

<p>COUNTY COURT [FILE IN COUNTY COURT WHERE CASE IS PENDING OR HAS BEEN DISMISSED, INSERT COURT ADDRESS HERE]</p> <hr/> <p>THE PEOPLE OF THE STATE OF COLORADO, v. [INSERT DEFENDANT'S NAME], Defendant.</p> <hr/> <p>Attorneys for Defendant: [IF APPLICABLE]</p>	<p>ï COURT USE ONLY ï</p> <hr/> <p>Case No.</p>
<p>MOTION FOR RETURN OF PROPERTY</p>	

Mr. [INSERT NAME] hereby moves for immediate return of his medical marijuana and all related property, equipment and paraphernalia pursuant to Colorado Constitution, Art. XVIII, § 14(2)(e) (medical marijuana and equipment to be immediately returned following decision not to prosecute); Colorado Constitution, Art. II, § 15 (Taking of Private Property for Public Use); and Colo. R. Crim. P. 41(e).

[Insert facts or evidence in support of motion, such as patient documentation, property seized and how it fits under the return provision of the Colorado Constitution.]

Where an officer seizing goods fails to restore them to the person from whom they were taken as required by law, the court may issue an order requiring the police to turn over the seized goods. *See Bell v. Thomas*, 111 P. 76 (Colo. 1910).

Date: [INSERT DATE]

Respectfully submitted,

[DEFENDANT OR ATTORNEYS NAME].

Certificate of Service

Undersigned hereby certifies that on [INSERT DATE], a copy of the foregoing MOTION FOR RETURN OF PROPERTY was served by U.S. Mail and fax on the following:

City Attorney's Office
[INSERT RELEVANT CITY/COUNTY ATTORNEYS OFFICE ADDRESS]
