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Case #:	20CR1358
Division #:	15S
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[P-36]

NOTICE OF PEOPLE'S INTENT TO INTRODUCE SELF-AUTHENTICATING RECORDS AT TRIAL PURSUANT TO C.R.S. 902 (11) – AT&T

Comes now, Michael J. Allen, District Attorney for the Fourth Judicial District, by and through his duly appointed Deputy District Attorney, respectfully submits the following, [P-36] Notice of People's Intent to Introduce Self-Authenticating Records at Trial Pursuant to C.R.S. 902(11) – AT&T. In support thereof, the People state:

- 1. Pursuant to Colo. Evid. Rule 902(11), a party must give notice to the other parties if they intend to use self-authenticating business records and must make the records and affidavit available for inspection sufficiently in advance of the offer into evidence to provide the adverse party an opportunity to challenge them.
- 2. C.R.E. 902(11) provides that certified business records are self-authenticating documents provided they are accompanied by an affidavit of their custodian certifying the records were (a) made at or near the time of the occurrence of the matters set forth by or from information transmitted by a person with knowledge of those matters, (b) were kept in the course of regularly conducted activity, and (c) were made by the regularly conducted activity as a regular practice.
- 3. Attached is the copy of the affidavit the People intend to introduce at trial: AT&T records for Target Numbers: 843-655-7460 843-957-3486 843-504-6724 (Attachment A)
- 4. The People intend to introduce these records using the Rule of Evidence as opposed to calling the Custodian of Records from AT&T.

Respectfully submitted this 2nd day of February 2023.

MICHAEL J. ALLEN, #42955 DISTRICT ATTORNEY

By:

Michael J. Allen, #42955

District Attorney

Dave Young, #21118 Senior Deputy District Attorney

Angelina Gratiano #50674

Angelina Gratiano, #50674 Deputy District Attorney

Certificate of Service

I hereby certify that on this 2nd day of February 2023, a true and correct copy of the foregoing [P-36] NOTICE OF PEOPLE'S INTENT TO INTRODUCE SELF-AUTHENTICATING RECORDS AT TRIAL PURSUANT TO C.R.S. 902 (11) – AT&T was served via Colorado Courts E-Filing on all parties who appear of record and have entered their appearances according to Colorado Court's E-Filing.

/s/ Kim Daniluk, Paralegal