

District Court, Weld County, Colorado Court address: 901 9 th Avenue, Greeley, CO 80631	DATE FILED: September 21, 2018 11:05 AM
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. CHRISTOPHER WATTS, Defendant	▲ COURT USE ONLY ▲
John Walsh, Atty. Reg. No. 42616 Kathryn Herold, Atty. Reg. No. 40075 Deputy State Public Defenders 822 7th Street, Ste. 300 Greeley, CO 80631 Phone Number: (970) 353-8224 FAX Number: (970) 352-8293 E-mail address: john.walsh@coloradodefenders.us	Case Number: 18CR2003 Division: 5
(D-038) MR. WATTS' NOTICE THAT HE CANNOT TAKE A POSITION ON GOVERNMENT MOTION [L] BECAUSE THE GOVERNMENT HAS NOT TURNED OVER THE CORONER'S REPORT TO THE DEFENSE	

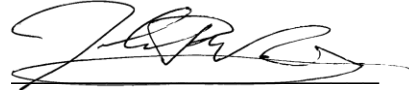
CHRISTOPHER WATTS, through his attorneys, hereby informs the court of the following:

1. The government apparently seeks to deny disclosure of the completed coroner's report that it describes in its pleading as "critical evidence at trial." Motion [L] at ¶ 3. Counsel surmises the coroner's report is completed based on the language of the government's pleading.
2. Unfortunately again, Mr. Watts must inform the court that the government has not met its statutory and constitutional obligations to turn over evidence to the defense. The government has yet to even provide the referenced report.
3. Of course, pursuant to Rule 16, the coroner's report must be turned over "as soon as practicable" to the defense. COLO. R. CRIM. P. 16, PART II, (b)(3).
4. Because of the government's failure to turn over the report, Mr. Watts cannot take a reasoned, informed position on the government's Motion [L].
5. Failure to turn over this evidence violates due process of law, undermines the fundamental fairness of the proceedings, makes counsel's effective assistance impossible, and continues to put Mr. Watts on unequal footing with the government. U.S. CONST. amends. V, VI, XIV; COLO. CONST. art. II, §§ 16, 23, 25.

WHEREFORE, Mr. Watts informs the court that he can take no position on the government's Motion [L] at this time.

Respectfully submitted,

MEGAN RING
COLORADO STATE PUBLIC DEFENDER



John Walsh, Atty. Reg. No. 42616



Kathryn Herold, Atty. Reg. No. 40075
Deputy State Public Defenders

CERTIFICATE OF SERVICE

I hereby certify that on 9/21/18,
I served the foregoing document by e-service
through ICCES to all opposing counsel. TC
