

IN THE DISTRICT COURT WITHIN AND FOR
THE COUNTIES OF EL PASO AND TELLER AND STATE OF COLORADO

IN THE MATTER OF THE APPOINTMENT)
OF A DEPUTY DISTRICT ATTORNEY)
IN THE COUNTIES OF EL PASO) CONSENT TO APPOINTMENT
AND TELLER, FOURTH JUDICIAL)
DISTRICT OF THE STATE OF COLORADO)

Now on this 13th day of February, 2024 in the matter of the appointment of a Deputy District Attorney for El Paso and Teller Counties, Colorado, in the Fourth Judicial District of the State of Colorado, and the consent thereof of the Board of County Commissioners of El Paso and Teller Counties, Colorado, coming on for consideration, and it appearing to said Board of County Commissioners for said Counties that the District Attorney for said District has appointed **Benjamin Smart** as a Deputy District Attorney for El Paso and Teller Counties in said District and has requested a salary of Seventy-Nine Thousand Three Hundred and Eighty Dollars (\$79,380.00) per annum.

NOW, THEREFORE, the undersigned Board of County Commissioners of El Paso and Teller Counties, Colorado, do hereby consent to the **Benjamin Smart** for Deputy District Attorney at the sum of Seventy-Nine Thousand Three Hundred and Eighty Dollars (\$79,380.00) per annum starting the 20th day of June, 2023.

THE BOARD OF COUNTY COMMISSIONERS
OF **EL PASO COUNTY**, COLORADO

(Chair)

ATTEST:

(Deputy County Clerk)

THE BOARD OF COUNTY COMMISSIONERS
OF **TELLER COUNTY**, COLORADO

(Chairman)

ATTEST:

(Deputy County Clerk)

Benjamin Smart

EDUCATION

Sandra Day O'Connor College of Law, Arizona State University, Phoenix, AZ

Juris Doctor Candidate

Expected May 2023

GPA: 3.2

Scholarships/Activities: O'Connor Merit Scholars Program, Law Journal for Social Justice

The University of Oklahoma, Norman, OK

Bachelor of Arts, Philosophy, Criminology

May 2020

GPA: 3.52

Scholarships/Activities: National Merit Scholar and Oklahoma Promise scholarships, InterVarsity Student Leader

EXPERIENCE

Maricopa County Attorney's Office, Phoenix, Arizona

Domestic Violence West, Southeast Trial Division

May 2021 – May 2022

- Felony Criminal Damage trial, 2nd chair. Trial prep, aggravated assault.
- Hearings: Bond, Probable cause, Sentencing.
- Motions: Responses to motions to remand to a grand jury, bond, response to voluntariness motion, motion to arraign *in absentia*, evidentiary motions, etc.
- Worked with attorneys on charging from drug cases to aggravated assault and felony DV cases.
- Attended trials, motions hearings, settlement conferences, sentencings, and victim meetings.

The Dragonfly Home, Oklahoma City, Oklahoma

Legal Research Intern

July 2019 – August 2019

- Researched state laws regarding prostitution and human trafficking in every state.
- Compiled laws into a spreadsheet to be used by an attorney to advise and defend human trafficking victims.

InterVarsity Christian Fellowship, University of Oklahoma

Sub-team Leader

January 2017 – May 2020

- Worked on and eventually led a sub-team focused on apologetics and outreach.
- Researched, organized, and led teams in multiple trainings on diverse topics.
- Moderated and led weekly discussions for five semesters.

H.I.M. Clinic, Himachel Pradesh, India

Intern

June 2014

- Admitted and managed patients, took simple physical measurements
- Provided in-house pharmaceutical services.

OTHER SKILLS/ACTIVITIES

- Proficiency in Hindi with over six years of international experience in India
- Statistical analysis (SPSS)

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NOW, THEREFORE, the undersigned Board of County Commissioners of El Paso and Teller Counties, Colorado, do hereby consent to the **Dylan Becker** for Deputy District Attorney at the sum of Eighty-Five Thousand Dollars (\$85,000.00) per annum starting the 4th day of December, 2023.

