APPEAL AND PRELIMINARY QUESTIONS (Sept 30, 2013)

Key to abbreviations

AN	Alessandro Nencini	Judge	President
LG	Luciano Ghirga	Knox defense lawyer	Lawyer
GB	Giulia Bongiorno	Solicited defense lawyer	Lawyer
LM	Luca Maori	Solicited defense lawyer	Lawyer
CDV	Carlo Dalla Vedova	Knox defense lawyer	Lawyer
B.C	Alessandro Crini	Prosecutor	Public minister
FM	Francesco Maresca	Counsel for Kercher family (civilian plaintiffs)	Lawyer
PL	Patrick Diya Lumumba	Witness being questioned	Civil litigation
CP	Carlo Pacelli	Lumumba civil lawyer	Lawyer
LM	Letizia Magnini	Tattanelli civil lawyer	Representing the owner of the cottage
VF	Vieri Fabiani	Counsel for Kercher family (civilian plaintiffs)	Lawyer
UFF	Bailiff	Clerk of the Court	

AN:

Good morning. The hearing is open. Let's proceed to the constitution of the Parties. The accused Sollecito Raffaele and Knox Amanda Marie are not present?

UFF:

I'm not present.

AN:

However, I'm quoted ritually, so if there are no issues, heard the Public Ministry, we declare the contravention. Of course this statement can be revoked at any time they decide to take part in the process. They are defended, Knox by Attorney Luciano Ghirga, who is present.

LG:

Good morning, President.

AN:

Good morning. And by the Attorney Carlo Dalla Vedova. Good morning.

CDV:

(voice off microphone)

AN:

Perfect, perfect. Not to - for God's sake - make matters about your dislocation, which is free, but you are quite a bit - as it is said in technical jargon - blocked by this computer, so if you settle here a bit more maybe we can even see it when we talk about it. However, consider it, it is not a problem. Raffaele Soliciting Defenders, Lawyer Giulia Bongiorno, whom I see; and Attorney Luca Maori.

GB:

Good morning. I just wanted to tell you that we can of course go on the courtesy, but for a courtesy I have to point out that there was an accident on the Perugia-Arezzo road, I do not know, so the Maori Lawyer obviously will arrive, but in a few minutes.

AN:

Yes. If ...

GB:

He did not ask to wait for it, obviously there will be your relationship, and so on.

AN:

So I would say the initial phase, let's say, is not absolutely indispensable, so ...

GB:

No question.

AN:

Here, then ...

GB:

It is to say that there is no lack of respect ...

AN:

No, we would miss something else, we would miss something else. Thank you. Civil Parties. John Lesley Kercher, Arline Carol Mary Kercher, John Ashley Kercher, and Lyle Kercher are all present or not present?

FM:

No one is present, President.

AN:

Defending everything from her, Maresca lawyer?

FM:

No, President. I'm defending John, Arline and John Junior. As Fabian Lawyer assists Lyle, Lyle Kercher.

AN:

Yup.

FM:

And Lawyer Perna Stephanie Kercher.

AN:

Ah, perfect. So are the lawyers all there? I see them.

FM:

They are all present.

AN:

Then...

FM:

President, I apologize.

AN:

Yup.

FM:

I have a letter from the Kercher family to the Court.

AN:

Yes, if by courtesy we may end up constituting the parties.

FM:

You are welcome.

AN:

Then we do everything we need to do.

FM:

Thank you.

AN:

Diya Lumumba is also mentioned.

PL:

Good morning, present.

AN:

Assisted by the Attorney Carlo Pacelli.

CP:

This.

AN:

And Tattanelli Aldalia.

LM:

Is not present.

AN:

And he is assisted by the Magnin Avvocato.

LM:

This.

AN:

Good. She said ... yes, please.

LG:

Attorney Ghirga, Defender of Amanda Knox.

AN:

So, we have to do ...

LG:

On ... on the constitution of the Lumumba Civil Part, now I just ...

AN:

Just a moment. I said, since we have to talk to the microphone ...

LG:

Yup.

AN:

You can sit quietly without getting up.

LG:

Yes, yes, thank you. It was because I overcome this ...

AN:

Yes, I know, I know.

LG:

Can I now, or tell me, an instance of exclusion of the Lumumba Civil Part? Tell her.

AN:

Can do it now ...

LG:

Yup.

AN:

... then we will give the floor to the Maresca Attorney after ...

LG:

Here, I ask her.

AN:

You are welcome.

LG:

Yes, there is one ... there is an instance of exclusion under Article 80 of the Code of the Rite, in the sense that it seems to us that the principle of immanence of the constitution of a civilian party enshrined in the second paragraph of Article 86 is exceeded the default of interest regulated by Article 100 of the Code of Civil Procedure. Two are the main motives: one has been judged on slander and we are, and we will have to examine whether or not the so-called teleological endowment is subsisting, according to these provisions of the Supreme Court. I repeat, this discussion of aggression, which relates to the qualification of the murder, has no direct or indirect relation to the compensation of the damage, I repeat, on the interest in acting that was legitimately proposed to be consumed and dissolved in a judgment, offense of slander. Some previous staff, even what is found in every commentary, for example to reinforce my idea somewhat, it seems clear to me that the lack of interest is less, so this principle of immanence or permanence of constitution at all stages and Degrees of the process are overcome in this respect. Thus, for orientation, for a research on the subject ... in the referral judgment on the granting of general attenuating concessions, the stay of the constitution of a civilian party was considered inadmissible. I repeat, whether or not the aggression of the 61 number 2, or the teleological end, if the slander can be linked to the murder will not have .... it has and will not have, and can not have, any relief for quantification of the damage, and therefore I think that the lack of interest in acting is superior to the principle of civilian immanence. For these reasons, calls for the exclusion of the civilian from this stage and degree of the process.

AN:

Thank you, Lawyer. Do Solicit Defense associate with this instance or ...?

GB:

Yes, President, he associates.

AN:

It associates.

CP:

If I can, Mr President, talk.

AN:

Let's hear the Attorney General for a moment, maybe.

CP:

Ah, yes, please.

B.C:

Yes, the civil action issues in the criminal trial normally see the Public Ministry mostly, say, agnostic and spectator of a discussion that then concerns the parties; however, here it seems to me to be able to say that the recall that the Defense Counsel, the Ghirga Attorney, has done to that previous one, which refers precisely to the generic attenuating ones, it seems to me that I already have the answer, say, that the Court I believe must give, in the sense that at the moment which is, of course, an aggressive one, which obviously is able - so to speak - to move also from the point of view of punishment, of non-secondary implications, as well as being obviously an aggravated one that in some way, framed the offense with very different characteristics than what he would have if the aggressor was not there, here,in this situation, it seems to me that the interest in cultivating - so to speak - to see the person personally condemned, even with reference to an aggravated hypothesis, seems to me to be absent and therefore I I think that this question goes, let's say, unacceptable from the strictly procedural point of view.

AN:

Thank you. Please, the Defense of the Civilian Party.

CP:

Mr President, ladies and gentlemen of the Court, very briefly, it seems to me that the censorship and objection of the Knox defense patron today is completely out of the question. The point is as follows: at first instance, the aggravating was recognized, still in the body of the accusation of the offense of slander mentioned in Chapter F. It was excluded at the Court of Appeals and the Court of Cassation said: Judges, you will have to re-evaluate the existence of this aggravating, since you will have to check if this aggravating was done in order to allow impunity to Amanda and any of his runners. Obviously impunity presupposes a premature crime, which is the murder murder. The existence of this aggravating is not without purpose; it has very important goals. Because? Because it affects the determination of Amanda's most criminal nature and its social perilence, so that the recognition of this aggravating factor would have an impact on the punishment and at the same time as regards the restoration of the damage, which of course Patrick Diya Lumumba would have right to obtain. On the point I also point out that we are here: first, for reasons of truthfulness; second, also for the replenishment of the damage,

which we did not have to pay a hundred for today Amanda Knox. So I join the considerations made by the Attorney General and insist on not accepting the censorship, the exception made by Knox Defense. Thank you, President. in terms of punishment, and at the same time in terms of restoring the damage, which of course Patrick Diya Lumumba would have right to obtain. On the point I also point out that we are here: first, for reasons of truthfulness; second, also for the replenishment of the damage, which we did not have to pay a hundred for today Amanda Knox. So I join the considerations made by the Attorney General and insist on not accepting the censorship, the exception made by Knox Defense. Thank you, President. in terms of punishment, and at the same time in terms of restoring the damage, which of course Patrick Diya Lumumba would have right to obtain. On the point I also point out that we are here: first, for reasons of truthfulness; second, also for the replenishment of the damage, which we did not have to pay a hundred for today Amanda Knox. So I join the considerations made by the Attorney General and insist on not accepting the censorship, the exception made by Knox Defense. Thank you, President. damages with which Amanda Knox did not have one penny today. So I join the considerations made by the Attorney General and insist on not accepting the censorship, the exception made by Knox Defense. Thank you, President. damages with which Amanda Knox did not have one penny today. So I join the considerations made by the Attorney General and insist on not accepting the censorship, the exception made by Knox Defense. Thank you, President.

AN:

Thank you. I would ask the parties if there are other issues that we can group together and decide together.

GB:

Preliminary questions before the report?

AN:

Preliminaries, of course.

GB:

Defense solicited none, President.

AN:

None. There are no ... no issues, so.

B.C:

Preliminary questions in the not relevant sense ...

AN:

So, so, for clarity, let's do some program. The Court was thinking of deciding these issues, which are strictly preliminary issues. Then make the report, of course, a brief report, since it is a referral judgment, so it is not necessary to retrace pedissequently. And then, later, give the parties the floor solely for the instances of renewal of the investigation. And at the end of the day the Court will issue an order. This is because the Court's intention, if not special, to channel it right now ... to incardine the process right up

to now and then we will see, with the forthcoming hearings that we have, how ... how we will have to organize.

GB:

Yes, President, our requests are just that way.

AN:

Here it is.

GB:

That is, evidence of investigation. I have no preliminary exceptions.

AN:

Perfect. Then, if there are no other issues, the Court retires to decide on this exception.

CDV:

If I can, Chairman, Lawyer From Widow to Knox.

AN:

Yup.

CDV:

Sorry, we filed two memos on September 10th.

AN:

Yup.

CDV:

One was a request for renewal of the debate, and she has already anticipated how we will discuss. The other is an instance of legitimacy.

AN:

We decided together with the other question.

CDV:

Very well.

AN:

Because this issue on the civil side was not preventable, of course, the Court then, let's say, we decide it right away and then the two issues, the renewal and the question of constitutionality will decide together, also because constitutionality should be logically prejudicial in the sense that if the court came to a plea for that question today, everything else would of course not be discussed.

CDV:

Sure sure.

AN:

Good.

CDV:

Thank you.

AN:

We retire.

(SUSPENSION)

ORDER

AN:

You are welcome. Reads the order. Good morning and well arrived.

LM:

I am the Maori Lawyer, Good President.

AN:

I'm sorry I found some difficulties.

LM:

Thank you.

AN:

The Court then issued the following order: Knox Amanda Marie, born in Seattle, USA on 9 July 1987, and Sollecito Raffaele, born in Bari on 26 March 1984, both inadmissible and defendants Acting on Amanda Marie Knox's Defense Exception, which was accompanied by Raffaele Sollecito's Defense, with the exclusion of the Civilian Dio Di Lumumba for a lack of interest in the pronouncement, found that the subject-matter of the referral judgment, limited to the right of slander in the damage of Diya Lumumba, is the existence of the aggravating of the teleological connection with the other offenses contested to the accused; considered that the assessment given to this Judge affects directly and not only the extent of the punishment, as in the case of debating any generic attenuating concessions, but also on the assessment of the seriousness of the offense, a circumstance which is undoubtedly relevant for the purpose of assessing the reimbursement entity, with particular reference to the moral damage to the offense; it is considered that the interest of the civilian party constituted in the determination of the offense in all its connotations can not be ruled out, even in the light of the fact that the damage was not quantified by the Judge of First Instance in its entirety, separate judgment, within which all the

assessments of the gravity of the offense for the purpose of compensation must be entered. For these reasons, the Court of Appeal dismisses the request for the exclusion of the Civil Dioya Lumumba.

FM:

Yes, President, I would produce a ... I would produce a letter from the Kercher family to the Court with its translation.

AN:

Can you anticipate something, Lawyer? Or do we have to read it? What should we do?

FM:

No, President, as you believe. No, I apologize, it is simply a justification for the absence of the family, or some component. Stephanie Kercher was scheduled to attend. There are some health problems for parents, so they represent the Court's current impediment.

AN:

Good.

FM:

What we hope ...

AN:

However, for correctness, if you believe it, we read it.

GB:

No, President, there is no need.

AN:

Otherwise, it is at the disposal of the Parties.

GB:

Thank you. We trust.

FM:

I have other copies, which I provide to the Attorney General and the Defenders.

AN:

Here, then we solve the problem.

GB:

No problem, President.

AN:

However it is available here. We have the allegation of the acts, both in the original form and in the translated form. So we can go to a brief report.

REPORT BY THE PRESIDENT

AN:

On 02 November 2007, shortly after 13:00, a corpse of a girl, subsequently identified for Meredith Kercher, of British nationality, was found at Via della Pergola 7 in Perugia, transferred to Italy at the end of summer 2007 in Italy of the Erasmus project and engaged in the attendance of university courses in Perugia. The lifeless body was lying on the floor of the bedroom that the girl occupied inside the residence leased with three other girls, a property owned by that Tattanelli Aldalia. In connection with the murder of the girl and other related offenses, the Prosecutor of the Republic of Perugia, upon the outcome of the preliminary investigation phase, exercised the criminal charge against Amanda Knox, roommate of victim, an undergraduate student from Seattle, USA, also engaged in a study project in Italy; Raffaele Sollecito, a student at the Faculty of Computer Engineering at the University of Perugia and linked by a sentimental relationship with Knox; and finally to Rudy Hermann Guede, an Ivorian citizen resident since childhood in Perugia. A preliminary hearing was held during which Rudy Hermann Guede asked for and was admitted to an abbreviated rite, with a procedural position which was therefore separated. At the preliminary hearing, the co-defendants Amanda Knox and Raffaele Sollecito were sent to court before the Court of Assise of Perugia, with charges of voluntary murder at the expense of Meredith Kercher, a crime that was waged in competition with Rudy Hermann Guede and aggravated by the fact that she was engaged in the use of the sexual assault crime for futile reasons and exploiting the conditions of defenseless defense of the victim; of the offense of sexual violence committed by the defendants in damages by Meredith Kercher, in competition with Rudy Hermann Guede; of the contravention under Article 4, Law number 110/1975, for bringing a blade knife out of the house of Sollecito, a weapon used to consume the aggravated murder killing; of aggravated theft of the two cell phones owned by the offense party, as well as money and two credit cards; finally the crime of crime simulation, to simulate inside the house the traces of a theft committed by unknown, in which the probable authors of the murder would also be identified by Meredith Kercher. The only Amanda Knox was also judged to respond to the aggravated slander, because in the cynical phases of the investigation following the murder, he was falsely accused of knowing it innocent, such Diya Lumumba, Patrick, of the murder of Meredith Kercher , a crime of slander committed in order to gain impunity for himself and for raids by Kercher's murder. The trial of Rudy Hermann Guede, celebrating with the abbreviated rite, was defined by condemnation sent by the Gup of the Tribunal of Perugia on 28 October 2008, to the punishment of thirty years of imprisonment, in addition to ancillary penalties. The sentence of conviction against Rudy Hermann Guede was confirmed by the Court of Appeals of Appeal of Perugia, which, after granting the generic attenuating and reduced the rite, reduced the imprisonment to sixteen years of imprisonment . On December 16, 2010, the First Criminal Chamber of the Court of Cassation dismissed the appeal filed by Guede against the appeal judgment, which then acquired authority of what was judged. On January 16, 2009, the Ordinary Judgment was brought before the Court of Assise of Perugia against the other co-defendants Amanda Knox and Raffaele Sollecito, in which they renewed Meredith Kercher's family members as a part of the case against both defendants , Diya Lumumba against Knox and Tattanelli Aldalia alone for both defendants. Before the trial was instituted, exceptions

to the invalidity of procedural acts relating to the investigation phase and, in particular, to the interrogation of the accused Raffaele Sollecito, for the omission of the investigative acts prior to the examination of the act, and the Court dismissed the nullity deduced by a deci- sion order, as well as disobeying an appeal from Amanda Knox's defense and the allegation of unconstitutionality of Article 237 Criminal Procedure Code, in so far as it does not forbid the use of documents delivered to the Authority Judging by the defendant in the absence of the defendant. Exhausted by the formalities of the opening of the debate and the preliminary exceptions raised by the parties, the trial was initiated in February 2009, with the excerpt of the Public Prosecutor's texts and consultants, which lasted until June 2009, when it came experienced the examination of the defendant Amanda Knox, who was always assisted in the course of the English-speaking interpreter in the person of Anna Baldelli Fronticelli. Following the examination of the accused, the examination of the co-defendant was judged separately by Rudy Hermann Guede, who did not make any statements, using the option of not answering. The testimony of the texts indicated by the defendants' defendants, along with their technical advisers, was then carried out. Average high: the Court had prepared an expert report, requested by the defendant Raffaele Sollecito, in order to provide transcripts of environmental and telephone interceptions arranged and carried out in the preliminary investigation phase. Significantly, the environmental interceptions carried out in the premises of the Questura of Perugia on November 02, 2011, where the roommates of Meredith Kercher, the young people occupying the apartment below that crime scene, and the British girlfriends of killed student. In addition, the transcripts of the interviews prepared and carried out for the recording of the interviews between the accused Amanda Knox and her parents were transcribed. As far as concerns specifically telephone tapping, The latter concerned the fixed and mobile users of the defendant Raffaele Sollecito. Following the trial, the Court rejected by order some exceptions concerning the alleged infringement of the defendants' right to defense of the defendants in the process and at the hearing of 09 October 2009 the defendants of the defendants filed a request for expert judgment under Article 507 cpp In particular, the defendants of the defendants filed an application for medical-legal expertise to ascertain more accurately the time-lapse in which Meredith Kercher's death, and ultimately murder, had taken place. Medical-legal expertise was required to determine how to kill the murder, with particular reference to the participation of a number of co-authors; the repetition of genetic investigations carried out by State Police personnel, especially on the finds number 165B and 36, namely the brailing closure bracket worn by Meredith Kercher at the time of the aggression and the knife seized in the house of Raffaele Sollecito, alleged crime weapon, as it had been denied the report by the Scientific Police, particularly Dr. Stefanoni. An audiometric examination was required to determine whether Nara's head had been able to perceive the screams that she referred to in the testimonial testimony. Lastly, an expert on the personal computers of the defendants was requested, whose memories were damaged, so as not to allow duplication. The First Judge Judge dismissed the most recent investigative inquiries by decree and declared the debate closed. At the end of the discussion, on 5 December 2009, the Court ruled the case by reading the device at a public hearing. The Court of Assise of Perugia stated that Amanda Knox and Raffaele Sollecito were criminally responsible for the aggravated voluntary abduction, Chapter A of the imputation, excluding the alleged aggravating of the defenseless defense, and considered absorbed conduct controversial in terms of sexual violence , as well as the crime of aggravated theft, limited to the two mobile phones in use at Meredith Kercher, and crime simulation, headings B and D of the imputation, with the exclusive reference to the accused Amanda Knox also of the aggravated slanderous crime committed by Diya Lumumba, and for the sake of punishing Raffaele Sollecito to the death of 25 years of imprisonment and

