

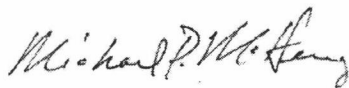
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DISTRICT COURT, EL PASO COUNTY, COLORADO	
Court Address: 270 S. TEJON, COLORADO SPRINGS, CO, 80903	DATE FILED: December 7, 2022 4:11 PM
THE PEOPLE OF THE STATE OF COLORADO v. Defendant(s) ANDERSON LEE ALDRICH	△ COURT USE ONLY △ Case Number: 2022CR6008 Division: 21 Courtroom:
Order:Objection to Unsealing of Arrest Affidavit to the Public [D-14]	

The motion/proposed order attached hereto: DENIED.

The court interprets this "Objection" as a motion for reconsideration, because the issue of the unsealing of the arrest warrant affidavit was addressed in open court with the defense's involvement on 12/6/22. The court ruled, over the defense's objection, that the affidavit would be unsealed at the close of business on 12/7/22. When the court ruled it considered the possibility of prejudice to the defense. The court has again considered such possibility but concludes that due process can be achieved in spite of the unsealing. The court must balance the rights of the parties with the rights of the press and the needs of the judicial system to be transparent. The court has done so and maintains its original ruling. The motion for reconsideration is DENIED.

Issue Date: 12/7/2022



MICHAEL P MCHENRY
District Court Judge

DISTRICT COURT, EL PASO COUNTY, COLORADO 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903	σ COURT USE ONLY σ
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. ANDERSON ALDRICH, Defendant	
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: springs.pubdef@coloradodefenders.us	Case No. 22CR6008 Division 21
<p style="text-align: center;">OBJECTION TO UNSEALING ARREST AFFIDAVIT TO THE PUBLIC</p> <p style="text-align: center;">[D-14]</p>	

Mx. Anderson Aldrich¹, by and through counsel, objects to the Court's unsealing of the arrest affidavit to the public, and in support states the following:

1. Mx. Aldrich appeared in front of the Court at first appearance/filing of charges on December 6, 2022. On that day while the addressing of the defense's motion to allow only Mx. Aldrich's counsel to get a copy of the arrest affidavit, the issue of the unsealing of the arrest affidavit to the public came up. The Court ruled that it was going to unseal the arrest affidavit, but the District Attorney requested the Court wait until the prosecution could alert more victims to the affidavit being unsealed. The Court stated it would wait until the afternoon of December 7, 2022.
2. Mx. Aldrich objected to the unsealing of the arrest affidavit to the public on December 6, orally in front of the Court, but files this written motion to supplement that objection.
3. "Every individual, whether detested or revered, is entitled to a fair trial before an impartial jury." *People v. Harlan*, 8 P.3d 448, 459 (Colo. 2000) (citing to *Oaks v. People*, 371 P.2d 443, 447 (Colo. 1962) reversed on other grounds by *People v. Miller*, 113 P.3d 743 (Colo. 2005)).
4. Making the arrest affidavit public will deny Mx. Aldrich's right to a fair trial. U.S.

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

Amends V, IV., XIV, Colo. Const. Art. II, § 3, 16, 23, and 25.

5. There has already been significant media coverage in Mx. Aldrich's case. Local and state media have covered this as a leading and top story on the various outlets (television, print, internet, etc.). National media outlets have also covered this incident to an extensive degree, and have treated this as a leading, national news story.
6. An arrest affidavit by its nature is not proof of a crime having committed and the standard for an affidavit, probable cause, is much lower than the standard of proof beyond a reasonable doubt. However, allegations in this case are already being treated by the media as if they what in fact occurred. The allegations contained in the affidavit in this case will be treated as true by the media and the public. If this affidavit is made public, the media and public will treat the allegation as if they are factually true and Mx. Aldrich will be convicted in the court of public opinion and have no hope at a presumption of innocence in this case in the minds of any El Paso County jurors.

WHEREFORE, it is respectfully requested that this Court DENY the request to make the affidavit public, in order to try to give Mx. Aldrich's the right to a fair trial in front of an impartial jury.

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER



Joseph Archambault #41216
Chief Trial Deputy



Michael Bowman #48652
Deputy State Public Defender

Certificate of Service

I certify that on December 7, 2022, I served the foregoing document electronically through Colorado Courts E-Filing to all opposing counsel of record.
s/skoslosky

Dated: December 7, 2022