

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

UNITED STATES OF AMERICA

v.

JOSEPH PRICE
DYLAN WARD
VICTOR ZABORSKY

Crim. Nos. 2008-CF1-027068
2008-CF1-026996
2008-CF1-026997 ✓

ORDER

On May 22, 2009, the defendants, through their counsel, informed this Court that they intend to exercise their right to request independent testing of certain evidence pursuant to Super. Ct. Rule 16(a)(1)(C). The government has an interest in the integrity of the evidence and its chain of custody. Super. Ct. R. Crim. P. 16(d). Furthermore, to the extent that the testing proposed by the defense could exhaust the biological material available for such testing, the government has an interest in appropriate precautions to ensure that the available biological material is not entirely consumed and is preserved to the maximum extent possible. Accordingly, it is this 26th day of May, 2009,

ORDERED that the United States, through the Metropolitan Police Department, shall release the following evidence (collectively the "Items") to an agent designated by the defense to the extent the Item has not been entirely consumed by prior government testing or combined with other Items for prior testing and no longer available as a discrete Item:

Item Numbers

Item 13 – Bloody knife

Item 16/Q117-1 – Towel (PD-668 CCN#06-105-033, P88, FBI Lab Report 7-2-07, P182)

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