

DISTRICT COURT, WELD COUNTY, COLORADO 901 9 th Avenue Greeley, Colorado 80631 (970) 475-2400	DATE FILED: September 17, 2018
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. CHRISTOPHER LEE WATTS , Defendant	▲ Court Use Only ▲
DISTRICT ATTORNEY MICHAEL J. ROURKE ATTORNEY REG. #28812 915 TENTH STREET P.O. BOX 1167 GREELEY CO 80632 PHONE NUMBER: 970-356-4010 FAX: 970-352-8023	Case No. 18CR2003 Division: 5
<p align="center">[L] MOTION TO DENY DISCLOSURE OF PUBLIC RECORD PURSUANT TO C.R.S. § 24-72-204(6)(A)</p>	

COMES NOW, MICHAEL J. ROURKE, District Attorney in and for the Nineteenth Judicial District, County of Weld, State of Colorado, and by and through his duly appointed Chief Deputy District Attorney and Deputy District Attorney, and respectfully moves this Honorable Court to enter an Order, pursuant to C.R.S. 24-72-204(6)(a), denying disclosure of the coroner's autopsy report. The following grounds are stated in support of this motion:

1. Coroner's autopsy reports are public records subject to disclosure through procedures set forth in the Open Records Act and C.R.S. 24-72-201 et seq. *Freedom Newspapers, Inc. v. Bowerman, M.D.*, 739 P.2d 881 (Colo.App.1987).
2. Disclosure of autopsy reports may be denied where a court finds it would do substantial injury to the public interest. *Id.* at 883; *C.R.S. 24-72-204(6)(a)*. The custodian of the records bears the burden of proving that disclosure may cause such injury. *Denver Post Corp. v. Univ. of Colorado*, 739 P.2d 874 (Colo.App.1987).
3. The deceased victims in the instant case, Shanann Watts, Bella Watts and Celeste Watts were murdered and their bodies moved from the initial crime scene. There is a great deal of interest surrounding this case and at this time, the cause of the deaths has not been made public. Consequently, the observations and findings contained in the coroner's autopsy report will be critical evidence at trial. The disclosure of this information to the public prior to trial could result in tainting witnesses that have not yet been interviewed and impacting future jurors.

WHEREFORE, the People respectfully request this Court issue an Order finding that disclosure of the contents of the coroner's autopsy report in this case would do substantial injury to public interest thereby permitting the coroner to deny any such request made pursuant to the Colorado Open Records Act (CORA) and C.R.S. 24-72-201 et. seq.

Respectfully submitted this 17th day of September 2018.

MICHAEL J. ROURKE, #28812
DISTRICT ATTORNEY

By /s/Michael J. Rourke
MICHAEL J. ROURKE #28812
DISTRICT ATTORNEY

By /s/Steve Wrenn
STEVE WRENN, #35411
CHIEF DEPUTY DISTRICT ATTORNEY

By /s/Patrick T. Roche II
PATRICK T. ROCHE, II, #47352
DEPUTY DISTRICT ATTORNEY

CERTIFICATE OF SERVICE

I hereby certify that on 9/17/18 , a true and correct copy of People's [L] was e-filed and e-served via ICCES E-System, addressed to the following: Attorney's for Defendant: John Walsh/Kathryn Herold

CC: Carl Blesch, Weld County Coroner

BY /s/KLHolscher