

DISTRICT COURT, TELLER COUNTY, COLORADO 101 West Bennett Avenue Post Office Box 997 Cripple Creek, Colorado 80813	DATE FILED: February 8, 2019 3:19 PM
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. PATRICK FRAZEE, Defendant	♦ COURT USE ONLY ♦
MEGAN RING, Colorado State Public Defender Adam P. Steigerwald (No. 40092) Deputy State Public Defender 19 North Tejon, Suite 105 Colorado Springs, Colorado 80903 Phone: (719) 475-1235 Fax: (719) 475-1476 Email: adam.steigerwald@coloradodefenders.us	Case No. 18CR330 Division 11
<p align="center">OBJECTION TO TELEMUNDO DENVER’S REQUEST FOR EXPANDED MEDIA COVERAGE (D-009)</p>	

Mr. Frazee, by and through counsel, objects to *Telemundo Denver* – KDEN’s Request for Expanded Media Coverage, filed February 5, 2019. In support of this Objection, Mr. Frazee states the following:

1. Ms. Alexandra Bolivar filed the request for expanded media coverage on February 5, 2019, and in doing so agreed to “the criteria set forth in Chapter 38, Rule 3...”, however, her request is violative of that Rule in several crucial ways.
2. The Request identifies “Oral Argument” as the type of proceeding *Telemundo Denver* wishes to record and relay on February 19, 2019 at 9:00 am. Mr. Frazee’s case is not set for Oral Argument on February 19th. Mr. Frazee’s case is set for Preliminary Hearing and a Proof Evident, Presumption Great hearing on that date.
3. Rule 3 of Chapter 38 of the Colorado Supreme Court Rules explicitly lays out in subsection (3) that, “[n]otwithstanding an authorization to conduct expanded media coverage of a proceeding, *there shall be no: (a) expanded media coverage of pretrial hearings in criminal cases, except advisements and arraignments[.]*”, emphasis added. Preliminary Hearings and Proof Evident, Presumption Great Hearings both fall squarely

within the category of a pretrial hearing, where the Supreme Court has rejected the presence of expanded media coverage.

4. Counsel notes and apologizes for this objection coming several days after the filing of Ms. Bolivar's request. However, the Request for Expanded Media Coverage was not served on counsel. According to the Certificate of Service filed by Ms. Bolivar, the District Attorney was not served, either. Instead, Jeremy Loew, an attorney who was never counsel of record on the above captioned case, was notified. It is noted on the form Ms. Bolivar completed that "EMC requests will not be considered by the Court if service on the parties is incomplete."

For the above mentioned reasons, Mr. Frazee objects to any Expanded Media Coverage of the Preliminary Hearing and attendant proceedings on February 19, 2019, and asks the Court deny *Telemundo Denver's* request.



Adam P. Steigerwald (No. 40092)
Deputy State Public Defender
February 8, 2019

Certificate of Service

Electronically filed and served by APS on
2/8/19.