

REDACTED

District Court, Arapahoe County, Colorado Arapahoe County Courthouse 7325 S. Potomac St., Centennial, CO 80112	<div style="text-align: center;"> <p>FILED</p> <p>JUN - 3 2018</p> <p>CLERK OF THE DISTRICT COURT ARAPAHOE COUNTY, COLORADO</p> <p>σ COURT USE ONLY σ</p> </div>
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 ALL PROCEEDINGS TO BE ON THE RECORD, AND MOTION FOR A FULL AND ADEQUATE OPPORTUNITY TO MAKE A RECORD [D-055]</b>	

**CERTIFICATE OF CONFERRAL**

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

Mr. Holmes moves for the Court to ensure that all proceedings in this case are contemporaneously reported by a competent, certified court reporter, and that defense counsel is permitted a full and adequate opportunity to make a record on all requests, motions, objections, order, instructions, and all other matters, for the following reasons:

1. Mr. Holmes has fundamental rights under the United States and Colorado Constitutions and Colorado Statutes to a complete and accurate record of all proceedings in his case. See, e.g., *Jones v. District Court*, 780 P.2d 526 (Colo. 1989); *Griffin v. Illinois*, 351 U.S. 12 (1956); *Roberts v. LaVallee*, 389 U.S. 40 (1967).

2. Mr. Holmes has fundamental rights under the United States and Colorado Constitutions and Colorado Statutes to make a full and adequate record where deemed necessary by his legal counsel. See, e.g., *Jones v. District Court*, 780 P.2d 526 (Colo. 1989). Otherwise Mr. Holmes will be denied those rights, and the right to appeal under Colorado’s statutes, rules and Constitution Art. VI, § 2, cl. 2, and his rights under the Equal Protection and Due Process Clauses of the United States and Colorado Constitutions.

**Request for a Hearing**

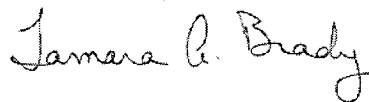
3. Mr. Holmes moves for a hearing on this motion, unless it is immediately granted.

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

District Court, Arapahoe County, Colorado Arapahoe County Courthouse 7325 S. Potomac St., Centennial, CO 80112	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>ORDER RE: MOTION FOR ALL PROCEEDINGS TO BE ON THE RECORD, AND          MOTION FOR A FULL AND ADEQUATE OPPORTUNITY TO MAKE A RECORD          [D-055]</b>	

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

BY THE COURT:

\_\_\_\_\_ JUDGE

\_\_\_\_\_ Dated

I hereby certify that on June 3, 2013, I

mailed, via the United States Mail,  
 faxed, or  
 hand-delivered

a true and correct copy of the above and foregoing document to:

George Brauchler  
Jacob Edson  
Rich Orman  
Karen Pearson  
Office of the District Attorney  
6450 S. Revere Parkway  
Centennial, Colorado 80111  
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