

DISTRICT COURT, LA PLATA COUNTY, COLORADO Court Address: 1060 E. Second Ave., Durango, CO 81301 Phone Number: (970) 247-2304	DATE FILED: January 22, 2019
Plaintiff: PEOPLE OF THE STATE OF COLORADO v. Defendant: MARK ALLEN REDWINE	▲ COURT USE ONLY ▲
	Case Number: 17CR343
ORDER REGARDING THE PEOPLE'S MOTION IN LIMINE REGARDING ALTERNATE SUSPECTS (P-5)	

The defendant is charged with murder in the second degree and child abuse resulting in death in relation to the death of the defendant's thirteen-year-old son, Dylan. On June 28, 2018, the prosecution filed a motion in limine seeking to preclude evidence of an alternative suspect unless the defense first establishes an evidentiary link between the alternative suspect and the disappearance and murder of Dylan. As of the date of this order, the defense has not responded to the motion.

The Court grants this motion. Colorado law is clear that:

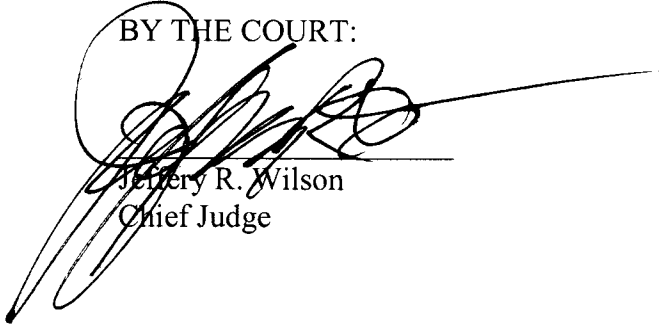
Evidence that another person had an opportunity or motive for committing the crime for which the defendant is being tried is not admissible without proof that such other person committed some act directly connecting him with the crime.

People v. Mulligan, 568 P.2d 449, 456 (Colo. 1977), citations omitted. The Court therefore orders that the defense may not present any statement, evidence, or argument that any particular individual(s) other than the defendant committed the crimes alleged unless the defense first

presents an offer of proof that the Court finds provides a nexus between the crimes charged and the alternative suspect(s). This order does not in any way preclude the defendant from asserting a general denial defense, as long as specific individual(s) are not identified as possible suspects in the case.

DONE this 22nd day of January, 2019.

BY THE COURT:



Jeffery R. Wilson
Chief Judge