. Enquist, Judge

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Carlos Granillo-Pinon,

Defendant-Appellant.

ORDER AFFIRMED

Division B

Davidson, C.J., Rothenberg and Webb, JJ.

PER CURIAM

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

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Court of Appeals No.: 07CA0288

Grand County District Court No. 06JV6

Honorable Shelly A. Hill, Judge

The People of the State of Colorado,

Petitioner,

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

Upon the Petition of the Grand County Department of Social Services,

Petitioner-Appellee,

and Concerning L.H.,

Respondent-Appellant.

JUDGMENT AFFIRMED

Division V

Opinion by: JUDGE TERRY

Dailey and Carparelli, JJ., concur

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

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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.: [04CA1288](#)

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Dudley Stephenson,

Defendant-Appellant.

Opinion Modified  
and Petition for Rehearing DENIED

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Court of Appeals No.: 04CA2117

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Clair Lloyd Beazer,

Defendant-Appellant.

Opinion Modified  
Petition for Rehearing DENIED

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

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Court of Appeals No.: 04CA2164

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Richard Eugene Stanley, a/k/a Rick Eugene Stanley, Jr.,

Defendant-Appellant.

Petition for Rehearing DENIED

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Court of Appeals No.: 05CA1960

Elaine Lanphier,

Petitioner-Appellant,

v.

Department of Public Health and Environment, Laboratory Radiation Services,

Respondent-Appellee,

and

Colorado State Personnel Board,

Appellee.

Petition for Rehearing DENIED

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Court of Appeals No.: 05CA2065

The People of the State of Colorado,

Plaintiff-Appellee,

v.

Terry Leroy Richert,  
Defendant-Appellant.

Petition for Rehearing DENIED

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

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Court of Appeals No.: [05CA2370](#)

First Horizon Merchant Services, Inc., a Tennessee corporation,  
Plaintiff-Appellant,

v.

Wellspring Capital Management, LLC, et al.  
Defendants-Appellees.

Opinion Modified and  
Petition for Rehearing DENIED

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Court of Appeals No.: 05CA2420

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

v.

Charles Robert Shepard,  
Defendant-Appellant

Petition for Rehearing DENIED

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

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Court of Appeals No.: 06CA0305

Tommie L. Peterson and Hassle Free Sports, Inc.,

Plaintiffs-Appellees,

v.

Stephens Family Partnership, LLC, f/k/a Stephens Family Partnership; George C. Stephens; and George R. Stephens,

Defendants-Appellants.

Petition for Rehearing DENIED

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

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Court of Appeals No.: 06CA1321

Bill Davis,

Plaintiff-Appellant,

v.

Warden of the Fremont Correctional Facility,

Defendant-Appellee.

Petition for Rehearing DENIED

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

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Court of Appeals No.: 06CA1834

The People of the State of Colorado,

Plaintiff-Appellee,

v.

John C. Martinez,

Defendant-Appellant.

Petition for Rehearing DENIED

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

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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. 2006.