

COMBINED COURTS, COSTILLA COUNTY,
COLORADO

Court Address: 304 Main Street, PO Box 301, San Luis,
Colorado 81152

DATE FILED
April 14, 2026 9:41 AM

Plaintiff: The People of the State of Colorado

vs.

Defendant: Caleb Sanchez

Case Number: **26CR505**

Attorney for Defendant:
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Atty. Reg. No.: 32739

Div.: Ctrm.:

MOTION TO PRESERVE EVIDENCE

COMES NOW the Defendant, by and through counsel, and respectfully requests an order that the prosecution, including law enforcement agencies involved in the investigation or prosecution of this case, preserve for counsel's inspection the following items:

- a.) Any and all recordings of radio, telephone, text messages, voice messages, electronic mail, or other communications between law enforcement officers and any other person(s), including without limitation radio traffic tapes, dispatch logs, electronic registries, and all information in any form concerning pen registers, trap/trace devices, wiretaps, and/or any other surveillance methods pertaining to this case.
- b.) Any and all recordings of communications between officers and confidential informants, or other similar law enforcement agents, including without limitation dispatch calls, wire recording devices, either analog or digital, radio traffic communications between on scene personnel and command post personnel, and any other similar communications pertaining to this case.
- c.) Any and all items of operations planning, or procedure associated with the investigation and prosecution of this case.
- d.) Any and all items of physical evidence seized, possessed, or preserved by any law enforcement officer pertaining to this case.

e.) Any and all items of physical evidence which if analyzed would be consumed pertaining to this case.

f.) Any, and all notes, or documents prepared or collected by officers, investigators, laboratory analysts, undercover operatives, case workers, or other auxiliary law enforcement personnel pertaining to this case.

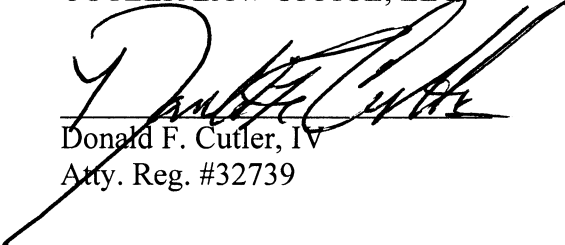
Failure to preserve such evidence is tantamount to suppression. *See, People v. Apodaca*, 998 P. 2d (Colo. App. 1999), and *People v. Greathouse*, 742 P.2d 334, 337 (Colo. 1987). Counsel asserts that such preservation is necessary to the preparation of the Defendant's defense.

WHEREFORE, the Defendant respectfully requests that this Honorable Court orders the preservation of evidence in this case.

Date: April 13, 2026

Respectfully submitted,

CUTLER LAW OFFICE, LLC


Donald F. Cutler, IV
Atty. Reg. #32739

CERTIFICATE OF SERVICE

I hereby certify that I have this 14 day of April, 2026, placed a true and correct copy of the foregoing Motion by electronic service via CCE, addressed to:

Anne Kelly, Esq.,
District Attorney

