

<b>DISTRICT COURT, LA PLATA COUNTY, COLORADO</b> Court Address: 1060 E. Second Ave., Durango, CO 81301 Phone Number: (970) 247-2304	<div style="border: 2px solid black; padding: 5px; text-align: center;">         ORIGINAL FILED / REC'D          IN COMBINED COURT          LA PLATA COUNTY, COLORADO   <b>NOV 14 2013</b>           DEPUTY CLERK       </div>
<b>Plaintiff: PEOPLE OF THE STATE OF COLORADO</b>  v.  <b>Defendant: MARK ALLEN REDWINE</b>	
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	▲ COURT USE ONLY ▲  Case Number: 17 CR 343
<b>PEOPLE'S RESPONSE TO [D-96] MOTION TO SUPPRESS FRUITS OF ILLEGAL SEARCH – SEARCH WARRANT TO SEARCH MARK REDWINE'S TRUCK EXECUTED ON FEBRUARY 10, 2014 [PUBLIC ACCESS]</b>	

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:

**Facts**

1. On November 18, 2012, Dylan Redwine went missing while in the custody of his father, the Defendant. On November 28, 2012, a search warrant of the Defendant's home revealed Dylan Redwine's [REDACTED]. At that time, [REDACTED].  
[REDACTED]. In late June of 2013, Dylan Redwine's remains were located roughly 8 miles up a dirt road from the Defendant's home. In early August of 2013, La Plata County Sheriff's deputies received assistance from a trained and experienced human remains detection canine handler, Carren Corcoran, and her certified canine Molly, to follow up on whether [REDACTED].
2. On August 5, 2013, police officers called Mark Redwine on his cellular phone and asked his permission to enter his property and home with human remains detection canine Molly and handler Carren Corcoran. The Defendant gave consent to go on his property over speaker phone and two sheriff's deputies and two canine handlers heard the conversation and his verbal consent. After the human remains detection dog showed [REDACTED]

[REDACTED], sheriff's deputies called him again and asked permission to enter the home. The Defendant expressed concerns over potential damage to his window, and when Deputy Tom Cowing assured him they would pay for any damage, the Defendant gave them permission to enter his home. This conversation was also heard by two sheriff's deputies and two canine handlers over speaker phone. [REDACTED]

[REDACTED]. The conversations regarding consent to enter the property and the home are documented in the police reports and canine handler report in discovery.

3. Law enforcement officers then applied for a search warrant to seize and search the Defendant's Dodge truck based in part on the evidence acquired during the consensual canine search, and it was granted on February 5, 2014. See attached People's Exhibit 1. The Dodge truck was seized that day, and the search was executed on February 13, 2014. Subsequent to that search, law enforcement officers applied for a second search warrant to search additional contents of the truck. This was granted on March 20, 2014. See attached People's Exhibit 2.
4. In good faith and reliance upon those lawful orders, La Plata County Sheriff's Deputies seized evidence in this case.
5. The People are unclear what the Defendant is challenging in this instance. His Motion references electronic tracking device in the opening paragraph, references selected parts of an affidavit that he did not attach to his motion, and does not state any "fruits" which should be suppressed.
6. The People believe that this Motion may be related to D-97 and the search warrant from February 5, 2014 which was executed on February 13, 2014. Therefore, the People will respond to that motion and, until this motion is pled with sufficient specificity, ask that it be denied by the Court.

WHEREFORE, the People respectfully request this Honorable Court DENY Defendant's Motion To Suppress Fruits Of Illegal Search – Search Warrant To Search Mark Redwine's Truck Executed On February 10, 2014.

Respectfully submitted this March 14, 2019.

CHRISTIAN CHAMPAGNE  
DISTRICT ATTORNEY  
6<sup>th</sup> JUDICIAL DISTRICT

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

**CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2018, I delivered a true and correct copy of the foregoing to the parties of record via e-service.

/s/ Christian Champagne  
Christian Champagne