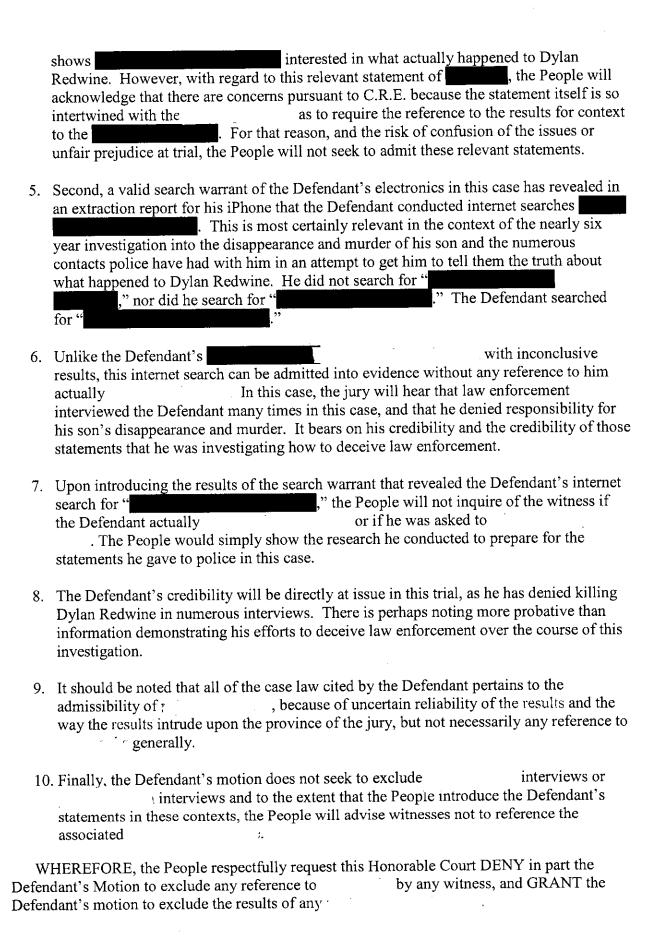
ORIGINAL FILED / REC'D IN COMBINED COURT DISTRICT COURT, LA PLATA COUNTY, COLORADO LA PLATA COUNTY, COLORADO Court Address: 1060 E. Second Ave., Durango, CO 81301 Phone Number: (970) 247-2304 May 13 2018 PEOPLE OF THE STATE OF Plaintiff: COLORADO v. DEPUTY CLERK MARK ALLEN REDWINE **Defendant:** ▲ COURT USE ONLY ▲ Case Number: 17 CR 343 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

PEOPLE'S RESPONSE TO [D-48] DEFENDANT'S MOTION TO EXCLUDE EVIDENCE OF AND FOR AN ORDER THAT THE PROSECUTION ADMONISH ALL WITNESSES NOT TO REFERENCE

[PUBLIC ACCESS]

NOW COME the People, by and through Christian Champagne, District Attorney, in the County of La Plata, and as their response to the Defendant's motion state as follows:

- 1. The People agree with the Defendant that the inadmissible at trial. The People have no objection to his request that any evidence pertaining be excluded at trial.
- 2. However, the Defendant's request in his motion is overly broad in further requesting that there be no whatsoever in the case.
- 3. There are two specific references to in this case that are still relevant in a manner that is independent of the reliability concerns of cited in the Defendant's motion, and one which should be admitted at trial pursuant to both C.R.E. 401 and C.R.E. 403.
- 4. First, the Defendant has held out to people in this case that the results of his examination were when we was made aware that which the People concede are inadmissible, this statement by the Defendant is relevant because it



Respectfully submitted this March 14, 2019.

CHRISTIAN CHAMPAGNE DISTRICT ATTORNEY 6th JUDICIAL DISTRICT

/s/ Fred Johnson Fred Johnson, #42479 Special Deputy District Attorney

CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2018, I delivered a true and correct copy of the foregoing to the parties of record via e-service.

/s/ Christian Champagne Christian Champagne