

<p>COUNTY COURT, COSTILLA COUNTY, STATE OF COLORADO</p> <p>Court Address: Costilla County Courthouse 304 Main Street, P.O San Luis, CO. 811520000</p>	<p style="text-align: right;">DATE FILED May 19, 2026 3:10 PM</p> <p style="text-align: center;">COURT USE ONLY</p>
<p>Plaintiff: THE PEOPLE OF THE STATE OF COLORADO</p> <p>v.</p> <p>Defendant: CRUZ SOTO</p>	
<p><i>Attorney for Defendant:</i></p> <p>Mallory A. Revel, Reg. #45662 Foster Graham Milstein & Calisher, LLP 360 S. Garfield Street, 6th Floor Denver, Colorado 80209 Phone: (303) 333-9810 Fax: (303) 333-9786 Email: mrevel@fostergraham.com</p>	<p>Case No.: 26M504</p> <p>Division: WW</p> <p>Courtroom: WW</p>
<p>MOTION TO PERMIT FILING UNDER SEAL</p>	

COMES NOW, the Defendant, Cruz Soto, by and through his attorney, Foster Graham Milstein & Calisher, LLP, and hereby respectfully requests that this Court issue an order permitting him to file his Request for Grand Jury Colloquy and Motion to Dismiss under seal. As grounds thereof, Mr. Soto states as follows:

The People convened a grand jury to review the actions of former Undersheriff Cruz Soto (and his colleagues) related to a use of force, all allegedly occurring within the county of Costilla on or about February 3, 2026.

The Honorable Amanda Hopkins presided over grand jury proceedings. Pursuant to Colo. R.Crim. Pr. 6.2 and Judge Hopkins’ order, the grand jury proceedings remain secret, and cannot be publicly disclosed. She did order that the district attorney’s office may provide the materials to defense counsel, and defense counsel received the materials May 18, 2026.

Upon information and belief, Judge Amanda Hopkins is also assigned to handle the matter going forward. The Defense has reviewed the grand jury materials, and comes now to request that this Honorable Court conduct a probable cause review of those materials.¹

¹ The Defense is contemporaneously filing such a request pursuant to C.R.S. §16-5-204(4)(k). The request does not reference specific grand jury materials.

In order to comply with Judge Hopkins' order and the Colorado Rules of Criminal Procedure, Mr. Soto believes he must file his motions under seal.² Thus, he comes now to request that this Court issue an order permitting him to file his Request for Grand Jury Colloquy and Motion to Dismiss under seal.

WHEREFORE, Mr. Soto respectfully requests that this Court issue an order permitting him to file his motions referencing grand jury materials and transcripts under seal.

Respectfully submitted this 19th day of May, 2026.

FOSTER, GRAHAM, MILSTEIN & CALISHER, LLP

By: /s/ Mallory Revel

Mallory A. Revel, Reg. #45662

ATTORNEY FOR MR. SOTO

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of May, 2026, a true and correct copy of the foregoing **MOTION TO PERMIT FILING UNDER SEAL** was served via CCES to the following:

12th Judicial District Attorney's Office
601 Main Street
Alamosa, CO 81101

/s/ Melah Garwood

Melah Garwood

² In undersigned counsel's experience, these motions are typically filed under seal. However, some jurisdictions have directed counsel to file such motions as "suppressed" instead. Counsel will do as the Court directs in this case.