

DISTRICT COURT, ARAPAHOE COUNTY, STATE OF COLORADO 7325 S. Potomac St. Centennial, Colorado 80112	▲ COURT USE ONLY ▲
<b>PEOPLE OF THE STATE OF COLORADO</b>  v.  <b>JAMES EAGAN HOLMES,</b> <b>Defendant</b>	Case No. <b>12CR1522</b>  Division: <b>201</b>
<b>ORDER SANCTIONING NINA BURLEIGH, POLLY MOSENDZ, AND          NEWSWEEK FOR VIOLATING ORDER C-197 (C-218)</b>	

In Order C-197, the Court prohibited any members of the media from “publicly identifying any juror” in this case. Order C-197 at p. 1. Order C-197 is in effect until these proceedings are completed, and applies to all of the jurors, “even after they are discharged if such discharge occurs before the completion of the trial (including any sentencing hearing).” *Id.* at p. 2. The Court warned that a violation of the Order would “result in the violator and any organizations with which he or she is affiliated being immediately barred from the courthouse and courthouse premises during the remainder of this trial.” *Id.*

After the jury returned its verdicts in the guilt phase of the trial on July 16, Nina Burleigh and Polly Mosendz, reporters with Newsweek, published the foreperson’s name in an electronic article. Later, Newsweek tweeted a link to that

article and included the juror's name in the tweet, which remained accessible to the public as late as today. Ms. Burleigh and Ms. Mosendz violated Order C-197. As a sanction for this violation, both reporters and Newsweek are banned from the courthouse premises for the duration of these proceedings.

The Court notes that many members of the media have attended these proceedings almost on a daily basis. With one minor exception involving Yahoo News, they have been professional, have shown proper deference to the dignity of the Court, and have complied with all of the Court's Orders. It is unfortunate and disappointing that Ms. Burleigh, Ms. Mosendz, and Newsweek apparently felt that they were exempt from the Court's Orders. Even without knowledge of the Orders, Newsweek and its reporters should have known better. To the extent that these journalists' actions cast a negative light on other members of the media covering these proceedings, it is unfair and undeserved.

Dated this 22<sup>nd</sup> day of July of 2015.

BY THE COURT:



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Carlos A. Samour, Jr.  
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2015, a true and correct copy of the Court's **Order Sanctioning Nina Burleigh, Polly Mosendz, and Newsweek for Violating Order C-197 (C-218)** was served upon the following parties of record:

Karen Pearson  
Christina Taylor  
Rich Orman  
Jacob Edson  
Lisa Teesch-Maguire  
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