

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
<p style="text-align: center;">ORDER SUPPRESSING MOTIONS D-186a, D-188a, D-246, D-247, AND D-250 (C-158)</p>	

Yesterday, the defendant filed eight motions related to the second Court-ordered sanity examination: (1) “Revised Motion to Strike the Death Penalty Because the State and Federal Constitutions Prohibit the Execution of Individuals Such as Mr. Holmes Who Suffer From a Chronic and Serious Mental Illness,” D-186a; (2) “Revised Motion to Exclude the Introduction of Victim Impact Evidence Prior to the Rendering of the Jury’s Sentencing Verdict Because the Conclusions of the Only CMHIP Examiner to Render an Opinion for Sentencing Purposes Renders Such Evidence Irrelevant, More Prejudicial Than Probative, and Unconstitutional in this Particular Capital Case,” D-188a; (3) “Motion to Strike Report of Second Sanity Examiner, or Alternatively, to Limit the Opinions and Testimony of Second Sanity Examiner,” D-246; (4) “Motion to Prohibit

Introduction of Evidence and/or Testimony,” D-247; (5) “Motion to Suppress and/or Exclude Statements Made by Mr. Holmes Acquired Directly or Indirectly for the First Time from the Second Sanity Evaluation Conducted by Dr. William Reid During All Phases of this Capital Case,” D-248; (6) “Motion to Exclude Videotapes of Dr. Reid’s Examination of Mr. Holmes from Evidence,” D-249; (7) “Motion to Prohibit Statements and/or Testimony Improperly Undermining Credibility of [a Potential Witness] and to Preclude All Reference to the Litigation Surrounding Motion P-68 at Trial,” D-250; and (8) “Motion to Compel Supplemental Expert Disclosures,” D-251. The prosecution did not file any motions with respect to the second sanity examination.

The defendant asks the Court to suppress five of the aforementioned motions: Motions D-186a, D-188a, D-246, D-247, and D-250. He also asks the Court to suppress portions of the titles to Motions D-247 and 250. *See* Motion D-247 at p.1 n.1; Motion D-250 at p. 1 n.1. Both requests are granted.¹

Dated this 30th day of October of 2014.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

¹ In the Register of Actions, Motion D-247 will appear as “Motion to Prohibit Introduction of Evidence and/or Testimony Regarding XXXX (D-247)” and Motion D-250 will appear as “Motion to Prohibit Statements and/or Testimony Improperly Undermining Credibility of XXXX and to Preclude All Reference to Litigation Surrounding Motion P-68 at Trial (D-250).”

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2014, a true and correct copy of the Court's **Order Suppressing Motions D-186a, D-188a, D-246, D-247, and D-250 (C-158)** was served upon the following parties of record:

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