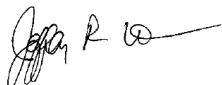


<p>DISTRICT COURT, LA PLATA COUNTY, COLORADO  Court Address:  1060 EAST 2ND AVENUE, ROOM 106, DURANGO, CO, 81301-5157</p> <p>THE PEOPLE OF THE STATE OF COLORADO  V.  <b>Defendant(s)</b> MARK ALLEN REDWINE</p>	<span style="color: blue;">DATE FILED: October 23, 2020 4:33 PM</span>
	<span style="font-size: small;">△ COURT USE ONLY △</span>
Case Number: 2017CR343 Division: 1      Courtroom:	
<b>Order Regarding D-173</b>	

The defense has filed D-173, reflecting defense counsel's concern for what defense counsel believes to be reckless and dangerous behavior by the prosecution team regarding the COVID-19 pandemic, and they are also requesting that the Court declare a mistrial due to the pandemic. The Court has issued various orders regarding the wearing of masks, the number of people in the courtrooms, and social distancing. The Court generally does not have the authority to regulate the behavior of individuals outside certain discreet areas of the courthouse. If the prosecutors or their staff have acted recklessly outside of the Court's jurisdiction, the Court has no control over their actions. The Court's orders are designed to protect court staff, litigants, attorneys, and witnesses as much as possible from being infected with the COVID-19 virus while at the courthouse. The Court does have the authority to issue orders regarding the parties' conduct during this trial. The Court therefore orders that during any personal interaction between the prosecution and defense regarding this trial, whether in the courthouse or not, all parties are to comply with the Court's orders regarding social distancing and the wearing of masks.

The Court is also aware of the incidence of infection in other areas of the state, particularly in the Denver Metropolitan, Front Range, and eastern plains areas of Colorado. Currently, the COVID-19 two-week infection incidence rate in Adams County is 395.8 persons per 100,000 of population which has recently caused the Seventeenth Judicial District to suspend jury trials. See the Addendum to Eighth Amended Administrative Order Regarding Court Operations Under COVID-19 Effective October 9, 2020, Until Further Notice and Order Issued by the Seventeenth Judicial District on October 21, 2020. Currently, the two-week infection rate in La Plata County is between 50 and 100 individuals per 100,000 of population. See the October 22, 2020, two-week cumulative incidence rate of La Plata County, <https://covid19.colorado.gov/data>. On a daily basis, the Court reviews the data concerning the infection rates, the epidemic curve prepared by the Colorado Department of Health, and the San Juan Basin Health COVID-19 Dashboard. Currently, and for a significant period of time in the past, infection rates in La Plata County are significantly less than other areas of Colorado. Should the local epidemic statistics indicate a significant increase to the threat to the safety of trial participants, the Court may well declare a mistrial. As of the date of the writing of this order, D-173 is denied without prejudice.

Issue Date: 10/23/2020



JEFFREY RAYMOND WILSON  
District Court Judge