

4/10/2015 Response Event ID: 000752 E-Filed: N
DEF/ HOLMES, JAMES EAGAN
RESPONSE TO MEDIA PETITIONERS MOTION FOR MID-TRIAL ACCESS TO NON-GRAPHIC
EXHIBITS ADMITTED INTO EVIDENCE AND PUBLISHED TO THE JURY DURING THE TRIAL
(C-193) STD 201 4 10 15 /LKO

4/10/2015 Minute Order (print) Event ID: 000754 E-Filed: N
JURY TRIAL - DAY 53
APRIL 10, 2015
JUDGE SAMOUR
REPORTERS: FIKANY MORNING; ELM SHAEUSER AFTERNOON; MARTIN EVENING
MORNING SESSION
DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEYS DAN KING, TAMARA BRADY,
REBEKKA HIGGS, AND KRISTEN NELSON. THE PEOPLE ARE REPRESENTED BY GEORGE
BRAUCHLER, JACOB EDSON, RICH ORMAN, KAREN PEARSON, AND LISA TEESCH MAGUIRE.
THE COURT DISTRIBUTES COPIES OF PROSPECTIVE JUROR EMAILS 119 AND 120, AND THE
COURT INFORMS THE PARTIES OF THE RESPONSES IT WILL SEND TO THE TWO EMAILS.
THE PARTIES PROVIDE THE COURT WITH A STIPULATED PROPOSED RESPONSE TO
PROSPECTIVE JUROR EMAIL 113. THE COURT ADOPTS THE PROPOSED RESPONSE.
THE DEFENSE PROVIDES THE COURT WITH A PROPOSED STIPULATED LIMITING
INSTRUCTION PURSUANT TO ORDER D-260-A-4; HOWEVER, THE DEFENSE MAINTAINS ITS
POSITION THAT A LIMITING INSTRUCTION IS NOT AN ADEQUATE REMEDY FOR THIS ISSUE.
THE COURT ADOPTS THE PROPOSED LIMITING INSTRUCTION. THE COURT ASKS THAT
THE PARTIES REMIND THE COURT WHEN THE LIMITING INSTRUCTION SHOULD BE GIVEN.
THE DEFENSE HAS FOUR OBJECTIONS AND REQUESTS REGARDING THE INSTRUCTIONS THE
COURT IS INTENDING TO READ TO THE PROSPECTIVE JURORS IN GROUP VOIR DIRE: (1)
THE COURT DENIES THE DEFENSE'S REQUEST TO MODIFY THE PRESUMPTION OF INNOCENCE
MODEL INSTRUCTION; (2) THE COURT DENIES THE DEFENSE'S REQUEST TO OMIT A
PORTION OF THE INSANITY DEFENSE MODEL INSTRUCTION; (3) THE COURT IS ALREADY
PLANNING TO READ THE ELEMENT OF SANITY AS AN ADDITIONAL ELEMENT TO EACH
SUBSTANTIVE CRIME CHARGED; (4) THE COURT WILL READ THE ENTIRE MODEL
INSTRUCTION REGARDING THE DEFINITION OF INCENDIARY DEVICES, INCLUDING THE
BRACKETED INFORMATION.
AS THE COURT IS NOT GOING TO READ THE SENTENCE ENHANCING CRIME OF VIOLENCE
CHARGE TO THE PROSPECTIVE JURORS, THE COURT CLARIFIES FOR THE PARTIES HOW IT
WILL HANDLE THE FACT THAT THE CRIME OF VIOLENCE CHARGE IS NUMBERED IN THE
MIDDLE OF THE OTHER CHARGES WHEN IT READS THE CHARGES TO THE JURY. THE
PARTIES AGREE WITH THE PROPOSED COURSE OF ACTION.
THE PEOPLE LET THE COURT KNOW THAT PROSPECTIVE JUROR 1378, WHO APPEARS THIS
MORNING, MAY NOT LIVE IN ARAPAHOE COUNTY. THE COURT WILL FOLLOW UP WITH THE
PROSPECTIVE JUROR DURING INDIVIDUAL VOIR DIRE.
THE COURT CONDUCTS VOIR DIRE WITH THE SIX PROSPECTIVE JURORS WHO HAVE
APPEARED THIS MORNING. THE COURT CONDUCTS INDIVIDUAL VOIR DIRE WITH FOUR OF
THE SIX PROSPECTIVE JURORS. BY STIPULATION OF THE PARTIES, PROSPECTIVE JUROR
1420 IS RELEASED FROM JURY SERVICE IN THIS CASE. THE COURT DENIES THE
DEFENSES CHALLENGE FOR CAUSE WITH RESPECT TO PROSPECTIVE JUROR 1374. WITHOUT
OBJECTION, PROSPECTIVE JUROR 1399 WILL RETURN FOR GROUP VOIR DIRE. THE
PEOPLE DO NOT OPPOSE THE DEFENSE'S CHALLENGE FOR CAUSE WITH RESPECT TO
PROSPECTIVE JUROR 1389. PROSPECTIVE JURORS 1378 AND 1329 ARE ASKED TO RETURN
FOR INDIVIDUAL VOIR DIRE IN THE AFTERNOON SESSION.
AFTERNOON SESSION
DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEYS DAN KING, TAMARA BRADY,
REBEKKA HIGGS, AND KRISTEN NELSON. THE PEOPLE ARE REPRESENTED BY GEORGE
BRAUCHLER, KAREN PEARSON, RICH ORMAN, AND LISA TEESCH MAGUIRE.

THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH PROSPECTIVE JURORS 1378 AND 1329. PROSPECTIVE JUROR 1329 IS EXCUSED BY STIPULATION OF THE PARTIES. WITHOUT OBJECTION, PROSPECTIVE JUROR 1378 IS ASKED TO RETURN FOR GROUP VOIR DIRE.

THE COURT CONDUCTS VOIR DIRE WITH THE GROUP OF SIX PROSPECTIVE JURORS WHO ARE SCHEDULED THIS AFTERNOON, ALL OF WHOM APPEAR.

THE COURT GIVES THE PARTIES PROSPECTIVE JUROR EMAIL 121, ALONG WITH COPIES OF THE COURT'S RESPONSES TO PROSPECTIVE JUROR EMAILS 113 AND 119.

THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE SIX PROSPECTIVE JURORS. PROSPECTIVE JURORS 1356, 1401, 1403, 1406, AND 1421 ARE EXCUSED BY STIPULATION OF THE PARTIES. WITHOUT OBJECTION, PROSPECTIVE JUROR 1400 IS ASKED TO RETURN FOR GROUP VOIR DIRE ON APRIL 13TH.

THE COURT AND THE PARTIES CLARIFY PROCEDURES FOR GENERAL VOIR DIRE ON MONDAY. THE COURT ADMITS THE CHARTS/POSTERS USED THROUGHOUT INDIVIDUAL VOIR DIRE AS EXHIBIT C-TR-5 (THIS IS THE CHART PROVIDED BY THE DEFENSE) AND C-TR-6 (THIS IS THE CHART PROVIDED BY THE PEOPLE).

REGARDING THE DISCUSSION YESTERDAY, THE DEFENSE OBJECTS TO A TRAINER FROM SCAO PROVIDING THE JURORS INFORMATION ABOUT STRESS MANAGEMENT AND RELAXATION TECHNIQUES DURING THE TRIAL. GIVEN THE DEFENSE'S OBJECTION, THE COURT WILL NOT PROVIDE SUCH TRAINING TO THE JURORS DURING TRIAL. /CMR

4/14/2015 Reply Event ID: 000755 E-Filed: N
REPLY IN SUPPORT OF MEDIA PETITIONERS' MOTION FOR MID-TRIAL ACCESS (TO MAKE COPIES) OF ALL NON-GRAPHIC IMAGES EXHIBITS ADMITED INTO EVIDENCE AND PUBLISHED TO THE JURY DURING THE TRIAL (C-193) FILED BY NON-PARTY MOVANTS STD 201 4 14 15 /LKO

4/15/2015 Notice Filed Event ID: 000756 E-Filed: N
THE COURT ENTERS NOTICE REGARDING ALTERNATES (C-195). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, KRISTEN NELSON, AND CHRISTINA TAYLOR. /CMR

4/15/2015 Order Event ID: 000757 E-Filed: N
THE COURT ENTERS ORDER REGARDING MOTION BY MEDIA PETITIONERS TO UNSUPPRESS THE QUESTIONNAIRE (C-188). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, AND KRISTEN NELSON, CHRISTINA TAYLOR, AND STEVEN ZANSBERG. /JRZ

4/15/2015 Response Event ID: 000758 E-Filed: N
DEF/ HOLMES, JAMES EAGAN
RESPONSE TO MOTION TO EXCLUDE EXPERT TESTIMONY (P-123) SUPPRESSED ENVELOPE #203 STD 201 4 15 15 /LKO

4/16/2015 Order Event ID: 000759 E-Filed: N
THE COURT ENTERS SUPPLEMENTAL ORDER REGARDING DEFENDANT'S MOTION TO CONTINUE TRIAL (D-267-A-1). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, KRISTEN NELSON, AND CHRISTINA TAYLOR.

4/16/2015 Order Event ID: 000760 E-Filed: N
THE COURT ENTERS SUPPLEMENTAL ORDER REGARDING DEFENDANT'S AMENDED MOTION TO EXCLUDE LATE-DISCLOSED EVIDENCE THAT WAS PREVIOUSLY WITHHELD FROM THE DEFENSE, OR TO IMPOSE THE ALTERNATIVE SANCTION OF A RECESS (D-275A-1). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, KRISTEN NELSON, AND CHRISTINA TAYLOR. /CMR

4/16/2015 Order Event ID: 000761 E-Filed: N
THE COURT ENTERS AMENDED ORDER REGARDING DEFENDANT'S MOTION FOR INSTRUCTION TO THOSE IN COURTROOM GALLERY (D-79-A). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, KRISTEN NELSON, AND CHRISTINA TAYLOR. /CMR

4/16/2015 Order Event ID: 000762 E-Filed: N
COURT ENTERS ORDER REGARDING MEDIA PETITIONERS' MOTION FOR MID-TRIAL ACCESS (TO MAKE COPIES) OF ALL NON-GRAPHIC IMAGES EXHIBITS ADMITTED INTO EVIDENCE AND PUBLISHED TO THE JURY DURING THE TRIAL (C-193). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, AND KRISTEN NELSON, CHRISTINA TAYLOR, AND STEVEN ZANSBERG. /AG

End of Case: 2012 CR 201522