

Bender's testimony is attempting to attack the credibility of CMHIP it is unclear the relevancy of his testimony at the current hearing. That said, if the government intends on calling him, he should have to appear in person.

5. Mr. Alissa has a right to confront and cross-examine the witnesses against him. *See* U.S. Const. amend. V, XIV and Colo. Const. amend. VI. This right includes exposing bias, intent, and motive of the witness. The right to confront should be in person. The Court cannot make the appropriate findings of Dr. Bender's credibility if he is appearing remotely. The credibility of Dr. Bender's testimony will be at issue, particularly because he is making accusations Mr. Alissa may be malingering and/or is deceptive, when no other doctor who has actually met with and/or evaluated Mr. Alissa has made such an assertion.
6. Mr. Alissa has a right to confront, face-to-face, in a courtroom, a "blind" expert who is opining on the opinions of others regarding his mental health and whether he has been restored to competency.

WHEREFORE, Mr. Alissa objects to Dr. Bender appearing remote at the restoration hearing.

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 ___09.20_____,
2023, I served the foregoing document
through Colorado E filing to all opposing
counsel of record.

Dated: September 20, 2023