Amanda Knox at the imprisonment of 26 years of imprisonment. The defendants were also ordered to pay the costs of the proceedings and those in custody in prison, in addition to compensation for damages to civilian offenses, which were granted provisional. Lastly, the confiscation of the bodies of criminal offenses was finally seized. The arguing path of the Judge of Early Judgment can be reconstructed in this way: the Court of Assise first gave an analytical description of the theater of events and contacts that Meredith Kercher had with British friends, with the other occupants of the apartment and with the kids living in the apartment below. Specifically, a description of the Via della Pergola building number 7, as well as the ways in which the corpse of Meredith Kercher was found, was provided. She then went on to analyze the relationship of the girl killed with the young people who had a different role in the story, even if she had known the girl, especially with regard to Rudy Hermann Guede. With specific reference to the original co-defendant, judged separately, the Judge, having stated that several elements provided for certain the presence of the exorcist in the apartment at the time of the consummation of the murder, the presence nowadays acclaimed by the sentence of conviction at his expense sentenced, he addressed the question of how to enter the apartment in the apartment. It was excluded, based on a well-founded motive, that the Guede had been sneaked into the building through the window with the broken glass in the room of the roommate Romanelli Filomena, thus seeing the existence of a simulative conduct of theft. Second, it was excluded that the victim himself voluntarily allowed access to the Guede home, as it was excluded that the young man had used one of the keys to the roommate's apartment, as it was found that the predecessors were all, the evening between November 1 and November 2, 2007, far from Perugia and still impossible to be present. The Court then considered the defendants' procedural positions, as Amanda Knox alone had another key to the apartment and evaluated the instructors gathered in relation to the girl's statements that, in the late evening of 1 November and until the morning of November 2, 2007, she and her boyfriend, Raffaele Sollecito, had stayed in his home, had dined, listened to music, saw a movie, taken light-heartedly and made love; Then they spent the night there, until the next morning, when Knox arrived at ten o'clock in the morning, he went to his home in Via della Pergola number 7 to take a shower and change his clothes, having planned on the day of 02 November a trip to Gubbio with Solicitude. The accused's account, if appropriately verified at length, would have been an insurmountable alibi in relation to the time when Meredith Kercher had been attacked in the late evening of November 1, and in any case in the hours of the night between 1 and 02 November 2007. The Court highlighted in the reasoning a series of inconsistencies in the accused's account as well as a number of incompatibilities with other investigative emergencies: the deposition of the head Antonio Curatolo, who would see the defendants on the evening of 1 November 2007 together in the area of Piazza Grimana, between 21:00 and 23:00 in the evening; as well as technical assessments on the phone of the defendant and on the computer in use at the aforementioned, which would have been certified during the night; and the testimonial depositions of the Nace Capezzali lyrics, Monacchia Antonella. He then went on to investigate the investigative activities carried out by the Judicial Police both in the villa and during the search carried out in the House of Solicitude, the findings made, as well as the evaluation of medical-legal investigations aimed at establishing the methods of aggression, the sexual violence suffered by the victim, the causes and the alleged age of the death of Kercher. After extensive and detailed examination of the depositions of the texts and investigative findings, and the outcome of a contradiction between the office consultants and those of the parties, the Court reached the conclusion that the death of Meredith Kercher had been determined by the asphyxiation caused by the most seriously wounded neck injury, after which the blood also ended in the airways, preventing respiratory activity, a situation

aggravated by rupture of the hyoid bone, also this due to the sharp action, resulting in dyspnea (page 163 of the judgment of the Court of Assise of First Instance). The girl also suffered from sexual violence, albeit not with vaginal penetration. Once the cause of death was determined, the Court addressed the issue of the means which led to it, with particular reference to the wounds caused by a cutting weapon, coming to the conclusion that more than one was the knives that caused the wounds on Meredith Kercher's body and were reasonably clenched by different hands. Of the weapons used to consume the murder, of course, according to the Judges of Early Care, was the knife found in the house of Raffaele Sollecito and reputed with the number 36, repeatedly cited. With regard to the alleged time of death, the outcome of the examination of the findings of the expertise and technical expertise in the case, the Court was of the opinion that the time-frame in interest was between 23:00 and 23:30 in the evening on November 1, 2007 (at about 9 pm the girl was in fact retired) and at 4:50 am on the morning of 02 November 2007. The interest of the Judges of First Instance then focused on examining the findings of genetic investigations , conducted under the former Article 360 cpp by Dr Patrizia Stefanoni, biologist at the Forensic Genetics Section of the Rome Police Service. It was highlighted, in particular, in the judgment, as the piece of cloth with hooks (find 165B) found inside the house of Via della Pergola number 7 in the period following the first inspection and in circumstances that will give, during the process, strong accusations by defendants of the defendants in terms of the congestion retention of the find had resulted in a mixed result: the profile of the victim and that of Raffaele Sollecito both in terms of complete DNA analysis and as characterization of the apotype Y. The Court then pointed out that more traces of diluted blood, namely diluted with water, had been detected in the bath, with mixed traces of the victim's profile and that of Amanda Knox. Finally, on the knife found in Raffaele Sollecito's home (find number 36), the genetic profile of Amanda Knox was found and in a point of the knife the genetic profile of Meredith Kercher. Numerous then were the tracks traced back to Rudy Hermann Guede. The findings of the investigations carried out by the Scientific Police were subjected to severe criticism by the defendants 'defendants' advocates, and the Court of First Instance took full account of those disputes. The contradiction with defendants' defendants was then opened up to the findings of technical investigations carried out by the Post Police on the computer used by the accused Sollecito and his cell phone. Lastly, the findings of the Police Police's findings on further finds, traces and blood fingerprints were reported, as were the critical observations of the counselors of part of the defendants reported. At the hearing, the Court of First Instance carried out a re-reading of the evidence in fact and of the technical investigations carried out during the preliminary investigation, which in their view led to the finding that it was established that Meredith Kercher had been the subject, November of a sexual background aggression by Rudy Hermann Guede, assisted by the accused Raffaele Sollecito and Amanda Knox, who had allowed him to enter the house. Because of the girl's refusal to undergo Guele's sexual attentions, the aggression had grown intense as long as the victim had been hit by two different cutting weapons, causing her death. Immediately after the murder, Guede would immediately be removed, while Raffaele Sollecito and Amanda Knox would have been detained in the house to try to clean the environment from blood traces (hence the dilated blood) and to simulate theft with breakage of the glass in the room occupied by the Romanelli Filomena roommate, and thus put in place a conduct designed to mislead the investigations that would have been launched as soon as the corpse was discovered. On the basis of the reconstruction of the judges of first care, the latter came to the condemnation of Raffaele Sollecito and Amanda Knox in the terms previously mentioned. The appellants appealed to the defendants, claiming separate grounds for damages, and also filed an incidental appeal to the Public Prosecutor in connection with the exclusion of the aggrieved person referred to in Article

61 Criminal Code number 1 and the exclusion of generics and to the concession of the attenuating generics to the defendants. The civil parties submitted appeals to the contested judgment. With reference to the appeals of the defendants, it is possible to refer to the observations of the Court of Assize of Appeal in Perugia in the cassata judgment, according to which the grounds of the indemnity, although formally distinct and characterized by custom arguments, can, however, be illustrated jointly, at least in their essential lines, as they touch the same points and are supported by similar arguments. Even before expressing specific grounds for invalidity or the need for special instructors who have been called upon in the first instance but not admitted by the Court of Assise, the criterion followed in general by the Court of Assise is contested. To say the appellants, the Court of Assise, starting from the conviction, manifested from the very first pages of the judgment, about the falsehood of the verdict proposed by the defendants, would have ended by attributing probative value to elements of no confidence whatsoever, On the basis of these critical findings, defendants of the defendants made inquiries and, in particular, the renewal of the genetic investigation into the seizures. The Court of Appeal of Appeal Perugia, accepting the preliminary investigation, although partially, had the partial renewal of the debate in order to carry out a new genetic examination and to hear some of the witnesses indicated by the parties. At the outcome of the investigation, the Court of Justice ruled the case by judgment of 03 October 2011, in which, in partial reform of the judgment under appeal, confirmed Amanda Knox's conviction in connection with the calamity charge for Diya Lumumba, excluding the aggravating of the teleological connection, and assimilated both defendants of aggravated voluntary murder, theft, illegal harassment and sexual violence in competition for not having committed the facts; also charged the defendants with the crime of crime simulation, because the fact does not exist. He first observed the Court of Assize of the Appellate Appeal as the previously cited sentence of the First Section of the Court of Cassation, which rejected the appeal of the co-defendant Rudy Hermann Guede, thereby making his sentence final, could not have any binding effect on the Judge of the Trim , in relation to the procedural positions of the accused Raffaele Sollecito and Amanda Knox, since a judgment rendered in the light of a judgment rendered in an abbreviated rite and in the absence of probationary emergencies resulting from the rehearsal renewal in appeal in this judgment, with the consequence that the appellate appeal had to move from a free review of the whole set of facts found in question and the technical findings obtained without any limit. In doing so, the Perugia Appeals Judges faced the challenge of solely Amanda Knox's conviction in connection with the slanderous offense of Diya Lumumba, rejecting the indictment and confirming the condemnation of the defendant, as well as a determined by the Judges of the First Instance, albeit, as stated, with the exclusion of the aggravating of the teleological connection. The Court therefore initiated the examination of the main appeal by the defendants, by means of the condemnation of Meredith Kercher's aggravated murder and satellite crimes, moving from the examination of the statements made by the co-defendant Rudy Hermann Guede in various non-procedural contexts (in fact, it should be recalled that Rudy Hermann Guede's examination was not held at first instance for refusing to submit), statements which, according to the appellate judges, precluded Guede from having consumed the crime for which he had received a final sentence with the accused Sollecito and Knox. In the context of the reference to Rudy Hermann Guede's statements, the Court then examined the statements made by Alessi, Aviello, Castelluccio, De Cesare and Trinca, all indirect texts, with the exception of the Viello, on what they reported by Guede during the period of common detention, and concerning the extradition of the accused Sollecito and Knox to the consummation of the murder for which he is a trial. The Appellate Judges, though unsure as to the declarations of the texts, rejected the Prosecutor's request to examine Aviello's head on

statements made to him by the Public Ministry at the time of the examination at the classroom, statements with which he had retracted what was said in court and provided an explanation of the reasons for which he had held that procedural behavior, considering the circumstance on which he would have to lay the irrelevant head for judgment. However, he also had the acquisition of the relevant interrogatory record of the case. The Court then rendered an analytical review of the statements made by the witness at first instance and, in particular, of the statements made by Curatolo and Quintavalle. As for the statements made by the Curatolo head, the judges, while holding the trustworthy statements when the head reported that they had seen both of the defendants in the evening and after the twenty-first hours at Grimana Square, rebuilt the episode as reasonably happened in the evening before November 1, 2007, that is, the evening of October 31, based on the critical examination of the statements made by the Curatolo in the light of the other investigative emergencies, among which the declarations of some texts escaped the appeal. Likewise, the Court devalued on probative grounds also the deposition of Quintavalle's business owner in Perugia, near the house of Sollecito, who claimed to have seen Knox in the early hours of November 2, 2007, within the detergent department of your business. The girl would then leave the shop without buying anything. The Court then proceeded to evaluate instinctive emergencies, specifically referring to the presumed time of Meredith Kercher's death and the identification of the crime weapon. With regard to the first element, the Judges, on the basis of the revaluation of the instructors involved in the proceedings, claimed that Meredith Kercher's aggression with the lethal outcome would have occurred much earlier than the time taken by the Court of Assise at first instance, certainly no later than 22:13 (page 62 of the Appeal Judgment). With reference to the weapon of the crime, and particularly to the knife seized in the House of Solicitude, they argued in the sense that the only concrete element that bound the weapon to the crime was represented by the experimental genetic expertise that indicated the presence on the ' weapon traces of the victim's genetic profile. The Court therefore went on to examine what was to be the heart of the process in the reconstruction of the Appeals Judges, that is, the genetic examination carried out by the State Police on Objects 36 (the knife seized in the House of Solicitude) and the number 165B (the bra strap worn by the evening victim of the aggression). It is just a matter of remembering that the two finds were subject to new genetic testing based on the ruling of the Court of Appeals of Appeal dated 18/12/2010. Regarding Finder 36, the genetic tests carried out in the renewed expertise led to the exclusion of the Meredith Kercher's genetic profile on the knife blade, according to the appellate judges, on the basis of the evidence that the experts had clearly stated the possibility concrete contamination detection, thus letting go of the only element of the cleric that relies on the relevance of that weapon to the crime. It should immediately be pointed out, with reference to that finding, that the fact that the facts in the Supreme Court's decision would have been raised by the Office's experts on the knife, but that no analysis has been made. This is why the Court gives a reason for this ruling, which also explains why the collegiate panel did not proceed further in the analysis of the sample itself collected on the knife blade: the quantity was found to be totally inadequate to allow two amplifications, so that , if they had gone beyond office experts they would have made the same mistake in the findings of the Scientific Police (page 84 appeal judgment). With reference to the finding number 165B (that is, bra straps), the Court thus stated: As regards the genetic profile of Raffaele Sollecito as indicated by the Scientific Police as present on the bra strap worn by the victim, it should be noted that the College has no could extract from it, and not even on the other - the hooks actually were two - DNA useful to be used; this was most likely due to the way in which the find has been preserved; the hooks were presented to the experts covered with crunchy red-brown material, probably resulting from the oxidation of the salts of the

extraction solution used by the Scientific Police, and from the rusty elements of the metal itself; the collegiate panel then proceeded to evaluate the procedure followed by the Scientific Police, pointing to mistakes in the interpretation of the track and again the lack of caution necessary to avoid possible contamination. The formulated appeals brought the Appeals Judges to believe that it is true that there is a major contributor in the route, in addition to the profile of the victim, as well as a profile attributable to the Solicitude, but there is no guarantee that this profile is indeed correct , since in reality, if we take into account other peaks that are present in the track and not considered by the Scientific Police, you may come to different conclusions. But the reliability of the result indicated by the Scientific Police is, in the present case, even more undermined by the reporting methods, which do not guarantee the genuineness of the find, that is to say, not to rule out that DNA, in reality belonging to Raffaele Sollecito, ending on the hook not because it was issued by Raffaele Sollecito himself by direct contact on the alleged aggression at Meredith Kercher, but because he was accidentally transported by other persons who attended the crime scene (pages 87-89 of the judgment of appeal). In conclusion, the appeals judges found unsuitable, as unreliable, the findings of genetic tests carried out by the Scientific Police on Objects 36 and 165B. No better sort was reserved, in the order, to the traces found on the mat inside the bathroom adjacent to the Amanda Knox chamber, to the imprints highlighted with the lumina, both with a useful bio-profile and no profitable biological profile; traces of blood found in the small toilet, all the evidence that was being devalued in the context of the reconstruction of the dynamics of the murder, on the assumption of the possible contamination by untried behavior of the Judicial Police placed in the course of repeated access to the property. The appellate judges finally found it unfeasible to re-construct the simulation of the window in the roommate's room by the Public Prosecutor before, and by the First Instance Judges. On the basis of the assessment of investigative emergencies and of the findings of the German police at the time of Guede's arrest, the Court of Appeal of Appeal considered it more likely that Guede had been introduced into the house through the window glass, by using a large stone found on the spot, and then committing the murder without any other compartics. On the basis of the assessments made in relation to the above-mentioned summaries, the Appeals Judges then reiterated the statements made by Knox in relation to the stay of the two defendants in the House of Solicitation from the evening of 1 November to the morning of 02 November 2007, believing that the likelihood of such statements, constituting an insurmountable alibi for the two defendants, could not seriously be questioned by the uncertainty of the other elements of evidence, and above all by assessments without objective findings which thus assumed the value of mere conjecture. On the basis of the assessments summarized here briefly, the Court of Assize of Appeal of Perugia received a judgment ordering the defendants in relation to all the crimes they allegedly committed, with the exception of the slanderous offense of Diya Lumumba, in relation to which the Court confirmed the first-instance conviction at Amanda Knox alone, excluding the aggravating controversy. Opposition appealed both to the Attorney General in Perugia, and to civilian parties, and to Amanda Knox, limited to the conviction for the slaughter of slander. The Attorney General inferred a number of defects that could be inferred from alleged method errors, having the Appellate Court of Appeal given to demonstrate what was still to be demonstrated, petitions of principle that would lead to serious defects of reasoning, in violation of the procedural principles enshrined in articles 192, second paragraph, 237 and 238 Code of Criminal Procedure. In particular, the Attorney General denounced: violation of the procedural law, and in particular Article 192, paragraph 2, Code of Criminal Procedure, so that the Second Instance Judges would not exercise a unitary appreciation of the clues, by breaking them down, having them evaluated in isolation, in an erroneous logical and legal process; violation of Article 238 Criminal Procedure Code,

since, even if Rudy Hermann Guede's sentence of conviction was finalized, the precondition was not sufficiently valued; Failure to comply with Article 237 Penal Code, awaiting the total devaluation of the memo written by Knox and delivered to the Judicial Police, already validated by the Court of Cassation in the procedure of review of the precautionary measures; lack of motivation of the ordinance on December 12, 2010, with which new collegial expertise was arranged and manifest lack of motivation on the point; contradiction and manifest illogicality of the reasoning of the order rejecting the request for new evidence on the evidence highlighted by the appellants at the time of appeal on finding number 36; infringement of Articles 190, 238 paragraph 5 and 495 Code of Criminal Procedure, as well as the order rejecting the request of the Public Prosecutor's Office of Aviello Luciano, which had been examined at the request of Knox Defense on 18/06/2011, but subsequently , on July 22 of the same year, retracted with statements made to the Public Ministry; Failure to observe the principles of law in assessing the testimony of the Quintavalle test; illogicality and contradiction of the motivation on the alleged unreliability of the Curatolo witness; inadequacy and manifest illogicality of the reason for the reconstruction of the death timetable set by the Court of Appeal of Appeal at 22:15 on 1 November 2007; lack of motivation, contradiction and illogicality of the reasoning as to the probative relevance of genetic investigations; lack of motivation, contradiction and illogicality in evaluating the results of fingerprint analysis and other traces found in the crime scene; misrepresentation of the evidence and illogicality of the reasoning, breach of procedural rules, the assessment of the presence of the defendants at the crime scene and the statements made by Knox to some friends about the conditions in which the corpse of Meredith Kercher was found; illogicality of the reasoning in relation to the assessment of the content of the telephone call made by Raffaele Sollecito to the Carabinieri on the morning of 02/11/2007; breach of procedural rules and illogicality of the reasoning concerning the probative value of the statements made by Rudy Hermann Guede; lack of motivation and manifest illogicity of the same as to the lack of the existence of the simulation of the offense referred to in Chapter F of the imputation; and finally, contradiction and manifest illogicality of the motivation as to the failure to recognize the aggravating of the teleological connection in relation to the alleged crime of slander. The civilian parties set up charges of substantially identical charges and reproached the same censorships already presented by the Attorney General, albeit enriching them with logical-systematic arguments. Amanda Knox's defense finally filed a lawsuit against the part where her guilt had been affirmed in connection with the Slayer offense, F, committed by Diya Lumumba, Patrick, claiming four grounds of indemnification: a violation of the application of the criminal law, the failure to comply with the rules imposed on uselessness, contradiction and manifest illogicality due to the lack of the material and psychological element of the offense; violation of Articles 181 and 191 Criminal Procedure Code, and 54 Criminal Code, since the documentary and declarative material had been taken in violation of the rights of defense of the defendant; violation of Article 51 Penal Code, since the complex psychological situation of Knox would convey the certainty of the same to exercise a right of defense at the time when he made the accusatory statements, and thus there would be a hesitant but putative; Finally, Article 125, third paragraph, and Article 546, first paragraph, letter E, Code of Criminal Procedure, as well as the extent of the punishment that would have been imposed, to a degree beyond the minimum, without specifying the reasons but by doing only reference to the gravity of the fact. The Supreme Court of Legitimacy was of the opinion that mid-time, between the statements of appeal by the Supreme Court and the celebration of the trial, two defensive memories were filed by Amanda Knox and Raffaele Sollecito, Memories that again provided a key to the reading of the evidence collected in the two grades of judgment, bearing in mind the motives of damages filed by the Attorney General, who were heavily

censored, and Amanda Knox's defense alone were filed for additional grounds of appeal. With the first plea in law, Amanda Knox's defense complained of the violation of Articles 581, 597 and 614 of the Criminal Procedure Code and a procedural defect in the formulation of the appeal by the Attorney General. With the second added reason Amanda Knox's defense, returning to the accusation of slander, again censured the procedural means of acquiring the probative evidence on which the two Courts of Appeal had based the judgment. The Court of Legitimacy, after assessing the timeliness of civil action, made a methodological premise on the bounds of the trade union which it was charged with, which is particularly relevant here, since it contains the principle of law set by the Judge of Legality, to which this Territorial Court, referral, will have to conform. The Court hereby expresses in substance: "The Court's legitimacy syndicate on the logical procedure for obtaining judgment on the attribution of the fact by using inferences or maximum experience is intended to ascertain whether the Judge-General has indicated the reasons for its conviction and whether these are plausible. Verification must be carried out in terms of assessment, if the Judge has taken into account all the relevant information in the files, thus complying with the principle of completeness, if the conclusions reached can be said to be consistent with the acquired material and are based on inferential criteria and logical inferences that are incomparable from the point of view of the arguing principle, respecting the principles of non-contradiction and the logical linearity of reasoning. The subject of the Legality Judge's scrutiny is therefore the probative reasoning, therefore the method of appreciating the test, since it is not allowed to overcome the re-evaluation of the clerical complex "(pages 39 and 40 of the judgment of the Supreme Court). To the same extent, the Court of Legality was examining the appeals themselves, taking the steps advanced by both the accused Amanda Knox and the Attorney General, limited to the exclusion of the aggravating of the teleological connection in connection with the aggravated slanderous offense committed by Diya Lumumba. The Court of Cassation, after examining the allegations made by the defendant against the two first and second instance convictions, resulted in the conclusion of the correctness of the logical and legal argument followed by the Courts of Appeal and was considering rejecting the remembrance presented by the accused. He argued differently in relation to the appeal filed by the Attorney General, expecting a logical contradiction in the part of the Appellate Panel's reasoning regarding the exclusion of teleological aggression. It therefore expressed concern to the partial annulment of the decision of the Judge of Appeal, limited to assessing the profile of the aggravating teleological connection, thus appealing to this referring court for a new judgment in the light of the most appropriate parameters for assessing the available circumstances (page 45 of the judgment of the Supreme Court). At the outcome of the ruling of the Court of Legitimacy it can be said that the substantive and partial judgment in relation to the crime of slander was thus formulated. The Court then examined the specific grounds of appeal lodged by the Procuratore Generale Perugino, according to the list already mentioned above. He therefore faced the problem of the non-presumption of a crime as described in Chapter E of the imputation. In relation to that statute of the judgment, the Court noted the incomplete reading of the documents by the Appellate Judge and the manifest illogical nature of the judgment in relation to that aspect of the case, certainly not marginal. In particular, the Judge of Legality pointed out that the Territorial Court had long stayed on the assessment of Rudy Hermann Guede's personality, on his proven mastery of thefts of property, where he usually came through a window, totally omitted to evaluate other significant circumstantial elements, some of which are highlighted above all by the condemnation of the Guede, now final. In relation to this specific plea in law, the Judge of Legality found the allegation to be grounded, highlighted the violation, by the Court of Appeal of Appeal, of the hermeneutic criteria for the evaluation of the evidence. The Court of Justice

continued, in considering the plea of guilty plea relating to the testimony of the testimony of the Curatolo head, in relation to which the illogical nature of the reasoning of the judgment and the incorrect exercise of the appellate power of the Appellate Judge of concrete procedural emergencies, which, on the one hand, excluded that the episode reported by the head could be placed temporally between the 31st October and the 1st November 2007 evening, being that night both defendants engaged in different places, Amanda Knox at the brewery of Diya Lumumba and Raffaele solicited a graduation party, on the other, highlighted the Court's credibility as having been ruled out on the basis of an incorrect evaluation of its statements. In substance, the Court of Justice found that the breach of the parameters for the discretionary assessment of the oral test was out of question. Similar considerations were made by the Court of Legitimacy in connection with the deposition of Quintavalle's body, which had been devalued in its probative value on the basis of arguments which had only highlighted aspects deemed critical to the testimony, obliterating those aspects which also had a valid validity of the veracity of as claimed by the head, with a trial evaluation operation without logical rigor. The contradictory assessment made by the Perugia Court of Appeal of the Memorandum written in English by Amanda Knox was therefore highlighted and legitimately acquired in the proceedings. This manuscript, on the one hand, was completely devalued in terms of its content in relation to Meredith Kercher's murder, and on the other hand it was based on the condemnation confirmed by Amanda Knox's Appeal Judge in connection with the crime of slander in Diya Lumumba's damage, therefore, with a contradictory assessment in relation to different profiles of pronunciation, of the same probative material. The Court then went on to examine the grounds of the plea relating to the failure of the Judge-in-Office to assess the findings of the final judgment against Rudy Hermann Guede and the contradictory assessment of the statements made in the appellate judgment. With reference to the first profile, the Court of Legality stated that, as the Appellate Judge, after acquiring the former Article 238 cpp, the judgment issued by the Guede, now definitively omitted, had completely omitted the assertion that it was unreliable , since it has been rendered in the absence of the investigative integration elements collected in this appealing process. Once again, the reasoning of the Judges to exclude the relevance of the final judgment referred to above, which, condemned Rudy Hermann Guede for the murder committed by Meredith Kercher in competition with other people, would be spoiled by superficiality and not allowed by the procedural rules recalled. An analogy of inadequacy hit the Appeal Court's assessment of the statements made by Rudy Hermann Guede. Given that at first instance the Guede had exercised its right to refrain from making statements, awaiting the state of co-perpetration in the same offense, even though it judged separately, the Court of Justice censured the judgment under appeal in so far as Judges had ruled out the relevance of the statements made by Guede in the courtroom, to assert, conversely, the reliability of the affirmation of the foregoing to a friend, such Benedict, until it was proven that Raffaele Sollecito and Amanda Knox were not present on the evening of the crime in the house of Via della Pergola 7, on the basis of the unmistakable argument that, if they had been present, the Guede would certainly have revealed it to his friend . Thus, the Court of Justice has once again censured the reasoning of the contested judgment on the specific point, stating that the Court's assessment was based on an absolutely incomplete data platform, it came to conclusions without adequate logic support and, in particular, conflicting with other evidence available (page 57 of the Cassation judgment). The Court of Legitimacy then proceeded to assess the Prosecutor's allegation based on the order by which the Appeal Judges rejected the new hearing of Aviello Luciano in relation to the statements made to the Public Ministry. The Court held that, once the minutes of the statements made by Luciano Luciano to the Public Prosecutor's Office on 22 July 2011 were received, the Court of

