

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <p>COLORADO SUPREME COURT<br/>2 East 14<sup>th</sup> Avenue<br/>Denver, Colorado 80203</p> <p>On Writ of Certiorari<br/>Court of Appeals No. 24CA0079<br/>Opinion by Judge Meirink<br/>Gomez and Bernard, JJ., concur<br/>District Court, Arapahoe County, 2022CV31471<br/>Honorable Elizabeth Beebe Volz, Judge</p>                                                                                                                                                       | <p>DATE FILED<br/>August 24, 2026 5:14 PM<br/>FILING ID: 6D34A9AAD0367<br/>CASE NUMBER: 2025SC676</p> <p>▲ COURT USE ONLY ▲</p> |
| <p><b>Petitioner:</b></p> <p>BRENDAN DAVES,</p> <p>v.</p> <p><b>Respondent:</b></p> <p>CHRISTOPHER MOSLEY.</p>                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                 |
| <p><i>ATTORNEYS FOR AMICI CURIAE PARTIES THE AURORA<br/>POLICE ASSOCIATION AND THE PROFESSIONAL LAW<br/>ENFORCEMENT ASSOCIATION</i></p> <p>LANE PASS &amp; ASSOCIATES, P.C<br/>Sean J. Lane, Esq. (32000)<br/>Alex M. Pass, Esq. (50094)<br/>3131 S Vaughn Way, Suite 220<br/>Aurora, CO 80014<br/>Telephone: (720) 464-4215<br/>E-mail: <a href="mailto:slane@lanelawpc.com">slane@lanelawpc.com</a><br/><a href="mailto:apass@lanelawpc.com">apass@lanelawpc.com</a></p> | <p>Supreme Court Case No:<br/><b>2025SC676</b></p>                                                                              |
| <p><b>AMICI CURIAE BRIEF OF THE AURORA POLICE ASSOCIATION<br/>AND THE PROFESSIONAL LAW ENFORCEMENT ASSOCIATION IN<br/>SUPPORT OF PETITIONER BRENDAN DAVES</b></p>                                                                                                                                                                                                                                                                                                          |                                                                                                                                 |

## **CERTIFICATE OF COMPLIANCE**

I hereby certify that this petition complies with all requirements of C.A.R. 28, C.A.R. 29, and C.A.R. 32, including all formatting requirements set forth in these Rules. Specifically, the undersigned certifies that this brief complies with the applicable word limit set forth C.A.R. 29(d). It contains 3,202 words, which is not more than the 4,750-word limit.

The undersigned acknowledges that this petition may be stricken if it fails to comply with any of the requirements of C.A.R. 28, C.A.R. 29, and C.A.R. 32.

*s/ Sean J. Lane*

Sean J. Lane

Counsel for the Aurora Police  
Association and the Professional Law  
Enforcement Association

## TABLE OF CONTENTS

|                                                                                                                                                                                                                                                        |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| CERTIFICATE OF COMPLIANCE .....                                                                                                                                                                                                                        | i   |
| TABLE OF AUTHORITIES .....                                                                                                                                                                                                                             | iii |
| THE <i>AMICI CURIAE</i> .....                                                                                                                                                                                                                          | 1   |
| INTRODUCTION AND SUMMARY .....                                                                                                                                                                                                                         | 2   |
| ARGUMENT .....                                                                                                                                                                                                                                         | 4   |
| I. <i>The Court of Appeals’ opinion endangers the safety of law enforcement officers.</i><br>.....                                                                                                                                                     | 4   |
| II. <i>The decision of the Court of Appeals creates uncertainty about how and when it<br/>            is appropriate to conduct a protective sweep, creating a chilling effect on law<br/>            enforcement activities. ....</i>                 | 9   |
| III. <i>The Court of Appeals’ ruling in Mosley upends decades of law enforcement<br/>            training regarding the execution of protective sweeps which are, per se,<br/>            objectively unreasonable under the Mosley decision. ....</i> | 11  |
| CONCLUSION .....                                                                                                                                                                                                                                       | 13  |

