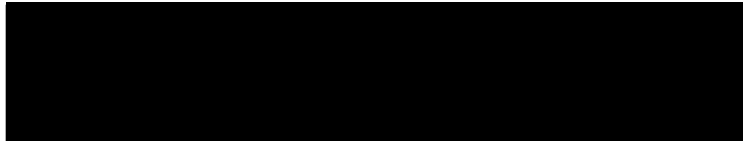


~~THE~~ THE JURY REQUESTS A TV/DVD
PLAYER TO VIEW EVIDENCE



Jury Question #1 During ~~Deliberations~~
Deliberations in Phase 1 of the Sentencing Hearing
12CR1522



State of Colorado

Eighteenth Judicial District
Arapahoe, Douglas, Elbert & Lincoln
Counties

Arapahoe County Justice Center
7325 S. Potomac Street
Centennial, CO 80112
(303) 649-6332

Carlos A. Samour, Jr.
District Court Judge

People v. James Eagan Holmes
12CR1522

Dear Members of the Jury:

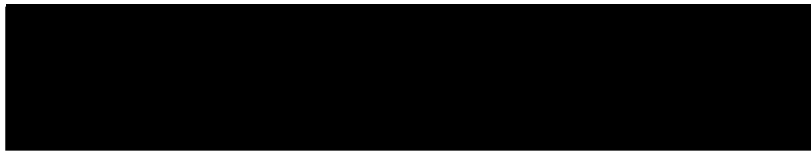
This is in response to your request for a TV/DVD player to view evidence.
Which exhibit or exhibits are you interested in viewing?

Sincerely,

Carlos A. Samour, Jr.
District Court Judge
18th Judicial District

IN RESPONSE TO WHICH EXHIBITS WE
WISH TO WATCH ON DVD:

PEOPLE'S 789
PEOPLE'S 1023A
PEOPLE'S 400
PEOPLE'S 401
PEOPLE'S 1103



Jury Question #2 During Deliberations in
Phase 1 of the Sentencing Hearing
12CR1522



State of Colorado
Eighteenth Judicial District
Arapahoe, Douglas, Elbert & Lincoln
Counties

Arapahoe County Justice Center
7325 S. Potomac Street
Centennial, CO 80112
(303) 649-6332

Carlos A. Samour, Jr.
District Court Judge

July 22, 2015

People v. James Eagan Holmes
12CR1522

Dear Members of the Jury:

This is in response to your request for a TV/DVD player to view Exhibits P-TR-789, P-TR-1023A, P-TR-400, P-TR-401, and P-TR-1103. The request is granted. However, the Court instructs you that you are not to give any exhibit undue weight or emphasis. Consistent with this instruction, you may only play each exhibit **one time**. Further, you will only have the TV/DVD player for approximately 60 minutes, which is consistent with the length of all the exhibits you are interested in viewing. Finally, you may not play any other exhibits without authorization from the Court. If you need additional time, please let the Court know.

Sincerely,

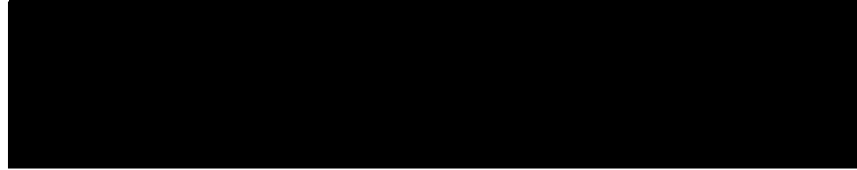
Carlos A. Samour, Jr.
District Court Judge
18th Judicial District

OUR HOURS WILL BE:
8:30AM TO 4:30 PM EACH DAY
FOR THE REMAINDER OF DELIBERATIONS
(IN ALL PHASES)



Jury Question #3 During Deliberations in
Phase 1 of the Sentencing Hearing
12CR1522

THE EXHIBIT "P-TR-400" IS A DVD WHICH
WILL NOT PLAY. AS OF NOW WE HAVE
BEEN UNABLE TO REVIEW IT.



Jury Question #4 During Deliberations in
Phase 1 of the Sentencing Hearing
12CR1522



State of Colorado
Eighteenth Judicial District
Arapahoe, Douglas, Elbert & Lincoln
Counties

Arapahoe County Justice Center
7325 S. Potomac Street
Centennial, CO 80112
(303) 649-6332

Carlos A. Samour, Jr.
District Court Judge

July 23, 2015

Re: People v. James Eagan Holmes
12CR1522

Dear Members of the Jury:

This is in response to your note, which indicates that P-TR-400 “will not play” and that you have been unable to view it. The Court does not have the software necessary to play this exhibit. Therefore, the Court will allow you to view it in the courtroom. Before you enter the courtroom, the Court will clear the courtroom and will turn off the closed-circuit camera. You will be in the courtroom alone, and no one will be allowed in the courtroom while you view P-TR-400. One of my bailiffs will initially be in the courtroom to play the exhibit for you, but will exit the courtroom when the exhibit starts playing. The Court reminds you that you are not to give any exhibit undue weight or emphasis. Consistent with this instruction, you will only be allowed to be in the courtroom with this exhibit for 10 minutes, since the exhibit is approximately 8 minutes long. Further, you may only play this exhibit **one time**.

Sincerely,

Carlos A. Samour, Jr.
District Court Judge
18th Judicial District

WE ARE REQUESTING CLARIFICATION ON THE WORDING OF ALLEGED AGGRAVATING FACTOR NUMBER 2. DEPENDING ON HOW IT IS READ IT COULD BE INTERPRETED 2 WAYS:

1 "DID THE DEFENDANT INTEND TO KILL A CHILD UNDER 12 SPECIFICALLY"

2 "DID THE DEFENDANT INTEND TO KILL, AND KILLED A CHILD UNDER 12"



Jury Question #5 During Deliberations in
Phase I of the Sentencing Hearing
12CR1522



State of Colorado
Eighteenth Judicial District
Arapahoe, Douglas, Elbert & Lincoln
Counties

Arapahoe County Justice Center
7325 S. Potomac Street
Centennial, CO 80112
(303) 649-6332

Carlos A. Samour, Jr.
District Court Judge

July 23, 2015

Re: People v. James Eagan Holmes
12CR1522

Dear Members of the Jury:

This is in response to your request for clarification on the wording of alleged aggravating factor number 2. With respect to this alleged aggravating factor, the prosecution has to prove beyond a reasonable doubt that the defendant intentionally killed a child who had not yet attained 12 years of age. The prosecution cannot meet its burden of proof with respect to this alleged aggravating factor by proving beyond a reasonable doubt that the defendant intended to kill and that one of the victims killed happened to be less than 12 years of age.

Sincerely,

Carlos A. Samour, Jr.
District Court Judge
18th Judicial District

THE JURY HAS COMPLETED DELIBERATIONS FOR ALL COUNTS, AND HAVE DECISIONS ON ALL COUNTS.



Jury Question #6 During Deliberations in
Phase 1 of the Sentencing Hearing
12 CR1522