First Instance had made a clear procedural error by denying the auditor's hearing, hearing absolutely indispensable for the full evaluation of these statements in accordance with articles 511a, 511, second paragraph, and 515 Criminal Procedure Code. It also stated that the Court of Cassation did not prejudge any assessment of the reliability of the declarant, and in the declarations made to the public on 22 July 2011, he provided explanations on the circuit through which he was contacted and induced false propagation . Even with regard to the reconstruction of the time of the death of Meredith Kercher, the Court of Legality censured the arguments of the Court of Assize of Appeal of Perugia, since the latter had resorted to rebuilding that event on the basis of undemocratic deductive arguments and giving credit to what Guede once again reported to his friend Benedetti in the mail addressed to him, deviously plausibly expelling three testimonies, those of Capezzali, Monacchia and Dramis, who had reported sufficiently reliable circumstances, from which he could deduce a different time of aggression. Finally, following the genetic investigation, the Court of Cassation, after having found unfounded the objections raised by the Attorney General and civil parties to the decision of the Appeals Judges to repeat the technical investigations, since that assessment falls within the unquestionable powers of the Judge of the Merits, the conduct of the latter, which had endorsed the decision of one of the experts, Dr Vecchiotti, not to carry out a technical survey on a further track found on Finder 36 on the basis of assessments of opportunities that did not belong to the expert, but eventually to the Judge himself. In addition, the Censorship of the Court of Legitimacy focused on the appraisals of the appellate judges who had argued, without any convincing reason, on the assessments made by the expert witnesses, without contradicting their claims with the motivated and of the Public Prosecutor's Advocate and civilian, professional, and the latter, of the same professional rank as the perpetrators of the Judge. The Court of Legitimacy then censured the Appellate Judges who would unconsciously find the statements of the Office of Experts as to the possible contamination of the finds and regardless of any serious assertion on the point: they simply excluded the relevance of the technical investigations carried out by the former Scientific Police article 360 cp p. Finally, the statements made by Amanda Knox. The Court of First Instance merely stated that any element of the defendants could be inferred from the conduct of the same post delictum. However, the Judge of Legitimacy found that Amanda Knox had made statements on several occasions, from which a specific knowledge of the details of the murder appeared, incompatible with an alien to the fact, on the assertion that she had not introduced into the room where she was the body of Meredith Kercher at the time of the corpse's discovery. On that profile, which the Judges of the First Instance had upheld, the Appeals Judges had omitted any critical position, merely merely dismissing the procedural count as irrelevant. At the outcome of the examination of the judgment under appeal, the Court of Justice set the limits by which the referring court was required to re-examine the appeal resulting from the annulment of the judgment of the Court of Assize of Appellate of Perugia in the following terms: In conclusion, the judgment under appeal must be annulled in view of the multiple profiles highlighted by manifest shortcomings, contradictions and illogicality, which have been outlined above; the referring court will therefore have to remedy, in its broadest judgment, the arguments of the criticism of the subject, by carrying out a global and unified examination of the clues, an examination by which it must be ascertained whether the respective ambiguity of each probative element can be resolved, since in the overall evaluation each clue is summed up and integrated with the others. The outcome of that osmotic evaluation will be decisive not only to prove the presence of the two defendants in the delicted locus commissi, but to possibly outline the subjective position of Guede's competitors, in the face of a range of hypothesisable situations ranging from the genetic 'the option of death, the modification of a program that initially envisaged only the involvement of young English in a

non-shared sexual game, to the exclusive forcing into a group driven erotic game, which went deflagrating, escaping control. In the summaries of the fixing of the debate in referral, Amanda Knox's defenses filed, on 10 September 2013, two distinct memories. With the former they applied to the Court of Assize of Appeal of Florence, the fact that Article 627 and 628 of the Code of Criminal Procedure, and in contrast to Articles 3, 27 and 111 of the Constitution, raised the issue of constitutional legitimacy as regards the incompatibility with constitutional arrangement of the procedural prediction of a mechanism that could potentially lead to innumerable annulments and referrals, with vanquishing the constitutional principle of the right process. With a separate memory, after examining the reasons for the appeal already filed with supplementary arguments, he advanced an instance of renewal of the trial panel, requesting: the recapitulation of the testimony given by Romanelli Filomena, Pasquali Francesco, Rosignoli Maurizio, Ceccarelli Alessia , Quintavalle Mario, Chiriboga Anna Marina, Volturno Oreste, Guede Rudy Hermann; the new examination of all the experts and technical consultants already excluded at first instance and able to appeal to the Court of Assise d'Appello di Perugia; Finally, audition of British witnesses Sophie Purton, Amy Frost and Robyn Butterworth; judicial experiment to establish the possibility of penetrating inside the home of Via della Pergola number 7 for a young athlete; a supplement of expertise in order to establish Meredith Kercher telephone telephone connections on the night of 1 November 2007. Raffaele Sollecito's defense filed, on 29 July 2013, a memo containing the grounds of appeal appealed, which in turn relied on a series of allegations of the arguments in the judgment of the First Chamber of the Court of Cassation for annulment of the judgment in second instance. Does the Court consider that the arguments, although undoubtedly useful for the reconstruction of the facts for which the proceedings are based, do not in fact constitute grounds for appeals, but only of critical relevance to the arguments put forward by the Court of Justice's judgment and must be evaluated in this manner together with all the other elements of the case at the time of the merits decision. With the same memo, Raffaele Sollecito's defenses also advanced an instance of renewal of the investigation, requesting that the referring court provide the following: at the request of genetic testing on the cushion pillow found in the room where the corpse of Meredith Kercher was found; a supplement of genetic expertise on the find number 165B, that is the brailing bra hanging by Meredith Kercher at the time of the aggression; new medical-legal expertise to determine the actual hour of Meredith Kercher's death; audiometric examination, in order to establish the real chance of hearing the scream reported by the Capezzal heads as coming from the home of Via della Pergola number 7; Requesting an Expertise on the Mac Book Pro computer, owned by Raffaele Sollecito; the acquisition of the criminal certificate and the press articles attached to the memory, in order to ascertain the unreliability of Aviello Luciano's head; resurrection of Quintavalle and Anna Marina Chiriboga heads and comparison between the two texts; acquisition of photographs and corporal description by Raffaele Sollecito by Dr. Lalli; Anthropometric examination of the images recorded by the cameras installed in the parking lot adjacent to the property of Via della Pergola number 7, in order to ascertain that it is ... that the effigy person identifies himself in Rudy Hermann Guede; technical assessment of how the stone was thrown against the room window of Romanelli Filomena in order to ascertain whether it was launched from the outside or inside; Finally, examination under Article 197 of the Code of Criminal Procedure, by Rudy Hermann Guede regarding the events of the night of the murder. This is a synthetic reconstruction process. And at this point, as in the program that we had started, we would have left the parties to the parties for their conclusions on the renewal instances. As for the order, I think it might be ... if there are no ... we follow the ordinary order, so let's talk to the

Attorney General, who will obviously also have to evaluate the instances, say for a procedural economy. Are your requests limited to what you submitted?

GB:

So, President, since you want to make a preliminary organization, as you saw, we did this memory-added reasons, with a series of requests; today we add some, and some of us want to focus, that is, insist on some and not others. So, I think ...

AN:

Perhaps it would be appropriate for you to begin with.

GB:

Exactly, maybe for that.

AN:

Maybe if ...

GB:

Except for the novelty I have to talk about.

AN:

Well, if we were new to you, we'll give you the word again.

GB:

All right, President.

AN:

On the other hand, you can not get out of this ... in the sense that parties have the power to deposit memories, and whoever does, as he says, deserves it.

GB:

Eh, in fact ...

AN:

However, it is not mandatory, instances can be made today, so ... I would say, let's start by those who have already deposited them and then we'll go round until there is a chance for everyone to talk about whatever application is presented. Who wants to start? Do you start, lawyer?

GB:

Then, President, I will tell you at once that we will also file a memorial today, which also summarizes this brief intervention.

AN:

Very well.

GB:

I am in twelve minutes, a maximum of fifteen, because when one informs the court, they told me "asks me to be synthetic." So I'll try to be ...

AN:

No ... that's not ... it's not a Taliban court. Let's ...

GB:

This is us ...

AN:

We give everyone the time to argue what they want to argue, in the utmost availability, also because, here, I like to make it clear from the beginning to future memory, whatever our rating we give, this is a process beyond the spectacle that it does not depend neither on the parties nor on the Court, this is a process of unduly serious acts and within which there are defendants who were originally sentenced to considerable penalties. It is therefore of interest to the Court, it is the will of the Court to give all parties all the procedural space required by the parties, because the object of the process is obviously not an object that will allow close tracks for anyone. That's what we say. This, of course, in the hope that the old broward repelled iuvant is not exact, repetition non juvant, but simply weigh ... they weigh a job. So, beyond repetitions, maximum freedom for everyone to use the times that the parties deem necessary for the exercise of their mandate. Clarified this, please.

GB:

Thank you, President. Then, the defense ...

AN:

Of course you can sit if you think.

GB:

No, Chairman, my sitting voice is not coming out.

AN:

As you want.

INSTRUCTIONS REQUIRED

Solicited Defense - Bongiorno Attorney

GB:

Raffaele Sollecito's defense is obviously convinced that the ruling of the Court of Assize of Appeal is complete and logical, but he does not ignore that the Supreme Court, as she has just set out, asks for a

new assessment. I immediately say that in the reasons we have ... reasons ... in the memo-motives we have presented in July, both in the notes I will now file, we declare that we are in favor of any kind of assessment that the Court will have to provide, I want to do it now. This is a process, besides being delicate for the profiles that the President just mentioned, is a process that lasts ... the murder is six years ago ... however, it lasts for many years and has concentrated on two types of evidence, ie oral tests, testimonials, and technical tests. I believe I can evince, from the report that has been made, that there has already been a thorough examination of all these trials by the Court. What we ask above all is that at this stage, which we hope is the last stage of this process, because we do not want a ping-pong with the Cassation and then a further continuation for the next five or six years of the process, we we hope at this point that this Court in the forthcoming hearings will concentrate exclusively and exclusively on truly reliable tests, leaving those trials that we have seen have been included in the various stages of the process, which are absolutely unreliable because they are highly conditioned - this is a theme that will be faced I believe in the future; in my opinion, at the legislative level, too, must be addressed - from the fact that it is a media process, and the fact that this is a media trial I believe that very much the trial-level process, because many witnesses who came to the trial have - and you will see it reading the acts - that many of the information they have had through the television, newspapers, who came two years later, who heard from the cell companion that this process was, who saw a photo of Raffaele Sollecito. Then we ask to reopen the debate, but not to continue collecting this kind of guesswork. I do not fear, we as a defense We solicitly do not fear any evidence, so I want to be clear when I ask for a limitation of the deliberative acquisition, but we do not want to load this process of new conjecture. I make an example for everyone: Mrs. Capezzali I believe ... that is the lady who assumes she has heard the scream from her home, I believe that if you heard it you could immediately grasp the unreliability of her memories. But I do not think this is a phase in which we can continue working this way. I think it is necessary to limit this, therefore, not to repeat what has already been done. What does this mean? How will ... as I have already reported the Presiden profile, among other things in the famous motives-memory we ask only two texts, and possibly a comparison. But we do not think these, I repeat, our true demands. They are not our requests for oral tests. I wanted to do this ... this premise. Instead, we ask for a deepening, done here, that it will remain forever, that is, do it now, take the time it takes, but it must remain forever, deepening of scientific nature. I say immediately that I have heard the attentive and rigorous report of the President, including those that are of course the limits of this Court of Appeals in judging, because it is indicated what is the famous principle of law. In this respect - and we have a page in our memory - let us remember, the President and the lord of the Court, that there are two types of cancellation. The Court of Cassation may annul either by breach or by incorrect application of the law, or by the lack or manifest lack of validity of the reasoning. Depending on the type of annulment, different powers derive from this Court. Then it is true that there is in principle a path, a binary, a scheme that launches the Lawsuits, but we are careful because this judgment was not annulled for the sections of the law violation; was annulled in the context of contradictory reasoning, or a lack of motivation. This means that the type of power that this court has is much broader than the one that would have a referral judge, if the sentence had been annulled for breach of law. I know that it is more complex for non-pledged Judges, but I also know that it is not the task of the lawyer to enter the technicalities and explain them directly here; the Judges will be togated. Just to tell you, it's true that there was a six-year trial, a trial that lasted many years and that the murder was six years ago. It is true that there have been many trials, but you are not fooled, constrained by all the demands of the Supreme Court, because the kind of cancellation is that kind of cancellation that entrusts you with wide

powers. We have ... on the point we have also allowed you to point out some judgments pointing to these vast powers you have, as the vice is a motivational vice. That being said, in the penultimate page of the judgment of Cassation, which is page 73, what is more than the last page of motivation, since then the last one is only a small engraving, it is emphasized - is this the theme of all this short intervention - that the theme to be tried is the presence of the two defendants on the delusional locus commissi, and then they say "and their possible role". The Cassation insists a lot on this issue, locus commissi delicti. And we too. What we ask is this: we deepen this aspect, the scene of the crime, the delusional locus commissi. The scene of the crime is the room of Meredith Kercher, and it is a room that is, according to the accusation, this will obviously be reaffirmed even today, the room where this supposed erotic game would be among at least four people. So the defendants were all agitated in this room. Then there would be a crime. Delusional locus commissi is fundamental to our demands. We are starting from a premise that you will be able to check on the acts: all the texts that have been parade, both in the first degree and in the second degree, but above all, I am referring to the first degree, have said that the killer always leaves - always, and I do not use adverbs if they do not have a precise meaning, and "always" is an adverb without doubtful spaces - always traces, among other things, I speak in the plural, fingerprints of hands and feet, footprints, blood and DNA. Even, Intini told me, only yesterday I saw the role of Intini, who is the director of the Service of the Scientific Police, and made a statement that I ask you to read, on this point, because he said "attention, is out of nature hypothesize that people who are present in a room do not leave innumerable evidence, traces, of their presence. " He even said: "The operators of the Scientific Police, who are careful, obviously because they wear suits and gloves, even them" - replied I believe in my own question - "Dear Lawyer, they even have to leave traces, not because they want to do it, but because "... I told him," Why why? " And he replied, "Only the dragons leave no trace." And the deposition of course you find it to the deeds. What does this premise mean? In my opinion, this is the real point of the process, and perhaps we did not insist on this before, guilty. In the crime scene there are many traces of two ... of the alleged four people present. Of Rudy Guede, who you know has admitted to being present in that room, there is a palm fingerprint imprinted with blood on the cushion pillow under the body of the victim, so a manata we would say in a dialect, a fool; there is a dirty shoe of blood found near the corpse; There is, through the vaginal swabs, the DNA found in, of course, the vagina of the victim; on the bra, we distinguish the bra from the hook, for the first time I heard the President say "piece of cloth with hook"; here, for the sake of clarity, it's not that we're talking about a hook, it's a cloth clasp with a hook, but for brevity we say we're hooked; on the bra, which was found detached from this cloth box, there is the profile of Rudy Guede, exclusively of Rudy Guede, and obviously none of the other two accused; in the purse, in the bag found in the victim's room, the profile of Guede; the victim's heavenly sweatshirt, clothed with blood, with Guede's tracks once more. So, what I think maybe I have failed to represent in the previous degrees is a trivial fact. How can we find this enormous amount of trace alone and exclusively of a person - and obviously tracks from Meredith Kercher, because there was the body - and there is not one, not half, there is no trace of Amanda Knox? And how is it possible that the only trace I shall briefly speak of, Raffaele Sollecito, who would move in that area, in that room, among other things, very small, how is it possible that there are not so many traces? Why is not Raffaele Sollecito's fault or a hoax? How is it possible that there is only that hook, as we contend with the hook? And then the first request is this, Mr President, obviously soliciting your powers: since the defense thinks that when you accuse it, to justify this situation, that is, the lack of trace of the two, save that hiccup, because of course it is too little respect to the traces left by Guede, is something possible in nature rerum, and anyway if this cleansing did not leave ... it should

not necessarily leave traces in turn. Simply put, to conclude with this first request, you are asked to check whether, by cleaning with varichine, with detergents, then there is evidence of cleansing. This is the subordinate. The first: but can you clean it? I started from the assumption that in my opinion - but I'm not a technique - I think if one leaves an impression, one does not know who he is left, so there or it cleans everything, in my opinion, or did not cleanse. However, since this is a part of the fundamental charge, which continues to claim that they have cleansed, this is the first request. Simply put, to conclude with this first request, you are asked to check whether, by cleaning with varichine, with detergents, then there is evidence of cleansing. This is the subordinate. The first: but can you clean it? I started from the assumption that in my opinion - but I'm not a technique - I think if one leaves an impression, one does not know who he is left, so there or it cleans everything, in my opinion, or did not cleanse. However, since this is a part of the fundamental charge, which continues to claim that they have cleansed, this is the first request. Simply put, to conclude with this first request, you are asked to check whether, by cleaning with varichine, with detergents, then there is evidence of cleansing. This is the subordinate. The first: but can you clean it? I started from the assumption that in my opinion - but I'm not a technique - I think if one leaves an impression, one does not know who he is left, so there or it cleans everything, in my opinion, or did not cleanse. However, since this is a part of the fundamental charge, which continues to claim that they have cleansed, this is the first request. but can you clean it? I started from the assumption that in my opinion - but I'm not a technique - I think if one leaves an impression, one does not know who he is left, so there or it cleans everything, in my opinion, or did not cleanse. However, since this is a part of the fundamental charge, which continues to claim that they have cleansed, this is the first request. but can you clean it? I started from the assumption that in my opinion - but I'm not a technique - I think if one leaves an impression, one does not know who he is left, so there or it cleans everything, in my opinion, or did not cleanse. However, since this is a part of the fundamental charge, which continues to claim that they have cleansed, this is the first request.

