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| DISTRICT COURT, BOULDER COUNTY, COLORADO Court Address: 1777 SIXTH STREET P.O. BOX 4249, BOULDER, CO, 80306-4249 | <p style="text-align: center; color: blue;">DATE FILED June 5, 2025 1:43 PM</p> <p style="text-align: center;">⚠ COURT USE ONLY ⚠</p> <p>Case Number: 2025CR785 Division: 5 Courtroom:</p> |
| THE PEOPLE OF THE STATE OF COLORADO v. Defendant(s) MOHAMED SABRY SOLIMAN | |
| <p style="text-align: center;">Order:MR. SOLIMAN'S MOTION TO PRESERVE AND PRODUCE (D-007)</p> | |

The motion/proposed order attached hereto: SEE ATTACHED ORDER.

The People shall comply with Crim. P. 16, Part 1(a) and their obligations pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny; and shall affirmatively act to preserve discoverable material. The prosecution shall ensure that law enforcement entities reporting to them on this case are aware of this Order.

Issue Date: 6/5/2025



NANCY WOODRUFF SALOMONE
District Court Judge

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| COUNTY COURT, Boulder County, Colorado Court Address: 1776 6 th Avenue Boulder, CO 80306 | <div style="text-align: center;"> <input type="checkbox"/> COURT USE ONLY <input type="checkbox"/> </div> |
| THE PEOPLE OF THE STATE OF COLORADO v. MOHAMED SOLIMAN, Defendant. | |
| Megan Ring, Colorado State Public Defender Kathryn Herold #40075 Supervising Deputy State Public Defender Nicole Collins #33122 Office Head, Boulder Regional Office Boulder Regional Public Defenders 2555 55TH Street D-200, Boulder, CO 80301 Phone: (303) 444-2322 Fax: (303) 449-6432 E-mail: boulder.defenders@state.co.us | Case No. 25CR785 Division 8 |
| MR. SOLIMAN'S MOTION TO PRESERVE AND PRODUCE (D-007) | |

Pursuant to Crim.P. 16 and the due process clauses of the United States and Colorado Constitutions, Mr. Soliman moves for an order requiring the government to preserve and provide Mr. Soliman with access to any and all items of evidence, including but not limited to the following items:

1. All recordings produced or seized in connection with this case.
2. All police notes. **Defense counsel is aware that it is the practice of law enforcement to destroy their notes. Defense counsel requests an order specifically ordering law enforcement agents to preserve all notes in this case. This includes any notes of conversations with Mr. Soliman.**
3. All scientific reports, memoranda or notes produced in connection with the events in this case.
4. All photographs made or seized in connection with this case.
5. All biological samples and physical evidence made or seized in connection with this case.
6. All correspondence, including email and text mail correspondence by or to law enforcement and the prosecution concerning the investigation of this case.

7. All records and logs and receipts pertaining to the storage and movement of physical evidence.

As grounds for this request Mr. Soliman states:

1. Mr. Soliman will be making independent evaluation of all items which are possible material evidence and potentially exculpatory in this case.

2. Due process and Soliman's Sixth Amendment right to confront his accuser require that he be allowed to obtain such evidence. *People v. Harmes*, 560 P.2d 470 (1976), *People v. Norwood*, 547 P.2d 273 (1973); *People v. Sheppard*, 701 P.2d 49 (Colo. 1985).

3. The evidence seized includes items that are material and potentially exculpatory, *Brady v. Maryland*, 373 U.S. 83, S.Ct. 1194, 10 L.Ed.2d 215 (1963), and are necessary to the effective defense of this case. *Garcia v. District Court*, 589 P.2d 924 (1979).

4. This discovery is authorized by the Fifth, Sixth, and Fourteenth Amendments to the Constitution of the United States, Article II, Section 16 and 25 of the Constitution of the State of Colorado, and Crim. P. 16, Part I(c) and (d), and *People v. Garcia*, 627 P.2d 255 (Colo. 1980); *People v. Garries*, 645 P.2d 1306 (Colo. 1982); *People v. Thatcher*, 638 P.2d 760 (Colo. 1981); *People v. Gomez*, 596 P.2d 1192 (Colo. 1979).

Respectfully Submitted,

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER

_____/s/Kathryn Herold_____
Kathryn Herold #40075
Supervising Deputy State Public Defender

_____/s/ Nicole Collins_____
Nicole Collins #33122
Office Head, Boulder Regional Office

Dated: June 2, 2025

Certificate of Service

I hereby certify that on June 2, 2025, I served the foregoing document by E filing same to all opposing counsel of record.

_____/s/ Kathryn Herold ____