

DISTRICT COURT, ARAPAHOE COUNTY, STATE OF COLORADO 7325 S. Potomac St. Centennial, Colorado 80112	▲COURT USE ONLY▲
<b>PEOPLE OF THE STATE OF COLORADO</b>  v.  <b>JAMES EAGAN HOLMES,</b> <b>Defendant</b>	Case No. <b>12CR1522</b>  Division: <b>202</b>
<b>ORDER REGARDING SUBMISSION OF VICTIMS’          CORRESPONDENCE AT THEIR REQUEST (P-91)</b>	

On October 10, 2014, the prosecution submitted letters from several of the victims regarding Order C-137, which granted expanded media coverage of the trial. Submission at p. 1.<sup>1</sup> The letters are not submitted in support of a motion or request for relief. The prosecution notes that it is not aware of any rule precluding victims from contacting the Court. *Id.* However, the Court is not aware of any authority that allows crime victims to share their opinions about a pretrial ruling with the Court while the proceedings are still pending, especially when those opinions apparently include “information that might be similar to the potential future testimony of witnesses in this case.” *Id.*

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<sup>1</sup> The defendant takes no position on the submission.

In resolving the motions for expanded media coverage, the Court understood and acknowledged that some victims were strongly opposed to them. *See* Order C-137 at p. 23.<sup>2</sup> While the Court genuinely sympathized with those victims, it was required to faithfully follow and apply the law to the best of its ability. Consistent with its practice throughout these proceedings, the Court did its utmost to accomplish that goal. Of course, the Court is far from infallible and some of its decisions may reasonably and fairly be second-guessed. Order C-137 is no exception. But under Colorado law, neither the parties nor the victims are allowed to submit filings setting forth their opinions about the Court's rulings.

The Court appreciates the People's attempt to shield it from the victims' *ex parte* correspondence by filing Submission P-91 and serving it on the defendant. Submission at p. 1. Further, the Court understands the People's obligations under the Colorado Victims' Rights Act. *Id.* at pp. 1-2. However, the most prudent course of action at this juncture in the proceedings is to defer reading the victims' letters. Accordingly, the Court will not read the letters at this time. After the trial has been completed, the Court will review every single letter contained in Submission P-91.<sup>3</sup>

Dated this 14<sup>th</sup> day of October of 2014.

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<sup>2</sup> The prosecution informed the Court that other victims were in favor of expanded media coverage.

<sup>3</sup> The People move to suppress the letters in Submission P-91. The request is granted. The letters in Submission P-91 will be kept in a suppressed envelope.

BY THE COURT:



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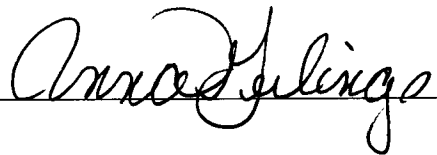
Carlos A. Samour, Jr.  
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2014, a true and correct copy of the Court's **Order Regarding Submission of Victims' Correspondence at Their Request (P-91)** was served upon the following parties of record:

Karen Pearson  
Christina Taylor  
Rich Orman  
Jacob Edson  
Lisa Teesch-Maguire  
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