

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED September 8, 2025
Original Proceeding District Court, Boulder County, 2023CR429	
In Re: Plaintiff: The People of the State of Colorado, v. Defendant: John Michael Angerer.	Supreme Court Case No: 2025SA161
ORDER OF COURT	

Upon consideration of the People of the State of Colorado’s Petition for Order to Show Cause Pursuant to C.A.R. 21, the responses filed by the defendant and the Boulder County District Court, and petitioner’s reply, and being sufficiently advised in the premises,

IT IS HEREBY ORDERED as follows:

The Order to Show Cause issued by this court on June 6, 2025, is hereby MADE ABSOLUTE. On May 5, 2025, the defendant filed a “Notice of Endorsements Per Crim. P. 16,” listing Dr. Valerie Sims as a potential expert witness in “forensic and clinical psychology, specifically in Autism Spectrum Disorder” for the jury trial scheduled to begin on June 9, 2025. In response, the People filed a “Motion Objecting to Mental

Condition Evidence and Dr. Sims' Testimony." The motion contended that the defendant had failed to comply with section 16-8-107(3)(b), C.R.S. (2024), because the defendant failed to provide notice of intent to introduce expert mental condition evidence and to undergo a court-ordered examination pursuant to section 16-8-106, C.R.S. (2024). *See* § 16-8-107(3)(b). In a written order dated June 5, 2025, the district court found that the defendant had failed to comply with section 16-8-107(3)(b) and therefore concluded that Dr. Sims' testimony was presumptively inadmissible. However, the court added that, like other pretrial rulings, a final determination would need to be made at trial based on the evidence presented and arguments raised by the parties at trial.

We now conclude that the defendant may not present the proposed expert mental condition testimony because he did not comply with the requirements of section 16-8-107(3)(b).

Accordingly, we remand this case with instructions that the district court amend its June 5th order to preclude any expert opinion evidence of the defendant's mental condition.

BY THE COURT, EN BANC, SEPTEMBER 8, 2025.