

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
<p style="text-align: center;">ORDER REGARDING JANA WINTER'S MOTION FOR A PROTECTIVE ORDER AND TO QUASH SUBPOENA DUCES TECUM AND AD TESTIFICANDUM (C-26-C)</p>	

Earlier today, the United States Supreme Court denied the defendant's petition for certiorari to review the decision of the Court of Appeals of New York in *Holmes v. Winter*, 3 N.E.3d 694 (N.Y. 2013). *See* --- S.Ct. ---, 2014 WL 956290 (Mem.), 82 U.S.L.W. 3571 (U.S. May 27, 2014) (No. 13-1096). The Court of Appeals of New York concluded that it is a violation of New York public policy for a New York court to issue a subpoena directing Jana Winter, a New York reporter employed by Fox News, to appear at a judicial proceeding in Colorado, given that there is a substantial likelihood that she will be directed to disclose the names of confidential sources or face being held in contempt of court. 3 N.E.3d at

695, 705. In light of the New York Court of Appeals' decision, which is now final, Jana Winter's motion for a protective order and to quash is granted.

Dated this 27th day of May of 2014.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Carlos A. Samour, Jr.", written over a horizontal line.

Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2014, a true and correct copy of the **Order regarding Jana Winter's motion for a protective order and to quash subpoena duces tecum and ad testificandum (C-26-C)** was served upon the following parties of record:

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