

DISTRICT COURT, ARAPAHOE COUNTY, STATE OF COLORADO 7325 S. Potomac St. Centennial, Colorado 80112	▲ COURT USE ONLY ▲
PEOPLE OF THE STATE OF COLORADO v. JAMES EAGAN HOLMES, Defendant	Case No. 12CR1522 Division: 26
ORDER REGARDING DEFENDANT'S MOTION TO PERMIT QUALIFICATION OF NON-ENGLISH SPEAKING JURORS (D-66)	

This matter is before the Court on the defendant's motion to permit the qualification of jurors who cannot read, speak, or understand the English language. The motion is denied. Colorado law states that "[a] prospective trial or grand juror *shall* be disqualified" based on his or her "[i]nability to read, speak, and understand the English language." § 13-71-105 (2)(b), C.R.S. (2012) (emphasis added). Thus, the Court has no discretion to qualify non-English speaking jurors.

Moreover, the Court disagrees that the disqualification of non-English speaking jurors amounts to discrimination on the basis of race, color, national

origin, or economic status. Nor does such disqualification constitute a “physical impairment.”¹

Dated this 19th day of June of 2013.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

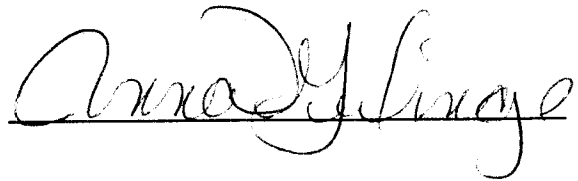
¹ The defendant requested a hearing on this motion. That request is denied for two reasons. First, the Court has no discretion to grant the relief requested. Second, the defendant was the only party heard on this motion, as the deadline for the People’s response will not expire for a couple of weeks.

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2013, a true and correct copy of the Court's Order Regarding Defendant's Motion to Permit Qualification of Non-English Speaking Jurors (D-66) was served upon the following parties of record:

Karen Pearson
Amy Jorgenson
Rich Orman
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A handwritten signature in cursive script, reading "Amanda J. Linage", written over a horizontal line.