

<b>JDF 2223</b>	<b>Order for DNA Testing</b>	
<b>A. District Court</b> Colorado County: _____ Mailing Address: _____		<i>This box is for court use only.</i>
<b>B. Parties to the Case:</b> Plaintiff: The People of the State of Colorado v. Defendant: _____		
		<b>C. Case Details:</b> 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