The second request is as follows. Do you give me the A3 sheet? Then, well, after I'll give it to you. So, the sentence of the Cassation, I think it was illustrated ... President, to help you I did the A3 with the copy requests then in attendance ... A3 because I do not see you, not like ... why do not you see us . And then we will of course give them to everyone, so they will be able to pronounce. At the eleventh paragraph of the judgment of the Supreme Court, the scientific evidence is examined, while the first ten paragraphs, as correctly illustrated by Mr President, are all devoted to the various testimonies. I believe that this approach, that is, the approach of allocating three quarters of the sentence of the Supreme Court, moves from reasoning that would be understandable and justifiable, and that I would fully understand, if he did not have the wrong basis, and there is some distrust of the expertise, which, in my opinion, also spoiled all the consequences of the judgment of the Supreme Court and therefore the requests for further investigation. The Cassation has bribed the expertise that excluded the responsibility - I say in a technical way - of Sollecito, assuming that the expertise, somewhat in an arbitrary manner, would have spoken about the non-authenticity of the hook and the find. And there is a passage, on page 68 of the Cassation judgment, which I pray in the Council Room to verify, because in this passage the Cassation, in my opinion, commits that error which then cascade has caused the other errors, that is, the judgment says: attention, this expertise excluded the responsibility and the presence of Raffaele Sollecito on the delusional locus commissie assuming that this room, the room ... the scene of the crime, was a room somewhat susceptible to pollution, to anyone who came in and went out before taking these finds. This

is not true - says the ruling of the Supreme Court - because since Meredith died on November 2nd, until it was seized with this clasp, this room was sealed. I tell you immediately, gentlemen of the Court and Mr President, that if this room had actually been sealed, the experts who gave reason to Raffaele Sollecito would be wrong. I adapt, I adapt, because a sealed room is however genuine. The error of the Cassation, which in my opinion arises from the fact that there was a very pensive analysis, however, not all of the acts, the Cassation's error is that it was noticed that unfortunately, long before the Scientific Police came in to pick up this hook, there had been a repeated series of room accesses of the crime. In particular, we ask the Court to carefully investigate two search verbs. Why do I make this premise? For further request. It is crucial for us to find an assertion, Mr President, not to determine whether the find is contaminated, but to determine whether an environment can be considered genuine - and therefore susceptible to the collection of finds - an environment in which, as documented to the acts, there have been searches, he has entered the police, not scientifically, regularly, regularly, to make a search. You have the acts, and I can not do it here, because this would be an orphan, to illustrate these effects. You have the photographs for the acts. And then the request is different from the one made before, because in this case we do not ask to take the hook and say "is polluted or not", we now ask casomai in the subordinate. I want to know if one can say that there was still evidence in that environment, because the Cassation says "it is a sealed environment, genuine ergo". We say, "Sorry, the door was open." One could say, "it does not mean anything", "it means little". Then the technicians tell us if we can find some finds after forty-six days, when it was still ... after the police came in. I note that this type of request is a request that is related to another data, which you will surely have understood, that is, that this famous find of the hook, that is, the most stitched picture, was not found in the place where it was at the time when the corpse was found. At the time the corpse had been found, the hook was in one place, and you will see it, because there are videos, and you will see where it was. This hook was found in another place. Then the defense's request is: can an environment be considered genuine under these conditions? And most of all, moving this hiccup to what consequences can it have on the genuineness of this find? Because, Mr President, I repeat and closed and go immediately to the other requests, it is not that there are ten traces on the delusional locus commissies and so we are talking about one of the ten; there is one that was found late and moved. So we are concerned with contamination, if it is contaminated, but if it could be collected under those conditions or if we had to say, "It has now been opened to all of this room, the environment is no longer genuine." It is clear that these two are the requests that are in the room. If the Court decides that however the expertise is complete under a number of profiles, that it is not necessary to do this in-depth, then it could - and this is obviously a subordinate to the others - ask only the previous or new experts who will be nominated you, to read, and it really takes three hours to read in front of you, so you can ask him all the questions, the electropherograms. Here, I consider this very important, on this I spend two words, on the reading of the electropherograms we ask. The electropherograms are diagrams, as if they were an electrocardiogram, a series of peaks. These peaks tell who belongs a trace. Then, the electropherograms that are the subject of this process are not electropherograms that refer to a simple trace; they refer to a communist track, because in this famous picture with a hook, in optic accusation, there was no trace of DNA that refers to Solicitude, in the accusatory sense, but a plurality of traces that have accumulated a other. This is the accusatory optic. Among them, says the accusation, there is also the track of Solicitude. Since this is so, you imagine ten electropherograms ... electrocardiograms, when electrocardiograms make ten electrocardiograms, one on the other. It is therefore a matter of reading the electropherograms superimposed on each other. Understand that reading is very complicated. For

this reason it is said, and this is the fundamental principle, that if it is a simple trace of DNA, we are faced with a sure trace, there is little to be discussed; if the track is commista, ten electropherograms on one another, the probability that a non contributor, that a subject that did not contribute to that track, is readable within the electropherograms, is very high. And there is an affirmation that was made during a hearing by an expert, of whom you may possibly ask for explanation, which perhaps seems less respectful, that in summary, to say all this, he told the President of the Court: "If I read that electropherogram, where the accusation says there is Solicitude, dear President," he did not address her, obviously to the other President, "I might also read his DNA profile." It was obviously offensive, it was a way to say, "I can read." So I say, if we are talking about a reading of electropherograms, we ask that old or new, or even newcomers, be heard to do just that reading, that is, to tell us if a comical track is liable to equivocal readings. On the point, to go to summary, I will not point you out, but please do so in the Council Room, that same Dr. Stefanoni, a person we respect, has signaled a reading of an electropherogram giving some criteria which in concrete did not applied, but it would be too long to explain it. When it comes to my own, we will also talk about this. So this is the additional request. The big question of the process everyone thinks it is: but this DNA is or not Raffaele Sollecito? There is a question that comes up. Hook or clasp where the hook is found? We all leave for sure, be accused and defended, but anyway there is something in this ... in this piece, what about what are we discussing? If you go to see the report of Scientology, in fact you find out - and hence the other defense's request - that in labeling, you know that every trace is labeled: this trace is blood, this is not blood, this is dust, this is a trace of flaking, this ... Why? Why do you do an analysis and see what's there. It has been written, with an adverb that I am asking you to verify, that what's inside this piece of cloth is "presumably a stinging cell", that is, "presumably" would be touched. Obviously, we wondered why they did not write "discharging cells" and then see who they are, and just write "supposedly discharging cells"? We went looking for this period, and in a detailed manner on this point, we focused our attention on this point and it came out that there has never been a direct investigation into the presence of biological material of a nature blood, that is the trace we do not know if it is a trace that can be said to come from fingers, nails or other nature. So the problem is not whether that trace is solicited, but before that: are or not cells? Here, on this point - and I believe that with a very low burden of time, because this is easy, even the Court can documentally document - we ask that you say, in the face of such a delicate process, at least before thinking about the rest if these were really fingerprints, or maybe we have talked about something else in these six years. We quickly pass on the latest requests. As the President of the Court correctly summed up, on page 67 of the Court of Cassation, Professor Novelli's statement is emphasized that contamination, whenever it is present, should be documented by the defense. That is to say, you can not say "there is contamination"; or you try it, or we must not consider it processually. And more, he said, and this is very important: "I also watched the possible contamination through the raw dates. Now I have a moment to talk about this, because it is highly valued by the Court of Cassation. So we think that when we make that first assertion, that is, on the delusional locus commissi, if we feel that the environment is polluted and if we prove that a hook that was there was transferred there, it is clear that somebody 'he had to take or kick; you will find, among other things, all my questions to the various police operators, saying, "But you've never crushed a hook"? Because of course he had moved and I wanted to understand. So we believe that having tried this we also tried pollution. But he tells us: You have to try a little more - says Novello - you have to try the contamination process. Then, the phenomena that have generated any possible contamination can be tried - and here is the defense's request, we also assure that - provided that, in both our hands and in the hands of the

perpetrators, we are given a material that is always missing; on which you will find a series of procedural issues that we have done ... I even think I did this preliminary question, we have always missed, in order to be able to prove the contamination, there is always a lack of raw data availability. What are the raw dates? They are the instrumental files of the capillary electrophoresis, that is, those files that make it possible to verify the correctness of an interpretation, are instruments that in the face of reading the tracks, especially if they are traces ... the famous ten electropherograms on one 'other, allow the so-called peak amplification. By means of those tools, if they were finally to be given, we will be able to prove if this contamination is there and even explain it, explain the process. Since it is very technical, you will find attached to these notes that I will obviously give you a technical explanation of the importance of the raw dates. The raw dates because I say ... the Cassation has valued Novelli and Novelli says "you have not tried the contamination; I've seen all the negative controls. " Well, it's not possible because some negative controls have been given to us, and yet we did not have the raw data. In essence, this is a requirement: if we have to try it because you feel that the burden of proof of defense is not to prove that the environment is contaminated, "you must try the process of contamination of the hook" if this is our burden we ask for the raw date to be acquired. It's an old, very old question.

Let's move on to the last request we make, in the sense that I have closed my intervention with this request and then the Maori Lawyer will speak. This is all the genetic part, and I think we have understood what we would like to focus on. Next to this, which is the latest genetic request, then I will better illustrate the Maori lawyer, will illustrate the importance, we also ask for an examination of a stain ever analyzed on the pillow, because if it is sperm stain we may have solved. And let's say without knowing why ...

Then, let's move on to the others ... to the other trials. You know that in our added reasons, or memories, which we have presented in July, among the various things we ask we say: given the extraordinary importance at the time of the crime, also do, if you want, a new insight into the medical-legal problem. I am telling the truth, perhaps because I am now also having white hair, I have some doubts about the fact that through a medical-legal expert you can safely determine the time, because each of us has a digestion process ... you know the whole thing about pizza, as it diges, and so on. So then, the "now dead" issue is crucial. Then, the alternative I would not wish it was that we relied on the memories of the buzz heard from another house, because I told you that I do not consider it reliable; then I ask you - here is the Court of Appeal of Appeal had given us a lot of space and a lot of space, but it was considered unreliable, so we ask a closer look at the Supreme Court - as Raffaele Sollecito has peacefully and peacefully used his PC, according to the accusation until 21:10, his PC in his home, according to defense until 21:26, there is a gap between the perks of this ten minutes, however we know that for us he used the pc until 21:10 ... sorry, for the accusation of 21:10, for us at 21:26, then we ask, to make light of the hour of the aggression, that he is prepared a precise one. .. a precise assertion, which has never been set, on what I consider the black box of the process, which is the case; the black box of course in the aircraft is that device that records the last minutes of life; we have here two Kercher phones; these two telephones, according to me, have never been thoroughly evaluated, except for the Court of Appeal of Appeal; in these cell phones, which we ask you to make available to experts to see if there are or are not these elements that I will briefly explain to you, in these phones I can find, with

greater certainty of a medical-legal expertise, hour of crime. Because Meredith Kercher, when he comes home, as the President said, around 9 pm, surely makes a first phone call to his parents at 20:56; he was alive then, and we have the timetable. Then there are two events, that I ask to verify whether they are abnormal or not. For "events" I mean telephone events. In particular, it is a first event, which, according to defense, is anomalous, on Meredith Kercher's phone device and not on the tabs. What does it mean? The tabs what do they record? Shopping. If I now ... the expense that the subject makes the phone call. If I make a phone call, in addition to finding the phone number on the device, the cost I face will be on the tabular. However, there are two events that are not recorded as costs, and it is a dialing at 21:58, and is dialed 901. The number 901 can be a voice mail. However, anyone with minimal familiarity with cell phones knows that usually, if you fill in the number, you will then hear the answering machine. But does not charge the charge, so this number was immediately ... in my opinion is the beginning of the aggression, that is why I indicate it as the moment of the beginning of the aggression; is a frantically complex number, or that somehow it is evidence that this cell phone was already in the assassin's pocket. It does not mean nothing except in two minutes, at 22:00, in the black box there is the second abnormal event, that is, there is the composition of a number, but it does not match the tabs, once again, or we believe that Meredith would make numbers and block immediately, or, more logically, we think there is either a hectic action, or he already has the killer. At 22:00 a number is made, which is the Abbey number. The Abbey is the Meredith Bank. And at first she wondered. How is it that at a time ... at 22:00 you would call the bank? We found Abbey actually, being with A, is the first name, is the first number in the directory. The defense therefore believes that if these two events are anomalous events, that is already a time when the crime was consumed. We therefore ask for a review on Meredith Kercher's telephone in order to test these two events, and if it is true that the third and last event, which is an event of 22:13, takes on the significance that we believe. We think that at 22:13 Meredith was already dead and that the murderer was already out. Why do we think this? Because cell phones, as you know, are able to locate, in a non-precise manner, the placement of a subject when they receive calls and impulses. Alle 22: 13 this cell phone receives a pulse, that is, it receives an MMS. You can document - and you will find the acts - that the cell from which the impulse came is not that ... it is not the best server, that is, the best cell that would have served the house where the crime was consumed. So, we conclude, that the aggression was around 21:00 for me immediately after that call, that those abnormal events had been completed when the crime had already been consumed and at 22:13 it was already out of the assassin, so much so that MMS is received out of the house.

After closing this exam, we obviously insist on the evidence that we already have - for the verbal and for your synthesis - we do not go back to the old trials. It is clear that since we all have an interest in doing well and doing well, the order of our trials is what I have shown today in this show. Let Maori advocate complete the picture.

Solicited Defense - Maori Lawyer

LM:

Good morning.

GB:

President, we file an illustrative note for the Court's convenience, and we now give it to the parties as well.

LM:

In my exposition I want to - say so - to accuse what the Bongiorno lawyer has synthesized in a very effective way, even in relation to an important aspect that was omitted during the investigation. I would just like to point out that, as we all know, you know, have seen and heard it before reading acts from the media, here we are faced with a sexual assault. The Judge of the Court has said in his ruling, the Court of Cassation has repeated in clear letters, with the incident that Mr President has read in his report. What does that mean? It means that for a sexual offense, investigators who, from the very first moment, had taken what they thought was the right track, that is, a homicide born of a satanic or pseudo-orgy orgy, in four rooms, in a room in Meredith Kercher's room, which, incidentally, just to complete what his colleague said, is a room that our consultant, the professor. Intron, he measured: he had a space, a maneuverability, for subjects within this room, of no more than 2.20 square feet. Taking cabinets, bed, desk, etc., 2.20 square feet. And in this room of 2.20 square meters, four people would be involved in a fight for sexual purposes, which then ended, according to the Public Prosecution, naturally with the death of Meredith by the three aggressors. Regardless of the absence of traces of Amanda, Raffaele - the question of the hook, that I do not want to replicate and come back on, has already been told by your colleague and you are all aware of it - the attention of the investigators should have been focused and centered on any existing traces that would make plausible sexual aggression plausible. This has not been done. No slight expertise has been done in this. And I explain: as the colleague mentioned, there are traces of sperm that have never been analyzed. For your convenience, I would like you to take note of the report - of course it is all about the acts, then for convenience I will give you a copy of this so that you can more easily find it - the minutes of May 25, 2009, along with the movie, this too in cd that I will have you, if you feel, always for more convenience, which was carried out at the Laboratory of the Police of Rome. On that day, our consultant, Professor Francesco Vinci - we were already in the process of first instance during the first degree trial - was first authorized by the Court of Assise of First Instance to go to the Laboratory of the Scientific Police in order to make some measurements, important for Raffaele Sollecito and Rudy Guede's foot, which had been released on the bath mat according to the accusation. On that occasion, Professor Vinci had also highlighted the existence of another shoe, shoe scarf, scarf, which had never been analyzed, never found, which was seen on the pillowcase of the poor Meredith, post , this pillowcase, just below the naked body of the same. Professor Vinci is giving this ... this repertoire. Who is Professor Vinci, first of all? Professor Vinci is a luminary, the subject that has shown that shoe sole in Meredith's room was not that of Solicitude but that of Rudy Guede, six months before the Scientific Police arrived. He is the one who found the footprint of a knife, the trace of a bloody knife, on the bedspread bed of Meredith Kercher, also this never reported and never found by the Scientific Police. He is the one who found the existence ... the inexistence of Raffaele Sollecito's power on the bathroom mat, with an abnormality of Raffaele Sollecito's foot, which does not rest the manner, so to speak, is asymmetrical and therefore does not could be, the one released, Raffaele Sollecito's footsteps. So it's a person with a specific competence. Dr. Stefanoni is given by Dr. Stefanoni - everything is verbalized and signed what I am going to tell you - it is made available to the repertoire, the find, and naked eye, Professor Vinci finds that on this pillowcase, placed under the body of Meredith Kercher, there are two yellow spots, of about 4-6 mm in size, tied together by a filament. They are sperm spots, naked. Then, of course, carried out her on-site surveys with Crimescope and was able to ascertain not

only the existence of these spots which he considered as sperm material but also that there was a shoe load above these stains, which then from the documentation always attached to the acts, this footprint of shoes, on this sperm-released material, is a shoe-shoe that can be referred to the famous Nike Outbreak, model ... Outbreak model, No. 45, worn by Rudy Guede. On this ... finally after so many months, however, we finally have the certainty, also because the same Guede himself told us, the same time ... he wore them at the moment he entered Meredith's house. What did we do? We ... we were in the first degree judgment. After the investigation, this is for the jurors, according to Article 507, that is, when the trial is completed, if the parties ... so the code says, if the parties need it, they feel that there is 'Absolute need for further expertise, a request may be made to the Judge. We made a request, of course, to the Judge of First Instance, in order to be able to ascertain who this sperm material is, because it is very important, I would say decisive. In a sexual murder, if no sperm material is released on the spot, well, I would say that we are faced at least to a very singular fact. The order of the Court of Assise is negative, as it considers that it has held that this material, this material, precisely these stains, although of a sperm nature, could not be dated, and that, however, always according to the Court Assed, Meredith had an active sexual life and had sexual intercourse with her boyfriend, such as James Silenzi. Then, on the point I want to go back, we want to return, because the datability of these stains, unlike the DNA on the hook, which can not be dated in any case, regardless of whether or not Raffaele Sollecito, in this case the DNA dataability, which can be found by making an expert on these stains, is certain. If the footprint of a shoe sole is imprinted, and this shoe is of the subject that was inside the house, and was sentenced by a sentencing sentence, if it was ... so in a sense - weigh this spot, it means this ... let's say this ... yeah, this stain means that the spillage of the sperm material had taken place for a very short time, so it means it was still fresh, otherwise it would naturally be dry and would not have been You can notice footprint imprinted. So according to us, we have a certain datability that took place on the evening of November 1, 2007. So you can understand how important and important it is to identify the subject, in a sexual background murder trial, to verify this ... this ... of this material, and its DNA. Scenarios that may, in the hypothesis of a point-and-shoot test, and hence of identifying the subject DNA that has released the sperm material, may be of various kinds. It may be Rudy Guede, it is likely. And then at this point it still strengthens what has always been our position: it is the murderer - who, by then sentenced to trial, was sentenced - Meredith Kercher's assassin. It could be a third subject, attention, attention, unidentified. I remind you of the statements - you will read - that Alessi, Rudy Guede's cell companion in the Prison of Viterbo, who was heard in the second grade judgment and asserted the confidences ... and recalled the confidences of Rudy Guede, which Rudy Guede would have told him, says, "We committed the murder I and a third person, of whom I do not tell you the name, dear Alessi. But that person is the one who materially killed ... he cut his throat to Meredith. I, Guede, stood over Meredith's body, I masturbated. He would have started an unwanted oral sex with Meredith, with the same ". So it is the hypothesis that sperm material may have been released. Or, ultimately, if it was Raffaele Sollecito, at this point the circumstance would allow you, gentlemen of Judges, to power with more tranquility and serenity to decide ... to decide. But the important thing is to do ... it's a matter of expertise. As you said, as Advocate Bongiorno said, we do not defend ourselves from the process, we defend ourselves in the trial, we think many things are not right, but we defend ourselves in the process, although nowadays it is perhaps more fashionable to defend itself from the process . We do not; in the process we defend.

Secondly, always talking about this rocky conversation, this Mr. Guede, who was very fond of our justice, sixteen years for such an upright murder, I would say that they are very few. However, it is now a judgment passed and we must take it and take it into account. A second element, which is not in the motives we have filed on July 29 but is indicated in the memo that we have deposited now, I would like to illustrate, so also for the verbalization, is related to the stone, or - better yet - the stones. The famous stone of about four kilos, which was republished, even in this case, on December 18, 2007 by our consultant because it was not identified during the inspection of the Scientific Police, when it fell on the floor of the room of Romanelli ... not because of the merit, because the colleague already pointed out it, that is, the necessity of an expertise in order to ascertain whether this stone has been launched, as we say and have always stated, from the outside and not from the inside. But I want to dwell on another point, that is, the stone that has fallen on the floor, according to us thrown from the outside, but even if it was launched from the inside would be the same as what I will go to say, it broke in two parts, a smaller part and a bigger part, as I said on December 18, 2006. And perhaps to give the so-called "contentine" to the defense, a sample, a DNA quantification on bigger part, but only on one point, the so-called random point, any one. No DNA was detected, no amplification was made, which was instead done for the hook, that there was no negative sampling (?) as well as the knife, and then amplification was done. But what is more disconcerting is that it was done only on one point, it was not done on the various points, and the big stone and the fragment, about 6-700 grams, close to the same. Do, as you can imagine - doing a DNA search on this stone would be very important. There are records in today's memory that we have filed today, a counsel from our consultant, Dr. Onofri, who tells us that for that stone, if anyone has touched him with bare hands, it is quite possible that he was released the DNA. So if you conduct this DNA examination,

Last look - that is actually four - the anthropometric expertise we have ... that we have requested. What does it mean? Then, we ... imagine the house of the crime, the home of Meredith Kercher. There is a road, Pergola Street. On the opposite side of the road there is a car park, the Sant'Antonio Parking. From that side, there is the entrance to cars, a camera is placed, the camera number 7, which registers the car's entrance. It works this way: the camera is activated when you lift the input bar. The entrance to the car park compared to Meredith's house is approximately twenty-five hundred meters. So the inquisitors' attention came naturally and rightly to this ... about this ... on this camera, so much that it was reprinted, according to the testimony of a policeman, an inspector, that Barbadori seems to me, Meredith's entrance through this parking lot, because this car park in turn connects with stairs to the central streets of Perugia, so for those who want to go to Meredith's house is easier to move from the top of the parking lot, get off in the car park, get out of the way ... let's say, from the car access road. So, according to this inspector, Meredith's entry was recorded, which would take place around 21: 03-04 of November 1st. Attention, in relation to the parking time, the parking time was offset by twelve minutes behind the actual time, so when we read a certain time we have to increase it by twelve. At 19:41, you will see it in the copied images, that we have deposited in our first memory, enter a subject, so they would be 19:53 real, a shoulder subject, which is taken back, with dark vest, quilted, cap, light shoes with clear sole, and - after being just passed the entrance - you stand and stand right outside the parking lot, right in front of the villa of Via della Pergola. You will see it, this sequence, I repeat, is in our memory, be careful, then of course, if you feel it, look at the camera as well, of course, the cd of the camera has been ... it's about acts. This subject stays for about 20-25 first, more or less you can compare

with the entrance of the cars 20-25 ... until 20:30 stays out of the parking lot, ten meters from Meredith's house. We, by carrying out our very thorough analysis, we have found that this subject, from an anthropometric point of view, has the appearance of Rudy Guede. Dresses are also the same clothes as Rudy Guede had when he was arrested in Germany. After the murder he escaped to Germany, he always remained with these clothes, and these clothes were held by him until he was arrested and extradited to Italy. Comparing these camera visions with the figure of Rudy Guede and carrying out an anthropometric analysis could give us an indication I would say important. If it was really Rudy Guede, then all that has been said, even in relation to the hour of death, would fall. If Meredith came in at 21: 03-21: 05 at home, if this subject stayed until 20:30 in front of the parking lot, in front of Meredith's house, and then there was no more, meaning that from 20:30 to 21:00 he did something. What could he have done? He may have entered, as we have always argued, from the window of Romanelli's house, having entered, then being introduced, doing what he must have done without Meredith being in the house. So another element to be valued, precisely, as required.

