

District Court Arapahoe County, Colorado Court Address: 7325 S. Potomac Street Centennial, CO 80112	
PEOPLE OF THE STATE OF COLORADO v. JAMES EAGAN HOLMES, Defendant	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> Case Number: 12CR1522 Division: 26
ORDER REQUIRING IN-CUSTODY SANITY EXAMINATION (C-41)	

**HAVING ACCEPTED THE DEFENDANT’S PLEA OF NOT GUILTY
 BY REASON OF INSANITY, THE COURT ORDERS AS FOLLOWS:**

1. The Colorado Mental Health Institute at Pueblo (“CMHIP”) is appointed to perform a sanity examination of the defendant and to submit a report by no later than July 31, 2013.
2. The District Attorney’s Office is ordered to provide the evaluator its discovery, including offense reports, information of the defendant’s prior mental health treatment, and the defendant’s medical records. The discovery must be provided on or before June 18, 2013.
3. The evaluator shall have access to the defendant’s jail and medical records, and the Arapahoe County Sheriff or his designee shall cooperate in providing this information. Upon transport to the CMHIP, the Arapahoe County Sheriff shall provide CMHIP copies of all security classification and records, as well as all medical and mental health records available at the detention center.

4. The sanity examination shall be performed at CMHIP because the defendant is charged with multiple class one felonies.
5. Because the evaluation is an inpatient evaluation, the Arapahoe County Sheriff shall transport the defendant to CMHIP within 48 hours of notification by CMHIP that space is available to perform the evaluation. Upon completion of the examination, CMHIP shall notify the Arapahoe County Sheriff that the defendant is ready to be returned to their custody. Upon receipt of said notice, the Arapahoe County Sheriff shall arrange for the return of the defendant within 48 hours of notification by CMHIP.
6. **A NARCOANALYTIC EXAMINATION MAY NOT BE CONDUCTED WITHOUT AN ORDER FROM THE COURT.**
7. The CMHIP is ordered to provide the Court with an original and two copies of the examination report by no later than July 31, 2013. The report shall include, but not be limited to, the following items:
 - (a) the name of each physician or other expert who examined the defendant;
 - (b) a description of the nature, content, extent, and results of the examination and any tests conducted;
 - (c) a diagnosis and prognosis of the defendant's physical and mental condition; and
 - (d) an opinion as to whether the defendant suffered from a mental disease or defect or from a condition of mind caused by mental disease or defect that prevented him from forming the culpable mental state that is an essential element of any crime charged; and, if so, (e) separate opinions as to whether the defendant was insane, and, because this case involves class 1 felony charges, an opinion as to how the mental disease or defect or the condition of mind caused by mental disease or defect affects any mitigating factor.
8. The next hearing is scheduled on August 2, 2013 at 9:00 a.m. in Division 201.

Dated this 4th day of June of 2013.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2013, a true and correct copy of **Order requiring requiring in-custody sanity examination (C-41)** was served upon the following parties of record:

Karen Pearson
Amy Jorgenson
Rich Orman
Dan Zook
Jacob Edson
Lisa Teesch-Maguire
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