

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 13-cv-03499-REB

WILLARD C. SMITH,

Applicant,

v.

BOBBY BONNER, Warden, and  
JOHN SUTHERS, The Attorney General of the State of Colorado,

Respondents.

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**SECOND ORDER FOR STATE COURT RECORD**

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**Blackburn, J.**

On May 1, 2014, the Honorable Lewis T. Babcock, a Senior United States District Judge for the District of Colorado, entered an order instructing 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. Smith*, Otero County District Court Case No. 04CR247, 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. The Respondents were directed to submit the records within thirty (30) days of the May 1 Order. Copies of the May 1 Order were sent to the Clerk of the Court for the Otero County District Court, the Assistant Solicitor General of the Office of the Colorado Attorney General, and the State Court Services Manager.

As of the date of this Order, the Court has not received the record of Applicant's

state court proceedings. Thus, the Respondents will be ordered again to provide the state court record in Applicant's criminal case.

**THEREFORE, IT IS ORDERED** as follows:

1. That by **July 1, 2014**, Respondents shall file with the Clerk of the Court the state court record for ***People v. Smith***, Otero County District Court Case No. 04CR247, as described above, and as required under Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts;

2. That the Clerk of the Court is directed to send copies of this order to the following:

- (1) Clerk of the Court  
Otero County District Court  
13 W. Third St., Room 207  
La Junta, Colorado 81050;
- (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 June 18, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge