

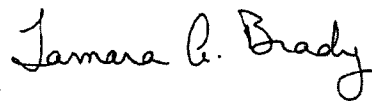
certain, specific areas of Dr. Metzner's report were deficient or required further exploration.

3. Allowing the jury to know that the Court agreed that the "deficiencies" the prosecution's experts perceived with Dr. Metzner's report were legitimate would improperly bolster the credibility of the prosecution's experts in the eyes of the jury, and would violate Mr. Holmes's state and federal due process right to a fair trial before an impartial trial judge and an impartial jury, as well as his right to a fair and reliable sentencing hearing. See Motion D-250, paragraphs 8-10; U.S. Const. amends. V, VI, VIII, XIV; Colo. Const. art. II, secs. 16, 20, 23, 25. Likewise, allowing Dr. Reid or any other expert to identify the specific "deficiencies" he was asked to address in his sanity examination (or allowing the prosecution to introduce Dr. Reid's report into evidence) would be tantamount to revealing the Court's opinions about Dr. Metzner's examination to the jury.

Mr. Holmes files this reply, and makes all other motions and objections in this case, whether or not specifically noted at the time of making the motion or objection, on the following grounds and authorities: the Due Process Clause, the Right to a Fair Trial by an Impartial Jury, the Rights to Counsel, Equal Protection, Confrontation, and Compulsory Process, the Rights to Remain Silent and to Appeal, and the Right to be Free from Cruel and Unusual Punishment, pursuant to the Federal and Colorado Constitutions generally, and specifically, the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, and Fourteenth Amendments to the United States Constitutions, and Article II, sections 3, 6, 7, 10, 11, 16, 18, 20, 23, 25 and 28 of the Colorado Constitution.



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Dated: November 12, 2014

I hereby certify that on November 12, 2014, I

mailed, via the United States Mail,

faxed, or

hand-delivered

a true and correct copy of the above and foregoing document to:

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