

DISTRICT COURT, COUNTY OF ARAPAHOE, STATE OF COLORADO 7325 S. Potomac St. Centennial, Colorado 80112	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Plaintiff: People of the State of Colorado v. Defendant: Holmes, James Eagan	Case No. 12CRI522 Division: 22
<p style="text-align: center;">ORDER RE THE PEOPLE'S RESPONSE AND REQUEST TO DENY MOTION D-017 AND VACATE THE HEARING SET FOR APRIL 1, 2013 (C-023)</p>	

This Matter comes before the Court on Defendant's Notice in Response to this Court's Scheduling Order (C-023), filed March 27, 2013, and the People's Response to Pleading Filed by Defendant Titled "Notice in Response to Court's Scheduling Order (C-023)" and Request that Court Summarily Deny Motion D-017 Based on the Defendant's Notice and the Violation of this Court's Amended Order Regarding Pretrial Publicity by Colorado State Public [sic] Douglas Wilson, Esq., filed March 28, 2013.

The sole purpose of this Court's Order is to address the People's request to vacate the hearing set for April 1, 2013. The allegations Defendant has set forth in Motion D-17 revolve around a violation of an Order by this Court, and this Court, while not an investigating body, has the right and obligation to enforce its Orders and to restore the dignity of the Court if that dignity has been defied. A violation of a Court Order is an issue of contempt, not equity. Additionally, there is still a possibility that a law enforcement officer committed perjury, a class four felony, in front of this Court. It is the responsibility of this Court to ensure that this issue does not infringe on the truth-seeking process or on the rights of the People, Defendant, or the public. The mere fact that a new or additional violation exists does not vindicate a previous violation of a Court Order.

WHEREBY, the People's requests to summarily deny Defendant's Motion D-17 and vacate the hearing set for April 1, 2013, on these grounds, are DENIED.

DATED this 28th day of March, 2013.

BY THE COURT:



WILLIAM BLAIR SYLVESTER
 CHIEF JUDGE
 EIGHTEENTH JUDICIAL DISTRICT

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2013, a true and correct copy of **ORDER RE THE PEOPLE'S RESPONSE AND REQUEST TO DENY MOTION D-017 AND VACATE THE HEARING SET FOR APRIL 1, 2013 (C-023)** was served upon the following parties of record.

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