## TABLE OF AUTHORITIES

### Cases

|                                                                                        |           |
|----------------------------------------------------------------------------------------|-----------|
| <i>Alabama v. White</i> , 496 U.S. 325, 330 (1990) .....                               | 11        |
| <i>Arizona v. Johnson</i> , 555 U.S. 323, 330 (2008) .....                             | 3         |
| <i>Chimel v. California</i> , 395 U.S. 752, 763 (1969) .....                           | 5         |
| <i>Hawkins v. Schwan’s Home Serv., Inc.</i> , 778 F.3d 877, 886 (10th Cir. 2015) ..... | 8         |
| <i>Heien v. North Carolina</i> , 574 U.S. 54, 60 (2014) .....                          | 12        |
| <i>Illinois v. Wardlow</i> , 528 U.S. 119, 125 (2000) .....                            | 11        |
| <i>Michigan v. Long</i> , 463 U.S. 1032 (1983) .....                                   | 2, 6, 10  |
| <i>Mosley v. Daves</i> , 24CA0079 .....                                                | 2, 12, 13 |
| <i>Ornelas v. United States</i> , 517 U.S. 690, 695 (1996) .....                       | 11        |
| <i>People v. Archuleta</i> , 980 P.2d 509 (Colo. 1999) .....                           | 2, 6      |
| <i>People v. Brant</i> , 252 P.3d 459, 462 (Colo. 2011) .....                          | 6, 7      |
| <i>People v. Delacruz</i> , 384 P.3d 349, 353 (Colo. 2019) .....                       | 7, 8      |
| <i>People v. White</i> , 531 P.3d 397 (2023) .....                                     | 7         |
| <i>Prado Navarette v. California</i> , 572 U.S. 393, 397 (2014) .....                  | 11        |
| <i>Terry v. Ohio</i> , 392 U.S. 1 (1968) .....                                         | 2, 5      |
| <i>United States v. Sokolow</i> , 490 U.S. 1, 7 (1989) .....                           | 11        |

### Statutes

|                                 |   |
|---------------------------------|---|
| C.R.S. § 13-21-131 (2026) ..... | 2 |
|---------------------------------|---|

## **Rules**

|                    |   |
|--------------------|---|
| C.A.R. 28.....     | i |
| C.A.R. 29.....     | i |
| C.A.R. 29(d) ..... | i |
| C.A.R. 32.....     | i |

## **Other Authorities**

|                                                                                                                                                                                                        |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Barrick, Strom, and Richardson (2018) .....                                                                                                                                                            | 5 |
| CNA-Law Enforcement Safety Risks and Recommendations Bulletin (Bureau of Justice Assistance) (2021).....                                                                                               | 4 |
| Contacts Between Police and the Public, 2022, <a href="https://bjs.ojp.gov/document/cbpp22.pdf">https://bjs.ojp.gov/document/cbpp22.pdf</a>                                                            | 3 |
| FBI LEOKA (Law Enforcement Officers Killed and Assaulted) Data,<br><a href="https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/le/leoka">https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/le/leoka</a> ..... | 3 |
| Psychology Town, <a href="https://psychology.town/forensic/roles-of-police-officers/">https://psychology.town/forensic/roles-of-police-officers/</a> (2025).....                                       | 9 |

## **THE *AMICI CURIAE***

The following two organizations (collectively, “Amici”) hereby participate in this matter as *amici curiae* in support of Petitioner Brendan Daves. Amici represent numerous police officers with the Aurora Police Department and, in the case of the Professional Law Enforcement Association, police officers, sheriffs’ deputies, and state law enforcement officers throughout Colorado and other law enforcement officers nationally. The decision below which, apparently, makes substantial changes to Colorado’s longstanding acceptance of the fundamental doctrine of protective sweeps, creates a dangerous precedent of “burden shifting,” endangering not only the legal rights, but more importantly the safety of law enforcement officers across the state. This case will have a chilling effect on the enforcement activities of law enforcement officers and will, ultimately, result in increased danger to law enforcement officers and the public.

**A. The Aurora Police Association** is a police union representing classified employees of the Aurora Police Department, located in Aurora, Colorado.

**B. The Professional Law Enforcement Association (or PLEA)** is a national organization providing legal support and representation to law enforcement officers across the United States. PLEA has been in operation since 1995, currently representing approximately 39,000 members across Colorado and the nation.

