

REDACTED

DISTRICT COURT ARAPAHOE COUNTY, COLORADO Court Address: Arapahoe County Justice Center 7325 S. Potomac St., Centennial, CO 80112	<b>Filed</b>  NOV 7 2014  <small>CLERK OF THE COMBINED COURT ARAPAHOE COUNTY, COLORADO</small>
THE PEOPLE OF THE STATE OF COLORADO vs. Defendant:  <b>JAMES EAGAN HOLMES</b>	<b>COURT USE ONLY</b>
Attorney: GEORGE H. BRAUCHLER, 18 <sup>th</sup> Judicial District Attorney 6450 S. Revere Pkwy. Centennial, CO 80111 Phone: (720) 874-8500 Atty. Reg. #: 25910	Case Number: <b>12CR1522</b> Division/Ctrm: <b>202</b>

**PEOPLE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL  
SUPPLEMENTAL EXPERT DISCLOSURES [D-251]**

This response is filed by the District Attorney for the 18<sup>th</sup> Judicial District.

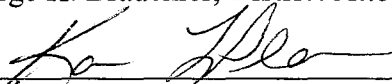
1. The defendant has filed a MOTION TO COMPEL SUPPLEMENTAL EXPERT DISCLOSURES [D-251] regarding People's experts Dr. Phillip J. Resnick and Dr. Kris Mohandie. The defendant seeks any reports they have drafted, their notes, written and oral opinions, and statements.
2. The People previously requested and provided to the defense notes from both doctors prior to their testimony in January, 2014 regarding the People's motion for a second examination, [P-68].
3. The People will request and provide any notes that Dr. Resnick or Dr. Mohandie has created in the course of reviewing materials in this case since the prior production of notes. If Dr. Resnick or Dr. Mohandie prepare a report related to this case, the People will provide it to the defense in conformance with Crim. P. 16(I)(a)(1)(III). At this point in time, neither Dr. Resnick nor Dr. Mohandie has authored a report.
4. Dr. Resnick and Dr. Mohandie are in the process of reviewing Dr. Reid's report and are awaiting the additional materials from the second examination that remain to be provided to the People and the defendant. When Dr. Resnick and Dr. Mohandie have completed their review, the People will request and provide any notes related to their review of the second examination materials.

5. The People object to the defendant's request to reduce any oral statements to writing as there is no requirement to reduce all conversations to writing. See *People v. Knight*, 167 P.3d 147 (Colo. App. 2006); *People v. Garcia*, 627 P.2d 255 (Colo. App. 1980); *People v. Anderson*, 837 P.2d 293 (Colo. App. 1992) (prosecution has no duty to reduce oral interviews of witnesses to writing).

6. The People are mindful of our requirements under Crim.P 16 and *Brady v. Maryland*, 373 U.S. 83 (1963) to provide any exculpatory statements of the defendant and will comply.

7. The motion request the Court rule based on the pleadings and without a hearing.

George H. Brauchler, District Attorney


By   
Deputy District Attorney  
Registration No. 26208

**CERTIFICATE OF MAILING**

I hereby certify that I have deposited a true and correct copy of the foregoing in the Public Defender's Mailbox located at 6450 S. Revere Pkwy. Centennial, CO 80111, addressed to:

TAMARA BRADY, ESQ.  
DANIEL KING, ESQ.  
KRISTEN NELSON, ESQ.  
OFFICE OF THE PUBLIC DEFENDER

Dated: 11/7/14

By 

DISTRICT COURT ARAPAHOE COUNTY, COLORADO Court Address: Arapahoe County Justice Center 7325 S. Potomac St., Centennial, CO 80112	COURT USE ONLY
THE PEOPLE OF THE STATE OF COLORADO vs. Defendant: <b>JAMES EAGAN HOLMES</b>	
	Case Number: <b>12CR1522</b> Division/Ctrm: <b>202</b>

**COURT ORDER RE: DEFENSE MOTION D-251**

THE COURT, being fully advised, and being duly apprised of the relevant facts and law, hereby DENIES defense motion D-251.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014

BY THE COURT

\_\_\_\_\_  
 District Court Chief Judge Carlos A. Samour, Jr.