THE BOARD OF COUNTY COMMISSIONERS
OF **EL PASO COUNTY**, COLORADO

(Chair)

ATTEST:

(Deputy County Clerk)

THE BOARD OF COUNTY COMMISSIONERS
OF **TELLER COUNTY**, COLORADO

(Chairman)

ATTEST:

(Deputy County Clerk)

DYLAN BECKER

Hardworking attorney, with strong background in evidentiary hearings. Has an excellent success rate in court hearings throughout Colorado. Has a strong understanding of technology and excellent legal research skills. Willing to put in the time to ensure the job is done right.

PROFESSIONAL EXPERIENCE

ROBINSON & HENRY, P.C. - Colorado Springs, CO

Criminal Defense Associate, May 2023 to Present

Handle criminal defense cases at every stage of the process. Prepare and conduct DMV hearings. Negotiate plea offers, and regularly appear in court. Draft and argue suppression motions. Cross examine law enforcement officers. Handle both defense and prosecution of protection order matters.

Civil Litigation / Evictions Associate, December 2019 to May 2023

Focused on residential and commercial evictions. Prepared and managed large volume of cases, dealing with lease violations, HOA violations, and property damage. Prepared for and conducted large number of evidentiary hearings. Drafted lease termination agreements and stipulations. Drafted home-sale contracts. Advised clients on a rapidly changing area of law.

Contributions:

- Obtained favorable plea agreements in multiple criminal defense cases.
- Handled nearly all of the firm's eviction cases from January 2020 to January 2023.
- Managed the largest number of simultaneous cases among any associate.
- Excellent success with hundreds of evidentiary hearings in county courts throughout Colorado.
- First successful challenge to a CDC eviction moratorium defense in El Paso County.
- Took lead on legal team's response to changing laws resulting from Covid-19.

Earlier Positions:

Judicial Law Clerk, 2018 – Marshal County Court - Warren, MN

Legal Intern, 2017 to 2018 – Suhr & Lofgren P.L.L.C. – Bismarck, ND

EDUCATION & CREDENTIALS

Bar Admissions: Colorado (2019)

University of North Dakota School of Law

Juris Doctor

Fall 2016 – Spring 2019

University of North Dakota

Bachelor of Arts in Political Science
Minor in Public Administration

Fall 2012 – Spring 2016

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NOW, THEREFORE, the undersigned Board of County Commissioners of El Paso and Teller Counties, Colorado, do hereby consent to the **Ellen Orear** for Deputy District Attorney at the sum of Seventy-Nine Thousand Three Hundred and Eighty Dollars (\$79,380.00) per annum starting the 1st day of October, 2023.

THE BOARD OF COUNTY COMMISSIONERS
OF **EL PASO COUNTY**, COLORADO

(Chair)

ATTEST:

(Deputy County Clerk)

THE BOARD OF COUNTY COMMISSIONERS
OF **TELLER COUNTY**, COLORADO

(Chairman)

ATTEST:

(Deputy County Clerk)

ELLEN OREAR



EDUCATION:

University of Denver – Sturm College of Law

Juris Doctor Candidate May 2023

GPA: 3.71; Class Rank: Top 17%

Chancellor's Scholarship

University of Colorado, Colorado Springs

Bachelor of Arts in Sociology and Criminal Justice, May 2016

Summa Cum Laude

INTERNSHIP HISTORY:

Rocky Mountain Children's Law Center (August 2021 – December 2021)

- Prepared motions for a request for guardianship, researched criminal law regarding secret recordings, and reviewed and compiled court transcripts in preparation for a contested hearing.

Right Law Group (June 2021 – August 2021)

- Shadowed a private criminal defense attorney during client meetings and court hearings and assisted in trial preparation.

EMPLOYMENT HISTORY:

Pikes Peak Community College (November 2020 – Present)

Adjunct Instructor

- Designed and presented a four-hour Victim Rights Act (VRA) training for cadets enrolled in the Peace Officer Standards and Training (POST) academy each semester.

Colorado Springs Police Department (January 2018 – July 2020)

Victim Advocate

- Acted as a first responder to victims of VRA crimes and provided them with emotional support and information about their rights and the criminal justice system.

