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Christopher v. Cronin

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FILED IN THE
SUPREME COURT
OF THE STATE OF COLORADO

NO. 27295

NOV 15 1976

IN THE
SUPREME COURT

OF THE
STATE OF COLORADO

Richard D. Terrelli

DAMON CHRISTOPHER, a/k/a IRA WILSON,)	Appeal from the
)	District Court of
Petitioner-Appellant,)	the City and County of
)	Denver
v.)	
)	
RICHARD LAMM, Governor of)	Honorable
Colorado, DAN CRONIN,)	JOSEPH R. QUINN
Manager of Safety and Excise,)	Judge
WAYNE K. PATTERSON, Warden)	
of the Jail, City and County of)	
Denver, State of Colorado,)	
)	
Respondents-Appellees.)	

RESPONSE TO MOTION FOR BAIL PENDING APPEAL

COME NOW the People, by and through their attorney, J. D. MacFarlane, Attorney General of the State of Colorado, in response to the petitioner's "Motion for bail pending appeal" and object thereto. As grounds therefor the People state:

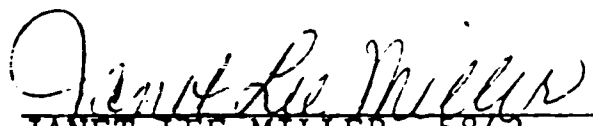
1. As indicated in the petitioner's motion, the petitioner's petition for writ of habeas corpus was denied on May 27, 1976, after which he filed a Notice of Appeal on June 28, 1976.
2. The district attorney advises that the State of California seeks extradition of the petitioner due to several charges of grand theft.
3. Contrary to paragraph eleven in the petitioner's motion, the district attorney further advises that there are several Colorado forgery charges pending against the petitioner. For this reason, in the district attorney's opinion, the petitioner's release would constitute a threat to the community.

4. The trial court denied the petitioner's motion for bail pending appeal since it did not appear to the court that the petitioner had meritorious grounds for appeal and since there were several California felony charges pending against the petitioner (f.163).

5. In light of the factors set forth in Crim. P. 46(b)(1) and(2), the trial court's ruling was proper.

WHEREFORE, the People respectfully request that the petitioner's motion for bail pending appeal be denied. If, however, this court should grant said motion, the People further request that the amount of bail be set at least at \$20,000 with no cash bond, not at \$10,000 with a 10% cash bond as requested by the petitioner.

FOR THE ATTORNEY GENERAL:



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Attorney for Respondents

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was delivered to the attorney of record for the petitioner, Nancy E. Rice, Deputy State Public Defender, 1575 Sherman Street, Denver, Colorado 80203, on the 15th day of November, 1976.

