

DISTRICT COURT, ARAPAHOE COUNTY STATE OF COLORADO Arapahoe County Justice Center 7325 S. Potomac Street Centennial, Colorado 80112	<p style="text-align: center;">Filed</p> <p style="text-align: center;">MAY 31 2013</p> <p style="text-align: center;"><small>CLERK OF THE COMBINED COURT ARAPAHOE COUNTY, COLORADO</small></p> <p style="text-align: center;">COURT USE ONLY</p>
THE PEOPLE OF THE STATE OF COLORADO vs. Defendant(s): <p style="text-align: center;">JAMES EAGAN HOLMES</p>	
Attorney: GEORGE H. BRAUCHLER 18 th Judicial District Attorney 6450 S. Revere Pkwy Suite 100 Centennial, CO 80111 Phone: (720) 874-8500 Atty. Reg. #: 25910	Case Number: 12CR1522 Division 26

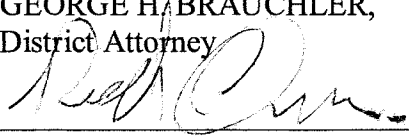
RESPONSE TO DEFENSE MOTION D-041

This pleading is filed by the District Attorney for the 18th Judicial District.

1. The Defendant has filed Motion D-041, objecting to holding a hearing on privilege issues relating to the package on Tuesday, June 4, 2013.
2. The defense has known about the issue of waiver of privilege regarding the package since it was seized as evidence on July 23, 2012.
3. The parties previously engaged in extensive litigation regarding the status of the package last year.
4. The parties have been litigating or discussing issues related to the NGRI plea for most of this year.
5. The defense cannot be surprised that this is an issue that needs to be litigated and resolved at this time, and any assertion that they cannot be ready to address this issue on June 4th is patently absurd.
6. The People request that the issue of waiver of privilege of the package be litigated on June 4, and that Motion D-041 be denied.

GEORGE H. BRAUCHLER,
District Attorney

By


Deputy District Attorney

Registration No. 20935

Dated 5/31/13.

CERTIFICATE OF MAILING

I hereby certify that I have deposited a true and correct copy of the foregoing in the Public Defender's Mailbox located at 6450 S Revere Pkwy Centennial CO 80111, addressed to:

TAMARA BRADY, ESQ.
DANIEL KING, ESQ.
OFFICE OF THE PUBLIC DEFENDER

Dated: 5/31/13

By


Certifying Secretary