

3. Defense counsel asked for updated contact information for witnesses who are either labeled “deceased” in their endorsement or for whom no contact information has been provided. The prosecution provided some of this information in their September 12, 2018 endorsement. The prosecution also provided a list of witnesses it has endorsed but it is not calling.

4. The prosecution should be required to narrow its witness endorsement so that the defense may efficiently and effectively prepare to confront the witnesses who will actually be called at trial.

5. The prosecution should be also required to narrow its witness endorsement so that this Court and the parties can focus their time and attention on any issues, legal or otherwise, related to witnesses who are actually likely to be called at trial or sentencing.

6. The only reason to withhold this information from the defense is to gain an unfair strategic advantage by requiring the defense to waste its limited time and prepare for hundreds, of witnesses whom the prosecution has no intention of calling. Counsel has the obligation to effectively prepare to investigate all issues related to any witnesses who will be called at trial or any sentencing hearing, to prepare adequate examinations of such witnesses, to raise legal issues related to such witnesses, and continue to prepare the defense case in order to discharge their constitutional obligation to provide Mr. Redwine with the effective assistance of counsel. *See Strickland v. Washington*, 466 U.S. 668 (1984) U.S. Const. amends. VI, XIV; Colo. Const. art. II, secs. 16, 25. The prosecution’s witness list appears to be an attempt to overwhelm the defense and misdirect resources.

Request for a Hearing

7. Mr. Redwine requests a hearing on this motion.

Mr. Redwine files this motion, and makes all other motions and objections in this case, whether or not specifically noted at the time of making the motion or objection, on the following grounds and authorities: the Due Process Clause, the Right to a Fair Trial by an Impartial Jury, the Rights to Counsel, Equal Protection, Confrontation, and Compulsory Process, the Rights to Remain Silent and to Appeal, and the Right to be Free from Cruel and Unusual Punishment, pursuant to the Federal and Colorado Constitutions generally, and specifically, the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, and Fourteenth Amendments to the United States Constitutions, and Article II, sections 3, 6, 7, 10, 11, 16, 18, 20, 23, 25 and 28 of the Colorado Constitution.

Dated: September 20, 2018

/s/ John Moran
#36019
Deputy Public Defender
Dated: September 20, 2018

/s/ Justin Bogan
Justin Bogan #33827
Deputy State Public Defender
Dated: September 19, 2018

Certificate of Service
I hereby certify that on
September 20, 2018,
I served the foregoing
document by ICCES
to opposing counsel.

_____/s/ Justin Bogan_____