4th Judicial District Attorney's Office (May 2016 – January 2018)

Victim Advocate in the Special Victim's Unit

- Accompanied victims to meetings with their assigned DDA and to court hearings, provided case status updates, and explained the criminal court process to victims.

Legal Assistant in County Court

- Prepared case files, conducted docket checks, filed motions, subpoenaed witnesses, and created jury instructions for trial.
- Obtained competency in Action, Colorado Courts E-Filing, Data Access, and LERMS.

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NOW, THEREFORE, the undersigned Board of County Commissioners of El Paso and Teller Counties, Colorado, do hereby consent to the **Louie Martinez** for Deputy District Attorney at the sum of Seventy-Nine Thousand Three Hundred and Eighty Dollars (\$79,380.00) per annum starting the 1st day of October, 2023.

THE BOARD OF COUNTY COMMISSIONERS
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ATTEST:

(Deputy County Clerk)

THE BOARD OF COUNTY COMMISSIONERS
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(Chairman)

ATTEST:

(Deputy County Clerk)

SAMUEL MARTINEZ JR.

Education

Texas Tech University School of Law

May 2023

Candidate for Doctor of Jurisprudence, May 2023

GPA: 3.6 (Top 14%- 22/147)

- *Journal of Oil, Gas, and Energy Resources Member*
- *Board of Barristers Negotiations and Moot Court Competitor*
- *Vice President of TTU Environmental Law Society*
- *HLSA Active Member*

York St. John University, York, England

May 2019

Bachelor of International Business Management

GPA: Class 1 or Distinction; Equates to 4.0 (U.S.)

- *York St. John Student Representative (2016-2019)*
- *BA Honors Class 1 Degree York St. John university (2016-2019)*

Experience

Externship with the Honorable Magistrate Judge Manske (Waco, Texas)

Intern/ May 2021

- As an intern, I drafted a report and recommendation for Judge Manske to then submit to Judge Albright of the Western District of Texas for final determination.
- This job gave me insight into the mechanics of the federal court and gave me invaluable networking experiences.

Bailey & Bailey PC (San Antonio, Texas)

Intern/ May-July 2021

- This firm specialized in government construction contract disputes, and while working here I developed essential writing skills applicable to drafting memos, pleadings, and correspondence with clients. This job gave me firsthand experience into the life of a practicing attorney. While working here, I also became versed in the business aspect of running a law firm. I gained experience in accounting, corresponding with clients, billing, and management.

Robert H Ewalt Student Recreation Center (Lubbock, Texas)

Facilities Assistant/ August 2019

- As an employee, I helped provide a welcoming and positive environment for students and staff, while making sure the entirety of the recreation center was maintained and safe.
- This job supported the ability to interact and make connections with people.

Dunnam and Dunnam, LLP (Waco, Texas)

Internship / May 2018-September 2018

- While working here, I attended civil proceedings, took notes, and read through discovery for criminal defense attorney, Gerald Villarrial. This was my first exposure into the legal environment and really provided insight in regard to managing time, deadlines, etc.
- Improved efficiency and gained insight by examining over 50 cases

Meals on Wheels (Waco & Lubbock, Texas)

Volunteer Deliverer / Currently

- Delivered food to those that either could not afford it or lacked the ability to prepare it for themselves.
- Interacted and gained insight about the greater Waco community and how to help those around me.

Animal Birth Control Clinic (Waco, Texas)

Volunteer / May 2016 - August 2016 and May 2017 - August 2017

- Helped spay and neuter hundreds of cats and dogs on a weekly basis.

Extra-Curricular Awards and Recognitions

Texas Tech University School of Law Dean's List

Fall and Spring 2020-21

I2I International Soccer Academy

Athlete / August 2016 – May 2019

- I had the privilege to play for this international soccer academy for three years.
- Learned invaluable lessons in regards to teamwork, dedication, and commitment as well as developed a stronger and more well-rounded understanding of different cultures (European).

I2I Players' Player of The Year

2016-2017 Season

SuperClubs National Team

2016

- 20 U-18 soccer players from the US selected to go to the UK for showcase games with professional academies.

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NOW, THEREFORE, the undersigned Board of County Commissioners of El Paso and Teller Counties, Colorado, do hereby consent to the **Mackenzie Thornton** for Deputy District Attorney at the sum of Seventy-Nine Thousand Three Hundred and Eighty Dollars (\$79,380.00) per annum starting the 1st day of October, 2023.

