

DISTRICT COURT, ARAPAHOE COUNTY, STATE OF COLORADO 7325 S. Potomac St. Centennial, Colorado 80112	▲ COURT USE ONLY ▲
PEOPLE OF THE STATE OF COLORADO v. JAMES EAGAN HOLMES, Defendant	Case No. 12CR1522 Division: 201
INITIAL ORDER REGARDING COLORADO MENTAL HEALTH INSTITUTE AT PUEBLO’S MOTION TO QUASH SUBPOENA DUCES TECUM (C-61)	


The defendant is charged with shooting, and killing or injuring, numerous people inside two adjacent Aurora movie theatres during the early morning hours of July 20, 2012. On June 4, 2013, he entered a plea of not guilty by reason of insanity. Pursuant to the Court’s Order, the defendant thereafter underwent a sanity examination at the Colorado Mental Health Institute at Pueblo (“CMHIP”). On September 6, CMHIP filed its report.

On September 11, 2013, the prosecution served three subpoenas *duces tecum* on CMHIP: PSDT-3, PSDT-4, and PSDT-5. The subpoena return date is set for September 30. On the eve of the return hearing, CMHIP, through the Attorney General, filed a lengthy motion to quash with extensive exhibits. Although not

entirely clear, it appears that CMHIP is objecting to all three subpoenas. The Court will set an expedited briefing schedule on this motion at the September 30 hearing when the parties and CMHIP are present. The Court will then continue the PSDT-3, PSDT-4 and PSDT-5 subpoenas. CMHIP need not bring records responsive to these subpoenas until the Court has ruled on its motion quash.

Dated this 27th day of September of 2013.

BY THE COURT:


Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2013, a true and correct copy of the **Initial order regarding Colorado Mental Health Institute at Pueblo's motion to quash subpoena duces tecum (C-61)** was served upon the following parties of record:

Karen Pearson
Amy Jorgenson
Rich Orman
Dan Zook
Jacob Edson
Lisa Teesch-Maguire
George Brauchler
Arapahoe County District Attorney's Office
6450 S. Revere Parkway
Centennial, CO 80111-6492
(via e-mail)

Sherilyn Koslosky
Rhonda Crandall
Daniel King
Tamara Brady
Kristen Nelson
Colorado State Public Defender's Office
1290 S. Broadway, Suite 900
Denver, CO 80203
(via e-mail)

Tanya Smith
Attorney General's Office
(via e-mail)

