

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 REALTIME REPORTING (D-57)	

The defendant seeks an Order requiring Realtime reporting in this case. The motion indicates that the People object. Although the deadline for the People's response has not yet expired, the Court grants the motion because it is required to use Realtime reporting in this case.

As the defendant aptly points out, Chief Justice Directive ("CJD") 05-03 states that "[i]n a death penalty case, Realtime reporting shall be used." Accordingly, the Court will allow Realtime reporting in all evidentiary proceedings in this case.

Each of the two tables in the courtroom will be equipped with a netbook which will allow the parties access to Realtime reporting. Each netbook will be accompanied by a set of Realtime software instructions from the Managing Court

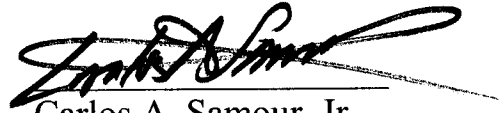
Reporter, Joyce Martin. You may wish to contact Ms. Martin in advance to learn how to mark and preserve important parts of the Realtime text on the netbook.

The parties need to be aware of the following: (1) the Realtime feed they will receive on their netbook will be unedited and uncertified, and may contain words that have not been translated, a note made by the reporter, a misspelled name, and word combinations that do not make sense; (2) pursuant to CJD 03-05, the use of an unedited transcript as a working document is permitted only if allowed and approved by the trial judge and the reporter, or if it is allowed by C.A.R. 3.4(e)(6); (3) CJD 03-05 states that unedited transcripts may not be the official record of the Court unless so certified by the reporter; (4) unless authorized by the Court, Realtime transcripts should not be cited in any Court proceedings or distributed to anyone; and (5) the parties may not download the transcript and take it with them. In the event that Realtime equipment failures occur or personnel trained on Realtime reporting become unavailable as a result of an emergency, the Court will follow CJD 03-05.

The defendant's motion for Realtime reporting is granted. Therefore, a hearing on this motion is unnecessary.

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 realtime reporting (D-57)** was served upon the following parties of record:

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Amy Jorgenson
Rich Orman
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