

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED February 7, 2025
Original Proceeding District Court, Weld County, 2020CR2398	
In Re:	Supreme Court Case No: 2024SA246
Plaintiff: The People of the State of Colorado, v.	
Defendant: Marquise Shadell Daniels.	
ORDER OF COURT	

Upon consideration of Petitioner Marquise Daniels’s Petition for Order to Show Cause Pursuant to C.A.R. 21, the responses filed by the People and the Weld County District Court, and Petitioner’s reply, and being sufficiently advised in the premises,

IT IS HEREBY ORDERED as follows:

The Order and Rule to Show Cause issued by this Court on September 18, 2024 is hereby MADE ABSOLUTE. Investigator Michael Prill is to conduct no further review of any Cellebrite extraction of an iPhone belonging to Laura Tellers, pending the Weld County District Court’s consideration of the issues outlined in this order.

It appears that an unredacted version of the extraction may have been inadvertently provided to the People and that a redacted version of the extraction exists. If that is, in fact, the case, then the District Court shall make findings identifying the proper redacted version and shall require that the People and anyone else (including Petitioner) affiliated with the parties who received a copy of the unredacted extraction (1) return the unredacted version (and all copies thereof in their possession, custody, or control) to the Court and (2) identify any and all persons and entities who were given access to the unredacted version.

The District Court shall thereafter provide to Petitioner a copy of the redacted version of the extraction for his review, and Petitioner may then raise, through the submission of an appropriate privilege log, any issues of attorney-client privilege and work-product related to that version of the extraction. After the People are given an opportunity to be heard on such issues, the Court shall make appropriate findings thereon.

After completion of the foregoing process, Petitioner may renew his motion to disqualify the Weld County District Attorney's Office, raising any issues concerning the People's partial review of the unredacted version of the Cellebrite extraction and his review of the redacted version. If the motion to disqualify is renewed, the District Court shall give the parties a full and fair opportunity to be heard on this matter before resolving the motion. In the event the Court denies any

renewed motion to disqualify, it should provide the People a copy of those portions of the redacted extraction that the Court has ruled are not protected by the attorney-client or work-product privileges. Nothing in this Order should be construed as expressing any view on the merits of any motion to disqualify.

BY THE COURT, EN BANC, FEBRUARY 7, 2025.