## INTRODUCTION AND SUMMARY

Amici's members – Colorado law enforcement officers – have been placed in an uncertain position because of the appellate division's decision in *Mosley v. Daves*, 24CA0079. The appellate court's decision directly conflicts with decades of established law as set forth in *Terry v. Ohio*, 392 U.S. 1 (1968), *Michigan v. Long*, 463 U.S. 1032 (1983), and *People v. Archuleta*, 980 P.2d 509 (Colo. 1999). All of these cases establish that protective searches/sweeps are not an exception to the warrant requirement and are not presumptively unreasonable under the Fourth Amendment.

The *Mosley* Court erred in defining a protective sweep as an exception to the warrant requirement under the Fourth Amendment. Under the *Mosley* decision, an officer facing a civil case pled against them pursuant to C.R.S. § 13-21-131 (2026) is required to prove, by a preponderance of the evidence, that they did not conduct an inappropriate protective sweep. This upends decades of jurisprudence, requiring a defendant officer accused of an inappropriate protective sweep to prove, by a preponderance of the evidence, that they did not conduct an inappropriate protective sweep. This, of course, follows an apparent assumption by the *Mosley* Court that the sweep itself is presumptively unreasonable until proven otherwise.

Colorado law enforcement officers are called upon daily to perform their duties in stressful and often dangerous circumstances. One of the most dangerous situations a law enforcement officer can be engaged in is a roadside encounter which is at, or near, the

leading cause of felonious officer deaths and assaults. See FBI LEOKA (Law Enforcement Officers Killed and Assaulted) Data, <https://cde.ucr.cjis.gov/LATEST/webapp/#!/pages/le/leoka>. With respect to police activities and contacts with the public, the Bureau of Justice Statistics finds that traffic stops are the most common form of police-initiated contact between citizens and officers. See Contacts Between Police and the Public, 2022, <https://bjs.ojp.gov/document/cbpp22.pdf>.

Traffic stops “are especially fraught with danger to police officers.” *Arizona v. Johnson*, 555 U.S. 323, 330 (2008). The decision in *Mosley* has a certain and detrimental effect on officer safety and, ultimately, the safety of the public. Law enforcement officers must often make split-second decisions, and react accordingly, without the luxury of 20/20 hindsight. The *Mosley* decision encourages a law enforcement officer to hesitate, to question his or her training, and to avoid potentially dangerous situations where enforcement of the law may be dangerous. These potentially dangerous situations are, generally, the very situations and circumstances which the public would desire a law enforcement officer to act to enforce the law and protect the public as a whole.

The *Mosley* decision will have a detrimental societal impact, beyond the initial officer-civilian contact. Law enforcement officers are now placed in an unenviable position in which officer safety, long recognized as a fundamental right of officers, is an issue which they now bear the burden to prove entitlement to. That is, law enforcement

officers, following the appellate court’s decision, must demonstrate by a preponderance of the evidence that they are entitled to their own safety; and if they dare conduct a protective sweep to ensure their safety, they must be ready and willing to defend their precautionary actions from plaintiff litigants who, following the *Mosley* Court’s decision, must prove nothing. This will cause widespread morale issues and will, likely, cause avoidance behavior that will negatively impact the safety and well-being of, not only law enforcement officers, but the general public as well.

Amici therefore respectfully request that the Court grant Brendan Daves’ appeal and reverse the opinion of the Court of Appeals in this matter.

## **ARGUMENT**

### ***I. The Court of Appeals’ opinion endangers the safety of law enforcement officers.***

On a daily basis, law enforcement officers face a variety of dangerous and stressful situations, including gun violence, traffic-related incidents, domestic violence calls, and ambushes by violent suspects. *See* CNA-Law Enforcement Safety Risks and Recommendations Bulletin (Bureau of Justice Assistance) (2021). Traffic stops and emergency responses pose significant risks, with nearly 42% of officers killed in vehicle crashes during emergency responses from 2010–2019. Domestic violence calls and “man with a gun” situations are particularly hazardous due to unpredictability and high potential for escalation. Fatigue, stress, and mental health challenges also compromise officer performance and situational awareness, increasing vulnerability to injury or death.

According to Barrick, Strom, and Richardson (2018)<sup>1</sup> law enforcement encounters on highways and roads can present a higher risk to officer safety than those in residences.

Recognizing the danger inherent in situations involving contact with a suspect, the United States Supreme Court recognized and accepted the “protective sweep” doctrine to promote officer safety. This doctrine unquestionably mitigated the danger facing law enforcement officers when conducting their investigations.

In *Terry v. Ohio*, 392 U.S. 1, 24 (1968), the Supreme Court concluded that when an officer has a reasonable, articulable suspicion that an individual is armed and dangerous, he may conduct a pat-down search for weapons for the purpose of his protection and that of others in the surrounding area. The following year, the Court recognized that a suspect may harm an officer with a weapon even when the weapon is not on the suspect’s person and is instead in the area within his immediate control. *Chimel v. California*, 395 U.S. 752, 763 (1969). Consequently, the *Chimel* Court held that it is reasonable for an arresting officer to perform a protective search of the immediate area within an arrestee’s control. *Id.*

By 1983, some fourteen years later, the U.S. Supreme Court had established that:

(1) the protection of officers and others can justify limited searches for weapons when there is a reasonable belief that the suspect poses a danger; (2) roadside encounters

---

<sup>1</sup> Barrick, K., Strom, K., and Richardson, N. (2018). Individual and situational influences on injurious assaults against the police. *Policing: An International Journal of Police Strategies & Management*. Vol. 41 No. 2, 2018. pp. 202-214 DOI 10.1108/ PIJPSM-09-2016-0144.

between officers and suspects are particularly hazardous; and (3) a weapon in the area surrounding a suspect may give rise to a safety risk. *Long*, 463 U.S. at 1049. These principles of officer safety, considered jointly, were persuasive to the *Long* Court. The U.S. Supreme Court concluded that, during a lawful roadside encounter, an officer is entitled to conduct a protective search of the areas in a vehicle's passenger compartment where a weapon could be placed or concealed, so long as the officer possesses an articulable and objectively reasonable belief that an occupant of the vehicle may be dangerous and may gain immediate control of a weapon. *Id.*

This Court expanded on the recognition of the dangers to officer safety and recognized that the behavior of individual citizens involved in a law enforcement contact can appropriately be a factor in an officer's consideration as to whether a sweep is appropriate. A furtive movement by an occupant of a vehicle during an investigatory stop can suffice to support a protective search of the passenger compartment. *People v. Brant*, 252 P.3d 459, 462 (Colo. 2011). This further enhances the safety of a law enforcement officer in a potentially dangerous situation.

In *People v. Archuleta*, 980 P.2d 509, 512 (Colo. 1999), this Court held that there are three basic types of police contact: (1) consensual encounters; (2) arrests or full-scale searches; or (3) intermediate forms of intrusion, such as investigatory stops or limited searches. Consensual encounters do not trigger Fourth Amendment scrutiny. *Id.* "Arrests and full-scale searches, on the other hand, are subject to the Fourth Amendment's

reasonableness requirement.” *Id.* “In order to be constitutionally sound, they must be based on warrants issued upon probable cause or on an established exception to the warrant requirement.” *Id.* “These types of contacts are subject to the Fourth Amendment’s reasonableness requirement.” *People v. White*, 531 P.3d 397 (2023). Therefore, to be constitutional, a search must: (1) be supported by a warrant based on probable cause, (2) fall under an exception to the warrant requirement, or (3) fall under the in-between category that is not presumptively unreasonable. *Id.* The in-between category has its own special considerations and applicable precedents.

It is currently clear to law enforcement officers that this sweep is not intended as an investigative step. This Court held in *People v. Brant*, 252 P.3d 459 (Colo. 2011), that “[w]hether a search or seizure is reasonable depends on the extent of the intrusion; investigatory stops are generally considered an intermediate intrusion that may take place under narrowly defined circumstances.” *Brant*, 252 P.3d at 462.

This Court has cautioned that the purpose of a protective search of the passenger compartment of a stopped vehicle “is not to discover evidence of crime;” rather, the purpose of such a search is to afford an officer an opportunity “to pursue an investigation without fear of violence.” *People v. Delacruz*, 384 P.3d 349, 353 (Colo. 2019). This distinction is what makes a protective sweep different from an investigatory stop. An investigatory stop *is* an exception to the warrant requirement, as it is conducted for the purpose of determining whether a crime was committed. *See Delacruz*, ¶ 13. A

protective sweep, on the other hand is not, *per se*, an exception to the warrant requirement because it is not, in and of itself, an investigation into whether a crime was committed. Rather, a protective sweep is carried out for officer safety purposes.