The last point, very important, is that of computers. Then, attention, computers seized, computers seized, are four. Two of Raffaele Sollecito, one of Amanda Knox and one of Meredith Kercher. Of these four computers, only one was analyzed, and this is what our expert ... the expert Bernaschi, heard in a probative accident on the spot. What happened to the three computers, one of Amanda, one of Meredith, and Raffaele's laptop Acer? They jumped. Exactly this: they broke. At the time of seizure, subjects, who were to be experts in the industry, probably used non-technical devices, from subjects as they should have been, and they let them jump, they had an electric shock, and then the hard drive of these computers went completely ... you will see it, you will see it from the expert witness just in the probative accident. Only Raffaele Sollecito's computer remained. This is just to help you understand in what hands these computers have gone and what skills could have the people who then consulted Raffaele Sollecito's computer, the Mac Book computer, as the President in his report said, which remained 'inside of Raffaele Sollecito's home, and was used throughout the night all night. Other than, as told by consultants, it was used for a certain period of time, and then by the Public Affairs Consultants, the Post Police, to be clear, except for a limited period of time. All night long. I do not want to tune on the point, because it is written in a very clear and technical way, and I can not give you directions unless you repeat what our consultants have put up and identified. However, allow me to make sure that this computer at Raffaele's home computer was used during the night between November 1 and November 2, using a software called EnCase, but it's a software reductive, which did not allow us to ascertain what we have ascertained, using, always authorized by the High Court of First Instance, this in the seas between the first and the second degree, to make a hard disk clone and to ascertain which in reality, using, again, a much more modern and much more effective system, actually this computer was always used during the night, so much so that we have not been, so let's say, stand by this computer, it was not ... it never stopped, except for periods not exceeding the six minutes, from 21:00 in the evening until the morning at 5:00. Again, this is very important. Please read it very carefully and it is, so why can you notice it, from page 48 to page 54 of the memory we have deposited now. And it is listed in a technical way, quite simply, in a discursive way, why our consultants have found that this computer was used by its user, which in this case could only be Raffaele Sollecito, as it was inside ... fixed computer inside the home, from November 1 to November 2, watching the movie "Amelie", "Stardust", "Naruto Series", etc., etc., listening to music, etcetera, etcetera. And this is another

formidable one ... so let's say if it was determined by a expert would be the alibi that Raffaele could not have, because no one had seen him stay in the house. But Raffaele's alibi is given by the existence of activities on this computer. I, taking back those that were the indications of Bongiorno's lawyer, I do not think I should go further. Of course, we are reporting, and I carry, as much as I can, to all the inquiries that have been made in the first and second memories. I have insisted on these four inquiring inquiries, because they seem to me to be important, tough and can make a decisive turning point in this process.

AN:

Thank you, Lawyer. Now Amanda Knox's defenses for intervention on your investigative inquiries that you have anticipated and if there are any others.

LM:

Do not we take a coffee?

AN:

I'm on coffee ... I'm nervous, Lawyer. I prefer to go on, because it's a good time to tighten up, then make a Council Room, so you do not get tired. rather we look innervose, because we must remain polished. Go on. Let's take a short ... a brief discussion of your instances.

Defense Knox - Lawyer From Widow

CDV:

Thank you, President. I'm the Widow's Lawyer for Knox. I do not know if it was better to listen to the requests of the Public Prosecutor, Mr President, since we have deposited them, so we actually report it. We do not have any more.

AN:

If you bring it back there are no problems. Then on the demands of the Public Ministry I will give you the word, of course. So if you have nothing else to bring you to the stored memory we take note of it.

CDV:

Yup.

AN:

Your memory is already in the actions, so on both that and on the exception of constitutionality, which is broadly articulated, so there are no problems.

CDV:

Yes. I'm going to let you report to the documents, we have deposited them specifically. Obviously I would like to elaborate and integrate the discussions on the various points. I will be very short. It was only for the continuation of this hearing, if it was necessary to listen to the Public Ministry ...

AN:

Attorney, to motivate the demands she has made, the reasons now. Then, when he heard the Attorney General, I'll give you the word to contradict only what the Attorney General will say again. Otherwise ...

CDV:

All right.

AN:

Let's say the same thing twenty times.

CDV:

No, no, it's clear, it's clear, it's clear, it's clear.

AN:

Here it is. Then...

CDV:

It was just a clarification.

AN:

No, you now explain the requests you made to you, if you think that you have to illustrate it in addition to the memory it has deposited.

CDV:

If you authorize me, I would like to do it.

AN:

Sure.

CDV:

I will be very short, I will of course ...

AN:

I gave her the word.

CDV:

... to get to the point.

AN:

I gave her the word.

CDV:

So, we filed an instance on September 10 on a constitutional legitimacy issue that we have placed. We are in the phase of referral, in a process that we can with calmness affirm abnormal for a number of

circumstances, but at the same time it is a rare process, because the referral process in the criminal, from the statistics of the Supreme Court, as we have to control, is limited to a number of cases, so not all processes ... and therefore I believe that, in the face of the sensationalization of this process and the abnormality of this process, in so many ways, and in the fact that it is of a particular process, it is necessary to also reflect on the respect for what are the norms of the Constitutional Charter. We do it regardless, and I also do this by going out of Amanda Knox's lawsuit. This is a process that is attentive, to use a particular term, so it has been subjected ... that we are primarily involved with this process from the first day as almost all parts, and we also had to read, confront, hear affirmations , some of them ... of comparative law, which can in some way be shared, but that together, together with the abnormality of this process, the rarity of this process in referral, and also to the various considerations, we they have reflected on the legitimacy of Articles 627 and 628, which is what we are discussing today. We are in the process of referral and the first observation that comes to us-even considering, President, the fact that there is no prescription here, because it is known that it does not apply to the offense of which it is the head of imputation today, because it envisions the ergastolo - it is a temporal consideration. That is, it has been defined in doctrine, peacefully, but it is ancient doctrine, it is ancient doctrine, and I am pleased to read above all the recent doctrinal elaborations to see how they develop in jurisprudence, because it is clear that doctrine is often forward, and our reflection on this point has also come about - we will say in reference above all to Article 3 - from the various reflections that have been made. That is to say, today an infinite iudicium is created. It is possible that our client Amanda Knox, who was already sentenced in the first instance, second instance, with a judgment annulled in the third instance after the opposition with the appeal of the Public Prosecutor's Office, today it is reappointed, and it is possible that there is again a new appeal of the Prosecutor's Office, always with the limit of the iudicium of the previous Supreme Court, obviously, to re-evaluate a Knox absolution, which could again, at the level of the Supreme Court , be queried by referral. And again, we will find ourselves in front of a court of law to discuss this process, which could end up again with an absolution, which could be again opposed to the Cassation, and so infinitum. The same case, President, applies in the event of a conviction. Even if Knox condemned, she would have the opportunity to appeal to the Supreme Court, a legitimacy judgment, and to obtain satisfaction, to obtain a sentence of conviction, a new referral and a new examination of the merits. and so on. It could be condemned another time and again there might be an appeal filed by the defendant against the sentence of conviction, and so on, infinitum. It is pacific that this is the will of the legislator, it is a will that goes back in the years. Meanwhile, we have analyzed Article 111, which introduces the principle of fairness and fair trial, and above all the reasonable duration of the process; Article 27, which is the presumption of innocence; and Article 3, which says that we are all equal before the law, to see if this infinitum judgment, which is today a reality, today we are facing an open door, we could see here and in the Cassation for who knows how many years, it is in fact respecting those that are the fundamental rights of the Constitution, and above all, Mr President, in relation to Article 111, which, as a result of this extension of the jurisdictions of 627 and 628, which may seem - and here I want to also analyze a controversial subject - it may seem like a contradiction, because it is a guarantee of 'imputed, the various stages ... the various stages are the guarantee of the defendant. But perhaps today, in the light of the concept of reasonable duration, as imposed by the European Convention, which was then transposed with Italian law, with the amendment of Article 111, and also with the subsequent specific law, which is the Pinto Law , a law specifically designed to establish the criteria for the compensation of those who undergo too long a justice, today a whole legislative evolution, which is recent with respect to the principle of the infinite process, to guarantee the defendant. Today, I said,

this argument may seem excessive. The excess of guarantee in ours ... in our legislation we find it in labor law, favor lavoratoris, or even in a simple lease, the favor conductoris, which was the legislator's subject during the years when the read; but then it has been analyzed by the case law, it has been criticized, and it has also come ... So we knowingly as jurists we have the problem: but perhaps even today 627 and 628, leaving open for the case of crimes without the prescription, as in this case, because there is the goblet, leaving open the possibility of a infinite iudicium, it's a threat, to counter these principles. I said, the reasonable duration. The reasonable duration is also interesting from the point of view of the principle and its constitution. It was transposed, I said, following Article 6 of the Convention on the Protection of Human Rights of the 1954, and it is in fact a principle of foreign law because it goes hand in hand with the idea of fairness. There are infinite books that have tried to define "reasonableness", a principle that also applies to doubt, so it has a relevance today, today, and not twenty years ago, because they are all principles that have happened in harmony and - we say - in comparison with other systems, I said that reasonableness and fairness are typical of common law, which we now find in both duration and doubt. A very precise principle: reasonableness. Is it reasonable that we are still here today and have a process that does not have a term? And this has a reasonable and objective reasoning in my opinion. Objective is: are we now able to find a fact that was executed six years ago? Do not you have to be ready to find out the truth and then make an immediate judgment on the matter? And, secondly, can a person be in a process of life? And the right to defense? Of course, we can defend ourselves, we are here. But is not it a limitation to have this ... this chance at infinitum? Article 27, presumption of innocence. Here again we find a combined provision also with the article on the right of defense, which with this idea of an endless process goes to make a distinction, which also relates to the violation of Article 3, that is, we are all the same. The question we are about is: but the accused Knox is equal to all the defendants who are now under trial in Italy? Indeed there is a disparity of treatment, because most defendants have - and we lawyers know it well - they have the prescription, that is prescription is that idea of having to act with public prosecution within a certain period of time , otherwise it is late and you can no longer go on, said in plain words. And so we have been there: but is Knox treated today, from a procedural point of view, like any other accused? Or, for those who have a non-prescription situation and an infinite process, as ordered by 627 and 628, the combined provisions of these articles, this is also not a violation of the principle of equality, of equality before the law? There are some defendants who may, especially in their interest, try to prolong the process at most, just to make the prescription happen. This in this process does not happen, indeed, it is Knox who must peacefully defend itself, in theory to life, by an accusation that does not end. For all these reasons I insist, together with my colleague Ghirga, for the Court to assess the constitutional legitimacy under Law 11 March 1953, issue 87, to present an instance so that the Court takes into consideration our ... our request. We also believe that, in accordance with Article 23, this judgment can not be defined without a possible definition of this constitutional conflict, and I think it is not ... the reasons just expressed are not unfounded, deserving of acceptance. I conclude ... what is the interest in raising such an exception, which could be contradictory? Because if there was an appeal to the Constitutional Court, this process would be suspended, so we might think that we ourselves have a contradictory interest, we are trying to get a judgment as soon as possible, raising criticism to the idea of the infinitum process and at the same time we ask the suspension. Well, I believe that in the face of such a complicated process and in the evolution of jurisprudence, and especially in the doctrine, because what I have just told you is nothing more than an idea that has existed for ten years. We ... on page 7, if I'm wrong, of my memory, I pointed ... on page 12, I corrected myself, I have pointed out the recent doctrine that raised this problem, what I

am saying to you, that is, whether it is just an infinite referral in violation of constitutional principles. And for all these reasons I believe and ask that our application be accepted.

AN:

Thank you, Lawyer. They have already been recalled, then.

CDV:

I pass the word to the Ghirga Attorney.

AN:

Ah. Good.

CDV:

Which resumes some of the arguments.

AN:

Yup.

Defense Knox - Lawyer Ghirga

LG:

I'm standing by habit, I prefer. We are reminded of the renewal of the debating process. I expose my approach with the judgment of referral to the merits and in twelve points of merit. What is the hope and certainty of the relationship with the lawyer, Ghirga, Amanda Defender? It is that we will be judged with the same autonomy as the first paragraph of the Judge to which the judgment was annulled, subject to the limitations of law, and taking into account then, of course, she has well pointed out to it, the principle of law set forth by the Supreme Court . Let me add this will be the next defensive scheme of the hearings, which you perfectly pointed out to the principle of law that the violation of the criteria for the evaluation of the evidence, article ... I also speak for the popular judges, in short, the investigative assessment according to the rules, through which by known facts comes to the unknown fact to prove, and anyway, the consequences I hope, I hope, are ... if you will make this criterion of global assessment of deception, almost osmotic , like the communicating vessels, some cylinder takes something and gives something, are memories of the middle school, Mr President, is osmotically used twice, not just atomization, not single clue, but connected to them, also osmotically, just something penetrating, intense, that a clue must give to the other to find strength, and on this we agree. The Court of Cassation says that, in order to be heard ... we have highlighted a couple of mistakes in fact, such as ... on the find I will go after that, I tell him ... I tell him later, and also Skype, where Skype would put Amanda in the house while it is not true. Here, the principle of law is that and we agree, the erroneous assessment of the evidence and indicates ... here, it must take account of this principle. Then the threefold hypothesis of genetic harm, orgy, or even sexual background is the consequence of a more accurate, new or different assessment of the evidence, which should then lead to the contest in the offense, in substance, of the three boys. We have responded, making the Court's own judgments, we will answer ... that is, making the Court of Appeal's own declarations, which today, in fact, in virtue of the novel of February 2006, which individually modified both letter E of 606 , illogicality of motivation,

and also introduced what ... okay ... the reasonable doubt, which is not a maquillage operation, as we heard from the Public Prosecution in the two grades of judgment, but ... so that same novel has altered both the article that would not allow the Supreme Court to enter the merit, and also introduced the concept of reasonable doubt. So our scheme is this. Good. We will measure the best and most accurate assessment of the evidence. We believe that, for the purpose of the proof of responsibility, it is necessary to jump forward on the probative level, ie every point must answer the reasonable doubt, that is, it must have a robust evidence anchor, so this is a bit ... We made memories and I just want to explain why I agree and insist on the new prospecting, rather, analysis of the findings I. In the expertise, which is good, which she said, repeated it, is good and we will see if it will be the subject of a new discussion, we are currently opposing, there is a strong censure on the failure to report I. If this is the handle of the knife, I apologize, and this is the blade, the H and I find, the H finding has already been examined in the second degree judgment, there is a party counseling and is signed, crush with the find I So handle, blade, over H find and over find I. For us it is starch, there is a movie of ... cooking, and that's not true, this is the point we agree that is examined, so we will censure this differently ... and it is not true that the Finder I is close to the point of the blade where the alleged Meredith profile was reported. No. It's very far away. So we insist on being able, with various arguments, censor this assertion, the new finding on I, but not because we are sure of the result, because we do not fear anything in that knife, and to censure otherwise the too unbalanced judgment that the Court makes of a CT, albeit authoritative, than the perpetrators appointed by the Court of Assize of Appeal. The last hint of ... and so this, bringing us back to memory, is the point on which we insist, find it ... the genetic examination of the repertoire I. I wanted to report another disfun ... to feel ... albeit authoritative, than the perpetrators appointed by the Court of Assize of Appeal. The last hint of ... and so this, bringing us back to memory, is the point on which we insist, find it ... the genetic examination of the repertoire I. I wanted to report another disfun ... to feel ... albeit authoritative, than the perpetrators appointed by the Court of Assize of Appeal. The last hint of ... and so this, bringing us back to memory, is the point on which we insist, find it ... the genetic examination of the repertoire I. I wanted to report another disfun ... to feel ...

AN:

Excuse me, Lawyer, have patience.

LG:

Yup.

AN:

I did not understand well. That is, you ask for the examination of the Finder I?

LG:

We ask, of course, and I explained ... we asked in memory ...

AN:

The repetition.

LG:

The maturity ... the examination, the examination, and the genetic finding of the repertoire I.

AN:

Yes. That highlighted by second-grade exams and not examined.

LG:

Where is there a verbal ... I save you ... where there is a signed note, then the debate was ...

AN:

Yes. Let's say, that is the point examined by the Court of Appeal of Appeal in Perugia on page 87 of the judgment, when it states ...

LG:

She referred to that.

AN:

Well, when he notes that the consultants have found a sample on the knife, and yet it was considered not to look at it because it was not suitable enough ...

LG:

Absolutely yes.

AN:

Well, that is why ...

LG:

And this.

AN:

Yes. That is, here it is ...

LG:

I just tried to explain ...

AN:

Exact.

LG:

... a bit artisanally where I. was found.

AN:

No, no, no, but I just wanted ...

LG:

She understands, is exactly ...

AN:

... be sure you understand well. That's all.

LG:

That's exactly this.

AN:

Perfect.

LG:

For the outcome of the survey, we will give a different explanation of the lack of examination, in essence, of the lack of scrutiny and censorships in the debate.

AN:

Perfect.

LG:

Here, I mean that. And then, writing another ... well ... another material mistake, in my opinion, contained in the ruling of the Court of Cassation, when he refers to Skype between James Benedetti and Rudy Guede, he also says there: this Skype you have so valued , however, put Amanda at the crime scene. I think it's wrong, because the first time Rudy Guede puts Amanda in the crime scene is March 26, 2008 ... two thousand ...

AN:

2008.

LG:

Yes, 2008, in the interrogation made in front of the Public Ministry. I mean...

GB:

Chat, no Skype, chat.

LG:

Chat, chat, yes.

GB:

(voice off microphone)

LG:

Chat. Chat is communication and Skype is the medium. And I end here.

AN:

Thank you, Lawyer. Then we pass the word to the Attorney General for the ...

General Attorney

B.C:

Yes. I would ask for this. I had, as it were, reasoned on these first two hundred and fifty pages of observations made by the defenders and I said I elaborated my thought on this. Here, as this morning there are more and resigned within about sixty pages more attached, if I could only have a moment to look at them better, even not to risk ...

AN:

A term for offense would be more than defense.

B.C:

Yes, in short, to try to make me less useful, here, in the sense that ... in the terms that the Court holds, here it is.

AN:

So we could get that famous coffee asked by the Attorney ...

B.C:

I am available to the Court, here, though ...

AN:

Do civilian parties have the same need?

B.C:

I think ... (more voices out of the microphone)

AN:

Then ... then, of course, you can of course give up, I do not know, a quarter of an hour, twenty minutes, also because, I repeat, my concern is that the Court Chamber of Judges will not be - as it say - of scarce. .. for a short time, so I wanted to try to get into Council Room in an urban time.

B.C:

I do not ask you anymore, it's just physical to have the chance ... here, for ...

AN:

All right. Let's say, are twenty to one, can we update at one and a quarter?

B.C:

Perfect.

AN:

But I would ask for courtesy one and a quarter to be there to be able to leave, in short.

B.C:

One and a quarter royal.

AN:

Real, effective.

B.C:

So thank you ...

AN:

So one and ten will ring the bell.

B.C:

I thank the Court for this kindness.

AN:

We suspend from now until one and a quarter.

B.C:

Thank you.

(SUSPENSION)

AN:

So, are we all here? Yes, I would say yes. Then, the word to the Public Ministry.

B.C:

Yes Yes Yes. I thank the Court for the kindness it has reserved to me. I would also start by warmly thanking the parties for the kindness of having presented a large number of integrative pages in the order of about two hundred and seventy-five, roughly. This thanksgiving is a bit like saying, reduced by the fact that in fact ...

AN:

Plywood.

B.C:

Here, let's say, for Lawyer Bongiorno travels on a smaller percentage, because I actually realized that, say, the material introduced this morning is the one in which the defender most believes and therefore obviously would also be, as we say, say the Attorney General's interest in this material, to which we obviously have ... let's say, you have more confidence, of course you can talk quietly. But I say, let's say,

so, here, in the extreme ... with the utmost possibleness of the garbage, here's why then I actually think the issues I've been able to see in this period of time and then, in short, what I can say, so let's say, I hope it can be of some use to the Court.

