

<u>DISTRICT</u> District Court, El Paso County, Colorado Court Address: 270 S. Tejon Colorado Springs, CO. 80903	DATE FILED: November 28, 2022 4:55 PM
People of the State of Colorado vs. Defendant: ANDERSON LEE ALDRICH	<hr/> <p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> Case #: 22CR6008
District Attorney: Michael J. Allen, #42955 Chief Deputy District Attorney: Reginald Short #35656 Chief Deputy District Attorney: Jennifer Viehman, #33163 105 E. Vermijo Colorado Springs, CO 80903 Phone Number: 719-520-6000	Division #: 21 Courtroom #: W450
<p style="text-align: center;">[D-08]</p> <p style="text-align: center;">PEOPLE'S RESPONSE TO DEFENSE MOTION FOR THE COURT TO PROHIBIT LAW ENFORCEMENT FROM OBTAINING ANY EXPARTE SEARCH WARRANTS</p>	

Comes now, Michael J. Allen, District Attorney for the Fourth Judicial District, and his duly appointed Chief Deputies, respectfully submits the following, [D-8] People's Response to Defense Motion For The Court to Prohibit Law Enforcement From Obtaining Any Exparte Search Warrants. In support thereof, the People state:

1. The People would object to the defense motion.
2. There is still an on-going investigation into this case. Law enforcement should not be hampered in obtaining search warrants because defense may object to the issuance of said warrant.
3. C.R.S. § 16-3-301 governs the issuance of search warrants and C.R.S. § 16-3-303 governs the grounds for issuance of a search warrant. Law enforcement is well aware of both and will comply with the statutes.
4. There is no reason why the same court or judge would need to review the search warrants before issuing them. Defense argues that this Court would be in a superior position to review the search warrants as it is well versed in the facts. To the contrary, this Court has not issued any of the previous warrants nor has there been any factual hearings in front of this Court that would put it in a superior position over any other judge or magistrate

reviewing these warrants. Quite simply, this case is in such early stages of investigation and prosecution that an order of this nature would be absurd and unnecessary.

WHEREFORE, the People request that this Court Deny Defense's Motion.

Respectfully submitted this 28th day of November 2022.

MICHAEL J. ALLEN, #42955
DISTRICT ATTORNEY

By: /s/ Michael J. Allen
Michael J. Allen, #42955
District Attorney

/s/ Reginald Short
Reginald Short, #35656
Chief Deputy District Attorney

/s/ Jennifer Viehman
Jennifer A. Viehman, # 33163
Chief Deputy District Attorney

CERTIFICATE OF SERVICE

I certify on the 28th day of November 2022, a true and correct copy of [D-8] People's Response to Defense Motion For The Court to Prohibit Law Enforcement From Obtaining Any Exparte Search Warrants, was served via Colorado Courts E-Filing on all parties who appear of record and have entered their appearances according to Colorado Court's E-Filing.

/s/
Kim Daniluk, Paralegal