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| **JDF 2223** | Order for DNA Testing |
| A. District CourtColorado County: Mailing Address:  | *This box is for court use only.* |
| B. Parties to the Case:Plaintiff: The People of the State of Coloradov.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