

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Action No. 07-cr-00462-JLK-1

UNITED STATES OF AMERICA,

Plaintiff,

vs.

1. CORY VOORHIS,

Defendant.

**DEFENDANT'S NOTICE OF PUBLIC AUTHORITY DEFENSE
PURSUANT TO FED.R.CRIM.P. 12.3**

Defendant Cory Voorhis ("Voorhis"), through his attorneys, William L. Taylor and Danielle R. Voorhees of Holland & Hart LLP, and Patrick L. Ridley of Ridley, McGreevy & Weisz, P.C., respectfully notifies the Attorney for the Government pursuant to Fed.R.Crim.P. 12.3 of his intent to assert a defense of actual or believed exercise of public authority on behalf of a law enforcement agency at the time of the alleged offenses, and in satisfaction of Rule 12.3(a)(2) states as follows:

1. The law enforcement agency involved is the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE);
2. The agency member on whose behalf the Defendant acted was the Secretary of Homeland Security Michael Chertoff, through Julie L. Myers, Assistant Secretary of Homeland Security for ICE, through John P. Clark, Deputy Assistant Secretary of Homeland Security for Operations for ICE, through Marcy M. Forman, Director of the Office of Investigations for ICE,

through Jeffrey Copp, Special Agent in Charge, ICE, Denver Office; and their predecessors in office within the Department of Homeland Security and its predecessor agency, the U.S. Immigration and Naturalization Service, U.S. Department of Justice;

3. The Defendant acted with public authority at all times relevant to the offenses alleged in the Information filed in this case, and specifically on or about September 27 and 28, 2006.

Dated December 20, 2007.

Respectfully submitted,

s/ William L. Taylor

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ATTORNEYS FOR DEFENDANT CORY VOORHIS

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2007, I have caused to be electronically filed the foregoing with the Clerk of Court using CM/ECF system which will send notification of such filing to the following via e-mail.

James Anderson, Assistant United States Attorney
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s/ Brooke Nicholson
HOLLAND & HART LLP

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