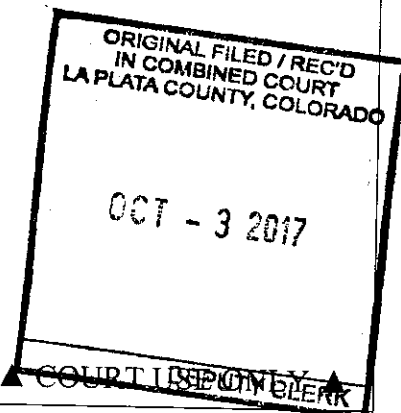


DISTRICT COURT, LA PLATA COUNTY, COLORADO Court Address: 1060 E. Second Ave., Durango, CO 81301 Phone Number: (970) 247-2304	
Plaintiff: PEOPLE OF THE STATE OF COLORADO v. Defendant: MARK ALLEN REDWINE	
Christian Champagne - District Attorney, #36833 Matthew Durkin, Special Deputy District Attorney, #28615 Fred Johnson, Special Deputy District Attorney, #42479 P.O. Drawer 3455, Durango, Colorado 81302 Phone Number: (970) 247-8850 Fax Number: (970) 259-0200	Case Number: 17 CR 343
MOTION FOR AUTHORIZATION TO RELEASE GRAND JURY TRANSCRIPTS AND EXHIBITS (P-2)	

Come Now, the People of the State of Colorado, by and through Christian Champagne, District Attorney in and for the Sixth Judicial District, and Special Deputy District Attorneys Matthew Durkin and Fred Johnson, pursuant to Rule 6.9 of the Colorado Rules of Criminal Procedure, and hereby move this Honorable Court for an order authorizing the release of Grand Jury transcripts and exhibits to: the District Attorney's Office, Sixth Judicial District Court, and the defendant, indicted by the 2017 La Plata County, Colorado Grand Jury, or his counsel.

1. The 2017 La Plata County, Colorado Grand Jury authorized an investigation into Mark Allen Redwine.
2. During the course of the grand jury investigation, witnesses testified and exhibits were presented to the grand jury.
3. The grand jury returned true bills on all counts. The indictment was presented to the court by the prosecutors under instructions of the grand jury pursuant to Rule 6.6(a). The indictments were venued in the Sixth Judicial District Court, in and for the County of La Plata, State of Colorado.
4. The release of the transcripts and exhibits related to these indictments is necessary for the trial court, should the court need to conduct a probable cause review. Additionally, release of the transcripts and exhibits is necessary in order to provide full discovery to the defendants. The District Attorney's Office and counsel for the indicted defendants need the materials in order to prepare for trial in these criminal actions.

5. Rule 6.4 of the Colorado Rules of Criminal Procedure, pertaining to the reporting of grand jury proceedings, provides that, “[t]he reporter’s notes and any transcripts which may be prepared shall be preserved, sealed, and filed with the court. No release or destruction of the notes or transcripts shall occur without prior court approval”.
6. Rule 6.9(a) of the Colorado Rules of Criminal Procedure provides that, “[u]pon application by the prosecutor, the court, for good cause, may enter an order to furnish to the prosecutor transcripts of grand jury testimony, minutes, reports, or exhibits relating to them”.
7. Rule 6.9(c) of the Colorado Rules of Criminal Procedure provides, in relevant part, that an order to furnish transcripts of grand jury testimony and exhibits shall specify the person or persons who may be granted access to such materials upon release.
8. Rule 6.9(c) also provides, “[such] order shall also provide that the release of such material shall not be made by the clerk of the court until the filing of an oath of affirmation of the acceptance by the person receiving such material of the restrictions and limitations which are specified by the court under this paragraph”.
9. The District Attorney in complying with Rule 6.9(c) hereby verifies and affirms that in accepting the transcripts we will comply with any restrictions and limitations imposed by the court.

WHEREFORE, the People respectfully request that this Honorable Court issue an Order authorizing the release of the Grand Jury transcripts related to the Mark Allen Redwine proceedings to the District Attorney for the Sixth Judicial District of the State of Colorado, and counsel for the indicted defendant. Additionally, the District Attorney would request that this Honorable Court accept the above notarized oath and affirmation as complying with Rule 6.9.

Respectfully submitted,

By:

/s/ Christian Champagne
Christian Champagne #36833
District Attorney
October 3, 2017

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2017, I delivered a true and correct copy of the foregoing to the parties of record via e-filing.

/s/ Christian Champagne