

DISTRICT COURT, BOULDER COUNTY, COLORADO 1777 Sixth Street Boulder, CO 80302	DATE FILED: July 23, 2021 4:18 PM
PEOPLE OF THE STATE OF COLORADO v. AHMAD AL ALIWI ALISSA Defendant	COURT USE ONLY
Michael T. Dougherty, District Attorney Adam Kendall, Chief Trial Deputy District Attorney 1777 Sixth Street Boulder, CO 80302 Phone Number: (303)441-3700 FAX Number: (303)441-4703 E-mail: mdougherty@bouldercounty.org Atty. Reg. #41831	Case No. 21CR497 Div: 13
Unopposed Motion to Admit People’s Preliminary Hearing Exhibit One Prior to the Scheduled September 7, 2021 Hearing	

For purposes of judicial economy and efficiency, the People request this Court admit and review People’s Preliminary Hearing Exhibit One prior to the September 7, 2021 hearing in the above captioned case.

Law enforcement officers obtained surveillance video recordings from various operational cameras that were located near or inside the King Soopers building at the time of the acts at issue in this case. For purposes of the upcoming hearing, the People have created a disc containing an 8 minute 3 second video recording, starting at approximately 2:29 p.m. on March 22, 2021, by combining various camera angles that capture Ahmad Al Aliwi Alissa’s (the “Defendant”) actions and movements over the course of approximately one hour. The contents of this recording are contained on the attached People’s Preliminary Hearing Exhibit One.¹

¹ Because the video file is large, the People were unable to upload an electronic copy of People’s Preliminary Hearing Exhibit One. The People will provide the Court a hard copy of this Motion with People’s Preliminary Hearing Exhibit One burned to a disc.

In July, the People contacted counsel for Defendant inquiring about Defendant's position regarding providing the Court with People's Preliminary Hearing Exhibit One for the Court's review prior to the September 7, 2021 hearing in the above captioned case. Defendant does not object to the admission of People's Preliminary Hearing Exhibit One, and agrees to stipulate to the authenticity and admissibility of People's Preliminary Hearing Exhibit One solely and only for the purpose of the September 7, 2021 hearing, so that the Court may review People's Preliminary Hearing Exhibit One prior to September 7, 2021. Subject to the Court's approval, the parties have agreed that the video will not be played during the hearing itself. It may be referenced in witness testimony, in argument, and considered by the Court. By not playing the video itself in Court, the privacy interests of the victims will be maintained and the defendant's right to a fair trial will be preserved. The People hereby request that Exhibit #1 be sealed from public access until the prosecution of the case is concluded.

WHEREFORE, the People respectfully request this Court to admit and review People's Preliminary Hearing Exhibit One prior to the September 7, 2021 hearing.

Respectfully submitted,

MICHAEL T. DOUGHERTY
DISTRICT ATTORNEY

By:
s/Michael T. Dougherty
Michael T. Dougherty
District Attorney
July 23, 2021

IT IS SO ORDERED. Done this _____ day of _____, _____.

Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing served via the Colorado e-filing system on July 23, 2021, and addressed as follows:

Kathryn Herold
Daniel King
Sam Dunn
Office of the Colorado State Public Defender – Boulder
2555 55th Street Suite. D-200
Boulder, CO 80301

s/Michael T. Dougherty
Michael T. Dougherty