

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
<p align="center">ORDER REQUESTING THE DEFENSE'S FINAL PHASE 2 AND PHASE 3 TENDERED INSTRUCTIONS (C-219)</p>	

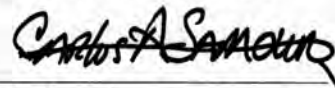
The Court started selecting a jury on January 20, 2015. On July 16, the jury returned its verdicts. Because the jury returned guilty verdicts on all 24 of the Murder in the First Degree counts, a capital sentencing hearing commenced yesterday, July 22, with Phase 1 concluding in the early afternoon. The jury is currently deliberating as to whether the prosecution proved beyond a reasonable doubt at least one alleged aggravating factor with respect to each count of Murder in the First Degree.

The People have tendered instructions for the entire sentencing hearing. The defense has not yet tendered final Phase 2 or Phase 3 instructions. The Court requests that the defense submit such instructions as soon as possible. The defense may proceed as it did in tendering its Phase 1 and introductory Phase 2

instructions: it may provide the authority it is relying on for each tendered instruction and it may briefly explain why a particular instruction is preferable over a similar instruction tendered by the prosecution. Of course, the defense may tender additional instructions and may supplement the record at the end of Phase 2, if there is a Phase 2, and at the end of Phase 3, if there is a Phase 3.

Dated this 23rd day of July of 2015.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2015, a true and correct copy of the **Order requesting the Defense's final Phase 2 and Phase 3 tendered instructions (C-219)** was served upon the following parties of record:

Karen Pearson
Christina Taylor
Rich Orman
Jacob Edson
Lisa Teesch-Maguire
George Brauchler
Arapahoe County District Attorney's Office
6450 S. Revere Parkway
Centennial, CO 80111-6492
(via e-mail)

Sherilyn Koslosky
Rhonda Crandall
Daniel King
Tamara Brady
Kristen Nelson
Colorado State Public Defender's Office
1290 S. Broadway, Suite 900
Denver, CO 80203
(via e-mail)

