

# STATE OF COLORADO

**EXECUTIVE CHAMBERS**

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Richard D. Lamm  
Governor

## EXECUTIVE ORDER

### REQUIRING THE ATTORNEY GENERAL OF THE STATE OF COLORADO TO PROSECUTE CERTAIN CRIMINAL PROCEEDINGS IN THE FIRST JUDICIAL DISTRICT OF COLORADO

- WHEREAS, the district attorney for the First Judicial District of Colorado has informed the Governor of the State of Colorado that he will resign from office effective October 7, 1985; and
- WHEREAS, the Governor of the State of Colorado is authorized to fill vacancies in the office of district attorney under Art. VI, sec. 20(4) of the Colorado Constitution and 1-12-104 C.R.S. (1982); and
- WHEREAS, procedures for appointing a district attorney for the First Judicial District have been initiated but will not be completed until October 25, 1985; and
- WHEREAS, there will be a vacancy in the office of district attorney for the First Judicial District between October 7, 1985, when the current district attorney resigns, and October 25, 1985, when a successor is named; and
- WHEREAS, although a chief deputy district attorney has all of the powers of a district attorney, 20-1-204 C.R.S. (1982), a chief deputy district attorney alone does not have the power to appear in indictments, actions, and other proceedings when the office of district attorney for that judicial district is vacant and there is not an authorized prosecuting authority presiding in that judicial district; and
- WHEREAS, it is apparent the duties of district attorney, 20-1-102 C.R.S. (1982), must still be performed in the First Judicial District during this vacancy period; and
- WHEREAS, pursuant to the provisions of 24-31-101 (1)(a) C.R.S. (1982), there is statutory authority for requiring the Attorney General of the State of Colorado to prosecute certain causes, including criminal actions and proceedings, at the direction of the Governor of the State of Colorado;

