

DISTRICT COURT, LA PLATA COUNTY, COLORADO	
Court Address: 1060 East 2nd Avenue, Room 106, Durango, CO, 81301-5157	DATE FILED: November 28, 2018
The People of the State of Colorado, Plaintiff,	Case Number: 17CR343
v.	Division: 1
MARK ALLEN REDWINE, Defendant.	FILED IN COMBINED COURT LA PLATA COUNTY, COLORADO NOV 28 2018
MOTION OF THE INNOCENCE PROJECT FOR LEAVE TO APPEAR TELEPHONICALLY	
DEPUTY CLERK	

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The Innocence Project, Inc., by and through its undersigned counsel, respectfully moves this Court for leave to allow Dana Delger, Staff Attorney for the Innocence Project, to appear by phone at December 7, 2018, motions hearing in order to listen to the proceedings and to answer any questions the Court may have regarding its interest as amicus or on the science detailed in the proposed *Amicus Curiae* brief. As described more fully in the *Motion of the Innocence*

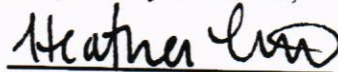
Project For Leave to File Amicus Curiae Brief in Support of Defendant, the Innocence Project has an independent interest in the Court's decision as to the admission of the cadaver dog evidence in this matter, which will affect cases nationwide. See *United States v. Barnett*, 376 U.S. 681, 738 (1964) ("A traditional function of an amicus is to assert an interest of its own separate and distinct from that of the (parties), whether that interest be private or public. It is customary for those whose rights (depend) on the outcome of cases to file briefs amicus curiae, in order to protect their own interests." (internal quotation marks and ellipses omitted, parens in original)) (Goldberg, J., dissenting).

Allowing the staff attorney from Innocence Project to appear at the motions hearing will permit it to more fully articulate its independent interest in this proceeding, as well as the science and policy underlying that interest, both of which support the Innocence Project's request that the Court accept its proposed brief. See 3B C.J.S. Amicus Curiae § 12 ("Amicus curiae presentations assist the court by broadening its perspective on the issues raised by the parties; among other services, they facilitate informed judicial consideration of a wide variety of information and points of view that may bear on important legal questions.").

WHEREFORE, I respectfully request that this Court grant the Innocence Project leave for Dana Delger to appear telephonically at the December 7, 2018, motions hearing in support of its Motion for Leave.

Dated: November 28, 2018

Respectfully submitted,



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The Innocence Project, Inc

Attorney for Amicus Curiae

CERTIFICATE OF SERVICE

True and correct copies of this document were served on all parties of record on November 28th, 2018 by placing copies in the DA's office inbox and the Public Defender's inbox at the La Plata County Courthouse. X Heather Little