Only a preliminary reflection that basically reflects on the reasoning lastly made by the lawyer Ghirga about, say, the economy of this judgment of referral to the Supreme Court. I do not want to do as those who remind themselves, but let's say, two words have to be said, in light of the complexity of the demands that have been made, the complexity that ultimately has in the end, even dotted on different plans and apparently the aspects most concerned with the process, in defensive prospecting, is a complexity that is essentially a feature - I think - omnicomprentive, that is, in the sense, having to make it all the way to all these demands, if ... now it is certain that the demands of doing it to abundantiam, even in the perspective that not all are welcomed; however, if we were to believe that all these requests were to be welcomed or accepted by the Court, we would essentially have a sort of comprehensive, reconsideration of the process. So then, as I say, on the compatibility of this - let's say - with the ones that are the palettes that obviously the Supreme Court, but first of all the Code, which then the Supreme Court is a faithful interpreter, sets this respect for postponement as a result of cancellation, because there is no doubt, there is no doubt that there are parameters - no? - fundamental, within which the referral judgment, so to speak, must be placed, with reference ... obviously, I am referring to the reopening of the deliberative inquiry, not to anything else. It is obvious that the referring judge is, I would say, to be even more free than the others in the evaluation, but the problem of reopening the Code is clearly set out and the Supreme Court would say even more clearly. Why do I say this? For certainly the theme refers to nouns that are, as regards the 627, which is the article referring to the judgment of referral, that objective concept of relevance, is not it? However, in the current interpretation of the Supreme Court, 627 is joined by Article 603, there is no need to tell it to the Appeals Judges, however, in short, I mean, here I was concerned that this aspect it was clear - no? - or at least it was, say, exposed - clear it was, regardless of my words, perhaps even less clear - at least exposed. That is to say, the 603, which evidently refers to nouns that, as we say, say, of aspects of absolute exclusivity because it refers precisely to the indispensable character to the exceptional nature of this instrument. So, in fact, when I reasoned on the requests I read, and then on what I've heard even more, I came up with the problem of the fact that obviously, with respect to these demands, be it for the Court, irrespective of the fact that these are claims already made, not carried out and anything else, since it is in fact a matter of the suggestions that the parties propose to the Court, which, of course, very re-opening logic, very graded - no? - according to that procedural philosophy, so that more than we are about the result and less that there is to be opened, that is less to be considered - no? - compared to what has already been acquired in terms of test. I remember the affair, let's say, that he did so many years ago: the annulment of the sentence in the Supreme Court against Pacciani, for example, where the Court had, in the Appeal, dismissed the reopening required by the Public Prosecutor to introduce new texts At that moment, being a very, very embryonic situation, those texts had been indicated by the Procurator as Alfa, Beta, Gamma and Delta - you will recall this situation - so embryonic that one of those texts was then definitively condemned as a murderer , so obviously the issue was very embryonic. However, the Supreme Court annulled that judgment, because it said that when it came to an approximation ... the discussion could also be interrupted according to a principle of utmost importance, but in rejecting that ruling, which then remained a leader, he also said that at the moment The

conclusion of the conclusion is that the track in which the channeling narrows more and more, the funnel becomes more and more tight. This is not a reasoning that closes on the formal plane the door to any reopening; it is only to say that at the time when a reopening is to be made, one must always clear a fact: probably many of the things that are being asked for reopening are actually readings, we say controversial, controversial by the parties, process already possesses, and so when you go about reopening, and I say, as the periphery lawyer would say to me, actually tell it to the Court in this sense, here, every time you reason to reopen , with respect to a question that may not be, as if to say, gentle with respect to the evaluations of the party, let us see if by chance those elements already exist in the acts, because if there is, to some extent, certainly more than a question of reopening is a matter re-reading what's already there. And we obviously have loads as a public part to have to deal with a procedural theme that obviously our private opponent feels absolutely, as it were, to be contrasting in our own ... with respect to our interpretation. But reopen it anyway - no? - only for the purposes of reviewing and reconsidering, it seems to me that it is neither in the logic nor in the spirit of the system, precisely because it obviously goes unnoticed, this kind of reopening, from that idea of exceptionality, from that idea - how to say - of indispensability, which then is the Court which must feel, obviously. That is why I said that there is never any justification because it is a matter of suggesting that the Court should reflect on a point, in hope, in perspective, in the expectation that the Court considers that essential point. This, I said at a time, is not a reasoning that serves to cut off the plausibility of the reopening as well as the request for the love of Heaven. At least, I mean, even in my perspective, let alone ... I mean, let's say in the perspective of my requests. But, here,

For example, I refer to testimonial requests - no? - that what I have heard then is what have been less than this - as I say - an object of additional reflection. Here, in those testimonial requests, in those testimonial requests I see basically one thing I wrote here in this article, there are ten pages, plus those manuscripts of this morning, on the new observations of the Bongiorno Attorney, which face just about the four hundred pages, say, the written deductions of the defenders. Here, it seems to me that, as a whole, these requests for new testimonies ultimately, as they say, are fulfilling a requirement that is to arrive at an additional clarification attempt, that is, of what the parties have already said. .. parts... which the witnesses have already said in the fullness of the contradiction, and thus in a situation that ultimately guarantees us and guarantees you that they are subjects with respect to which, say, nothing more is to be asked, with reference to what they have already said. Obviously, everyone is carriers of a certain process, given within the process, has its own place, so everyone deserves to be - as it were - re-examined, but not deliberately but re-evaluated on the quality level of their say - no? - which is what the President reminded us, when he last pointed out what is the prerogative, we say the indications, the dictates of the Supreme Court, the maximum of this ruling of the referral, that is to say, reconsider the conduction of the evidence in the light of greater adherence to what is called the inferential datum and also to all the emergencies of the fact. This will be redone. It will be redone, that I know, for the names we know, that I am in the process, the testimonial more and more times compulsive. But that does not mean that they have to be resentful. We say, from this point of view, they have, as I shall say, little significance, in my opinion, in the sense that - I mean - Romanelli has long been heard at the hearing of February 07, 2009 , the various Rosignoli and Ceccarelli, that is to say, so there, the editors of Piazza Grimana, were heard extensively at the hearing of 19 and 23 June, save if anything else; the English girls, February 13, one even sent a written statement from England on November 04. So it seems to me that

from this point of view, let's say, these additional clarification needs that are required by the texts are requirements - as we say - that they have no support, say, of that essentiality, of that relevance, of that character of exceptionality that you ask. This is to some extent ... then the whole package, I was forgetting, the Quintavalle, Chiriboga, the other employee, the inspector, that thing that's all together, is not it? There is also a problem of relevance, there is a problem - let's say so - to assess the quality of this probative product, how unattractive it is, but the elements to allow the Court to evaluate this, obviously with the warnings of the Supreme Court, which are censorships censored with regard to the manner considered to be totally inadequate with respect to the neighboring court of Perugia, to the neighboring court of Perugia, here, these elements, I said, already exist, that is, there is no an element that has to somehow enrich this scenario. So it seems to me from this point of view, here, the entire picture of the declarative evidence can to some extent end up being brought back to a speech that is ultimately what I said. that is, there is no element that should somehow enrich this scenario. So it seems to me from this point of view, here, the entire picture of the declarative evidence can to some extent end up being brought back to a speech that is ultimately what I said. that is, there is no element that should somehow enrich this scenario. So it seems to me from this point of view, here, the entire picture of the declarative evidence can to some extent end up being brought back to a speech that is ultimately what I said.

One last argument, one last argument with regard to the position of a little special about the defendant, Guede, is not it? This subject, of which obviously we talk a lot in court proceedings, for reasons that are quite obvious, here, I believe - we say - a new examination of this Guede discounts first of all the foreclosure of the 197 fourth paragraph, in the sense that obviously we say , this is the subject who has already expressed his intentions from the point of view of the procedural position, has already done so he can not obviously return to the bomb. Marginally, I would like to emphasize, here, to say a word, frankly, on the strong bawling on this subject that the Supreme Court makes to the Court of Appeal of Perugia, which obviously draws Guede's unreliability into the exercise of what is nothing but a law that he has evidently already manifested and already consumed. So, let's say, from this point of view I am certainly opposed to this request, but, I repeat, it is not contrary in principle, contrary to precisely the relationship with the foreclosure that is being formed. Here too, it is evident that there was, however, a diaspora presence, which is what the Court then points out in Cassation: it was called instead to answer on another - that is, on the famous letter sent, etcetera - and answered in some way, also pointing out, in the contradictory - because then the question that the court, say so, emphasizes, comes from a defender - and so the contradiction on that argument was heard. And the parties did not obviously intend to deepen more. That's the point. And that figure remains, it's wrapped up. Then, I mean, it is, let's say, to appreciate it, to appreciate it, but it's not - how to say ... how can I say - since that figure does not like it, then perhaps, here we are, we want to resent Guede. This is not the mechanism in the sense that it can not be considered relevant and essential to feel Guede simply because it is - as I have said - to use its legitimate faculty. Then he sent a ... he talked to one, with that form of chat, etc., etc., and then came to the debate to say a few things. Here, I think it can not be assumed that this creates such a mechanism for which it is essential to resent it. It seems to me that we say ... I do not say anything else, because it seems to me, in short, I only have to confirm this cut that I intended to give to my ... in my opinion then, because the requests ... the requests I will do next, but also are very deflated, because I feel that on one of these requests there is' is an absolute identity of views, therefore, in short, there will be really little to say. Then, as far as we are concerned, so to speak, the most closely related to

non-declaring elements, but to the scientific elements, the elements of scientific analysis, here the speech is a little more complex from the point of view of the times, but promise absolutely brevity. Only that the recall is more articulated, there are so many references, some things have been - as it were - said today, and they actually require ... because in a broad process ... now it is not that we are, as it were, unprepared to wide process, but we always ask the problem. In a broader process, then, in the pages of court proceedings, there are answers to things that are posed at a hearing in a certain way, and then perhaps they may already have a response within the cards. And this also concerns, say so, the requests I have read and then I heard this integration. I have to say that for many of these requests it is ultimately - and I refer essentially to those already presented in writing by Sollecito defense, well in advance of today's hearing - this is basically, say, a solicitation already done in degree d 'appeals to the Court of Perugia, who then found, on the floor of the discussion and on the subject of argumentation, ample space at this hearing on December 18, 2010, in which many of these aspects - if you go to see that hearing you will find it - were widely valued and appreciated, widely valued and appreciated. Here, and so with this warning I go fast to consider all these themes, which were already seven or eight, and that today have become, with today's ones, fifteen, and so it is clear that, in short, in the face of fifteen as far as one is concerned - in fact - in the spirit of course the synthesis that the President has indicated and suggested, we must say something to not appear so extemporaneous or extravagant. And so, here we are ... some things then were, as it were said, this morning and then obviously ... but they were already part of the previous request; others are, say, unpublished. For example, I read about an audiometric examination, including the acquisition of Internet-related material about a job I did think of a private investigator or anything else, about the possibility of finding the concrete feasibility of the so-called "tearing rage". Now, let's say, it is clear that the problem of the raccoon hurry lies in what the defender has said, namely: I believe that the person who made this statement is unreliable and therefore I have my own perplexity in this regard. All right, let's say, this can be - as you say - the binary within which reasoning is to be put. But from this to be able to believe that a peritoneal assessment, which obviously should be a peritual assessment that should retrace, say, contextual conditions, space-time conditions, that is, all things that are evidently difficult to reconstruct in peritual terms ... because something I want to say, opening a parenthesis: let us say, in these inquiries, of which it is always asked for the renewal, the punctuation and the verification of things that then this evening I heard about the possibility of evaluating in abstract, or in general terms, the level - as it were - tolerance of a certain contamination of the places ... here is the time when, with respect to the procedural data, is what it is, then the Judge makes his assessment. Evidently, the Judge, whose judgment was annulled and therefore did not do so, made a series of assessments that the Supreme Court found to be wrong, not because it lacked a segment, say, of in-depth inquiries. For nothing. He felt that, in the light of those elements, reasoning, which is the final outcome, which can be either S or N, or white or black, was improperly made. That is the question. Now, with regard to an improper reasoning that the Court of Florence must correct, I mean, the perpetual segment, say, can hardly lead to a sort of completion of the fact, which, I repeat, has those characteristics that - we say - this situation highlights. And maybe now, when I go on individual points, I'll try to say it. For example, that of the lacerating curve. There is evidence. It is a matter of confronting this test piece and verifying what it looks like, say, sustainable, what a driver looks like, if the elements that make it, say, find a plausible judgment of this, and on that confront. Surrogating testimonial evidence from the statement sincerely seems to me improper.

The same applies to the anthropometric examination for a subject who, dressed in a jacket, leaves behind a certain parking lot, which, say, what is the outcome of such an examination, I believe that nothing can serve us, nothing can help us, because it is just a reference to height, physical complexion of a person who has a hat in his head - it seems to me, because then, in short, maybe there are so many elements - but surely a vest on him because being in winter he had the jacket, which leaves behind a car park, which is taken behind, of course, let's say, maybe on the upside might have a conduction but on the test I did not have it.

Then there is, here, this, all - we say - the theme of attempted theft - no? - which involves a series of considerations, in relation to which it is then induced as a head, as if to say, again examining, here again a re-reading of what he has already said, written and even developed through a technical assessment, etcetera technical defense advisor, that marshal Pasquali. Well, then it is clear that here, too, there is already, say ... I mean, Marshal Pasquali has already argued, has already done a well-liked technical work, he has already explained, has already filed. So, I mean, there are no reasons why this aspect should be reconsidered, there is no reason why we should return to what he said. I mean,

You would like to subject the stone to analysis. It was a new one, which did not appear in old things. I say, from so skinny elements that I could rest on this computer, which fortunately, in short, is somewhat faithful, I have more or less seen - except the truth, but the Court has all the time and the way - in fact it was a kind of stone that suggested little insights of that kind, and if I did not read it wrong, it seems to me, if I did not read it wrong, it seems to me that it is a finding that was done in the contradiction with the consultant part, who gave him first the suggestion of doing this kind of intervention. So ... but the Court will see it, here, I do not have the claim now, for a speech that was done a quarter of an hour ago, twenty minutes ago, and that I have somehow to get so hot, I do not have the claim to be precise, because I could not be, objectively. So I'm content to say that - as I say - from a swollen fast it comes out that this speech would, in short, somehow already resolved in acts. Then the Court will see whether it is true or not. I also add, on this very plagued plot of attempted theft, which I actually see today, for the first time, to point to all the previous, this unpublished request to see if an agile guy can actually climb this wall. Now, let's say, the elements for doing this kind of assessment, in the opinion of the Attorney General, are already in action, there is no need to go looking for who, then? A hypothetical clone of our Rudy? Not athletic any. But then, I mean, compared to something that frankly seems to be, as if to say, unlikely and susceptible to being evaluated in its credibility, its ability, by the elements that are there. I mean, the place is photographed, it's seen, it's done, so it's not a matter of trying to see if there is one who knows how to climb, why ... so, to say when I read ... let's say, It seems to me that the height is about 3.50 when, I mean, we all know it is 3.78; So if "about 3.50" means even 3.40, it is clear that we are already in a logical, somewhat rough, logical way, which in itself entails the type of demand, in the sense, if I know that. .. is 3.78? Perfect. If I know it is 3.78 and I read "about 3.50", already in the request I find the germ of the equivocal to which the instance, say so, is ... with respect to which the instance ...

Then, then, I see a request for the acquisition of the photos of Sollecito's hands, because - he says - since he was eating his nails, it is plausible that he might have touched other things, if he was actually him.

One thing, let's say, from the point of view of a somewhat conjectural, forgive me, in the sense that the data is that of this trace. There is no more. The fact that there is no more does not mean that he can not have touched others ... it is not that every time one touches by force of things leaves; if so, you would find all the murders of the world in three quarters of an hour, obviously, no? Instead, it is really the need to go, as you say, to find out what little is going to make the murder investigation a bit complex, right? Because if every homicide could be photographed, how to say it, like a ... in short,

And the same reason applies to two other aspects, which are in the papers through acquisitions and police investigations, etc., and so on, and also peritals, and that, say so, do not seem to me to be further investigated. One is the cell phone talk, but perhaps I would like to go back in a moment, and the other is the one I can more easily say, the one about the time of death, in the sense that there is no doubt. 'It is doubtful that this aspect, from the point of view of medical and legal inquiries, has in the dossier a collection of opinions, opinions and evaluations, etcetera, and so on, which is quite varied. So the Court is in the position to orient itself between a - how to say - variety of positions, of course, say, than to imagine that there may be a sixth, seventh, eighth expert who in some way can do, as if to say, a sort of reasoned synthesis of everything, it seems to me that I do not say enough illusory, then we should say well "well, as illusory as we can say, we exclude that" ... no, it is forbidden for me, in the sense that when I have a whole series of opinions that represent the fact in their completeness, I have no way of thinking that there is something exceptionally relevant to so that this ... that this completeness is overcome with a synthesis. This is not, in my opinion, the exceptionality, relevance and indispensability that is indicated in 603 and 627. then we should say well, "Well, as illusory as we can say, we do not rule out that" ... no, it is forbidden for me, in the sense that when I have a whole series of opinions that represent me in their completeness, I have no way of thinking that there is something exceptionally important to make this ... that this completeness is overcome with a synthesis. This is not, in my opinion, the exceptionality, relevance and indispensability that is indicated in 603 and 627. then we should say well, "Well, as illusory as we can say, we do not rule out that" ... no, it is forbidden for me, in the sense that when I have a whole series of opinions that represent me in their completeness, I have no way of thinking that there is something exceptionally important to make this ... that this completeness is overcome with a synthesis. This is not, in my opinion, the exceptionality, relevance and indispensability that is indicated in 603 and 627. that this completeness be overcome with a synthesis. This is not, in my opinion, the exceptionality, relevance and indispensability that is indicated in 603 and 627. that this completeness be overcome with a synthesis. This is not, in my opinion, the exceptionality, relevance and indispensability that is indicated in 603 and 627.

Then it's worth talking to the computer. Here, I must say this: that as far as the computer seems to me, here too the idea of requesting a new expertise, when the theme was ... how to say, is a totally plowed field this from the point of view - so to speak - of the indications that ... if it was obviously to say that the computer is a sure proof of the alibi then we would not be here in anyway, right? So there are totally different indicators than those I've heard, in action. Let's say, for simplicity, because - I repeat - I do not want to discuss the process, for simplicity, I say that it is essentially about the recovery of Dr. D'Ambrosio's advice, which you have in the act, which I have read, with respect to which there are counter-editions of the Post Police that call back a whole series of issues, namely at first the fact that the

Fastweb line manager had ... how to say, archived all night data and thus somehow specified what they were the actual connections that had occurred, all connections apparently automatic and anything else. Then, let's say, this speech is somehow, according to the consultant, somehow lagged behind the possibility that nothing was actually actually seen or written, according to the results, say, that we patronize, certainly, but also, say, In D'Ambrosio's advice emerges a figure that may not be implausible, however, a keyboard pad. This is also a fact that has already been analyzed and that it is already in the papers a position, as if to say, well-defined, in the sense that the counselor sees it in a certain way and, say, the contribution of the survey offers a different reading. And on this the Court will orient itself, so there are no conditions for such a thing to be subjected to new expertise. Then there were things that were so talked about, the connection "Naruto", "Samba", "Stardust" and things. We say that they are, as they say, the subject of wide-ranging debate, let's say, they do not have that kind of insight, so they have to be subjected to new expertise. If, as I have heard, all this means that there is an armored alibi that goes from-to-we will take note of it, so let's say we will end up in this regard. However, I mean,

Here is the same thing ... the same applies to the aspects of cell phone connections. Again, let's say, this is not a topic - I think - of expertise, in the sense that the detection elements already exist, in the sense there is an attempt to make this contact with the answering machine, which then does not give this particular result; there is a call to the Abbey bank, which is precisely the first, and then, as it turns out, in the address book is not even indicated by the international prefix, 00 ...

ASS. WOODS:

+ 44.

B.C:

... + 44, 0044. Here, then these elements are already present. The Court, let us say, will draw from these elements a conviction. Certainly it will convince us that it will have to follow those tracks that the Supreme Court has indicated, respect - I mean - a way of treating the matter of the indictment that was certainly not adequate to the need of the College who dealt with the question 'Appeal to that of Perugia. Here is all that is the matter that ... I realize that the set is quite - as I can say - a little fussy, but it follows a track, here, follows the track to invite the ... that is, let's say, to ask the Court to keep up, here, in the pallets, say, 603 and 627.

Here, then, there is the whole genetic theme, which I leave behind not for a fact of particular relevance, and so, but because somehow it also binds to that other aspect I thought I had to deal with in a certainly, but at this point I will simplify, let's say, that even I think all the parties have - as it were - said they were interested in this supplement. As for genetic issues, there are some that have already been developed in the written request ...

(rings a cell phone between the audience in the classroom)

B.C:

Yes, I understand that ... I have to expire, but now even the charge of the Fifth Cavallegger seems to me a clown ... if it was a President's move, I must say that ...

AN:

Yes, I have a key here below and I turn it on to disturb.

B.C:

I must say that the message came to me strong and clear.

AN:

No...

