

DISTRICT COURT, LA PLATA COUNTY, COLORADO Court Address: 1060 E. Second Ave., Durango, CO 81301 Phone Number: (970) 247-2304	DATE FILED: May 31, 2019 ▲ COURT USE ONLY ▲
Plaintiff: PEOPLE OF THE STATE OF COLORADO v. Defendant: MARK ALLEN REDWINE	
<p style="text-align: center;">Redacted Public Access Copy</p>	Case Number: 17CR343
ORDER REGARDING PEOPLE'S NOTICE OF SUBMISSION OF EXHIBITS IN SATISFACTION OF THE COURT'S ORDER RELATING TO D-47	

The Court has reviewed Exhibit 1 on the DVD that the prosecution has provided the Court in response the Court's order regarding the motion to suppress statements of Mark Redwine obtained through his appearance on the Dr. Phil television show (D-47). While portions of the video are black while Mr. Redwine is speaking off screen, the Court finds that Exhibit 1 complies with the Court's order regarding D-47 and will allow its admission at the defendant's trial.

The Court has also reviewed Exhibit 2, a 54 second video clip wherein Mr. Redwine explains why compromising photographs were found on his computer. The Court finds that Exhibit 2 complies with the Court's order. However, when listening to Exhibit 2, at approximately 52 seconds into the video clip, **REDACTED**

The Court orders that the probative value of the last two seconds of the video is substantially outweighed by its probative value and orders that the video clip shall end at approximately 52 seconds into the clip as soon as Mr. Redwine states the following phrase “. . . I fabricated the

pictures and left them available. . .” The prosecution shall provide the Court with a new proposed exhibit that complies with this order within 21 days so the Court can issue a final ruling thereon.

The Court has reviewed the transcripts of these two video clips, Exhibits 4 and 5, on the DVD submitted with the Notice, and compared the transcripts with both video clips found in Exhibits 1 and 2. The Court finds that with several innocuous exceptions, the transcripts are accurate renditions of the conversation in the video clips.

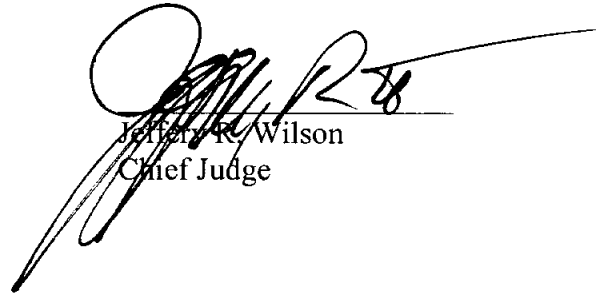
The prosecution has asked the Court to reconsider the order it issued in D-47 on January 22, 2019, to allow a portion of an interview of Mr. Redwine with a **REDACTED** that aired as part of one of the Dr. Phil shows. The request to reconsider was attached to the bottom of the People’s Notice of Submission of Exhibits in Satisfaction of the Court’s Order Relating to D-47 which was filed on May 20, 2019, four months after the Court issued its order to D-47. Had the prosecution filed a motion to reconsider the Court’s Order in D-47 in a timely manner, the Court may have considered this request.

However, this case is set for trial in September. Because of the massive amount of discovery, exhibits and witnesses in this case, the trial has been continued several times to allow defense counsel to be properly prepared to defend Mr. Redwine. Since July of 2017, Mr. Redwine has been held in the La Plata County jail unable to post bail. The case is set for jury trial on September 19, 2019, more than two years since Mr. Redwine was extradited back to Colorado. The Court intends to try the case in September of 2019. Allowing an additional interview of Mr. Redwine into evidence at this late date is prejudicial to the defense and unfair to the defendant and may needlessly cause the trial to be continued another time so the defense can defend against evidence that the Court previously ordered inadmissible.

The request to reconsider is denied.

DONE this 30th day of May, 2019.

BY THE COURT:



Jeffrey R. Wilson
Chief Judge