

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 11-cv-00547-PAB

NICHOLAS CUTSHALL,

Applicant,

v.

PEOPLE OF THE STATE OF COLORADO, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

SECOND SUPPLEMENTAL ORDER FOR STATE COURT RECORD

On August 3, 2011, this Court issued an Order for State Court Record [Docket No. 15], directing the Respondents to file with the Clerk of the Court, in electronic format if available, a copy of the complete record of Applicant's state court proceedings in *People v. Cutshall*, Denver District Court Case No. 06CR3968, including all documents in the state court file and transcripts of all proceedings conducted in the state court, but excluding any physical evidence (as opposed to documentary evidence) not relevant to the asserted claims.

On August 31, 2011, the Denver District Court filed the original state court record in this Court, consisting of four CD ROMs containing the pleadings file, some hearing transcripts, questions from the jury following Applicant's trial, and confidential documents relating to Applicant's sentencing proceeding. On September 20, 2011, the Court issued a Supplemental Order for State Court record to the Denver District Court

to obtain copies of the trial and hearing transcripts that were missing from the state court record filed on August 31, 2011.

On October 14, 2011, the Denver District Court filed the missing trial transcripts, along with the transcript of a June 12, 2011 motions hearing. However, the supplementary state court record filed on October 14, 2011 indicates that the June 12, 2011 motions hearing was continued to a later date. Accordingly, it is

ORDERED that within thirty days from the date of this order the Respondents shall file with the Clerk of the Court, in electronic format if available, copies of all hearing transcripts between the dates of June 13, 2011 and July 29, 2011, along with all trial exhibits that are in documentary form. It is further

ORDERED that the Clerk of the Court is directed to send copies of this order to the following:

- (1) Clerk of the Court
Denver County District Court
1437 Bannock Street
Denver, Colorado 80202;
- (2) Assistant Solicitor General
Appellate Division
Office of the Attorney General
1525 Sherman Street
Denver, Colorado 80203; and
- (3) Court Services Manager
State Court Administrator's Office
101 W. Colfax, Ste. 500
Denver, Colorado 80202.

DATED December 19, 2011.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge