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| DISTRICT COURT, LA PLATA COUNTY, COLORADO Court Address: 1060 E. Second Ave., Durango, CO 81301 Phone Number: (970) 247-2304 | DATE FILED: March 6, 2020 9:59 AM |
| Plaintiff: PEOPLE OF THE STATE OF COLORADO v. Defendant: MARK ALLEN REDWINE | ▲ COURT USE ONLY ▲ |
| Public Access | Case Number: 17CR343 |
| ORDER AFTER PRETRIAL CONFERENCE | |

The pretrial conference (“PTC”) was held in this case on March 5, 2020. For the reasons stated on the record, a small portion of the pretrial was conducted in a closed courtroom.

At the PTC, the Court issued orders regarding the timing of and the manner in which exhibits are to be marked in this case. The prosecution provided the Court a hard copy of their exhibit list and will provide an electronic version as previously ordered. The defense will provide the Court an electronic version of its exhibit list prior to trial. In order not to violate the intent of *People v. Kilgore*, 455 P.3d 746 (Colo. 2020), the Court will not provide this exhibit list to the prosecution.

The Court also heard arguments regarding the defense questionnaire and the questionnaire proposed by the Court. For the reasons stated at the hearing, the Court will not allow the questionnaire submitted by defense counsel to be used in this case. After considering the arguments of defense counsel, the Court has changed question 3 on the Court’s proposed

questionnaire to be more descriptive. The Court will use the revised questionnaire attached to this order.

The manner of conducting individual voir dire and general voir dire was explained during the PTC and with one exception, the jury selection will proceed as the Court described at the PTC. Upon further reflection, the Court wishes to have more control over what is said to the jury at the start of voir dire. For that reason, the Court will not have the parties make mini-opening statements as discussed at the PTC. The parties shall file a proposed statement of the case with the Court on or before March 13, 2020. As previously ordered, the parties are not allowed to reveal specific facts about this case to the jury until after jury selection has been completed. Juror numbers **Redacted** will be alternate jurors.

Each party shall have one hour for opening statement.

Sequestration of witnesses is in effect. Elaine Hall, Mike Hall, and Corey Redwine (after he testifies) are exempt from the sequestration order pursuant to the Victim's Rights Amendment. Chuck Heidel, Jim Ezzell, and Nicole Dean shall be advisory witnesses for the prosecution. Advisory witnesses for the defense are Les Lister, Grady King, Lindsay Rhule, Mike Kubicek, and James Steindler.

By March 13, 2020, the prosecution shall provide the Court a single list of witnesses that includes first names and either a description of their employment (if a law enforcement officer) or the town in which they live. The parties shall provide the Court proposed jury instructions in electronic Word format by March 13, 2020. The prosecution shall provide the Court and defense counsel with their revised exhibit regarding statements by the defendant on the Dr. Phil show by March 13, 2020.

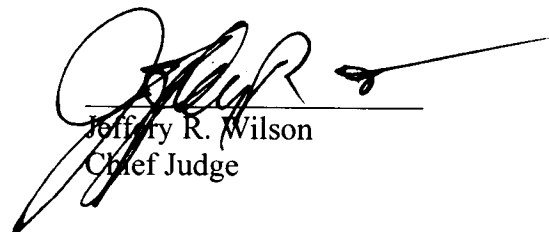
The Court shall reserve room for up to nine seats in the gallery for Ms. Hall's family throughout the trial. If Mr. Redwine needs seats reserved for his family, counsel shall inform the Court the day before such seats are needed.

The Court's order regarding Kallen Elkins being an alternative suspect is vacated. At the PTC, the Court was informed that the police report that identified Kallen Elkins was an error by the report writer. It was Starla Johnson, not Kallen Elkins who observed an individual that looked like Dylan in a white van the day Dylan was reported missing. The prosecution shall file the police reports that clear up this misidentification to complete the record by March 13, 2020.

The Court will issue a separate order regarding the request to have the jury view a portion of the scene. The Court will also consider moving the location where the jury will park and issue appropriate orders thereon. Upon reflection, the Court will change the order it orally issued at the PTC and order that if the location where the jury will park each day is not changed, the jury shall leave the courthouse prior to Mr. Redwine leaving the courthouse each day. The deputies securing the jury will inform the deputies transporting Mr. Redwine when the jury has left the parking area before Mr. Redwine leaves the courthouse.

DONE this 6th day of March, 2020.

BY THE COURT:


Jeffery R. Wilson
Chief Judge

Questionnaire

Please answer the following questions. Remember that in answering these questions, you are still under the oath you have taken, and you should answer the same as if you were answering the questions of the Court or attorneys verbally. If you need more room to answer a question, please use the back of this questionnaire.

1. Have you, a relative, or a close friend ever been either the victim of child abuse or a violent crime (including homicide) or accused of committing child abuse or a violent crime? If so, please explain.
2. This case generated a significant amount of publicity on local, state, and national levels. Have you seen any televised news reports or read any newspaper articles, or seen any online or social media posts regarding this case? Do you know or remember anything about this case other than what has been already been stated in the courtroom during this trial? If so, please explain.
3. Part of the evidence in this case may include photographs of the defendant engaging in an act **Redacted** . While this behavior is not illegal, you may find it to be offensive. If introduced, the Court will instruct you as to the purpose(s) for which this evidence is to be used by the jury. It can be considered by the jury only for the specified purpose(s) and no others. The evidence cannot be used by the jury to infer that simply because the defendant may have engaged in the conduct reflected by the photographs, that he has a bad moral character and therefore is more likely to have committed the crimes charged. Can you follow this instruction?
4. Do you know of any information as to whether any person working on this case, including court staff and/or the attorneys or their staffs having been accused of any criminal offense? If so, what information do you have?
5. You have been provided with a list of potential witnesses in this case. Please indicate if you know anyone on the witness list and whether your relationship with that witness would affect your ability to judge the testimony of that witness, either in a positive or negative manner.

Signature _____

Printed Juror Name _____