

**Appendix A: Motion for Notice of Suppression of Court
File (SOPC-387)**

<p>Arapahoe County District Court 7325 South Potomac Street, Centennial, CO 80112</p> <hr/> <p>THE PEOPLE OF THE STATE OF COLORADO, Plaintiff, v. SIR MARIO OWENS, Defendant.</p>	
<p>Counsel for Defendant: JAMES A. CASTLE, No. 14026 JENNIFER L. GEDDE, No. 32163 C. KEITH POPE, No. 18955 JONATHAN D. REPPUCCI, No. 30069 1544 Race Street Denver, CO 80206 Telephone: (303) 675-0500 Email: jcastlelaw@gmail.com jgeddellc@gmail.com keith@boulderdefender.com jiccupper@gmail.com</p>	<p>Case Number: 06CR705</p> <p>Division: 206</p>
<p align="center">MOTION FOR NOTICE OF SUPPRESSION OF COURT FILE [SOPC-387]</p>	

The Defendant Sir Mario Owens, through his post-conviction counsel (“PCC”), respectfully moves the Court to provide notice to the parties of its order suppressing the entire court file in the above-captioned case.

1. PCC has learned that the entire public¹ court file in this case has been suppressed by order of the Court. Members of the public who wish to view the file are

¹ The Court has required the parties to file two copies of every pleading filed with the Court. One copy must be unredacted and is submitted for the Court’s eyes only and is not placed in the public file. A second copy, in which witness address information is redacted, must also be filed. This second copy historically had been placed in a so-called “public” file. The public file was ostensibly maintained so that the public could review the materials in the court file, albeit in redacted form. It is this public file, which has now been suppressed by order of the Court.

being informed that it has been suppressed and that the only way any member of the public can view a document is by filing a motion describing the documents to be reviewed and the reasons for viewing the documents. “Public access” to the entire court file in this case has been wholly denied within the meaning of Chief Justice Directive 05-01, in that the public is not being allowed to inspect and obtain a copy of any information in the court record.

2. PCC has never been provided with a copy of any such order, if it is, in fact, a written order. To the extent that the order was oral, PCC has not been informed by the Court of the substance or basis of any such order. Similarly, to PCC’s knowledge, there exists no record which justifies the suppression of the file from public view.

3. Mr. Owens requests immediate notification of the details of any order suppressing the public file from public access.

4. The transcripts of the court proceedings in this case have already been suppressed, absent a motion and a court order requiring the implementation of an elaborate and tedious process that took one recent member of the public two months to navigate.

5. The exhibits in this case have been similarly suppressed entirely from public view.

6. There is no public access to the registry of actions. The public may access the Colorado electronic court database through one of two vendors: LexisNexis VitalChek or BIS. As the Owens case is suppressed, these databases show that there is no cases against Mr. Owens and no case number 06CR705 in the Arapahoe County

District Court.

7. The public court file was the only item relating to this capital case that had not been previously suppressed. Therefore, an order that now suppresses that last scrap of material from public access is an important order that must be provided to the parties. It would be ironic indeed, if the order suppressing the public file is similarly suppressed and also sealed from the view of the parties.

Respectfully submitted this 21st day of September, 2018.

/s/ James A. Castle

/s/ Jennifer L. Gedde

/s/ C. Keith Pope

/s/ Jonathan Reppucci

James A. Castle, No. 14026

Jennifer L. Gedde, No. 32163

C. Keith Pope, No. 18955

Jonathan Reppucci, No. 30069

Post-Conviction Counsel for the Defendant Sir Mario Owens

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of September, 2018, a true and correct copy of the foregoing **MOTION FOR NOTICE OF SUPPRESSION OF COURT FILE [SOPC-387]** will be served, via U.S. Mail, postage-paid, hand-delivery, or has been served via electronic mail for those who have agreed to such service, on the following:

GEORGE H. BRAUCHLER, JOHN HOWER, ANN TOMSIC, JACOB EDSON
ARAPAHOE COUNTY DISTRICT ATTORNEY'S OFFICE
6450 S. REVERE PKWY
CENTENNIAL, CO 80111-6492

DANIEL EDWARDS
ATTORNEY GENERAL'S OFFICE
1525 SHERMAN STREET, 7TH FLOOR

DENVER, CO 80203

SUZANNE ELLIOT

Via E-mail: suzanne@suzanneelliottlaw.com

LILA SILVERSTEIN

Via E-mail: Lila@washapp.org

TODD MAIR

Via E-mail: tmair@peterslaw.net

MARIA LIU

Via E-mail: maria@cotriallaw.com

MARY CLAIRE MULLIGAN

Via E-mail: mcmulligan@me.com

CHRISTOPHER GEHRING

Via E-mail: cgehring2011@gmail.com

ELISABETH HUNT-WHITE,

Via E-Mail: ehwhite@yahoo.com

GAIL JOHNSON,

Via E-Mail: gjohnson@jbk-law.com

/s/ Laura Koch