

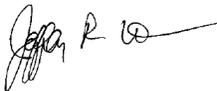
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| DISTRICT COURT, LA PLATA COUNTY, COLORADO | | DATE FILED: March 5, 2021 2:50 PM |
| Court Address: 1060 EAST 2ND AVENUE, ROOM 106, DURANGO, CO, 81301-5157 | | |
| THE PEOPLE OF THE STATE OF COLORADO | | <p style="text-align: center;">△ COURT USE ONLY △</p> Case Number: 2017CR343 Division: 1 Courtroom: |
| v. | | |
| Defendant(s) MARK ALLEN REDWINE | | |
| Order Declaring a Mistrial Pursuant to C. R. Crim. P. 24 (c) (4) | | |
| C-62 | | |

This case came before the Court for a pretrial conference on March 5, 2021, with a jury trial scheduled to start April 12, 2021. The Colorado Department of Public Health and Environment (CDPHE) as of March 4, 2021, reported that La Plata County currently in both the one-week and two-week cumulative incidence rate per 100,000 persons is very high. As of March 4, 2021, the CDPHE reports reflect that the daily number of new COVID-19 cases in Southwest Colorado is higher than when the mistrial, due to a health emergency, was declared in this case after jury selection had begun. Additionally, according to the Durango Herald, on March 4, 2021, 22 new cases of COVID-19 were diagnosed in La Plata County, which is a very high number of new cases for a county with a population of approximately 56,000 people.

For the foregoing reasons, and the reasons stated at the pretrial conference, the Court finds that a public health emergency exists that prevents a fair jury from being safely assembled. Pursuant to C. R. Crim. P. 24 (c)(4), the Court declares a mistrial. With the rapid increase in the rate of COVID-19 vaccinations that is currently being experienced in Colorado and the advent of warmer weather, the Court believes that it will be safe to reset the trial for June 14, 2021, starting at 8:00 AM. The Court also sets a new pretrial conference for May 14, 2021, at 10:00 AM.

The Court finds that the mistrial in this case will cause a 57-day delay in the start of the trial. Pursuant to CRS 18-1-405 (6)(e), the Court finds that the speedy trial period is therefore extended from June 27, 2021, to August 22, 2021. If either party believes that this speedy trial calculation is incorrect, they shall file an objection to this calculation within 21 days.

Issue Date: 3/5/2021



JEFFREY RAYMOND WILSON
District Court Judge