

DISTRICT COURT, LA PLATA COUNTY, COLORADO Court Address: 1060 East 2nd Avenue, Room 106, Durango, CO, 81301-5157	DATE FILED: October 11, 2018
The People of the State of Colorado v. MARK ALLEN REDWINE	<div style="text-align: center;"> <p>△ COURT USE ONLY △</p> <p>Case Number: 2017CR343 Division: 1 Courtroom:</p> </div>
Order Regarding the Filing of Documents, the Redaction and/or Suppression of Filed Documents, and Pretrial Hearings (C-16)	

In paragraph 2 of the Court's Initial Case Management Order (C-1) issued on July 25, 2018, the Court ordered:

All documents filed in this case shall be filed electronically as suppressed with a paper copy filed with the court clerk within one business day of the electronic filing. The paper copy shall be designated as "Public Access" in the last line of the caption. The public access paper copy shall be redacted as deemed appropriate by the filing party. A copy of the public access copy shall be provided to opposing counsel within one business day if the public access copy has been redacted by the filing party. The clerk shall screen all filings in compliance with CJD 05-01 regarding the redaction of pleadings. Upon completion of the screening, the clerk shall make the public access copy available to the public.

The purpose of paragraph 2 was to allow the parties to file documents to allow public disclosure of the proceedings in this case while allowing the Court and the opposing party to review decisions regarding filings that the parties believed would have an adverse impact upon the defendant being tried by a fair and unbiased jury. Unfortunately, many of the filings of the parties have not followed this order and have just been filed as suppressed documents. The Court therefore orders that as to future filings, any filings that do not comply with C-1 shall be rejected. In addition, the Court modifies C-1 to provide that if neither party objects to the public access copy of filed documents provided to the Court within two business days of the document being filed, the clerk shall make public the public access copy of the document.

Due to the intense public interest this case has received in La Plata County, the State of Colorado, as well as nationally and internationally, the Court finds a substantial probability that some materials that the parties have already and may in the future file, if publicly disclosed, would result in prejudicing potential jurors throughout the State of Colorado, particularly in Southwest Colorado. The Court has reviewed all the motions and notices filed by the prosecution as of the date of this order. The Court has also reviewed defense motions, notices, and objections numbered D-1 through D-100. The Court notes that the defense either omitted motions D-10, D-12, D-43, D-48, D-53 or such motions were rejected for filing. The Court reviewed those documents to determine if the notices, motions, and/or any exhibits contain material that could prejudice the potential jury pool in La Plata County. After that review, the Court proposes to place in the public access file all filings except the People's Notice of Intent to Present Evidence of Singular Other Act Pursuant to C.R.E. Rule 404(b), (P-8); Exhibits 1 and 2 attached to P-8; and Exhibits F, G, J, and T attached to the Motion for Change of Venue, D-11. The Court will make public:

A redacted version of the People's Notice of Intent to Present Evidence of Singular Other Act Pursuant to C.R.E. Rule 404(b), (P-8);

Redacted copies of Exhibits 1 and 2 attached to P-8;

Redacted versions of Exhibits J and T attached to the Motion for Change of Venue, D-11; and,

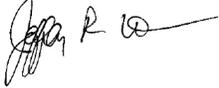
Redacted versions of Exhibits F and G attached to the affidavit attached to the Motion for Change of Venue, D-11.

The Court further proposes that after the jury has reached a verdict in Mr. Redwine's trial or the proceeding has otherwise been completed on the trial court level, the clerk will place complete unredacted copies of these documents into the public access file.

The proposed redacted versions of P-8, Exhibits 1 and 2 attached to P-8, and Exhibits F, G, J, and T attached to D-11 will be provided to the parties under a separate suppressed order of the Court. If the parties object to this proposed order or have

additional items they believe need to be redacted and/or suppressed in order to assure the defendant has access to an unbiased jury pool, the parties shall file such objection, or show good cause why they cannot file such objection, by 12:00 PM on October 15, 2018. If no objections are filed, the Court will direct its clerk to make all motions not referred to in the previous paragraph public. Prior to the parties filing any objections to this proposed order, the Court suggests the parties review Globe Newspaper Co. v. Superior Court for Norfolk Cty., 457 U.S. 596, 102 S. Ct. 2613, 73 L. Ed. 2d 248 (1982); Press-Enter. Co. v. Superior Court of California, Riverside Cty., 464 U.S. 501, 510, 104 S. Ct. 819, 824, 78 L. Ed. 2d 629 (1984); Press-Enter. Co. v. Superior Court of California for Riverside Cty., 478 U.S. 1, 14, 106 S. Ct. 2735, 2743, 92 L. Ed. 2d 1 (1986); and, People v. Bryant, 94 P.3d 624, 625 (Colo. 2004).

Issue Date: 10/11/2018



JEFFREY RAYMOND WILSON
District Court Judge