

REDACTED

DISTRICT COURT, El Paso County, Colorado Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903	FILED IN THE DISTRICT AND COUNTY COURTS OF EL PASO COUNTY, COLORADO MAR 24 2016
People of the State of Colorado vs. Defendant: ROBERT LEWIS DEAR, JR.	DR. LYNETTE D. CORNELIUS CLERK OF COURT ▲ COURT USE ONLY ▲
Deputy District Attorney: Daniel H. May Attorney Registration #: 11379 Add.: 105 E. Vermijo Colorado Springs, CO. 80903 Phone Number: 520-6000 District Attorney: Daniel H. May, #11379	Case #: 15CR5795 Division #: 10 Courtroom #: W570
P-10	
Motion to Redact Victims' and Witnesses Names and Allow Initials on the Arrest and Search Warrant Affidavits	

The People, by and through District Attorney Daniel H. May, requests this court enter an order allowing redaction of the names of victims' and witnesses that appear in the arrest and search warrant affidavits that have not previously been disclosed .


1. The court has previously entered orders sealing the names of victims' and witnesses in this case. **See P-05**. The People were allowed to use initials for victims' in many of the charges in this case. These motions were not opposed by defense counsel.
2. The People believe any disclosure of victims' and witnesses names, not previously disclosed, could lead to public embarrassment, harassment and even endangering them.
3. Rule 16 allows the court to enter protective orders, Rule 16, Part I (d) (2) and Rule 16, Part III (d). It notes that such orders are appropriate to prevent "substantial risk to any person of physical harm, intimidation, bribery, economic reprisals, or unnecessary annoyance or embarrassment, resulting from such disclosure".
4. In the Rules of Professional Conduct regarding Trial Publicity, Rule 3.6 it notes in comment (5)(1);

There are, on the other hand, certain subjects that are more likely than not to have a material prejudicial effect on a proceeding, particularly when they refer to a civil matter triable to a jury, a criminal matter, or any other proceeding that could result in incarceration. These subjects relate to: " the character, credibility,

reputation or criminal record of a party, suspect in a criminal investigation or witness, or the identity of a witness, or the expected testimony of a party or witness". (emphasis added).

5. Wherefore, the People request that the names of victims' and witnesses not previously disclosed be redacted and shown only by initials.

Respectfully submitted this 24th day of March, 2016.

By: 

Daniel H. May # 11379
Deputy District Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Motion to Redact Victims' and Witnesses Names and Allow Initials on the Arrest and Search Warrant Affidavits (P-10)** has been forwarded to the Public Defender's Office by placing it into the Public Defender's box for pickup:

3/24/16

Lina Jacques