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(ENDORSED)
FILED
FEB 27 2017
Clerk of the Court
Superior Court of CA County of Santa Clara
BY E. COLLENSON DEPUTY

6 Attorneys for Defendant

7
8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SANTA CLARA**

11 PEOPLE OF THE STATE OF CALIFORNIA,
12
13 Plaintiff,
14 vs.
15 ANTOLIN GARCIA-TORRES,
16 Defendant
17

NO: 213515
STIPULATED ORDER FOR RELEASE AND
RETURN OF TRACE EVIDENCE
(SOIL SAMPLES)

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

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

23
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 REFERENCE ITEMS:

2 **Soil, rocks, sand, debris, glass spheres collected as reference samples from dirt**
3 **areas around Sierra LaMar's school bus stop (Palm and Dougherty near crop)**
4 **and at the intersection of Dougherty and Paquita Espana where evidence was**
5 **collected, and debris from clothes associated with Sierra LaMar and listed below:**

- 6 1. AA160078, K32, K38-K44 (only the partitioned samples previously sent
7 to Microtrace);
8 2. P108 A (petri dish only);

9 The parties have stipulated that:

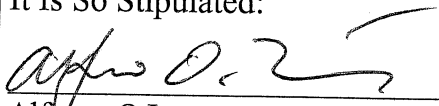
- 10 1. the District Attorney Crime Laboratory has been requested by the defense to
11 prepare and send selected trace evidence for analysis;
- 12 2. prior to the commencement of any testing, the District Attorney's Office will be
13 informed by Microtrace of the exact nature and scope of the requested testing
14 along with the methods that are to be employed for the contemplated testing;
- 15 3. the District Attorney's Office shall have at least one business day to approve the
16 contemplated testing and no testing shall commence without written approval of the
17 District Attorney's Office;
- 18 4. the District Attorney Crime Laboratory shall send the mentioned trace evidence in a
19 manner that is consistent with their training and experience in sending such samples
20 for testing by an outside laboratory so that the item arrives in a condition suitable
21 for forensic trace evidence review;
- 22 5. counsel for the defendant will provide the District Attorney with appropriate
23 shipping dates to ensure that the recipient is open for business for the expected
24 delivery;
- 25 6. the results of the defense forensic review of said trace evidence are not confidential
26 consultation for the defense and will be disclosed to the District Attorney by
27 stipulation of this order;
- 28 7. the defense may not consume the soil samples but can process the soil stripping it
 down to bare minerals as needed to preform soil analysis, this process will involve
 acceptable methods of soil analysis and processing; where feasible, some soil will
 not be processed and saved for future testing;
8. the cost of the testing shall be borne by the defense;

1 9. counsel for the defendant shall make arrangements with Microtrace LLC to ensure
2 that the trace evidence is returned at defense expense to the District Attorney Crime
3 Laboratory in a manner that is consistent with their training and experience in
4 sending such samples so that the items arrive in a condition suitable to maintain the
5 integrity of the evidence;

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

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

12 It Is So Stipulated:

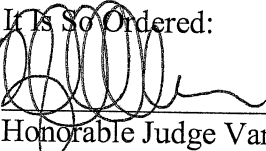
13 
14 _____
15 Alfonso O Lopez
16 Deputy Alternate Defender

17 Date: 2/27/2017

18 
19 _____
20 David Boyd
21 Deputy District Attorney

22 Date: 2/27/17

23 It Is So Ordered:

24 
25 _____
26 Honorable Judge Vanessa Zecher

27 Date: 2.27.2017