

REDACTED

DISTRICT COURT, ARAPAHOE COUNTY
STATE OF COLORADO
Arapahoe County Justice Center
7325 S. Potomac Street
Centennial, Colorado 80112

Filed

AUG 20 2015

CLERK OF THE JOINTED COURTS
ARAPAHOE COUNTY, COLORADO

THE PEOPLE OF THE STATE OF COLORADO vs.
Defendant(s):

JAMES EAGAN HOLMES

COURT USE ONLY

Attorney:
GEORGE H. BRAUCHLER
18th Judicial District Attorney
6450 S. Revere Pkwy.
Centennial, CO 80111
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Atty. Reg. #: 25910

Case Number: **12CR1522**
Division: **201**

PEOPLE'S SUBMISSION OF VICTIM IMPACT STATEMENTS
[PEOPLE'S PLEADING P-129]
[SUPPRESSED]

This submission is filed by the District Attorney for the 18th Judicial District.

SUPPRESSION

Victim Impact Statements are generally submitted to the Court as part of a Defendant's pre-sentence investigation report. Both parties waived the requirement of a pre-sentence investigation report in this case, and thus the People file this submission of victim impact statements to the Court and provide a copy to counsel for the Defendant. The People are unsure as to whether courts in Colorado regularly release pre-sentence investigation reports to the public. To the extent that pre-sentence investigation reports are not generally released to the public, the People request that the attached victim impact statements remain suppressed. This submission's attachments are written by the victims of the Defendant's crimes and discuss very specific and personal harm caused to these victims. Out of respect for the victims in this case, the People request that the Court suppress the attached victim impact statements in perpetuity. If pre-sentence investigation reports are generally released to the public by courts in Colorado, the People request that the Court suppress this submission's attachments at least until the sentencing hearing concludes next week, so that the victims may, in their own voices, be the first to discuss their own personal victim impact statements with the public.

CONFERRAL

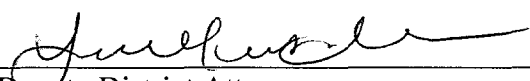
Conferral is unnecessary for this submission.

1. In this case the defendant was convicted of twenty-four counts of Murder in the First Degree pursuant to Colo. Rev. Stat. § 18-3-102(1)(a) and (d); one-hundred-and-thirty-four counts of Attempted Murder in the First Degree pursuant to Colo. Rev. Stat. § 18-3-103(1)(a) and (d); 18-2-101; six counts of Attempted Murder in the Second Degree pursuant to Colo. Rev. Stat. § 18-3-103(1); 18-2-101; and one count of possession of an explosive or incendiary device in violation of section 18-12-109(2), C.R.S.

2. Victims in Colorado have the right to be present at the sentencing hearing and to inform the Court, in writing, by a victim impact statement, and by an oral statement, of the harm that the victim has sustained as a result of the crime, with the determination of whether the victim makes written input or oral input, or both, to be made at the sole discretion of the victim. *See* Colo. Rev. Stat. § 24-4.1-302.5 (1)(g). Accordingly, the People submit the attached written victim impact statements to the Court; a copy of the victim impact statements and this pleading has also been provided to counsel for the Defendant. Several of the victims in this case also request an opportunity to present the Court with oral victim impact statements next week at the sentencing hearing.

3. The People have organized the attached victim impact statements alphabetically by victim type and the People have provided the Court with three copies. The People request that the Court retain one copy for the Court file, provide one copy to assist the Court reporter at the sentencing hearing next week, and send one copy to the Department of Corrections after the Defendant has been sentenced by the Court.

GEORGE H. BRAUCHLER, District Attorney

By 
Deputy District Attorney
Registration No. 35892

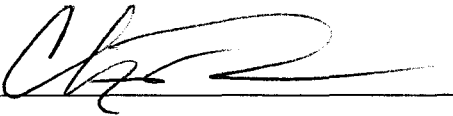
CERTIFICATE OF MAILING

I hereby certify that I have deposited a true and correct copy of the foregoing in the Public Defender's Mailbox located at 6450 S. Revere Pkwy., Centennial CO 80111, addressed to:

TAMARA BRADY, ESQ.
DANIEL KING, ESQ.
KRISTEN NELSON, ESQ.
REBEKKA HIGGS, ESQ.
KATHERINE SPENGLER, ESQ.

OFFICE OF THE PUBLIC DEFENDER

Dated: 8/20/15

By 

DISTRICT COURT ARAPAHOE COUNTY, COLORADO Court Address: Arapahoe County Justice Center 7325 S. Potomac St., Centennial, CO 80112	
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	COURT USE ONLY Case Number: 12CR1522 Division/Ctrm: 201

ORDER REGARDING PEOPLE'S SUBMISSION [P-129]

THE COURT, being fully advised, and being duly apprised of the relevant facts and law, hereby accepts the People's Submission of victim impact statements.

Dated this _____ day of _____, 2015

BY THE COURT

 District Court Chief Judge Carlos A. Samour, Jr.