B.C:

Strong and clear. I come quickly to the point, I come quickly to the point. So, I said, some things are ... they had already been written and others were introduced this morning. As for the written requests, let's say it basically solicits ... it is urgent ... it is a request for a pertinent assessment, say, of the possible residual material still in its time extracted from the so-called, so we can say why then in short , is a conventional term, from the so-called "hook". I have to make two observations from this point of view, since then the theme is also taken up in the oral observations of today, I must make two considerations. The first is that it seems to me that even here, in fact, let's say that it is ultimately to measure with a result, which is what it has attained, which it can put, say, problems from the point of view of the game of the parties, and the judgments that the Judge must do on a plan that is a substantially ground reading of the data, is not a methodical plan and anything else, so much so that This morning we saw that eighty percent of the attention of the defender was brought to the problem of contamination, which is a different problem, obviously, from the analysis. Then I believe that this aspect of reading, say, does not suggest the opportunity for further study, because those readings are there, those aspects have been compelled like no other, I believe in the process contradicted, in short with a contradictory as fruitful as possible; those elements exist for the acts and therefore it seems to me, here, to repeat it, say so, a deepening, that it is an in-depth re-reading, in the end is somehow a remake, here's something that's already there. And in this sense we say that reading the ... the new peaks reading - okay? - which is said in the oral exclusion this morning, in the light of the fact that we are clearly, in a mixed contribution, overwhelmed those issues which, as I have said, have already been highlighted by the experts and that it seems to me that the experts somehow we have already explained, each with its own level of credibility, of course of course the evaluation that the Court will have to do. So, from this point of view, it seems to me that the possibility of re-examining the quantity that I do not know, possibly I may, but may be left out, it seems to me that it is an element - as it were said - not consistent with the examination already done in its time. I have to say another thing: that the reason why today is going to rediscover perhaps the altars of old killings, perhaps filed, against unknown, etc., because there is DNA in the middle, is that - this is what, let's say, that we also know about current experience, work experience, in short, no? - that the DNA that stays in situ, say where it is laid, is a DNA that obviously can be extracted even with calm, right? In short - a personal case - I, applied to a District Attorney, reopened a fact about twenty-two years ago because I found some finds that deserve some attention. But I did it because I worked ... I'm working on the finds, not on extracted DNA, let's say, maybe maybe these missing procedures were known, that is, twenty-three years ago, here it is. Different is the DNA that instead has extracted

because when the DNA is extracted, the fact that it is often used, as well - has seen - the evocative formula of the probative incident, depends, in fact, on the extreme degradation character that this product owns. This, I repeat, is, in fact, not that I have great skills, however, having reopened a few of these so-called "cold cases", a little I had, even unwillingly, to exercise on these issues, and so here I understand this, in short, that the DNA extracted ... So now reconsider a DNA that obviously should be, say, extracted years, years and years ago, that of the hook queue, here it seems to me that it is also, say, unsusceptible, here, of any use on the practical level. So it is just a deepening that also has these margins of contradiction, here, beyond then - I repeat - that however that survey was carried out, it gave those outcomes and, say, the findings are - as they say - susceptible to be appreciated by the Court. As for the story of the hook, but more generally, here is the defensive demands of this morning, here it seems to me ... it seems to me that we can say this: that, say, the expertise on the possibility of selective cleaning me it seems that it discounts a profile of abstractness and genericity when it is given to it, in the sense that we certainly say, if we have to confront - and we must do it - with the state of facts, and if we, say, in our prospect we should have access to the idea that this is a somewhat contaminated post factum, apparently the reading of the elements that this situation proposes should be read on the basis of this warning, otherwise the data remains a - as it were - hung, no? Then, on the merit I do not want to enter, that is to be able to distinguish this invasion of these two meters and twenty, of these 2.20 square meters, which would have made the Guede with respect to the presence of the others, actually then may deserve some reflection in fact , however, let's say, it is not an element I want to face now, because it is an anticipation of discussion, but there is no doubt that, as it should be said, the data can not be denied by a peritoneal assessment which is what - at least according to me of course - what is the prospect.

The same applies to this concept of contamination. Certainly there is no discussion of the subsequent detection of this element. It happened as it could happen in another context, that an element comes out at a later time. It is to be seen whether, in the light of the fact that the data suggests, in the light of the context in which the data is to be inserted, that subsequent finding will inflict the conclusions, or whether those conclusions, if they are - the time the Republic Prosecutor's Office considered to be, are conclusions that have their plausibility and evidence from their standpoint. And this seems to me, as I suppose, not solve - as I say - considering what the degree of acceptable contamination or the degree of contamination ... of non-contamination that is in abstract sense, in the sense that it does not seem to me that even this may be the subject of perjury. There is a point of probative relevance to a given figure at that time and with those modes. The parties will make their considerations, they will say - let's say - what they think. If the data is not proof, it will mean that we will notice if we are convinced that it is not probative. If, on the other hand, we believe that the data continues, on the basis of the findings and the findings made, to assume that it must be true, then we will obviously believe that it is true regardless of the fact that it was found a month later. That would seem to me the problem. That is not, I repeat, it is not solvable through this in-depth - how to say - that seems to me more than substance. It does not seem to me essential to know from a technician what it may be, what is the level of contaminability that in a certain place a place must or should not have because that data can be used. I think the technician will tell me: "I analyze the data, the contextualization, if I see that in concrete" - in concrete terms - "there were contamination conditions, then I do not consider it." But this also does the Public Ministry, there is no need for the expert to tell. then I do not consider it. " But this also does the Public Ministry,

there is no need for the expert to tell. then I do not consider it. " But this also does the Public Ministry, there is no need for the expert to tell.

The same is the reading of electropherograms. I said it before, it seems to me that it is a plowed field, in the sense that, in short, I did not understand that much in this matter, but I did leave it but in the end I came to today's hearing that a a certain idea of the theme I have and so this, which certainly is insufficient from the point of view - how to say - of the conduction of the result, to me does not allow me to orient myself precisely among the different options I have ... which I bed. And it seems to me that these readings, I mean, have already been done in a certain way, beyond that then we have this apprehensive apprehension, which is certainly residual, which certainly exists and which I will probably talk about between second, when I shall mention the instance that I must introduce as a public part.

Even the assertion that it is presumably or not of cells derived from blasting, etc., from the little I read it seems to me that the data as such is not desumibile, in the sense that you can locate other profiles with clarity, if it is blood, if it is sperm, if it is saliva, but remove these elements the rest is not found. So, in short, it is clear that when making such an assertion becomes prevalent, especially if we are to think of marginal, difficult situations; if we were on a fruitful quantity, as they say, "a good profile", if we were talking ... then obviously you would not be here - as you say - playing with a flower; we are reasoning on complex things, but they have a reading - as they say - unambiguous and clear, at least from my point of view, to the state, and so I say, the determination, the finding that is to be made, obviously concerns the fact that it is DNA, here it is. What then interests me to know more, if possible, if you think it is better to answer the question "It is DNA or not DNA", I would say that the important thing is to know when you can do a DNA test , beyond the matrix of this DNA, which, however, when it refers to cells and so ... it seems to be not ... it does not seem, I read it, that it is not ... that is not properly, let's say , identifiable.

Then this thing of the raw date, here, even here working on computers, if you say, you bring it to the hearing of September 6, 2011, you may find the show that the attorney general attorney has done, and I think it can be enough exhaustive, even to explain that this data is given, as you read, the machine, which are obviously not significant data in order to arrive at particular findings. Then it would also seem to me that they were ... offered and not requested, but that, I mean, is part of an entire corporis all together; if the parties felt that they did not value this, I have no reason to do so, because, let's say, I consider it irrelevant ... in short, since I do not think the data is relevant, I also think it is not very important here to discern whether these items were made available and not used at the time and today we learn that they would be kept hidden. But, I repeat, it is not a question of proof and therefore it is not a question, of course, that I am interested in more than enough. At this hearing you may find the way, say, of what I'm saying, better exposed by the consultant. Here, I would say that in essence my reasoning, in its confused capacity of exposure, is essentially concluding here, in the sense that I still have to the Court - and more to the defender who has put it - an opinion, say, legal on the question of constitutionality; and then, as I have to say, develop those demands that somehow arise from the ruling of the Court of Cassation. it is not a question of proof and therefore it is not a question, of course, that interests deepen more than enough. At this hearing you may find the way, say, of what I am saying,

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As for the opinion I have on the question of constitutionality, here I am genuinely late to frame the meaning of this question, in the sense that, beyond a current issue that can arise - no? - the relevance of the question that may arise from the fact that, let us say, we are in the referral judgment and, therefore, the expectation that this referral may be repeated indefinitely is a foreseeable and therefore apparently already in forecasting makes - as it were - the matter to date devoid of any relevance. But I would say, I think the issue is also, say, manifestly unfounded, as well as not relevant in the specific. Why is it manifestly unfounded? Because the mechanism of call to infinity does not take into account the fact that, in any case, let us say, is the procedural mechanism functional to a progressive approach to a tendential truth of the facts? - that obviously, let's say, finally ends up making this mechanism more plausible when there are ... let's say, all the elements have been obeyed and no re-reading is possible, in the sense that then at last an appeal that does not have, as it were, in fact the right hooks is not an appeal that makes the issue hanging forever, is an appeal that is then declared obviously inadmissible. And in fact, we can not concretely give the possibility that, let's say, there is progress in this process of appeals with respect to a hypothetical arrival, which is that of a tendentious truth of facts, it may be reproduced in infinitum, because this would mean that in practice appeals never mutilate any argument and therefore always suggest the possibility of new rebounds and more. In fact, this is not the case, and the mechanism is precisely calibrated on the need to alert the Judge of the merits of the criteria to which he must make his own assessment of the facts, of course, in the perspective of how it sometimes happened. ... that this question may not be definitive, in the sense that there may be a subsequent passage. But this does not alter, in my opinion ... it is too prevalent for this need to consider it somewhat comparable to the need for a person to have, at more or less reasonable times, a solution to his case, because this is not the case of a timing that proceeds thus, without a criterion and - so to speak - with a free wheel; it is a timing that goes against the need that through the mechanism of referral is realized the possibility of approximating more and more to the procedural truth. On the other hand is the reasoning that was made at the beginning, no? Exceptionality - is not it? - on which the possibility of

a referral mechanism is based, the relevance, even the indispensability, are all indicators that somehow respond to the requirement raised by the Attorney From the Widow. That is to say, the discourse becomes infinitum if one interprets the referral as it seems to me partly read from these papers, that is, to say: let us all hear witnesses, resubmit expert witnesses ... then we can, say, "run the risk that ". But, let's say, sorting is calibrated on a different criterion, that is to say it is calibrated on a criterion for which the investigation is reopened, and then new arguments are put into play, only on indispensability, exceptionality and relevance, otherwise it is not. And then it is clear that, as we say on the path that the factual fact has already gone, it becomes difficult to imagine even an infinitum, which, moreover, I believe - and somehow let me, say, overthrow the defensive argument - it also has a substance in the prescription, that is to say when the legislator intends that a crime can not remain lying to a subject's life, whether this subject is identified immediately, whether it is identified after years, but it is the data of consumption of the offense that makes the case, with respect to which a prescription, which today we know to be quite short in many cases, as to say, constitutes sanction of all the infinitum that one can abstractly imagine. It is clear that when the crime is the crime of murder, this fact makes the legislature feel that the procedural affair does not deserve to be - as it were said - closed for an artificial act as is the prescription of the offense, which certainly disregards the need it is necessary that a party does not always hang on to its own case but nevertheless, in fact, in the case of murder or homicide, the public interest is prevalent in the search for truth. So it seems to me that the issue has this double limit, that is, to say of the irrelevance of the case, and in any case of the manifest unfoundedness for the reasons that, say,

I close with two requests, which in essence end up - in some way - to go back to the directions given by the Court of Cassation. It is not that it is one ... let's say that these demands are, as it were, in the logic of a simple and simple adherence to the procedural data. They are asking that they both arise from a strong solicitude of the Attorney General, who see me say in agreement, and so I make them convincingly. And I refer to this supplement of expertise that is to be done on this DNA extracted second by the knife seized at the house of the accused Sollecito, for which of course the merit of this thing, on the findings of this assertion, the non-findings, etc. , I take back the considerations of the expert who had been appointed and then when it will be ... Now, on this I also wanted - here - to do a little clown, in the sense that since, let's say ... now then I'll tell you, I'll tell you, I'll tell you. What I first wanted to say is that this aspect certainly needs to be deepened. Because? For reasons, I believe, that the defenses also suggest deepening, that is, to go see - no? - how do you say. And it seems to me, frankly, here is ... let's say, the arguments I had prepared on this point in some way, I mean, are greatly attenuated because the defenders have already manifested their adherence to this deepening. But, here, let me, two words I meant. Meanwhile, let's say, just because I imagined that the question could be somehow the object of a hypothetical comparison, I was ... I had been sent by Professor Giuseppe Novelli two rows in which he, as quoted in the Cassation hearing as we say, having the paternity of affirming that with new instruments, etc., and so on, that determination can be tempted, I, here, so as not to leave the speech hanging from the word inside the verbals, here, I preferred to ask the consultant to take the responsibility to rewrite this figure, here it is still in the acts. However, I mean, at this point I have no reason to introduce this card because ... unless, in short, it is not believed that it can serve, for he only says - then I will read it - as ultimately this Obviously, at that time it was possible to establish, in relation to the quantities found, it could be done with the instruments that were there at that time, etc.,

etcetera. Then he also makes a note that I would have done it myself, and so, let's say, there is little to say about it. But here is the question I would like to address also from another aspect, namely to say that indeed, here is, let's say, it is frankly singular, that is, that we have been found - and that's what I say, say so, within a the overall consideration that I want to make of this contribution - that you have faced the problem of saying: I have identified, extracted from the material that may be of interest, a priori I think it is not a material on which it is worth deepening, despite which on the other hand tell me that there are tools to be able to deepen. Here, beyond merit - no? - although this material, say so, she knows what ... I'm not putting the problem; I am putting, here is the problem - how to say - scientific, the reliability of such a reasoning, that I actually would say, then when do I read ... no? He says, "It is certainly censurable," says the Supreme Court, "the management of the assignment. One of the constituent members of the college could not assume responsibility for authorizing the mandate received, mandated that it should be conducted without reserve application (?) In full intellectual honesty, thus considering possible data insufficiency and insecurity. " Of course, because it may well be that the result is totally irrelevant, but "in full intellectual honesty", which is a great thing to read in a judgment of the Supreme Court. The "full intellectual honesty" seems to me to express an assessment, that is, that actually ... that it is actually unpleasant to read. So I insist because this assertion is done, just referring to this segment and therefore ... to this argumentative segment of the Supreme Court, and so, let's say, but pointing out, here is the idea, let's say, that the lack of in-depth can be considered a Certain element, compared to a ... for charity, to an option - no? - a scientific option, which is never too little quoted (incomprehensible words), that is, we did not clarify all this. However, I want to say, here is a moment in which, perhaps, let's say, especially for serious and delicate facts, a logic of deepening possible may perhaps suggest different behaviors. So, in essence, I would say that at this stage, as the defenders said well, it is essentially to heal, that is, this deficiency, because that is, objectively, and therefore, in this logic of sanatoria first of all, obviously the request to do this in-depth there, here it is. Then, it is clear that this is not a fact ... as to say, the Court can ... maybe it can also be directed differently. Of course, if we are thinking in the perspective that I was saying, that is to say, a DNA extracted at the time is a DNA that would still be analyzed right away ... but this, I mean, does not matter to be professors, geneticists or anything else. I mean, in short, we know that is so, here it is. So it is obvious that you are now going to put your hand on stuff that maybe was analyzed in ... when it was? in 2011 or when it was. We are almost 2014, in short, time has passed, here is, and so evidently, go to know the ways of conservation ... in short, I mean, the situation is certainly susceptible then to be, as it say, taken with the springs from a point of view of result. So this with regard to the supplement on the DNA extracted in phase two, say, of the probative assessment.

Then there is another court stump on this improbable character, say ... "unlikely" without offense, I mean, from the point of view I mean its criminal certificate, here, by the way, it is precisely the Aviello heads. Here, too, the Court made a slip, in the sense that, say, considered Aviello first important, so much to ask ... so much to give it the hearing in the debate. Then, when Aviello retracted these statements in a Minutes of the Public Ministry, at the request of the Public Ministry - it seems to me that this was, say, the mechanism - however he did not consider ... he acquired that record and then did the use it made in the judgment. Evidently, let's say, in short, it goes without saying that if you consider the declarations Aviello can make in the light of the request made by the defender, so much to bring him to the classroom, say, for a logical compensatory you should also consider the declarations he made to the

Public Ministry then, with which he has denied the first, and thus obviously say, treat them in the same way, here, because in reality this has happened, in essence, in the sense that Aviello, who was co-detained with Sollecito, in short, you have seen it, no matter what you say, however, it affords this kind of friendship, etc., etc., so he told a series of things by letter, sending them from different prisons to the President of the Court. The President of the Court did not consider Aviello to be heard. In the sea the defenders are listening to him and with much ... let's say, with very punctuality record, they make him resume, in short, say, a verbal that seems to me, say, built with all the canons, in the light of which ... in the light of which they introduce this element as ... say, in the appeal, along with other people who are listened to, that is the list of subjects that were then basically branded by the Court as untrustworthy. Here, at that moment, Aviello makes certain statements, which are basically in line with what he said, although there is some discrepancy in the sense that in the letters he speaks generically of the fact that the Accused Solicited did not what about this murder; when it is heard by defenders in defensive investigation, it refers to the responsibility of the brother, in other words inserts other components and other aspects. The precedents, say, of Aviello, for slander and self-indulgence, are a non-indifferent rosary and the reading of all, and so, let's say, speech has this cut. The fact remains that the Court of Perugia considers this relevant testimony and admits it. When, then, we say, there is a subsequent reconsideration of the data by the declarant, which the Public Ministry says different things, at the instance of the Public Ministry, let's say, the treatment becomes different, in the sense that it says: "Well, no, this passes through the verb ". Here, I rightly think, the Court of Cassation is supposed to create a rebalancing between these two aspects, so, I mean, the Court is then free to evaluate, as it were, however irrelevant the whole thing, however, here, I say, on my part, I consider that consideration is, as it were, a procedural type of priority, in the sense that when you you say that a subject, at the instance of defense, is important and therefore call it before you for making statements, you can not believe that, say, become less relevant, so much so that you are content with the verbal, when making different statements. So, here, to repair this anomaly, I also insist on Aviello's examination. So, concisely, I oppose all the inquiries of defense. I consider the issue of constitutionality to be rejected as irrelevant and manifestly unfounded.

AN:

Yes, excuse me, Procurator General, one last thing fast, if he can give me an opinion, because in the instances I think of defense Solicitous there are instances regarding the acquisition of documents that are already present in the memory, so there would be no no process activity. Are there oppositions to the acquisition of this photographic documentation, or ...?

B.C:

Which photos?

AN:

They are photos of nails and photos taken by Dr. Lalli.

B.C:

But there are things that I think there are ... there are already in the dossier. So I do not object, however, there is no opposition.

AN:

Good. She is not opposed. Perfect.

B.C:

There is no opposition. Here is the only thing, thank you now ...

GB:

So, there are a number of photos that are already in the file. There is more than just the criminal certificate of the character ...

B.C:

I wanted to ... I meant this, here, now I took it off say ... thank you for having ... because I was forgetting. As for the requests made by the Solicitate defense to contest Aviello, it seems to me that the criminal certificate already exists ...

AN:

These are all a series of documentary productions, on which, I mean, ask in advance for the procedural parts if there are any oppositions.

B.C:

I think that ...

AN:

I ask her why now ...

B.C:

I think the material there is exhaustive. If, however, the defender believes it is to be integrated with what he has produced, I will not object to this acquisition, absolutely.

AN:

Good. Thank you. So now the civilian parties, who will have to specify whether they have any inquiries for renewal and maybe say something about the rest.

Civil Defense Kercher L., Kercher SAL - Attorney Vieri Fabiani

VF:

Good. Very illustrious President, gentlemen of the Court, the Kercher family's defense does not have any inquiries. It notes the manifest unfoundedness, within the preliminary questions, of the proposed constitutionality issue, associating all the considerations of the Prosecutor General with regard to the relevance of the same and the actuality of the same, and also with regard to unfoundedness, in particular as the rules defending the defendants would censor - and the same defense admits the awareness that the proposed proposition affects the very structure of the institute of the referral process - this procedural norm, which is indispensable in our order and which does not conflict with

other norms, This is because, in particular, the 628 is precisely what is fully consistent with the objective of avoiding the perpetuation of judgments; in reality, they are rules that are all directly related to the principle of definiveness, including the progressiveness of the judges, then discretions are formed. On this point the Constitutional Court has already spoken in the past, rejecting the question. The doctrine and arguments to which the defendants of the defendants refer to the constitutionality of the constitutionality issue are in fact absolutely not adhering to the same principle that they would like to raise. We do not understand what the remedy might be for this, except to completely subvert what is the reason for this norm within our order, and it is true that these norms are the ones that connect directly, directly to their own, to the principle of definiveness. And this is enough for the question of constitutionality.

As far as the inquiries are concerned, the Kercher family's defense is opposed to all inquiries and it is remissive, however, on the expertise ... on the evidence of Finder I, to understand. So, a moment must be distinguished, in the opinion of the referral and, in particular, of the preliminary questions, what is the ratio deciding the Supreme Court of Cassation, in the opinion of this defensive panel. In other words, the decisive ratio of the judgment of the Court of Rome, which is the one which then gives the Florentine Court, concerns the assessment of the evidence, and in particular the series of indisputable elements in the absence of direct evidence. This is, say, the nuclear part of the ruling of the Supreme Court. What then the Court brings forth further explanatory statements of the ratio decidendi and that it also evaluates further inconsistencies in the judgment of second aid that it has canceled is not decisively influenced by the need for renewal of the diaspora education. In other words, let me explain. This defense is convinced that the Florentine Court may well not completely renew the diaspora instruction, invite the parties to conclude, and issue a ruling with a motivational connective tissue to respond to those which are the indications of the legality seat, of which we are namely at the post office. If that were the case, the ruling of the Court of Assize of Florence's appeal would be unassailable in terms of legitimacy, since, as we all know, the Court is perfectly free to regulate itself in the manner it thinks more appropriate, always within what is the Supreme Court's statutes and indications, otherwise it would side up with a further appeal to the Supreme Court . That said, however, and bearing in mind also, without anticipating anything of merit, but in order not to anticipate anything of the merit of the process, we move through a series of elements that the Supreme Court has indicated accurately, and within two judgments passed, the first before the judgment of the Court of Cassation concerning Guede's conviction; the second concerning the Knox condemnation for the slander, which is definitive as criminal liability and is not definitive in terms of the amount of punishment, because this will depend on subsistence or not, and whether the Court considers or does not consider the existence of the main crime as a consequence of the teleological aggression. Therefore, within these elements, which have a very high degree and value in themselves, without going to list them one by one, because otherwise you go to the discussion of the process, you believe this defense that the Court of Florence could very well evaluate everything in accordance with the provisions of the Supreme Court of Cassation.

A word only with regard to genetic investigations other than that of the segment I found. Now, it was already motivated by the fact of the apotype of Y, the seventeen loci, the seventeen loci detected, no one was found outside the Reminder. These are all considerations that have taken individually can be

elements - except that they are very precise elements - but of which will the Court be wise what? Persuasiveness will arise, because the problem is how every single element is persuasive, and then, of course, the overall assessment, as well as established the seat of legitimacy. So, ultimately, it is not predetermined what will be the influential element for decision-making and what it will not, because this will be part of the overall assessment of the merit that the Court will face after hearing the defense, the parties, and after possibly renewing the education, within the limits of what it considers not indispensable, because it is not kept to all this , but rather appropriate and simply appropriate for the purpose of acquiring elements which may contribute to a conclusion as established by the Rome Court, as it is not predetermined, which is the essential element. That is why I insist on opposition to the other inquiries, but we remain remissive of what is the will of the Court and that the expertise can not, however, be regarded as decisive evidence, as we all know, by virtue of its very nature , and because it is solely left to the discretion of this Court of Justice, which is inconceivable in the case of legitimacy in the event that the decision is well founded. Thank you, President, thank you.

