

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. 12CRI522 Division: 201
ORDER REGARDING IN CAMERA REVIEW OF RECORDS PRODUCED BY THE UNIVERSITY OF COLORADO AT DENVER PURSUANT TO A SUBPOENA <i>DUCES TECUM</i> (C-192)	

The prosecution served a subpoena *duces tecum* on the University of Colorado at Denver (“University”) seeking all of the documents related to the defendant. PSDT-7. On April 2, 2015, counsel for the University appeared in Court and tendered an envelope with documents that are responsive to the subpoena. All of these documents have been previously provided to the defense. The People asked the Court to review the documents *in camera*. The defense joined in that request. When the Court asked the defense what it should be reviewing for, counsel asked that the following types of documents not be disclosed to the prosecution: (1) medical documents that are privileged and have

nothing to do with the defendant's mental health; and (2) documents that are not relevant to this case.

The Court has reviewed the documents submitted. The Court discloses all of them to the prosecution without redaction.¹ There are no medical records that are protected by a privilege and that are not related to the defendant's mental health. In terms of the relevance of the documents, the Court cannot conclude that any of these documents has no relevance. First, the defendant has pled not guilty by reason of insanity, which, in turn, renders relevant evidence related to many different aspects of his life prior to the date of the offenses charged. Second, there is a possibility that there will be a sentencing hearing, in which case evidence may be introduced on a wide variety of issues, including the defendant's background and upbringing.²

Dated this 3rd day of April of 2015.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

¹ Some documents were produced with redactions. The Court has not made any redactions.


² The Court has made two copies of the documents, one for each party. Counsel may make arrangements with the Court's staff to pick up a copy of the documents. The copy of the documents produced by the University will be kept sealed in the Court file.

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2015, a true and correct copy of the **Order regarding in camera review of records produced by the University of Colorado at Denver pursuant to a subpoena duces tecum (C-192)** was served upon the following parties of record:

Karen Pearson
Christina Taylor
Rich Orman
Jacob Edson
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