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DISTRICT COURT, EL PASO COUNTY, COLORADO 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903	DATE FILED: January 24, 2023 3:33 PM
PEOPLE OF THE STATE OF COLORADO, Plaintiff v.  <b>ANDERSON ALDRICH,</b> Defendant	σ COURT USE ONLY σ
Megan Ring, Colorado State Public Defender Joseph Archambault #41216 Chief Trial Deputy Michael Bowman #48652 Deputy State Public Defender 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903 Phone: (719) 475-1235 Fax: (719) 475-1476 Email: <a href="mailto:springs.pubdef@coloradodefenders.us">springs.pubdef@coloradodefenders.us</a>	Case No. <b>22CR6008</b>  Division <b>21</b>
<b>OBJECTION TO [P-4] PEOPLE'S MOTION TO AMEND THE COMPLAINT AND INFORMATION TO ADD COUNTS 318 THROUGH 323</b>	
<b>[D-17]</b>	

Mx. Anderson Aldrich<sup>1</sup>, by and through counsel objects to the People's Motion [P-4] and moves this Court to deny the prosecution's motion. Mx. Aldrich in support states the following:

1. The District Attorneys has already filed a criminal complaint charging Anderson Aldrich with over three hundred felony counts including charges of murder, attempted murder, and assault, which the state alleges are bias-motivated crimes.
2. As the Court and the prosecution knows, counsel is woefully un-prepared and will not be prepared for the preliminary hearing in this case. This Court set this case for a proof evident presumption great/ preliminary hearing, on February 22-24, 2023, over Mx. Aldrich's objection. *See* TR 12/6/22, p 9. The Court set this date, despite counsel informing the Court that counsel could not be prepared due to obligations from other clients and cases. *Id.* at p 8, ln 11-19. In this case there are now almost 5000 pages of discovery and over a terabyte of media discovery and counsel will not be effective at the preliminary hearing in this case. U.S. Const. amend. VI, XIV; Colo. Const. art. II § 16; *Hutchinson v. People*, 742 P.2d 875, 880 (Colo. 1987). (*citing to United States v. Cronic*, 466 U.S. 648 (1984)). The right to counsel includes the right to effective assistance of

<sup>1</sup> Anderson Aldrich is non-binary. They use they/them pronouns, and for the purposes of all formal filings, will be addressed as Mx. Aldrich.

counsel. *Hutchinson v. People*, 742 P.2d 875, 881(Colo. 1987); *McMann v. Richardson*, 397 U.S. 759, (1970).

3. Now in [P-4], filed on January 23, 2023, the District Attorney is asking this Court to allow them to add five additional counts which names an additional victim to this case. It appears that prosecution wants these counts added to be addressed at the preliminary hearing set on February 22-24.
4. Mx. Aldrich objects to the added counts as they violate Mx. Aldrich's constitutional rights to notice and due process. U.S. Amends., 6<sup>th</sup>, and 14<sup>th</sup> and art. II, § 16 and 23 of the Colorado Constitution.
5. When trial counsel fails to prepare his or her client's case and offers representation that is no more than a sham and a façade and constitutes a mockery of justice, a claim of incompetency of counsel is well founded. See *People v. White*, 514 P.2d 69, 70 (Colo. 1973) (*citing to Tollet v. Henderson*, 411 U.S. 258, 93 (1973)).
6. Mx. Aldrich was already going to be unprepared and unable to review even a tiny fraction of the discovery given to them prior to the proof evident presumption great/preliminary hearing on February 22-24. Adding these counts will only further enhance the prejudice to Mx. Aldrich.
7. Mx. Aldrich requests that this Court either deny [P-4] outright, or if the Court is going to allow the amendment, set the preliminary on [P-4] counts for a preliminary hearing set sometime in the month of June.
8. Mx. Aldrich requests a hearing on this matter.

For the foregoing reasons, Mx. Aldrich objects to the People's Motion [P-4] and moves this Court to deny the prosecution's motion.

MEGAN A. RING  
COLORADO STATE PUBLIC DEFENDER



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Joseph Archambault #41216  
Chief Trial Deputy

**Certificate of Service**

I certify that on January 24, 2023, I served the foregoing document electronically through Colorado Courts E-Filing to all opposing counsel of record.  
s/skoslosky

A handwritten signature in black ink, appearing to read "Michael Bowman".

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Michael Bowman #48652  
Deputy State Public Defender

Dated: January 24, 2023