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FILED
MAR 2 2017

Clerk of the Court
Superior Court of CA County of Santa Clara
BY _____ DEPUTY

10 Attorneys for Defendant

11
12 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF SANTA CLARA**

14 PEOPLE OF THE STATE OF CALIFORNIA,

NO: 213515

15 Plaintiff,

STIPULATED ORDER FOR RELEASE AND
RETURN OF TRACE EVIDENCE
(GLASS SPHERES, DIRT/DEBRIS,
Supplement 91)

16 vs.

17 ANTOLIN GARCIA-TORRES,

18 Defendant

19 TO THE SANTA CLARA COUNTY DISTRICT ATTORNEY, THEIR CRIME LAB, AND
20 SHERIFF DEPARTMENT:

21 Per stipulation of the parties you are hereby ordered to release the following evidence
22 held by the Santa Clara Crime Laboratory and/or Sherriff Department, and listed on the next
23 page to the defense consultant listed below:

24 Microtrace LLC
25 c/o Skip Palenik
26 790 Fletcher Drive, Suite 106
27 Elgin, IL 60123
28 (847)742-9909

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1 TRACE EVIDENCE ITEMS FROM MR. GARCIA-TORRES' HOME:

2 **Glass beads, dirt, and debris collected from Antolin Garcia-Torres' shoes,**
3 **contained in item AA160080, and the shoes listed as AA131241/170183 (left Itasca**
4 **shoe) and AA131174/170184 (right Itasca shoe).**

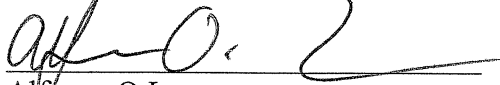
5 The parties have stipulated that:

- 6 1. the District Attorney Crime Laboratory has been requested by the defense to
7 prepare and send selected trace evidence for analysis;
- 8 2. the District Attorney Crime Laboratory shall send the mentioned trace evidence in a
9 manner that is consistent with their training and experience in sending such samples
10 for testing by an outside laboratory so that the item arrives in a condition suitable
11 for forensic trace evidence review;
- 12 3. counsel for the defendant will provide the District Attorney with appropriate
13 shipping dates to ensure that the recipient is open for business for the expected
14 delivery;
- 15 4. the results of the defense forensic review of said trace evidence are not confidential
16 consultation for the defense and will be disclosed to the District Attorney by
17 stipulation of this order;
- 18 5. the defense will not alter or destroy any glass spheres but may examine them using
19 alternate light sources and magnification and other forensic methods which do not
20 damage or alter them; However, the glass spheres may be cleaned of dust or dirt as
21 needed to properly examine them;
- 22 6. the defense may not consume the soil or dirt but can process the soil stripping it
23 down to bare minerals as needed to preform soil analysis, this process will involve
24 acceptable methods of soil analysis and processing; where feasible, some soil will
25 not be processed and saved for future testing;
- 26 7. the defense may remove more dirt from the shoes as needed to obtain more soil for
27 their analysis, if needed, using appropriate forensic collection techniques;
- 28 8. the cost of the testing shall be borne by the defense;
9. counsel for the defendant shall make arrangements with Microtrace LLC to ensure
 that the trace evidence is returned at defense expense to the District Attorney Crime
 Laboratory in a manner that is consistent with their training and experience in
 sending such samples so that the items arrive in a condition suitable to maintain the
 integrity of the evidence;

1 10. the District Attorney Crime Laboratory will send the requested evidence via
2 Federal Express or other similar delivery service and cannot make any warranty
3 regarding its care and handling after leaving the custody of the District Attorney
4 Crime Laboratory;

5 11. The Evidence shall be returned to the District Attorney Crime Laboratory no later
6 than three weeks from the receipt by Microtrace LLC.

7 It Is So Stipulated:

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9 Alfonso O Lopez
10 Deputy Alternate Defender

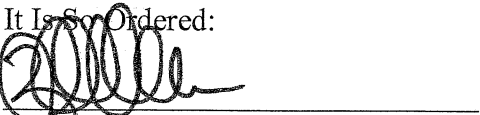
Date: 3/21/2017

11 

12 David Boyd
13 Deputy District Attorney

Date: 3/21/17

14 It Is So Ordered:

15 

16 Honorable Judge Vanessa Zecher

Date: 3.21.2017