

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 LIST OF PROSPECTIVE JURORS (D-83)	

Pursuant to Crim. P. 24(c)(1) and § 18-1-406(5), C.R.S. (2012), the defendant moves for a list of prospective jurors as far in advance of the trial as possible. The defendant states that the People object. Although the deadline for the People's response has not yet expired, the Court grants the motion based on the rule and statute cited in the motion. The defendant's request for a hearing is denied as moot.

Rule 24(c)(1) provides that, "[u]pon the request of the defendant or the prosecution in advance of the commencement of the trial, the defendant or the prosecution shall be furnished with a list of prospective jurors who will be subject to call in the trial." Similarly, section 18-1-406(5) states that, "[u]pon request of the defendant in advance of the commencement of the trial, the defendant shall be

furnished with a list of prospective jurors who will be subject to call in the trial.” Thus, both the rule and the statute require that a request by the defendant for a list of prospective jurors in advance of the trial must be granted. Accordingly, motion D-83 is granted.

The Court will notify the Jury Commissioner of this Order. As soon as the list of the prospective jurors is available, the Commissioner shall provide it to the defense.

Dated this 10th day of June of 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Carlos A. Samour, Jr.', written over a horizontal line.

Carlos A. Samour, Jr.
District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2013, a true and correct copy of **Order regarding defendant's motion for list of prospective jurors (D-83)** was served upon the following parties of record:

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