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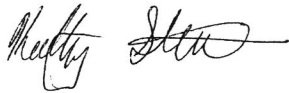
DATE FILED: March 2, 2020

DISTRICT COURT, EL PASO COUNTY, COLORADO 270 South Tejon Street Colorado Springs, Colorado 80903	DATE FILED: March 02, 2020
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. LETECIA STAUCH, Defendant	σ COURT USE ONLY σ
MEGAN A. RING, Colorado State Public Defender Kathryn Strobel (No. 42850) Deputy State Public Defender 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903 Phone: (719) 475-1235 Fax: (719) 475-1476 Email: springs.pubdef@coloradodefenders.us	Case No. 20CR1358 Division 5
MOTION FOR PRESERVATION OF PHYSICAL EVIDENCE	

Defendant moves this Court to order the Office of the District Attorney to preserve all physical evidence collected in this case to include, but not limited to, any consumptive testing on blood, tissue, and body fluids, and requests a hearing prior to any consumptive testing and prior to the release of any evidence. As grounds, Defendant states:

1. Defendant will be making independent evaluation of such items which are possibly material evidence and potentially exculpatory in this case and which the defense may wish to have tested.
2. If the prosecution will be conducting tests on items of evidence that may be consumptive or destructive, the defense may wish to have an expert present.
3. Due process and Defendant's right to confront Defendant's accusers under Article 2 Sections 25 and 16, of the Colorado Constitution, and the 5th, 6th, and 14th Amendments to the United States Constitution, require that Defendant be allowed to obtain such evidence. Further, the People have a duty to preserve such evidence. People v. Norwood, 547 P.2d 273 (1973); People v. Sheppard, 701 P.2d 49 (Colo. 1985)

4. Such items are material, potentially exculpatory evidence and necessary to the effective defense of this case. Brady v. Maryland, 373 U.S. 83, S.Ct. 1194, 10 L.Ed.2d 215 (1963); Garcia v. District Court, 589 P.2d 924 (1979); California v. Trombetta, 467 U.S. 479 (1984).



Kathryn Strobel (No. 42850)
Deputy State Public Defender
Dated: March 2, 2020

Certificate of Service

Electronically filed by,
Tamara Bailey-McIntosh