

Drew Eddy:

When somebody gets charged of a crime that is one of the most potentially pivotal moments of their lives and it's kind of like pulling the pin on a grenade in the middle of your life. The future seems completely unknown all of a sudden, where maybe previously you had everything planned out and you knew kind of what the direction of your life was going. All of a sudden things changed in a moment.

Drew Eddy:

So, anytime I'm looking at a case like this the first two questions I have are one, you know what degree of force was used. There was a firearm pulled, so even though it wasn't fired, that's still a pretty high level of force to use under Colorado law and then the second question is, what were the circumstances surrounding that use of force or that threatened use of force in this case. We needed to do that in this case especially because our client had a lot riding on this case. He's in the military, he has no prior felony convictions and this was a felony charge, so you know the potential consequences here could have lasted the rest of his life.

Drew Eddy:

From an initial perspective you kind of have a gut reaction that I think the general public has as well where one person is armed and one person is not. There's not a proportionate degree there between the two, between the force used and the threat, so we had to dive in much further.

Drew Eddy:

So the prep starts right away. The prep is to gather as much information as we can. We got an investigator going right away up front to discuss and interview the witnesses in this case and that was step one, and then step two was gathering as much information as we could about the complaining witness in this case to see if it would be beneficial and then somewhere in the middle the interim step was to put together a mitigation packet that ultimately we presented to the district attorney for consideration to potentially resolve this short of trial.

Drew Eddy:

We spent a good three or four weeks getting ready for this hearing and one thing that Madalia and I did was have our investigator go back to the scene to take pictures of the specific layout of the different rooms where this incident occurred and the reason this was important was because our client was saying that this other individual, his roommate entered his room. That other individual, the complaining witness was saying that he did not enter the room and nobody else saw it, so it was one word against the other and for this particular hearing we had to prove by a preponderance of the evidence is the legal term, which means over 50% likely that he did in fact enter the room.

Drew Eddy:

Having a team in these types of cases is extraordinarily important. This particular case is a perfect example of how that teamwork takes effect from the start and prior to the hearing outside of the courtroom, and in this particular case there were so many different moving parts between coordinating the witnesses, what the investigator was doing, preparing our presentation for the court, that we needed multiple hands to help facilitate that. We brought in a retired judge to do a mock hearing and he's a retired discord judge out of Denver, so he's done thousands of these types of hearing and he's an expert in what the court will look at and the issues that we can anticipate, and he provided us all that

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feedback and we were prepared going into the actual hearing for the questions that we expected the judge to ask, and sure enough the judge asked those and we were prepared to provide those responses, so you know it was a very fluid hearing because of the preparation we put into it.

Drew Eddy:

It's extraordinarily important and I think that Richards Carrington is unique in that sense. I don't feel like the majority of criminal defense attorneys have that type of support behind them.