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| 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. 12CR1522 Division: 201 |
| ORDER STRIKING MOTIONS D-291 AND D-292 AS IMPROPERLY FILED (C-212) | |

The Court started selecting a jury in this case on January 20, 2015. A jury was selected on April 14, and opening statements took place on April 27. The evidence was completed on July 10. Closing arguments are scheduled to take place on July 14.

Since the trial started, the Court has had a standing Order that requires counsel to make all motions orally unless they obtain leave of the Court. On July 13, the defense submitted two pleadings that either exceed the leave granted by the Court or were filed without first seeking, much less obtaining, leave of the Court.¹ Accordingly, both pleadings are hereby stricken as improperly filed.

¹ One of the two pleadings contains a voluminous attachment comprised of new tendered instructions. The Court will not have an opportunity to review those tendered instructions before

Pursuant to the Court's oral comments on July 10, the defense may number and resubmit all of their timely-filed tendered instructions. The defense may also make an oral record of any of the contents of the two improperly filed pleadings.

Dated this 13th day of July of 2015.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

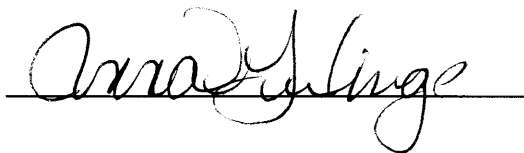
closing arguments. The Court notes that it has held two lengthy jury instructions conferences already, with the first such conference occurring on June 24, more than three weeks ago. Further, according to counsel, the new tendered instructions seek to address language used in the draft instructions the Court distributed to the parties 11 days ago, on July 2.

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2015, a true and correct copy of the Court's **Order Striking Motions D-291 and D-292 as Improperly Filed (C-212)** was served upon the following parties of record:

Karen Pearson
Christina Taylor
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A handwritten signature in cursive script, reading "Anna Y. Linge", is written over a horizontal line.