DISTRICT COURT, EL PASO COUNTY, COLORADO Court Address: 270 S. TEJON, COLORADO SPRINGS, CO, 80903 THE PEOPLE OF THE STATE OF COLORADO v. **Defendant(s)** ANDERSON LEE ALDRICH	DATE FILED: November 30, 2022 4:49 PM ⚠ **COURT USE ONLY** ⚠
	Case Number: 2022CR6008 Division: 21 Courtroom:

Order:MOTION TO RESET COURT DATE [D-12]

The motion/proposed order attached hereto: DENIED.

The motion to reset the filing of charges date of December 6, 2022, is hereby denied for the following reasons:

(i) The court staff reached out to counsel by email offering alternate dates of 12/5 and 12/7 given that the court's jury trial for that week reached a settlement and the court would therefore be available on other dates;

(ii) Neither of the court's alternate dates coincide with Defense counsel's proffered alternate dates;

(iii) The Prosecution informed Div. 21 by email that alternate dates were not preferable for the People because notice had already been given under the VRA for 12/6;

(iv) Mr. Archambault is still available for Defendant on December 6, therefore Defendant will be represented; to the extent that Mr. Bowman's presence is essential for some substantive reason, such as for addressing a particular pending motion, such can be discussed on Dec. 6 and the possibility of bifurcating the motions considered.

Wherefore, filing of charges remains scheduled for Dec. 6, 2022, at 8:30 a.m.

Issue Date: 11/30/2022

MICHAEL P MCHENRY
District Court Judge

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<tr><td>

DISTRICT COURT, EL PASO COUNTY, COLORADO
30 East Pikes Peak Avenue, Suite 200
Colorado Springs, Colorado 80903

PEOPLE OF THE STATE OF COLORADO,
Plaintiff

v.

ANDERSON ALDRICH,
Defendant

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☐ COURT USE ONLY ☐

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Megan Ring, Colorado State Public Defender
Joseph Archambault #41216
Chief Trial Deputy
Michael Bowman #48652
Deputy State Public Defender
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Case No. **22CR6008**

Division **21**

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MOTION TO RESET COURT DATE

[D-12]

Mx. Anderson Aldrich[1], by and through counsel moves this Court to reset the next scheduled court date for a date that both defense counsel can be present, and in support states the following:

1. Mx. Aldrich appeared via a video feed from the jail on November 23, 2022, in front of Judge Ankeny. On that date, when the timing of next court date, the first Appearance/filing of charges; was discussed the defense stated the Mr. Bowman one of Mx. Anderson's attorneys would be unable to appear on December 6, 2022, due to being in a jury trial on that date in a different courtroom.

2. Judge Ankeny explained that she had not been given any other dates from Division 21, and that Mx. Anderson would have to contact that division. The minute orders also reflect that "Div 21 and People are on Notice that Date may be changed."

3. A defendant has a sixth amendment right to have counsel present at all critical stages of the prosecution. *See People v. Vickery*, 229 P.3d 278, 281 (Colo. 2010); *McNeil v. Wisconsin*, 501 U.S. 171, 175 (1991); Crim. P. 44; U.S. Amends IV., XIV, Colo. Const. Art. II, § 3, and 16.

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[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.

4. Counsel are both available to appear on this case on December 1st, December 2nd, and the morning of December 8th. Mx. Anderson requests that the Court reset the court date to a day and time that both counsel can appear.

WHEREFORE, it is respectfully requested that this Court to reset the next scheduled court date for a date that both defense counsel can be present.

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER

_____
Joseph Archambault #41216
Chief Trial Deputy

_____
Michael Bowman #48652
Deputy State Public Defender

Dated: November 28, 2022