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District Court, Arapahoe County, Colorado Arapahoe County Courthouse 7325 S. Potomac St., Centennial, CO 80112	2012 JUL 23 PM 4:17 COMBINED COURT COURT USE ONLY
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff v. JAMES HOLMES Defendant	
DOUGLAS K. WILSON, Colorado State Public Defender Daniel King (No. 26129) Tamara A. Brady (No. 20728) Chief Deputy State Public Defenders 1290 Broadway, Suite 900, Denver, Colorado 80203 Phone (303) 764-1400 Fax (303) 764-1478 E-mail: daniel.king@coloradodefenders.us	Case No. 12CR1522 Division 408
OBJECTION TO EXPANDED MEDIA COVERAGE AND REQUEST FOR HEARING [D-007]	

James Holmes, by and through counsel, respectfully objects to the requests by any media outlet and/or their agents for expanded media coverage for the July 30, 2012, pretrial hearing in this matter and further objects to expanded media coverage at all future proceedings in this case.

1. Following this morning's advisement, multiple media outlets have requested this Court to authorize expanded media coverage to include video, audio, and still photography coverage of the pretrial hearing in this case scheduled for July 30, 2012 at 9:30 a.m.

2. In addition to the arguments set forth in the motion Mr. Holmes filed last week objecting to any and all expanded media coverage in this case, *see* Defense Motion 004, Rule 2 of Chapter 38 of the Colorado Court Rules, Public Access to Records and Information specifically bars "[e]xpanded media coverage of pretrial hearings in criminal cases, except advisements and arraignments."

3. Because the proceeding on July 30, 2012 is neither Mr. Holmes' advisement nor an arraignment, the rule prohibits this Court from allowing expanded media coverage of the hearing.

4. Granting such a request would not only violate the rules governing expanded media coverage, but would jeopardize Mr. Holmes' constitutional rights to due process, a fair trial, to be presumed innocent, and to a fair and impartial jury. U.S. Const. amends. V, VI, VIII, XIV; Colo. Const. art. II, secs. 16, 18, 20, 23, 25; *see also Sheppard v. Maxwell*, 384 U.S. 333 (1966); *Estes v. Texas*, 381 U.S. 532 (1965); *People v. Botham*, 629 P.2d 589 (Colo. 1981).

5. Mr. Holmes therefore respectfully objects to any request by any media outlet and/or their agents for expanded media coverage for the July 30, 2012 pretrial hearing in this

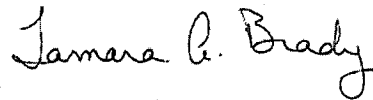


matter and further objects to expanded media coverage at all future proceedings in this case. Mr. Holmes further requests a hearing before any such request is granted. Mr. Holmes further requests a court order requiring thirty days' notice in advance of any hearing for which such future requests are made.

Mr. Holmes files this motion, and makes all other motions and objections in this case, whether or not specifically noted at the time of making the motion or objection, on the following grounds and authorities: the Due Process Clause, the Right to a Fair Trial by an Impartial Jury, the Rights to Counsel, Equal Protection, Confrontation, and Compulsory Process, the Rights to Remain Silent and to Appeal, and the Right to be Free from Cruel and Unusual Punishment, pursuant to the Federal and Colorado Constitutions generally, and specifically, the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, and Fourteenth Amendments to the United States Constitutions, and Article II, sections 3, 6, 7, 10, 11, 16, 18; 20, 23, 25 and 28 of the Colorado Constitution.



Daniel King (No. 26129)
Chief Trial Deputy State Public Defender



Tamara A. Brady (No. 20728)
Chief Trial Deputy State Public Defender

Dated: July 23, 2012

CERTIFICATE OF SERVICE

I hereby certify that on 7/23, 2012, I

mailed, via the United States Mail,
 faxed, or
 hand-delivered

a true and correct copy of the above and foregoing document to:

Carol Chambers
Office of the District Attorney
6450 S. Revere Parkway
Centennial, Colorado 80111
Fax: 720-874-8501