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District Court, Arapahoe County, Colorado Arapahoe County Courthouse 7325 S. Potomac St., Centennial, CO 80112	Filed JUN - 3 2013 CLERK OF DISTRICT COURT ARAPAHOE COUNTY, COLORADO  σ COURT USE ONLY σ
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff  v.  <b>JAMES HOLMES,</b> Defendant	
DOUGLAS K. WILSON, Colorado State Public Defender Daniel King (No. 26129) Tamara A. Brady (No. 20728) Chief Trial Deputy State Public Defenders 1300 Broadway, Suite 400 Denver, Colorado 80203 Phone (303) 764-1400 Fax (303) 764-1478 E-mail: <a href="mailto:state.pubdef@coloradodefenders.us">state.pubdef@coloradodefenders.us</a>	Case No. <b>12CR1522</b>  Division 26
<b>MOTION FOR EXEMPTION FROM SEQUESTRATION ORDER [D-056]</b>	

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**CERTIFICATE OF CONFERRAL**

The District Attorney states that they object to the motion, and that they will file a response.

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Mr. Holmes, through counsel, moves this Court for an order exempting his parents, Robert and Arlene Holmes, from any sequestration order and as grounds states the following:

1. Mr. Holmes is charged with multiple counts of first degree murder and attempted murder in connection with the July 20, 2012, shooting at the Century 16 Theater in Aurora. The prosecution seeks to kill Mr. Holmes.

2. Mr. Holmes' parents are not witnesses to the events of July 20, 2012, or the months leading up to that date. During that time they were continuously in San Diego, California, and Mr. Holmes was here in Colorado.

3. Mr. Holmes' parents had very limited contact with Mr. Holmes during the months preceding July 20, 2012, in the form of very short email communications that are in the possession of the government.

4. Mr. Holmes' parents would like to be present for trial and other court proceedings as support for their son.

**Request for a Hearing**

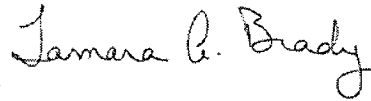
5. Mr. Holmes requests a hearing on this motion.

Mr. Holmes files this motion, and makes all other motions and objections in this case, whether or not specifically noted at the time of making the motion or objection, on the following grounds and authorities: the Due Process Clause, the Right to a Fair Trial by an Impartial Jury, the Rights to Counsel, Equal Protection, Confrontation, and Compulsory Process, the Rights to Remain Silent and to Appeal, and the Right to be Free from Cruel and Unusual Punishment, pursuant to the Federal and Colorado Constitutions generally, and specifically, the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, and Fourteenth Amendments to the United States Constitutions, and Article II, sections 3, 6, 7, 10, 11, 16, 18, 20, 23, 25 and 28 of the Colorado Constitution.



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Daniel King (No. 26129)  
Chief Trial Deputy State Public Defender



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Tamara A. Brady (No. 20728)  
Chief Trial Deputy State Public Defender



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Kristen M. Nelson (No. 44247)  
Deputy State Public Defender

Dated: June 3, 2013

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<b>ORDER RE: MOTION FOR EXEMPTION FROM          SEQUESTRATION ORDER [D-056]</b>	

Defendant's motion is hereby GRANTED \_\_\_\_\_ DENIED \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_ JUDGE

\_\_\_\_\_ Dated

