

DISTRICT COURT, LA PLATA COUNTY, COLORADO		DATE FILED: May 14, 2021 2:47 PM
Court Address: 1060 EAST 2ND AVENUE, ROOM 106, DURANGO, CO, 81301-5157		
THE PEOPLE OF THE STATE OF COLORADO		<p style="text-align: center;">△ COURT USE ONLY △</p> Case Number: 2017CR343 Division: 1 Courtroom:
v.		
Defendant(s) MARK ALLEN REDWINE		
Order After PTC		

A PTC was held on May 14, 2021. The prosecution shall file its exhibit list within seven days. The defense will provide the Court with their exhibit list, which shall not be shared with any other party or entity, within ten days. Both exhibit lists shall be in Word format so the Court can keep notes upon them. The prosecution will file their updated witness list, in the planned order such witnesses will be called, by May 21, 2021. If there are any changes to the defense witness list previously filed, an updated list in the planned order such witnesses will be called shall be filed by the defense by May 21, 2021.

The Court will hold a status conference that will include a brief run-through of jury selection on June 11, 2021, at 1:30 PM. The prosecution will be allowed to set up their re-creation of Mr. Redwine's living room on June 23, 2021, in Division 5. The prosecution shall return Division 5 to its original state by the end of the day on June 25, 2021.

The parties shall have one hour for opening statements.

A sequestration order shall be 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. Advisory witnesses for the prosecution shall be Chuck Heidel, Jim Ezzell, and Nicole Dean. Defense advisory witnesses shall be Les Lister, Grady King, Mike Kubicek, and Nicole Fortin. The defense team shall be allowed access into the courthouse at a separate entrance from the public with the same conditions and restrictions as previously ordered. Defense counsel shall contact the Court Executive to arrange for such access at least one week before the trial begins.

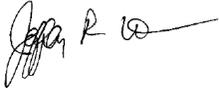
At the PTC, the prosecution re-affirmed that it was withdrawing its objections as to what has been termed the "white van evidence." In the Court's order dated November 16, 2020, the Court ruled that it would hear arguments regarding the admissibility of character evidence and, although not clear in the order, any CRE 401 and 403 arguments regarding evidence that the defendant loved Dylan. The Court will hold a hearing on those issues at the status conference on June 11, 2021.

At the PTC, Mr. Moran asked that the Court reconsider its rulings regarding Mr. Frederick Miller, arguing that the Court made credibility determinations as to Mr. Miller based upon police reports. The Court's two previous orders prohibiting Fredrick Miller from testifying he saw a "boy-faced middle schooler" in the Middle Mountain area while he was hunting on the last day of hunting season is not based upon a determination of Mr. Miller's credibility. It is based upon relevance. Should the Court assume that Mr. Miller saw Dylan before he arrived in Durango on the last day of hunting season, that sighting was before Dylan was recorded on video at the airport and at Walmart, and before Dylan was reported as being missing. This proposed evidence has no relevance to this case. Also, even if Mr. Miller saw the "boy-faced middle schooler" after Dylan was reported to be missing, proposed evidence is still not relevant. The description of the child seen by Mr. Miller is not specific enough for any person to draw the conclusion that Mr. Miller may have seen Dylan. The request to allow Mr. Miller to testify that he saw a "boy-faced middle schooler" is again denied.

The prosecution shall provide updated criminal histories of their witnesses within ten days and, if appropriate, the defense will provide updated CV's of their expert witnesses within ten days.

The defense may file an additional motion regarding the alleged surveillance of Mr. Moran and may file the copies of the documents generated by the La Plata County Sheriff's Office regarding members of the previous jury venire under seal. Both shall be filed within ten days.

Issue Date: 5/14/2021

A handwritten signature in black ink, appearing to read "Jeffrey R. Wilson", with a long horizontal stroke extending to the right.

JEFFREY RAYMOND WILSON
District Court Judge