

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: 202
ORDER SETTING BRIEFING SCHEDULE ON DEFENDANT'S MOTION FOR COURT ORDER REQUIRING THE SEALED SUBMISSION OF DOCUMENTS PURSUANT TO DSDT-5 AND DSDT-6 FOR PURPOSES OF APPELLATE REVIEW (D-227)	

On August 22, 2014, the Court addressed two subpoenas *duces tecum* served by the defendant on separate entities within the University of Colorado (“CU entities,”) DSDT-5 and DSDT-6. *See* Order C-133. The subpoenas sought records related to a prosecution witness (“the witness”). *See* Motion D-225 at pp. 1-2. Simultaneous with service of the subpoenas, the defendant asked the Court to conduct an *in camera* review of any materials produced by the CU entities. *Id.* The prosecution, the CU entities, and the witness each moved to quash the subpoenas. *See* Motions C-130, C-131, C-132, P-88. In Order C-133, the Court granted the motions to quash and denied the defendant’s motion for *in camera* review.

The defendant now requests the Court to “nevertheless order production of the records at issue . . . in a sealed format for the purposes of facilitating appellate review of this issue.” Motion at p. 1 (emphasis omitted) (citations omitted). The prosecution, the CU entities, and the witness all oppose the motion. *Id.* Any responses to the motion must be filed no later than Friday, September 5, 2014. The defendant may thereafter file a reply no later than Thursday, September 11, 2014.

Dated this 29th day of August of 2014.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2014, a true and correct copy of the **Order setting briefing schedule on Defendant's motion for Court order requiring the sealed submission of documents pursuant to DSDT-5 and DSDT-6 for purposes of appellate review (D-227)** was served upon the following parties of record:

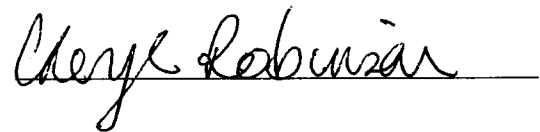
Karen Pearson
Christina Taylor
Rich Orman
Jacob Edson
Lisa Teesch-Maguire
George Brauchler
Arapahoe County District Attorney's Office
6450 S. Revere Parkway
Centennial, CO 80111-6492
(via e-mail)

Sherilyn Koslosky
Rhonda Crandall
Daniel King
Tamara Brady
Kristen Nelson
Colorado State Public Defender's Office
1290 S. Broadway, Suite 900
Denver, CO 80203
(via e-mail)

Kari M. Hershey
Hershey Decker PLLC
10463 Park Meadows Drive, Suite 209
Littleton, CO 80124
(via e-mail)

David P. Temple
Office of University Counsel
1800 Grant Street, Suite 700
Denver, CO 80203
(via e-mail)

Sheryl K. Bridges
Fennemore Craig P.C.
1700 Lincoln Street, Suite 2900
Denver, CO 80203
(via e-mail)

A handwritten signature in cursive script, reading "Cheryl Robinson", is written over a horizontal line.