THE BOARD OF COUNTY COMMISSIONERS
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(Chair)

ATTEST:

(Deputy County Clerk)

THE BOARD OF COUNTY COMMISSIONERS
OF **TELLER COUNTY**, COLORADO

(Chairman)

ATTEST:

(Deputy County Clerk)

MACKENZIE THORNTON

EDUCATION

Oklahoma City University School of Law

Oklahoma City, OK

Juris Doctor Candidate

Candidate for Certificate of Homeland Security

Honors: Spring 2022 Dean's List
CALI Award- Administrative Law
Legal Methods Annual Scholarship Recipient
Alfred P. Murrah Center for Homeland Security Law Fellow

Activities: 2023 Class Secretary: 2021-22, 2022-2023
Murrah Student Association- Vice President: 2022-23
OCU Law Mentorship Program- Mentor: 2021-22, 2022-23
Criminal Law Association Vice President: 2021-22

Emporia State University

Emporia, KS

Bachelor of Arts, English

December 2019

Honors: Magna cum laude graduate
Dean's List (2017, 2018, 2019)
University Athletic Director's Honor Roll (2017, 2018, 2019)

Activities: Softball Division II Student Athlete- August 2017- May 2019
SAAC (Student Athlete Advisory Committee) Sept. 2017- May 2019
ESU Bulletin: News and Sports Journalist & Editor- Sept. 2017- April 2019
Academic Writing Center: Tutor- Oct. 2017- May 2019
Emporia Community Outreach Food Drive: Volunteer

EXPERIENCE

4th Judicial District Attorney- Colorado Springs, CO

County Court Intern | Summer 2022

- Conducted jury trials, motions hearings, and other court proceedings as a student attorney in county court
- Prepped cases for trial, made offers on cases, and resolved misdemeanor-level offenses
- Handled arraignments in the First Appearance Center, resolving majority of cases with plea agreements

Oklahoma Court of Criminal Appeals- Clerk for Judge Rowland- Oklahoma City, OK

Law Clerk | Spring 2022

- Prepared legal memoranda and statement of issues involved, including appropriate suggestions or recommendations to the judge
- Summarized current cases before the OCCA
- Reviewed, studied, researched, and annotated laws, court decisions, documents, opinions, briefs, and related legal authority

Helms Law Firm

Intern | Spring 2022

- Drafted motions and responses for civil issues in state and federal court
- Assisted with trial preparation for various civil cases
- Researched issues pertaining to contract, tort, and employment law

City of Del City, Municipal Attorney's Office- Del City, OK
Law Clerk | Fall 2021

- Drafted motions and responses for criminal pleadings in municipal court
- Organized and attended weekly criminal and environmental docket
- Prepared materials for criminal and civil municipal trials on a case-by-case basis
- Researched various municipal topics for on-going cases
- Filed records for current and past cases

4th Judicial District Attorney- Colorado Springs, CO
Appellate Intern | Summer 2021

- Drafted various briefs and memos for the appellate division of the 4th Judicial DAO
- Researched and drafted responses to motions for post-conviction relief
- Assisted with research that was used in appellate briefs filed in the Supreme Court of Colorado
- Summarized weekly case law updates from Supreme Court of Colorado to be distributed to staff attorneys
- Assisted in interview of a murder suspect, which resulted in a confession
- Conducted investigative research with the Colorado Springs Police Department for ongoing cases

REFERENCES

- Doyle Baker- Senior Deputy District Attorney: 4th Judicial District Attorney- Colorado Springs, CO
719-520-6000 | doylebaker@elpasoco.com
- Judge Scott Rowland- Presiding Judge: Oklahoma Court of Criminal Appeals- Oklahoma City, OK
[REDACTED]
- Paul Clark- OCU Legal Writing and Research Professor
[REDACTED]
- Jeff Harwood- Senior Deputy District Attorney: 4th Judicial District Attorney- Colorado Springs, CO
719-520-6000 | jeffharwood@elpasoco.com
- Edward Lyons- OCU Criminal Law Professor
[REDACTED]