

# REDACTED

FILED IN THE DISTRICT AND  
COUNTY COURTS OF  
EL PASO COUNTY, COLORADO

S.K. DEC 07 2015

DR. LYNETTE CORNELIUS  
CLERK OF COURT

▲ COURT USE ONLY ▲

County Court  District Court  
El Paso County, Colorado  
Court Address:

270 S. Tejon Ave., Colorado Springs, CO 80903

Plaintiff(s)/Petitioner(s): State of CO

v.

Defendant(s)/Respondent(s): Robert Lewis Dear Jr.

Attorney or Party Without Attorney (Name and Address):

Lance Benzel

Phone: 406-697-3783

E-mail: lance.benzel@gazette.com

FAX: 719-636-0366

Atty. Reg. #: n/a

Case Number: 15CR5795

Division 10 Courtroom

## MOTION TO ALLOW STILL PHOTOGRAPHY, VIDEO AND LIVE-TWEETING AT FIRST

For the following reasons: (cite any applicable law)

**Given urgent public interest in the Dear case both locally and nationally, and consistent with the 1<sup>st</sup> Amendment and the principles of our nation's open, public court system**

I request the Court to:

**Allow The Gazette access to take photographs and video inside courtroom as was as to live-Tweet Dear's court appearance scheduled for Wednesday, Dec. 9. Please see attachment for more information about Live-Tweeting.**

Date: 12/7/15 \_\_\_\_\_

Lance Benzel \_\_\_\_\_  
 Petitioner/Plaintiff or  Respondent/Defendant  
30 E. Pikes Peak Ave. \_\_\_\_\_  
Address  
Colorado Springs, CO 80909 \_\_\_\_\_  
City, State and Zip Code  
406-697-3783 \_\_\_\_\_ 719-636-0366  
Telephone Number (Home) (Work)

## CERTIFICATE OF SERVICE

I certify that on 12/7/15 \_\_\_\_\_ (date) a true and accurate copy of the Motion to Allow Still Photography, Video and Live-Tweeting was served on the other party by:

Hand Delivery,  E-filed,  Faxed to this number \_\_\_\_\_, or  
 by placing it in the United States mail, postage pre-paid, and addressed to the following (include name and address):

To: jeffreylindsey@elpasoco.com; donnabillek@elpasoco.com; danielmay@elpasoco.com  
sheilagh.mcateer@coloradodefenders.us; rosalie.roy@coloradodefenders.us;  
Springs.pubdef@coloradodefenders.us

  
\_\_\_\_\_  
 Petitioner/Plaintiff or  Respondent/Defendant

CCF 101 4/13  
JDF 70-B5/10 - MOTION TO

Dec. 7, 2015

To parties concerned:

Aside from requesting photo and video access to the courtroom for all hearings, The Gazette is interested in providing real-time coverage of court hearings via Twitter, a social media platform at Twitter.com.

The nature of the coverage won't change – just the timeliness. You won't see our reporters sharing their opinions about evidence or testimony.

Many reporters already step into the hallway to file dispatches and then duck back inside. Allowing use of Twitter inside the courtroom should be less of a disruption by comparison.

To use Twitter, a reporter needs a laptop computer or similar device, such as an iPad. He or she will generally sit up front to better hear the proceedings. We are aware that typing noise can be an issue, so we are reviewing our options to purchase a soft-shelled keyboard that will minimize typing sounds.

If there are complaints, we are open to working with court personnel to address them and do our jobs without disruption. I would note that we used Twitter to report on the three-week trial of Detra Farries in Div. 17 in 2012. We also live-Tweeted both of Joshua Carrier's five-week trials in Div. 7. We were not made aware of any complaints, and the response from the community was overwhelmingly positive.

If Twitter is not approved, we would ask that we be allowed to use our laptop computers in the courtroom for taking notes and working on the day's story, subject to any of the court's limitations.

Please call me with any questions at 406-697-3783.

Regards,



Lance Benzel  
The Gazette  
719-636-0366  
[Lance.benzel@gazette.com](mailto:Lance.benzel@gazette.com)