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| District court  la plata county, colorado  1060 E. 2nd Ave., Durango, Co 81301 | cOURT USE ONLY |
| THE PEOPLE OF THE STATE OF COLORADO,  Plaintiff  v.  **Mark Redwine**,  Defendant |
| Douglas K. Wilson, Colorado State Public Defender  John Moran, #36019  Deputy State Public Defender  Durango Regional of the Colorado Public Defender  175 Mercado Drive, Suite 250 Durango, CO 81301  Phone 970-247-9284 Fax (970) 259-6497 | Case No. 17CR343  Division1 |
| **OBJECTION TO LAW ENFORCEMENT CONTACT WITH MR. REDWINE FOR ANY CASE-RELATED PURPOSE INCLUDING, BUT NOT LIMITED TO THE TAKING OF ANY NON-TESTIMONIAL EVIDENCE [D-3]**  **[Public Access]** | |

Mr. Redwine, through counsel objects to any law enforcement contact with Mr. Redwine for any purpose. Counsel specifically objects to the Court allowing the Prosecution, law enforcement, or agents of the Prosecution to take hair from Mr. Redwine, interview Mr. Redwine, take personal belongings of Mr. Redwine, swab in any way, shape, or form Mr. Redwine, or any other intrusive act for investigative or evidence gathering purposes. As grounds in support, counsel offers as follows:

1. Mr. Redwine has already invoked on the record and through a written notice all of his rights to counsel and to remain silent.
2. Mr. Redwine has an expectation of privacy of his DNA, blood, saliva, fingerprints, and other biological evidence. He objects to the taking of it.
3. Counsel for Mr. Redwine objects to any motion or procedure that would involve any government contact through law enforcement officers or agents working for law enforcement with Mr. Redwine to collect statements or information for use in this case. Further, Mr. Redwine objects to any collection of evidence from him.
4. If the Prosecution is seeking such procedure, counsel for Mr. Redwine requests a hearing on this issue with sufficient prior written notice as to the type of procedures to be used, the reason for the request, the specific testing that will be performed on the evidence taken, and the timing of the proposed procedure and testing.
5. Mr. Redwine seeks an immediate hearing and ruling on this motion. Mr. Redwine asks the Court to enter an order forbidding any government contact with Mr. Redwine for case-related purposes including collecting statements or physical evidence without a prior judicial order to protect his Constitutional Rights.

WHEREFORE, Mr. Redwine, makes this motion pursuant to his Right Against Unreasonable or Warrantless Searches, Due Process, Right to Counsel, Right to Remain Silent, Privilege Against Self Incrimination of the Federal and Colorado Constitutions and Article II, sections 7, 16, 18, and 25, of the Colorado Constitution, and Article I, section 9 and the Fourth, Fifth, Sixth, Tenth, and Fourteenth Amendments to the United States Constitution.

DOUGLAS K. WILSON, COLORADO STATE PUBLIC DEFENDER

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| \_/s/ John Moran\_\_\_\_\_\_\_\_\_\_  John Moran #36019  Deputy State Public Defender  Dated: August 15, 2017 | **Certificate of Service**  I hereby certify that I served the foregoing document by e-filing with ICCES same to all opposing counsel of record.  **\_\_\_/s/ John Moran\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |