

- c. the results of any testing procedures on any firearms or toolmark evidence in this case that were **not reported** or described in the written SBI Lab Report of June 11, 2008;
- d. any data used by, or collected by or discovered by the Examiner during the course of the investigation, including any references, scientific papers, quality assurance manuals, standards, interpretational guidelines, resources or data pools relied upon or available to the examiners;
- e. the disclosure of any data, devices, equipment or computer programs that were used by any examiner conducting any test in connection with these cases;
- f. any technical manuals, protocols, written S.O.P.'s (standard operating procedures); the titles of any treatises, the names of any devices or techniques that were used by the examiners in reaching their conclusions;
- g. inspection, examination or testing of the physical evidence collected and inspection of the equipment used in the investigation of these cases;
- h. the name of and results of any tests performed or procedures utilized by experts to reach their conclusions;
- i. a copy of the curriculum vitae of individuals who performed tests upon or analyzed evidence in these cases; and
- j. a copy of any and all photographs, video tapes, digital recordings or other types of recordings pertained to the above.

2. **Enhancements or Enlargements or Videotape Copying of the Shell Station Surveillance Recording in this Case** (See January 28, 2009 Report, SBI Lab.

No. 200802047). All documentation, recordings, copies or other matters pertaining to the Shell Station surveillance recording of the crimes in question in this case, including the following referred to in the January 28, 2009 SBI Lab report:

- a. The final “enhanced” product described in said SBI Report as follows:
“Item 23 [‘CD-R of Double Homicide (Your Item 48)’] and the video of interest was enhanced”;
- b. The item or DVD described in said SBI Report as follows: “The DVD being returned in item 23-1 contains the final results for each of the camera angles present on item 23”;
- c. The VHS videotape described in the SBI Report as follows: “The VHS videotape being returned in item 23-2 contains the final results, the original captured footage, and the intermediate sequences”;
- d. the results and reports related to all tests, measurements or experiments conducted in connection with these cases, including bench notes, handwritten notes and other reports or impressions, regardless of whether such materials have been previously provided to the prosecution and or the defense;
- e. the results of any testing procedures on any surveillance video or recording evidence in this case that were **not reported** or described in the written SBI Lab Report of January 28, 2009; and
- f. a copy of the curriculum vitae of individuals who performed tests upon or analyzed evidence in these cases.

3. **Latent or Trace Evidence Examinations** (See June 11, 2008 Report, SBI Lab No. R200802047), including the following:
- a. the results and reports related to all tests, measurements or experiments conducted in connection with these cases, including bench notes, handwritten notes and other reports or impressions, regardless of whether such materials have been previously provided to the prosecution and or the defense;
 - b. the names or descriptions all of the testing procedures used by any examiners or technicians involved in any latent or trace evidence investigations in this case;
 - c. the results of any testing procedures on any possible latent or trace evidence in this case that was **not reported** or described in the written SBI Lab Report of June 11, 2008;
 - d. a copy of any data used by, or collected by or discovered by the Examiner during the course of the investigation, including any references, scientific papers, quality assurance manuals, standards, interpretational guidelines, resources or data pools relied upon or available to the examiners;
 - e. the disclosure of any data, devices, equipment or computer programs that were used by any examiner conducting any test in connection with these cases;
 - f. a copy of any technical manuals, protocols, written S.O.P.'s (standard operating procedures), the name or title of any treatises, devices or techniques used by the examiners in reaching their conclusions;

- g. the results of any tests performed or procedures utilized by experts to reach their conclusions;
 - h. a copy of the curriculum vitae of individuals who performed tests upon or analyzed evidence to create the above report; and
 - i. any and all photographs, video tapes, digital recordings or other types of recordings pertaining to the above June 11, 2008 Report, SBI Lab No. R200802047.
4. **STR/DNA Analysis**: all documentation concerning SBI Laboratory STR/DNA testing or analyses concerning the evidence in these cases (*See* July 1, 2008 Report, SBI Lab No. R200802047), including the following:
- a. A complete copy of the North Carolina State Bureau of Investigation's DNA / Serology / Criminalistics case file regarding the July 1, 2008 Report, SBI Lab No. R200802047;
 - b. First generation copies of all photographs and images in the above report including color copies of any electrotherograms or allele profiles or statistical compilations;
 - c. the results and reports related to all tests, measurements or experiments conducted in connection with this DNA report, including bench notes, handwritten notes and other reports or impressions, regardless of whether such materials have been previously provided to the prosecution and or the defense;

- d. the results of any STR/DNA testing procedures on any evidence in this case that were **not reported** or described in the written SBI Lab Report of July 1, 2008;
- e. the names of all of the testing procedures used by any examiners or technicians involved in the creation of this report;
- f. any data used by, or collected by or discovered by the Examiner during the course of the investigation, including any references, scientific papers, quality assurance manuals, standards, interpretational guidelines, resources or data pools relied upon or available to the examiners;
- g. the disclosure of any data, devices, equipment or computer programs that were used by any examiner conducting any test in connection with this report;
- h. any technical manuals, protocols, written S.O.P.'s (standard operating procedures), treatises, devices or techniques available to were used by the examiners in reaching their conclusions in the July 1, 2008 Report, SBI Lab No. R200802047, concerning any STR/DNA testing or analyses in these cases ;
- i. a copy of the curriculum vitae of individuals who performed tests upon or who analyzed evidence in the July 1, 2008 Report, SBI Lab No. R200802047, concerning any STR/DNA testing or analyses in these cases;
and

j. a copy of any and all photographs, video tapes, digital recordings or other types of recordings pertaining to the July 1, 2008 Report, SBI Lab No.

R20080204, concerning any STR/DNA testing or analyses in these cases ;

5. **Other Reports and Tests.** To the extent not previously produced or identified, please provide us with complete reports and documentation concerning any other scientific testing conducted on evidence in these cases or in preparation for the trial of these cases, State of N.C. vs. Andrew Darrin Ramsey.
6. **State's Experts for Trial.** To the extent not previously identified or produced, please provide us with the name, address, institutional or governmental affiliation, and curriculum vitae of any expert witness whom you may call as a witness at the trial of these cases, and, as to each such expert witness, please provide a written report from each such expert as to the opinions they intend to offer as well as each basis for their opinions.

This the ___ day of March, 2010.

S. Mark Rabil, Attorney for the Defendant

Vincent F. Rabil, Attorney for the Defendant

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Forsyth Regional Office
P. O. Box 20308
Winston-Salem, NC 27120-0308
Tel. 336-761-2503
Fax. 336-761-2358

VERIFICATION

The undersigned hereby certifies that he/she has read the foregoing Motion and that the facts alleged therein are true based upon his/her own knowledge or belief, and as to those matters alleged upon information and belief, he/she believes them to be true. This the ____ day of _____, 2010.

Attorney for Defendant

Sworn to and subscribed before me
this ____ day of _____, 2010.

Notary Public

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing **Motion** upon the following by leaving said document with an agent or employee at the office of:

Mr. Mikko Red Arrow
Assistant District Attorney
Office of the District Attorney
221 E. Water Street
Statesville, NC 28687

This the ____ day of March, 2010.

S. Mark Rabil
Attorney for Defendant