

DISTRICT COURT
ARAPAHOE COUNTY, COLORADO
Court Address: Arapahoe County Justice Center
7325 South Potomac Street, Centennial, CO 80112

THE PEOPLE OF THE STATE OF COLORADO

v.

JAMES EAGAN HOLMES,
Defendant

COURT USE ONLY

Case Number:

12CR1522

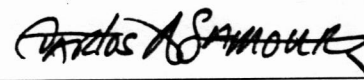
Division:

201

JURY INSTRUCTIONS—PHASE 2 OF SENTENCING HEARING

Instruction Nos. 1 through 22 given by the Court this 30th day of July of 2015.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

SENTENCING HEARING PHASE 2 INSTRUCTION NO. 1

Members of the jury, Phase 2 of the sentencing hearing has been completed. During the course of the trial and Phases 1 and 2 of the sentencing hearing, you have received all of the evidence that you may properly consider in reaching your Phase 2 sentencing verdicts. In a moment, I will read to you jury instructions that contain the rules of law you must apply to reach your Phase 2 sentencing verdicts. You will have copies of what I read to take with you to the jury room. But first, I want to mention some things you need to keep in mind when you are discussing this case in the jury room.

In these instructions, I refer to the first part of the proceedings as “the trial” and to the present part of the proceedings as “the sentencing hearing” or, more specifically, as “Phase 2” of the sentencing hearing. If I refer to “the proceedings,” I am referring to the trial and Phases 1 and 2 of the sentencing hearing.

Until you have returned your Phase 2 sentencing verdicts, you must follow all of the following admonishments.

- You must reach your Phase 2 sentencing verdicts based only on the evidence presented in the courtroom and the instructions provided by the Court. This includes all of the evidence presented during the trial. However, to the extent that I tell you that you may only consider certain evidence for a limited purpose,