

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT DEPARTMENT
NO. 2282-CR-00117

_____)
COMMONWEALTH OF))
MASSACHUSETTS,))
Plaintiff))
)
v.))
)
KAREN READ,))
Defendant))
_____)

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 CLERK OF THE COURTS
 NORFOLK COUNTY

**DEFENDANT'S MOTION FOR PRESERVATION OF
SAMPLES FOR INDEPENDENT FORENSIC TESTING**

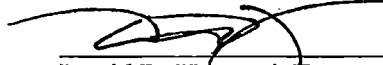
Now comes the Defendant, Karen Read ("Ms. Read" or "the Defendant"), and respectfully moves this Honorable Court to order the Commonwealth and its agents — including the Massachusetts State Police Crime Laboratory and the Office of the Chief Medical Examiner of Massachusetts — to preserve (for independent forensic testing by defense experts) all samples of trace evidence and any other samples seized in conjunction with this matter. The Defendant specifically requests that any samples collected from the wounds on the decedent's arms (including any DNA evidence, along with any other samples of any sort) be preserved for independent forensic testing by defense experts.

As grounds therefore, the Defendant states that "the Commonwealth . . . must preserve [exculpatory] evidence for the defendant to inspect, examine or perform tests on, if [s]he so chooses." Commonwealth v. Sasville, 35 Mass. App. Ct. 15, 19 (1993), quoting Commonwealth v. Neal, 392 Mass. 1, 10-12 (1984). See also Commonwealth v. Gliniewicz, 398 Mass. 744, 746-749 (1986).

Wherefore, the Defendant respectfully requests that this Honorable Court allow this motion for preservation of samples.

9/22/22 Advanced with
 off. 15.10.0. [Signature]

Respectfully Submitted,
For the Defendant,
Karen Read
By her attorney,



David R. Yannetti, Esq.
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September 15, 2022

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT DEPARTMENT
NO. 2282-CR-00117

COMMONWEALTH OF)
MASSACHUSETTS,)
Plaintiff)

V.)

KAREN READ,)
Defendant)

**AFFIDAVIT OF COUNSEL IN SUPPORT OF DEFENDANT'S MOTION FOR
PRESERVATION OF SAMPLES FOR INDEPENDENT FORENSIC TESTING**

I, David R. Yannetti, do hereby depose and state that the following is true to the best of my knowledge, information, and belief:

1. I am an attorney licensed to practice in Massachusetts since December 20, 1989. My office address is 44 School St., Suite 1000A, Boston, MA 02108. I represent Karen Read in connection with the above-captioned matter.
2. The request for preservation of evidence made within this motion is reasonable and would prevent the destruction of potentially exculpatory evidence.
3. I believe that it is in the interests of justice for the Court to allow this motion.

So sworn under the pains and penalties of perjury this 15th day of September, 2022.



David R. Yannetti

CERTIFICATE OF SERVICE

I, Attorney David R. Yannetti, do hereby certify that today I served the attached
"Defendant's Motion for Preservation of Samples for Independent Forensic Testing"
upon the Commonwealth by sending a copy via e-mail this date to Norfolk County
Assistant District Attorney Adam Lally at adam.lally@state.ma.us.



David R. Yannetti, Esq.

9/15/22

Date