

District Court, Teller County, Colorado Court Address: 101 West Bennett Avenue Cripple Creek, CO. 80813	DATE FILED: December 21, 2018 3:14 PM
<hr/> People of the State of Colorado vs. Defendant: Patrick Frazee	<hr/> ▲ COURT USE ONLY ▲
<hr/> <u>Deputy District Attorney:</u> ELIZABETH REED Address: 105 E. Vermijo, Colorado Springs, CO. 80903 Phone Number: 719-520-6000 Attorney Registration #: 35210 District Attorney: Daniel H. May, #11379	<hr/> Case #: 18CR330 Division #: 11 Courtroom #:
<hr/> PEOPLE'S RESPONSE TO DEFENDANT'S MOTION FOR PRESERVATION OF PHYSICAL EVIDENCE (P-3)	

The People of the State of Colorado by Daniel H. May, District Attorney, by and through his duly appointed Lead Deputy District Attorney Elizabeth Reed, respond to Defendant's Motion for Preservation of Physical Evidence.

1. The People have no objection to the preservation of all physical evidence collected to date in this case.
2. The People agree to notify the Defendant if any testing of physical evidence deemed to be consumptive destructive is to occur.
3. The People are aware of the requirements of C.R.S. §16-3-309, and holdings in a variety of Colorado Supreme Court decisions. See: People v. Greathouse, 742 P.2d 334 (Colo. 1987); People v. District Court, 793 P.2d 163 (Colo. 1990); and People v. Wartena, 156 P.3d 469 (Colo. 2007).
4. Prior to any testing that would be consumptive or destructive, the People would seek prior court approval.

WHEREFORE, the People request that the Court grant the Defendant's Motion for Preservation of Physical Evidence as outlined above.

Dated: December 21, 2018

/S/: Elizabeth Reed #35210
 Lead Deputy District Attorney
 (Original Signature on File)

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December , 2018, I mailed a true and correct copy of the foregoing, first class mail, postage prepaid and e-notified through Colorado Courts E-Filing to the following interested party:

Adam Steigerwald, Public Defender's Office

/S/: Karen Johnston
Senior Legal Assistant
District Attorney's Office
(Original Signature on File)

This document has been electronically filed and served via the Integrated Colorado Courts E-Filing System (ICCES). Pursuant to C.R.C.P. 121 §1-26, the duly signed original remains on file at the Office of the 4th Judicial District Attorney's Office.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PEOPLE'S RESPONSE TO DEFENDANT'S MOTION FOR PRESERVATION OF PHYSICAL EVIDENCE (P-3)** has been forwarded to the Public Defender's Office by placing it into the Public Defender's box for pickup:
