

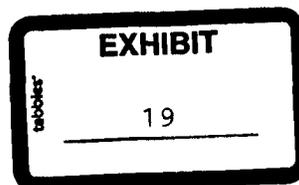
Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 05-1776/325

Post-Conviction DNA Testing. This Motion was to request additional testing of the head hair, two public hairs, fingernail scrapings and one head hair taken at the hospital.

- Court notes pertaining to the State of Wisconsin vs. Avery, under Case No. 85-FE-118, RE: court appearance, on April 3, 2002. At this hearing, the court ordered that additional testing shall take place and granted the Motion for such.
- A letter from Judge Hazlewood to FitzGerard and Attorney Lisa Skrzeczkoski, from the University of Wisconsin – Madison, dated May 14, 2002. In the letter, Judge Hazlewood identified a problem with the Steven Avery case file, under Case No. 85-FE-118, in that attempts to identify exhibits to be tested had apparently lost many of the exhibit stickers. He then addressed the need to reconstruct what needs to be tested from other records or transcripts of testimony or crime lab reports.
- A copy of the front of a large manila envelope, having a section of evidence tape on it, showing that it was sealed by initials S.W. and a date of 01/30/1996. There were also handwritten notations on the envelope, indicating that it was opened on June 19, 2002, at FHH's instruction and showing what appeared to be, a signature of then District Attorney FitzGerard, as well as someone from the Innocence Project. There was a notation showing F95-624, with the initials MEC. Also, a notation showing, "Return to Court file."
- A copy of the front of another large manila envelope with various notations on it. At the top of the envelope were the initials "MEC." The top of the envelope was sealed with staples. Next were the notations: "opened per FHH directive on 6-19-02 by" what appeared to be the signature of then District Attorney FitzGerard and an unknown signature from someone from the Innocence Project. The next notation was: "Removed plastic envelope containing one printed envelope marked "fingernail Scrapings" collected from P. Beernstein. Envelope labeled 85-1051, D13, 9/9/85, SLC." Next was written the number F95-624. Next was the notation: "Placed back in envelope is a white envelope labeled "Whole blood sample" 85-1051, Df15, 9-9-85, SLC. Envelope resealed." Then the signature of FitzGerard, 12:20 pm, 6-19-02 and the signature of the Innocence Project person. Upon feeling the envelope, it felt as if there was tube inside the envelope. From the records it was learned that item D15 was a sample of the victim's whole blood.
- A letter dated June 21, 2002, from then District Attorney E. James FitzGerard to Judge Fred H. Hazlewood. In the letter, FitzGerard indicated that on June 19, 2002, he and three members of Wisconsin Innocence Project reviewed two boxes of evidence in the Branch II jury room. At the conclusion of the review, they agreed that they had identified some items

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for re-testing and agreed that further information was required to identify other items. He also indicated there were two large manila envelopes, which on their face contained information pertaining to the two groups of evidence and they remained in the possession of the clerk.

- Excerpts from a report to Shelley Fite, regarding Steven Avery. The excerpts included pages 2 and 3. The excerpts pertained to some background information on Avery, to include work history. In that work history, it was indicated that he did general labor for his father in the Salvage Yard, which included tearing down cars, and running a crusher.
- A copy of the sign-in sheet at the Clerk of Courts office, in Manitowoc County, showing that on 08/10/2006, Laura Ricciardi, examined Case No. 85-FE-118, as well as 85-FE-3, and 82-MD-371.
- A copy of the sign-in sheet at the Clerk of Courts office, in Manitowoc County. Said sheet showed that on 12/06/2006, Attorneys Jerome Buting and Dean Strang, along with Conrad Baetz, examined Case No. 85-FE-118.
- A copy of the sign-in sheet at the Clerk of Courts office, in Manitowoc County, showing that on 12/20/2006, Don Roznowski, examined Case No. 85-FE-118.

The aforementioned copies will be submitted to DCIR.

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