These landmark decisions recognize that a law enforcement officer inherently faces the threat of danger to their life in the performance of their duties each and every day. The ability to work without fear of violence is fundamental for officer morale and the effective performance of their law enforcement duties. It is axiomatic that law enforcement is a vital component to the functioning of American society.

The *Mosley* decision upends a fundamental facet of American jurisprudence, that a plaintiff must prove their civil case by a preponderance of the evidence. “[T]ime and again, the Court has articulated the ordinary default rule that plaintiffs bear the risk of failing to prove their claims.” *Hawkins v. Schwan’s Home Serv., Inc.*, 778 F.3d 877, 886 (10th Cir. 2015) (internal quotation marks omitted). *Mosley* creates a novel situation where the common protective sweep now falls within an exception to the warrant requirement and is, therefore, objectively unreasonable, requiring a law enforcement defendant to prove, by a preponderance of the evidence, that their sweep was appropriate. This erases decades of law allowing police officers to “pursue an investigation without fear of violence.” *See Delacruz*, 384 P.3d at 353. This opinion, if it stands, will place those officers who actively investigate crimes in increased and, potentially, lethal danger. It will endanger those officers directly involved in activities intended to protect the

public, and it will cause those officers to hesitate and, perhaps, forego opportunities to protect society and the public. From an officer safety standpoint alone, the *Mosley* decision should be overturned.

**II. *The decision of the Court of Appeals creates uncertainty about how and when it is appropriate to conduct a protective sweep, creating a chilling effect on law enforcement activities.***

Effective policing is not just about enforcing laws, it is about proactively addressing crime, building trust, and adapting to community needs. The ideal role of the law enforcement officer is multifaceted. Modern officers must act with a combination of tactical skills, ethical judgment, and community engagement while always respecting the rights of citizens. See Psychology Town, <https://psychology.town/forensic/roles-of-police-officers/> (2025). Most importantly, officers who take the initiative to seek out, investigate, and legally confront criminal suspects perform an indispensable societal role.

Law enforcement is an inherently confrontational and dangerous profession. Officers must confront dangerous individuals who are, or have been, involved in the commission of a crime and those whom are potentially facing a loss of their freedom. They see the officer as a threat to their future. This can, and often does, result in extremely violent behavior on the part of a frightened or anxious citizen-suspect. However, officers will more often interact with individuals who are innocent of any criminal activity – as it may relate to the officer and their investigation. The issue is the interaction and the potential threat faced by the officer while that determination is being

made.

The state of the law in Colorado prior to *Mosley* maintained that an officer who has reasonable suspicion may generally conduct a protective search to ensure their safety (and the safety of other officers and the public) while they perform their job. An officer faced with the legal framework established by the *Mosley* decision will, rationally, hesitate to act.

Law enforcement officers are humans who respond to incentives and disincentives. Given the shift in the legal status of a protective search proposed by the *Mosley* opinion, the protective search/sweep that has been long recognized as a tool available to the officer to protect their safety, is now considered, in a civil context, equivalent to an exception to the warrant requirement under the 4<sup>th</sup> Amendment. The result is unavoidable: officers will avoid conducting protective sweeps or, more likely, will avoid conducting investigations whatsoever due to fear of physical threat or potential litigation, a Hobson's choice. This is a risk that the U.S. Supreme Court analyzed, and addressed by clarifying the importance of protective searches, in the *Long* case. *See Long, supra*.

As a question of public policy, we want law enforcement officers to conduct legal and effective investigations to capture criminals and deter future crimes. It is essential to society that law enforcement performs this function. There was no problem that was corrected or in any way resolved by the *Mosley* opinion. Ultimately, the *Mosley* opinion makes law enforcement officers less safe and harms society as a whole by creating a

disincentive to effective police investigations.

**III. *The Court of Appeals’ ruling in Mosley upends decades of law enforcement training regarding the execution of protective sweeps which are, per se, objectively unreasonable under the Mosley decision.***

For decades, the standard setting forth the state of mind required for an officer to, legally, conduct a protective sweep was that of an articulable “reasonable suspicion.” “Although a mere ‘hunch’ does not create reasonable suspicion, the level of suspicion the standard requires is considerably less than proof of wrongdoing by a preponderance of the evidence, and obviously less than is necessary for probable cause.” *Prado Navarette v. California*, 572 U.S. 393, 397 (2014) (quotation altered); *United States v. Sokolow*, 490 U.S. 1, 7 (1989).

