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| **JDF 2223** | Order for DNA Testing | |
| A. District Court Colorado County:  Mailing Address: | | *This box is for court use only.* |
| B. Parties to the Case: Plaintiff: The People of the State of Colorado  v.  Defendant: | |
| C. Case Details: Number:  Division:  Courtroom: |

# 1. Introduction

The Court grants the Defendant’s Motion for DNA testing pursuant to Colorado Revised Statute (C.R.S.) § 18-1-413.

# 2. Findings

The Court makes the following findings of fact:

1) The Defendant is an eligible person requesting relief as defined by C.R.S. § 18-1-411(3.3).

2) There is a reasonable probability that the Defendant would not have been convicted if favorable results had been obtained through DNA testing at the time of the original prosecution.

3) A law enforcement agency collected biological evidence pertaining to the offense.

4) Prior DNA Testing: *(check the option that applies)*

4a) DNA results were not reasonably available prior to the Defendant’s conviction.

4b) DNA tests were done previously, but the evidence can be subjected to more advanced, scientifically reliable DNA testing that provides a reasonable likelihood of more probative results.

4c) DNA results were available, but testing wasn’t done because of justifiable excuse, ineffective assistance of counsel, or excusable neglect.

5) The Defendant consents to providing a biological sample for DNA testing.

# 3. Orders

The Court makes the following orders:

1) The primary investigative agency that handled the case must: *C.R.S. § 18-1-414*

1a) Prepare an inventory of the evidence related to the case.

1b) Send a copy of the inventory to the Defendant.

1c) File a copy of the inventory into this case.

2) DNA testing will be conducted by: *(check one)* *C.R.S. § 18-1-415*

2a) The Colorado Bureau of Investigation.

2b) The following testing facility: .

3) The testing laboratory must make the results available to: *C.R.S. § 18-1-416(2)*

3a) The combined DNA Index system. And

3b) Any Colorado, Federal, or other law enforcement’s DNA databases.

# So Ordered

Judge  Magistrate Dated