

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED April 25, 2025
Original Proceeding District Court, Boulder County, 2023CR417	
In Re: Plaintiff: The People of the State of Colorado, v. Defendant: Mark Allan Hochwender.	Supreme Court Case No: 2024SA320
ORDER OF COURT	

Being duly advised in the premises, the Court hereby **MAKES THE ORDER ABSOLUTE** without opinion under C.A.R. 21(o). The Court concludes that the so-called “dream journals” are not within the possession or control of the prosecuting attorney. Crim. P. 16(I)(a)(1), (2). Crim. P. 16(I)(a)(3) is inapposite. And “Crim. P. 16(I)(d)(1) does not provide broad power to the courts to grant criminal defendants access to a non-party’s private property.” *People in the Interest of E.G.*, 2016 CO 19, ¶ 16, 368 P.3d 946. Any other arguments not explicitly addressed here are also rejected. Accordingly, the district court order imposing sanctions is vacated, and the case is remanded to the district court for

further proceedings. This order does not affect the pages of the “dream journals” previously produced to the defendant by the prosecution.

BY THE COURT, EN BANC, APRIL 25, 2025.