Because it is a “less demanding” standard, “reasonable suspicion can be established with information that is different in quantity or content than that required to establish probable cause.” *Alabama v. White*, 496 U.S. 325, 330 (1990). The standard “depends on the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act.” *Navarette, supra* at 402, (quoting *Ornelas v. United States*, 517 U.S. 690, 695 (1996) (emphasis added; internal quotation marks omitted)). Courts “cannot reasonably demand scientific certainty ... where none exists.” *Illinois v. Wardlow*, 528 U.S. 119, 125 (2000). Rather, they must permit officers to make “commonsense judgments and inferences about human behavior.” *Ibid.*; *see also Navarette, supra* at 403 (noting that an officer ““need not rule out the possibility of

innocent conduct’’). The reasonable suspicion inquiry “falls considerably short” of 51% accuracy ... for, as we have explained, ‘[t]o be reasonable is not to be perfect.’” *Heien v. North Carolina*, 574 U.S. 54, 60 (2014) (internal citation omitted).

Officer training on these important concepts is conducted successfully in law enforcement academies nationwide. The concepts of “reasonable suspicion” versus “probable cause” are well-understood by teachers and trainee officers alike, and training on these issues has been historically successful. Where an officer violates these principles (either accidentally or purposefully), remedies have been implemented and are also understood by law enforcement officers.

The *Mosley* opinion changes decades of jurisprudence and training. Now, officers must understand that if they conduct a search for their own protection they will be called upon to prove, by a preponderance of the evidence in a civil context, that the search was appropriate. If they conduct a search that could, quite literally, save their life, the officer will always be placed in a situation where they bear the burden of proof as a Defendant in their own civil trial.

This is very different than how a protective search/sweep is viewed in a criminal context. In a criminal context the protective search will continue to be an effective technique for protecting one’s own life and well-being and is not seen as an investigative action requiring an exception to the warrant requirement. This dichotomy will loom large in the minds of law enforcement officers. It creates a situation where an officer may

engage in a protective search that is appropriate in a criminal context but is not appropriate in a civil context, where the *officer* will have to prove the propriety of his search by a preponderance of the evidence.

This dichotomy, and the decision-making process required to resolve it, is confusing and will be almost impossible to train. It will create confusion, hesitation and, one can imagine, paralysis on the part of many officers who are required to act in stressful situations requiring split-second decisions without the benefit of 20/20 hindsight. In order to prevent this dangerous condition, we ask this Court to grant the appeal, and reverse the *Mosley* decision.

## CONCLUSION

Collectively, the Aurora Police Association and the Professional Law Enforcement Association represent the interests of law enforcement officers across the State of Colorado and nationally. Society benefits when law enforcement officers can perform their duties without a greater fear of violence against them. The Court of Appeal's decision in *Mosley* directly threatens to substantially increase the danger to law enforcement officers while simultaneously decreasing the safety and security of the public in general. As amici in this matter, we ask that Appellant Daves' appeal to this Court be granted, and the *Mosley* decision be reversed.

Respectfully submitted,

s/ Sean J. Lane

Sean J. Lane, #32000

Alex M. Pass, Esq. #50094

3131 S Vaughn Way, Suite 220

Aurora, CO 80014

(720) 464-4215

[slane@lanelawpc.com](mailto:slane@lanelawpc.com)

[apass@lanelawpc.com](mailto:apass@lanelawpc.com)

*Counsel for the Aurora Police Association and the  
Professional Law Enforcement Association*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24<sup>th</sup> day of August, 2026, a true and correct copy of the foregoing **AMICI CURIAE BRIEF OF THE AURORA POLICE ASSOCIATION AND THE PROFESSIONAL LAW ENFORCEMENT ASSOCIATION IN SUPPORT OF PETITIONER BRENDAN DAVES** was electronically filed with the Clerk of Court and served via *Colorado Courts E-Filing* on counsel of record.

*s/ Sophia Lane*  
\_\_\_\_\_  
Sophia Lane