

REDACTED

District Court, Arapahoe County, Colorado Arapahoe County Courthouse 7325 S. Potomac St., Centennial, CO 80112	Filed JUN - 3 2013 COURT USE ONLY
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff v. JAMES HOLMES, 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: state.pubdef@coloradodefenders.us	Case No. 12CR1522 Division 26
NOTICE TO STATE PURSUANT TO §16-3-309(5), C.R.S. (2005), AND INVOCATION OF CONSTITUTIONAL AND STATUTORY RIGHTS TO CONFRONTATION AND OBJECTION TO ADMISSION OF LABORATORY TEST RESULTS THROUGH REPORTS RATHER THAN EMPLOYEE OR TECHNICIAN TESTIMONY [D-061]	

CERTIFICATE OF CONFERRAL

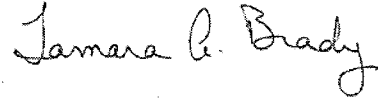
This pleading is a notice and is not appropriate for conferral.

Counsel for Mr. Holmes provides this written notice pursuant to §16-3-309(5), C.R.S., that Mr. Holmes is asserting his constitutional and statutory rights to confrontation and will object to the admission of laboratory test results through hearsay evidence, including but not limited to laboratory reports.

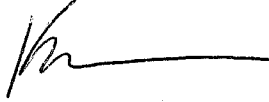
Mr. Holmes files this motion, and makes all other motions and objections in this case, whether or not specifically noted at the time of making the motion or objection, on the following grounds and authorities: the Due Process Clause, the Right to a Fair Trial by an Impartial Jury, the Rights to Counsel, 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.



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



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



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

Dated: June 3, 2013

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ORDER RE: NOTICE TO STATE PURSUANT TO §16-3-309(5), C.R.S. (2005), AND INVOCATION OF CONSTITUTIONAL AND STATUTORY RIGHTS TO CONFRONTATION AND OBJECTION TO ADMISSION OF LABORATORY TEST RESULTS THROUGH REPORTS RATHER THAN EMPLOYEE OR TECHNICIAN TESTIMONY [D-061]	

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
Fax: 720-874-8501

AKK