

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: 26
ORDER REGARDING DEFENDANT'S MOTION FOR JURY QUESTIONNAIRE (D-82)	

The defendant moves for an Order requiring all prospective jurors in this case to complete a written questionnaire in Court and under oath before the verbal jury selection process commences. The motion is granted.¹

“Generally, trial courts have considerable discretion in fashioning voir dire.” *People v. Lefebre*, 5 P.3d 295, 299 (Colo. 2000) (citing *People v. Harlan*, 8 P.3d 448, 462 (Colo. 2000)). A trial judge has “significant leeway in conducting voir dire . . . because the judge is ultimately responsible for providing an impartial panel of jurors.” *Id.* (citing *People v. Rodriguez*, 914 P.2e 230, 260 (1996)).

¹ The defendant states that the People plan to file a response to this motion. Although the deadline for the People’s response has not yet expired, the Court grants the motion because even if the People object to it, the Court will use a jury questionnaire.

The Court anticipates that as many as 3,500 individuals may respond to jury summonses issued in this case. Under the circumstances, the Court agrees with the defendant that a jury questionnaire will be helpful and will save time and effort during the jury selection process. Therefore, the Court will prepare a questionnaire. Once the parties receive the questionnaire, the Court will afford them an opportunity to make objections to it on the record.

Dated this 14th day of June of 2013.

BY THE COURT:



Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2013, a true and correct copy of **Order regarding defendant's motion for jury questionnaire (D-82)** was served upon the following parties of record:

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