

District Court, El Paso County, Colorado El Paso County Combined Courts 270 South Tejon Street, Colorado Springs CO 80903	<p style="text-align: center;"> <b>FILED IN THE DISTRICT AND          COUNTY COURTS OF          EL PASO COUNTY, COLORADO</b> </p> <p style="text-align: center;"> <b>APR 11 2016</b> </p> <p style="text-align: center;"> <b>DR. LYNETTE D. CORNELIUS          CLERK OF DISTRICT          &amp; COUNTY COURTS</b> </p>
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff	
v.  <b>ROBERT LEWIS DEAR,</b> Defendant	Case No. <b>15CR5795</b>   Division 10
<p style="text-align: center;"><b>D-021</b></p> <p style="text-align: center;"><b>NOTICE TO THE COURT REGARDING COMPLIANCE WITH ORDER RE: P-11</b></p>	

Mr. Dear, through counsel, submits the following notice to the Court:

1. Pursuant to the Court’s Order re: P-11, the defense provided the following disclosures to the prosecution today:

- a. 10 pages of notes from [REDACTED], who has seen Mr. Dear for the purpose of evaluating competency; and
- b. A notification that [REDACTED] has also seen Mr. Dear, although not for the specific purpose of evaluating competency.

2. Because [REDACTED] did not evaluate Mr. Dear for competency, the defense does not believe any further disclosures pertaining to [REDACTED] are required pursuant to the Court’s Order re: P-11. See Order, p. 4 (“The Court finds that pursuant to C.R.S. 16-8.5-104(b) the district attorney is to be provided with [information, testing, notes, working files and/or video/audio relating to the competency evaluations that are/were created by, reviewed by, or relied on by any evaluator] so long as it relates to competency.”).

3. It is defense counsels’ understanding that all other material that is to be disclosed pursuant to the Court’s Order re: P-11 will be provided to the prosecution and defense by the Colorado Mental Health Institute at Pueblo (CMHIP) on Friday, April 15, 2016.

4. The defense requests that the names of its experts be redacted in any public dissemination of this pleading. The names of these experts have not been made public, and it is unclear whether, when, or if these experts’ identities will be made public in connection with this case. Protecting these experts’ identities at this juncture is essential to safeguarding Mr. Dear’s

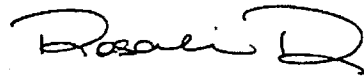
constitutional rights to due process, to investigate and present a complete defense, and to a fair trial and reliable sentencing proceeding. *See* U.S. Const. amends V, VI, VIII, XIV; Colo. Const. art. II, secs. 16, 20, 23, 25.

Mr. Dear files this notice, and makes all other motions and objections in this case, whether or not specifically noted at the time of making the motion or objection, on the following grounds and authorities: the Due Process Clause, the Right to a Fair Trial by an Impartial Jury, the Rights to Counsel, Equal Protection, Confrontation, and Compulsory Process, the Rights to Remain Silent and to Appeal, and the Right to be Free from Cruel and Unusual Punishment, pursuant to the Federal and Colorado Constitutions generally, and specifically, the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, and Fourteenth Amendments to the United States Constitutions, and Article II, sections 3, 6, 7, 10, 11, 16, 18, 20, 23, 25 and 28 of the Colorado Constitution.




---

Daniel King (No. 26129)  
Chief Trial Deputy State Public Defender



---

Rosalie Roy (No. 26861)  
Deputy State Public Defender



---

Kristen M. Nelson (No. 44247)  
Deputy State Public Defender

Dated: April 11, 2016

