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DISTRICT COURT, EL PASO COUNTY, COLORADO 270 South Tejon Street Colorado Springs, Colorado 80903	FILED IN THE DISTRICT AND COUNTY COURTS OF EL PASO COUNTY, COLORADO NOV 30 2015 DR. LYNETTE CORNELIUS CLERK OF COURT ♦ COURT USE ONLY ♦
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. ROBERT LEWIS DEAR, Defendant	
DOUGLAS K. WILSON, Colorado State Public Defender Rosalie A. Roy (No. 26861) Deputy State Public Defender 19 North Tejon, Suite 105 Colorado Springs, Colorado 80903 Phone: (719) 475-1235 Fax: (719) 475-1476 Email: springs.pubdef@coloradodefenders.us	Case No. 15CR5795 Division 10
NOTICE OF REPRESENTATION AND DEMAND FOR NOTICE OF ANY NONTESTIMONIAL IDENTIFICATION PROCEDURE SOUGHT PURSUANT TO CRIM. P.41.1 [D-004]	

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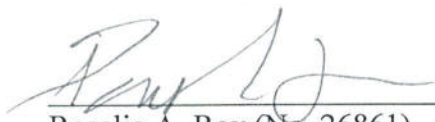
Defendant notifies the Office of the District Attorney and any other law enforcement personnel or their agents to (a) obtain the consent of Defendant's counsel before attempting to contact or interview Defendant and (b) give said counsel reasonable opportunity to be present PRIOR to any contact with Defendant. As grounds, Defendant states:

1. The Office of the Public Defender has been appointed to represent Defendant.
2. Defendant invokes Defendant's right to counsel and right to remain silent under Article 2 Sections 16, 18, 23, and 25 of the Colorado Constitution and the Fifth, Sixth, and Fourteenth Amendments of the United States Constitution. Defendant does not wish to be interviewed, contacted, or questioned unless Defendant's attorney is present. This includes crimes or circumstances which the State or law enforcement **believe** are unrelated to the crime for which Defendant is in custody. Defendant specifically requests that pursuant to said amendments that Defendant's counsel make the determination as to any matters which impact his constitutional rights.
3. Consent of opposing counsel is required by Rule 4.2 of the Colorado Rules of Professional Conduct.
4. Defendant requests that this notice of representation be communicated to all agencies that Rules 16(I)(a)(3) and 16(I)(b)(4) of the Colorado Rules of Criminal Procedure

extend to and that those persons or agencies be directed by the prosecution to comply with Article 2 Sections 16, 18, 23, and 25 of the Colorado Constitution and the Fifth, Sixth, and Fourteenth Amendments of the United States Constitution pertaining to Defendant.

5. Defendant wishes to exercise both Defendant's right to silence (and against self-incrimination) and Defendant's right to counsel under Article 2 Sections 16, 18, 23, and 25 of the Colorado Constitution and the Fifth, Sixth, and Fourteenth Amendments of the United States Constitution.

Mr. Dear 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.



Rosalie A. Roy (No. 26861)
Deputy State Public Defender
Dated: November 30, 2015

Certificate of Service

I certify that on 11/30/15,
I served the foregoing document by
delivering mailing same to
all opposing counsel. 