

District Court, Boulder County, Colorado Court Address: 1776 6 th Avenue Boulder, CO 80306	
THE PEOPLE OF THE STATE OF COLORADO v. AHMAD AL ALIWI ALISSA Defendant.	DATE FILED: April 26, 2024 4:00 PM σ COURT USE ONLY σ
Megan Ring, Colorado State Public Defender Kathryn Herold #40075 Supervising Deputy State Public Defender Samuel Dunn #46901 Deputy State Public Defender Boulder Regional Public Defenders 2555 55TH Street D-200, Boulder, CO 80301 Phone: (303) 444-2322 Fax: (303) 449-6432 E-mail: boulder.defenders@state.co.us	Case No. 21CR497 Division 13
MR. ALISSA'S MOTION FOR GOOD FAITH LIST OF WITNESSES WHOM THE PROSECUTION ACTUALLY INTENDS TO CALL DURING TRIAL OR IN REBUTTAL (D-040)	

AHMAD ALISSA, through counsel moves this Court for an order requiring the prosecution to provide the defense with a witness list containing only the names of the witnesses the prosecution actually intends to call during trial or potentially in rebuttal. As grounds for this motion, Mr. Alissa states the following:

1. The prosecution endorsed over three hundred people. Many endorsed witnesses do not have any identifying information besides their name. These endorsements do not include expert endorsements.
2. Counsel for Mr. Alissa is endeavoring to diligently investigate this case and to prepare for trial. Counsel cannot effectively prepare for trial without knowing who the prosecution will actually present during trial or in rebuttal.
3. Rule 16 of the Colorado Rules of Criminal Procedure requires that the prosecution provide the defense with a list of witnesses whom he *intends to call at trial*. (Emphasis added) Colo. R.Crim. P 16(a)(I)(VIII). One of the reasons for this requirement is that Due Process requires that the defense be put on notice of the witnesses whose testimony needs to be investigated in order to provide Mr. Alissa with an effective defense. A witness list of every person mentioned in discovery for whatever reason does not comport with the requirements of Rule 16 nor does it further the purpose of enabling Mr. Alissa's lawyers to effectively defend her.
4. The defense realizes that the importance of some witnesses may not be clear to the

prosecution at the time of the filing of a witness list. However, at this point in Mr. Alissa's case, the prosecution has presumably fully analyzed the evidence in this case. Therefore, the granting of this motion should result in a minimal burden for the state to designate which witnesses actually have something relevant to say and therefore will be called at trial.

Mr. Alissa makes these arguments and motions, and all motions, requests and objections in this case, whether or not expressly stated at the time of the motion or objection, under the Due Process, Trial by Jury, Right to Counsel, Confrontation, Compulsory Process, Equal Protection Cruel and Unusual Punishment and Privilege Against Self Incrimination Clauses of the federal and Colorado Constitutions, and the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments of the U.S. Constitution, and Art. II, §§ 3,6,7,8,16,18,20,23 and 25 of Colorado's Constitution.

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER



Kathryn Herold #40075
Supervising Deputy State Public Defender



Samuel Dunn #46901
Deputy State Public Defender

Certificate of Service

I hereby certify that on ___April
26_____, 2024, I served the foregoing
document through Colorado E filing to all
opposing counsel of record.

KH_____

Dated: April 23, 2024

