

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: 201
ORDER EXTENDING STAY ON RELIEF GRANTED IN ORDER P-68 (C-90-B)	

More than two months ago, on February 19, 2014, the Court granted in part the prosecution's motion for further or other examination of the defendant. *See* Order P-68. On March 14, 2014, the defendant filed Motions D-200, D-201, and D-202, which, among other things, asked the Court to reconsider, strike, amend, and clarify different parts of Order P-68. Shortly thereafter, the Court *sua sponte* stayed the relief granted in Order P-68 pending resolution of those motions. *See* Order C-90. A week ago, the defendant received Orders D-200, D-201, and D-202, which resolved all three of his motions related to Order P-68.¹ Additionally, the defendant simultaneously received Order C-90-A, which extended the stay on

¹ Pursuant to Order D-201, the Court also entered Order C-94.

Order P-68 through April 21. On April 15, the Court added one more day to that extension, making today, April 22, the expiration date. *See* Order D-209.

Earlier today, the defendant filed pleading D-211, a notice which both informs the Court of his intent to file an original proceeding pursuant to C.A.R. 21 and requests an extension of the stay on Order P-68. The defense indicates that it “anticipates that it will file its petition . . . within 30 days of today’s date at the latest.” Notice D-211 at p. 1. In support of its request, the defense notes that it “will need to devote ample time over the next several weeks to preparing for the motions hearings scheduled for May 5th and 6th on the extremely important topic of jury selection.” *Id.* at p. 2.

The request for an extension of the stay on Order P-68 is granted in part and denied in part. The Court vacates the hearings scheduled on May 5 and 6 so that the defense may focus on its Rule 21 petition. The Court will reschedule those hearings when appropriate.

Given the postponement of the May motions hearings, the Court extends the stay on Order P-68 until Monday, May 5, 2014. If a petition is filed by that date, the Court will further extend the stay until the Colorado Supreme Court takes action on the petition. May 5 is approximately three weeks after the issuance of Orders D-200, D-201, D-202, and C-94, and approximately two and a half months

after the issuance of Order P-68. Thus, the May 5 deadline should afford the defense sufficient time to prepare and file the Rule 21 petition.

Dated this 22nd day of April of 2014.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2014, a true and correct copy of the Court's **Order Extending Stay on Relief Granted in Order P-68 (C-90-B)** was served upon the following parties of record:

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