AN:

Then, the Marshal's lawyer for the defense of civilian parties.

Civil Defense Kercher JA, Kercher ACM, Kercher JL - Attorney Maresca

FM:

Yes, President, I conclude civilian intervention for the Kercher family. I'm really telegraphic because I know she wants to go to the Council Room. I try to settle for it. I make a premise, a premise that I particularly care about, because from this premise I then try to represent what I consider to today the main task of our civil defense defenders. The premise is that in these years of this long process the civilian party has joined the Procuratorate of Perugia, before the Prosecutor's Office, then the General Prosecutor's Office, in all that was intervention, work, and procedural development since the times of the investigations. He joined him, supported him with his consultants, with his direct intervention in support of the accusatory hypothesis, which then ended, like all we know, with a sentence of condemnation, with a total reform in the appeal and with what is the Supreme Court's ruling that today gives you the cards and acts to you. I say this, Mr President and gentlemen of the Court, because I believe that our main task, beyond what is nowadays, to assist the General Prosecutor's Office in Florence is to give you the historical process data of this process, which is is developed in six grades - three with regard to Rudy Guede, three with regard to today's defendants - and that, however, in the end it comes back to life, brings back to your attention even today in the referral some elements on which we are paused hours and hours, whole days, you do not know, the Attorney General does not know, but we all know it. I make this premise therefore, President, because - and I come to a few points that I am interested in pointing out and to point out to you, which I consider important - because I felt today, perhaps a bit chameleon, to adapt the solicitude defense to those who are procedural needs, I have heard of a sort of shedding of the ponderous request for renewal that was brought to your attention with the first memory, new, indifferent, repetitive motives of appeal, replicating the ex-507 request of the first degree, the conclusion of the deliberative inquiry. Today, Sollecito's defense tells you, "No, let's focus a bit, let's put a bit on the target, because" - I've got a note - "we're interested in reliable evidence, just new guesses." Then, I think that you are trying - in some ways - to dress in a new dress, which is vice versa, are evidence, or at least assessments, of strong, consistent, robust clues that the first degree judgment has offered in its motivational fabric and then the Cassation ... today the

Supreme Court puts you in your liking. It is said, "Just new guesses because" - for example, for the solicitous defense - "Capezzali" - the famous head, marvelous lady, that all of us who have heard in the hearing for long hours - "is untrustworthy." Eh, but the First Instance Court in Perugia says something different; The Cassation, you know, says something different about the Capezzal. "So I'm not, for us, solicitous defense, trustworthy" - because it throws the concept of reliability in a general sense - "late texts, those who are urged by journalists, by young journalists, because they have lost some time and then wake up too late. " But here too we have motivational, logical, strong arguments in the measures you have available. I even heard of Doctor Intini, a Scientist's chief, who was thus heard, as it is said, en passant, in the long debating of first degree, and that he did not make an assessment, because being the head of the Scientology came simply to tell us that Scientology has to respect the protocols and generally respects them and thinks that its kids, that is, the scientists, obviously always work the best. And then, in the restricted request for these findings, Mr President, somehow you dress up again for the claims that are outdated, which have been re-presented and are somewhat scrambled and again offered to you. And so it is said, "There is a need for investigations into the crime scene, because we do not explain why we can make a famous, very famous, highly selective cleansing." And then the two points of reference are: scene of crime, we have always talked to all of us of elements that plucked Rudy Guede's DNA, unlike the other defendants, but that's not the case, but obviously we can not talk about it today. we do the process today and none of us want to do it. So much crime scene on which we must then discuss, but it is a matter of merit whether it is the room of poor Meredith or, as I think, like all of us, the bathtub next to his room, where there were many varied findings with the mixed profile of Amanda Knox and the victim. Will it extend to there, for example, the crime scene or not? We will discuss. Selective cleaning already gives you an answer - on page 71 - the Supreme Court in its reasoning. I could somehow respond in an instant, because we really know the acts, even today's memory of Solicitous defense. Take the cards on page 71, the Supreme Court - because then it is an important element, we have talked about it - it justifies, but as all consultants justify, the question of selective cleansing. And then the concept, dressed this again, you wonder, you are asked: "Is an environment genuine after the searches"? Because in fact the Supreme Court forgets that there have been searchs between the first and the second inspection. But in essence, it is nothing more than to say: was the repository contaminated or not? Rejecting once more - it is years that we are talking about - the problem of contamination, on which the Illustrious President has already shown in his very precise report, what reminds us of the Supreme Court in opening today's referral debate, but recalls - I would like to point out the relative charts 68 and 69 of the Supreme Court's reasoning - where the only other find that brought Raffaele Sollecito's profile, mixed with that of Knox, is the cigarette bite found in the ashtray in the kitchen, distance of meters from the room, crime scene, and so why, if this could be the source of contamination, it is brought, as well as magically could be expected, only the solicitude profile is brought on that hook and not the Knox. Of course I do not think about the assessment of the contamination because he has already spoken to the Attorney General and so I do not want to steal other minutes.

We continue to argue that the famous raw data has not been made available to the defense, on which - and here too - we have spent so many hours. But - I could not give you the page because I did not have the material, of course the memory was today, of Sollecito defense - Professor Novelli, General Prosecutor's Advisor, had available negative and positive controls of various electrophoretic racing and to resume the same electrocardiogram comparison offered by the Bongiorno Attorney, you too consider

that the raw data are a bunch of peaks because they are a bunch of electrocardiograms, one above the other, which serve nothing except scheming the work of the car. Dr. Stefanoni points to this point, but he laughs in the same memory of today, today, Soliciting defense - because I call your attention, papers 61 - gives the very justification, I must say in an absolutely complete way, to Stefanoni, Stefanoni's comment that the raw dates, from the point of view of the ex post examination , they absolutely do not need anything. There is no doubt - even here - that the mixed track poses major problems of reading and that - another point that is offered to you by Sollecito's defense - is an equivocal reading or not, is it a certain reading or not? But these are now peaceful, are historical data of this process, which were brought to the attention of the Court of First and Second Degrees. Of course you can not go back over it. Stefanoni's comment that the raw dates, from an ex-post examination point of view, are absolutely nothing to do with anything. There is no doubt - even here - that the mixed track poses major problems of reading and that - another point that is offered to you by Sollecito's defense - is an equivocal reading or not, is it a certain reading or not? But these are now peaceful, are historical data of this process, which were brought to the attention of the Court of First and Second Degrees. Of course you can not go back over it. Stefanoni's comment that the raw dates, from an ex-post examination point of view, are absolutely nothing to do with anything. There is no doubt - even here - that the mixed track poses major problems of reading and that - another point that is offered to you by Sollecito's defense - is an equivocal reading or not, is it a certain reading or not? But these are now peaceful, are historical data of this process, which were brought to the attention of the Court of First and Second Degrees. Of course you can not go back over it. is a certain reading or not? But these are now peaceful, are historical data of this process, which were brought to the attention of the Court of First and Second Degrees. Of course you can not go back over it. is a certain reading or not? But these are now peaceful, are historical data of this process, which were brought to the attention of the Court of First and Second Degrees. Of course you can not go back over it.

I have heard - but I go quickly, President, then to conclude - I even heard that we should proceed to examine the famous patch on the pillowcase, probably sperm liquid, because Alessi, subject - I can only use a term - ignoble we have heard that he has been spotted with a horrible crime of a child, we have already heard him in the hearing because he would take the confidences in prison so that he could support the need for such a test. I say, let's lose Alessi, let us also lose these useless pages that had this process on totally useless testimonials. As for President, all other requests, I look into the global way, the request to hear the magazine holders as the poor Curatolo died,

While, on the other hand, President, in response to his request, I think, on the point, that we must be exhausted ... I had ... I had been reminded, President, of expounding all attachments to the new motives, or anyway to the memoirs defensive, considering them inadmissible, but I can resize this opposition to the memories already deposited at the stationery, only to today's day, where I think that some attachments really have to be cut off. Cards 75 of the Defensive Defense Solicitor are listed, the attachments are listed and there are offers, apart from Annex 2, which is already in progress, as I repeat in detail in the Solicited defense, vice versa, Appendix 1, 2 and 3 are considerations, technical notes, basically the consultations of Professor Tagliabracci, Dr. Onofri, where - even in the opposite of the truth, I must say, but on the point the consultants will be more precise - Professor Tagliabracci, on cards

8, asks us, indeed asks you: "Perhaps the negative controls simply have not been realized? Maybe the raw data were thrown "? Well, all of these elements, I repeat, were overcome already in the debate, already with the hearing of Professor Novelli. Moreover, these consultations are new consultations, which are not the case. already with the hearing of Professor Novelli. Moreover, these consultations are new consultations, which are not the case. already with the hearing of Professor Novelli. Moreover, these consultations are new consultations, which are not the case.

AN:

Excuse me, Lawyer ...

FM:

You are welcome.

AN:

I had understood, and my request was aimed only at the photographic documentation attached to the memory ...

FM:

Yup.

AN:

... of July 29, 2013.

FM:

Perfect.

AN:

I still do not have the memory of today physically.

FM:

No, but I'm President.

AN:

No, stop it.

FM:

Ah, yes, yes, sorry.

AN:

I can not decide. Certainly, all that is not photographic documentation, or documentation, is certainly not obtainable, even if it is attached to a memory. Physically, it does not make it usable in a process. Then, at the outcome of the debate, the Court will be charged, as in an ordinary judgment, to indicate what the Court will consider to be correctly acquired in the proceedings and that it will be able to use it.

So the fact that there are allegations physically, on which I have no instances of acquisition in the state, makes them irrelevant. For now, I have asked for an opinion on what is called in memory of July 29, 2013, of Sollecito's defense, in which it is expressly requested the acquisition of the numbers 6 and 8 of the memory and - specifically - the photos concerning the hands of Raffaele Reminder, showing the lack of nails, and photos of medical examinations carried out by Dr. Lalli. These are the two requests that are already contained in the memory, and on which I ask you for an opinion. Everything else for now is completely out of the question.

FM:

No, President, there is no opposition to those photo allegations.

AN:

Here it is. Very well.

FM:

I...

AN:

Numbers 6 and 8 of memory.

FM:

I anticipated it because it was produced today, and I thought the Court already had the material possession of memory. So if he believes, when he believes, he will give us the word for that.

AN:

No, no, let's end here too.

FM:

Very well. Very well.

AN:

Because I would not get in the dark to give the words.

FM:

No...

AN:

Now let's tighten, because then the decision on this renewal must be adopted by the Court today.

FM:

Sure.

AN:

So let's go fast. Also discuss this aspect.

FM:

But I have already concluded, President, in the sense that this documentary production must be returned to the part because it introduces partisan consultations, by Professor Tagliabracci, who have already heard of important points, that of the possibility of knowledge and examination of the raw dates; not only, but also introduces an opinion by a psychologist, Dr. Mignaccia, about Curatolo's trust, heads - repeated - deceased, about the use of hashish, heroin, and so on, which I think can not be acquired if not obviously after a decision to have expert advice, etc., and these are the consultations of a party that only after the examination can obviously be acquired.

AN:

All right.

FM:

So on the point I concluded. As far as requests are concerned, we obviously oppose it, as already concluded by Fabiani's Attorney and I report back to his conclusions.

AN:

Thank you.

FM:

Thank you.

AN:

Civil defense of Diya, Lawyer Pacelli.

Defense Civilian Party Lumumba - Attorney Pacelli

CP:

Mr President, ladies and gentlemen of the Court, very telegraphically, Patrick Diya Lumumba has no request for a renewal of a panel discussion but considers it desirable to ask for the Court's tolerance for sixty seconds. He made a request to this Very Exciting Court: certain trials. In this process a sure, sure, irrefutable test is given by the recognition of the calumny. Considering today the need to judge the existence of the teleological connection means to say, by Patrick Diya Lumumba, to want recognition in respect of a figure that Patrick has always insisted, as he has always insisted on Amanda lying and slandering , that is, to say that this choice of Amanda was determined by the fact that Amanda wanted to screen the investigation. Therefore, the revaluation of the entire compendium in the wake of what the Court of Cassation has said to the powerful and overwhelming element of oral evidence, from a probative point of view, already in action in two degrees of judgment, is of paramount importance and it will also give light ... it will also light up many of the demands that have been made today. I quote one and I will conclude, Mr President, the screams. But let me remind you that Amanda Knox, sitting on the scene of the crime, giving details that only those on the scene of the crime could know, is the first to talk about screaming. It's Amanda Knox. And he says it in the night-scenes acquired because it can be

perceived for a whole series of reasons that have been developed, that the Court of Cassation in which he gave reason to this defender. Let me say that the subsequent witness testimonies confirm what Amanda had already in the first place, even on the evidence of the memorial, which was made known. Therefore, Mr President, from this point of view, in line with the ruling of the Court of Cassation, this defender considers that the revaluation of all evidence is of fundamental importance for the unequivocal determination, beyond any reasonable doubt, of the existence of this aggravating one. Thank you, Mr President, thank you for your attention. this defender considers that the revaluation of all evidence is of crucial importance for the unequivocal determination, beyond any reasonable doubt, of the existence of this aggravating one. Thank you, Mr President, thank you for your attention. this defender considers that the revaluation of all evidence is of crucial importance for the unequivocal determination, beyond any reasonable doubt, of the existence of this aggravating one. Thank you, Mr President, thank you for your attention.

AN:

Thank you, Lawyer. Then, Lawyer Magnini.

Defense Civilian Party Tattanelli - Lawyer Magnini

LM:

Yes. We do not have any inquiries and join the conclusions of the Public Affairs Department.

AN:

Thank you, Lawyer. It seems to me that the civilian parties are exhausted, so I would say the defenders of the two defendants, limited to the two requests made by the Public Prosecutor. A defender for each procedural party.

GB:

So, as far as the General Prosecutor's request is concerned about the knife, obviously there is full membership, among other things, we have already said that we had broad ... on the point we are in favor of any assertion. Let me point out that in the memory that I will now file, as the Attorney General has precisely stigmatized the conduct of the perpetrators, in reality that is another error of the Cassation, in the sense that the experts had asked for this in-depth study. However, I do not want to - seeing the late hour - to illustrate it. I would only beg, in the notes I will now make, to check this factual mistake of the Supreme Court. The experts did not omit the analysis, they asked to disassemble the knife just to do this analysis.

As for Aviello's problem, I note that the Attorney General has already specified what kind of character this is, and therefore does not put it, I think, under the question of relevance, but of a procedural defect in which would be incurred. So, as the Court of course knows, the type of admission is a type of admission, even at appeal, which is based on an appraisal of relevance, there was a novelty after Aviello's examination, that is Chiacchiera and Napoleon, who were the subjects who were asked to respond to the possible credibility of this character, who in turn had been accused of this character, said he was a completely unreliable and unreliable character because during the years, as a peculiar activity

of his life, had to accuse people, declare a collaborator and then he was not. So they massacred the trustworthiness. From here the choice of the Court of Appeal not to be affected. So there is a new fact that has made it irrelevant. The notes we produce, it is true, as the lawyer said, that they contain opinions, which, of course, with the consent of the parties, as set forth by the case-law, could come in; if there is no consensus, of course, that they can be part of the memory and therefore stand as advice and may be heard at the hearing, or they may be out of order. Of course I would ... I would have asked for any consent. One single clarification, because I want to, we have not introduced surprise tests today, I say because procedural courtesy is the first thing. I had deposited everything in July.

(multiple voices outside the microphone)

GB:

No, it is to say that there was no procedural rudeness. Just this.

AN:

Not even from the President (voice out of microphone). So please protect ...

B.C:

If it was for me, I did not ...

AN:

Please protect the defendant Knox. Naturally, on the find 36 I think you all agree, so it's useless to waste time.

CDV:

Absolutely, we confirm. But I also ask the Court that there is an assessment of the circumstance just referred to by the Defense Solution because, in fact, there was a verbal record in May 2011 with the presence of all the consultants of the parties, where Professors Contri and Vecchiotti , having discovered this new track I, had formally asked at a meeting held in Rome at the Institute of Legal Medicine, however there is a verbal record, whether or not the assessment was necessary. The meeting was attended by both Professor Novelli, a Procurator's Adviser, and Dr. Stefanoni, representing the Scientific Police, as well as all other party consultants, and it was decided unanimously not to proceed with this assertion. So the fact ...

AN:

Also by Professor Novelli?

CDV:

Yes. There is a verbal that reports this. The finding was questioned, or shortly before; the request to confirm this new test was only made on that occasion. So on that I concluded.

As for Aviello, since Aviello was in fact controlled by us, I want to point out that the circumstance for which we have conducted a recorded interrogation and a precise record, precisely because the

trustworthiness of this head was in question and so when we did this defense we started and tried to maximize ours, it was done only and only to demonstrate, by this defense, the different treatment of the clues that the police, especially in the initial investigation phase, he did. There were two weights and two measures. They went looking and went to hear witnesses of all kinds, doing everything ... of all kinds, even techniques, instead of three letters, because Aviello wrote three letters to President Massei, including documents from third parties with statements of some relevance, such as the fact that he knew where the crime weapon had been hidden, which was, according to his statement, within a stone in the wall just a few meters from the house of Via della Pergola. So Aviello - and I wish this to be clarified - was only felt to show how there were two weights and two measures, so much so that this argument was accepted in the Appeal, which the President ordered to Dr. Chiacchiera, head of the Questura of Perugia , to go to look for this knife, because the point President was: why, in the face of so many witnesses, and I do not mention them, but Kocomani, for example, that they had to be supertestimes, all the activities that were done, , the so-called ... let's say, the focus of investigations was only to look for an element of accusation, especially to cover - we say it in question - what are the gaps, and not to the finding of factual issues that apparently seemed to relevant. To close, yes, is absolutely irrelevant now because it was unreliable. Meanwhile he has had other procedures outside of this, so he is a person who has only been checked for this point, to prove that in the face of such a declaration ... and completion, I want to conclude, this assessment was made. Chiacchiera went to the alleged location where the knife was, according to the statements, and returned to the audience to return their activities, and of course it was all negative, because there was no response to these.

AN:

Good.

CDV:

Then, President, I kindly ask you to make two quick replies to the Public Ministry and the civilian party on the question of constitutional legitimacy.

AN:

No. No, it is not admitted, look, Lawyer.

CDV:

It is not allowed ...

AN:

Issues of renewal follow the preliminary issues and treat the Court according to the 491th third paragraph. The parties speak once each, replies are not allowed, one defender on the other. In the illustration I spoke to two defenders in part, because it seemed appropriate, since you had proposed a compendium material, I did talk to both of them, but replies are not even spoken about. So the discussion is closed. The Court gives you an indication: not before 17:30. From 17:30 onwards every minute can be good. So it is useless to stay ... cell phones, things, phone calls ... Until 17:30 everyone is free. From 17:30 onwards, we can go back any time.

B.C:

Since I have problems, in the absence of the court, also - say so - of public order, from 5:30 pm, let's say .. even after 19:00 so, if necessary.

AN:

Eh, I'm unfortunately unable to do a vigil.

B.C:

Good.

AN:

I can simply say that, given the material to be evaluated and addressed, it is certainly a certain time that I am at least in a couple of and a half hours.

B.C:

Thank you thank you.

AN:

Then they can be three, two and a half ... this unfortunately ...

B.C:

Good. Thank you.

AN:

Difficulties are always evaluated in the Council Room.

B.C:

Thank you, President.

AN:

Of course, if there ... then, to be clear: if we were at 17:30 on the high seas, we'll let you know something.

B.C:

Thank you.

AN:

This is peaceful.

GB:

After reading the order, is the referral back?

AN:

After reading the order there is the referral, which will be for the acquisition of the inquiry or for the discussion. The Court withdraws.

(SUSPENSION)

ORDER

AN:

The Court of Justice gave the following order: Knox Amanda Marie, born in Seattle, on 9 July 1987, and Sollecito Raffaele, born in Bari, on 26 March 1984, both defendants as in the case, and in particular the requests advanced by the parties; that, in relation to the plea of defendant Amanda Marie Knox, which seeks the Court of Justice to raise the exception of the constitutionality of the provisions of Articles 627 and 628 of the Criminal Procedure Code, in breach of Articles 3, 27 and 111 of the Constitution, the question raised is unfounded, since the procedural mechanism envisaged by Articles 627 and 628 of the Criminal Procedure Code provides for a gradual restriction of the decidendum, even on the basis of the principle of law to which the referring court has to comply, which is such as to avoid or render merely hypothetical the process of reproducing infinitely. In addition, the issue also lacks the requirement of relevance, as the repetition of a legitimacy judgment, referring to another judge, is merely possible and not determinable in the state of the proceedings, as the parties point out as suspect of constitutionality not the judgment of referral in itself, but rather the possible unrepeatable reiteration of the judgment itself, which suggests that at this precise stage of the proceedings it can not appreciate the relevance of the question of constitutionality which is linked to the outcome of this process of referral. such as to avoid or make the process that is reproduced infinitely merely hypothetical. In addition, the issue also lacks the requirement of relevance, as the repetition of a legitimacy judgment, referring to another judge, is merely possible and not determinable in the state of the proceedings, as the parties point out as suspect of constitutionality not the judgment of referral in itself, but rather the possible unrepeatable reiteration of the judgment itself, which suggests that at this precise stage of the proceedings it can not appreciate the relevance of the question of constitutionality which is linked to the outcome of this process of referral. such as to avoid or make the process that is reproduced infinitely merely hypothetical. In addition, the issue also lacks the requirement of relevance, as the repetition of a legitimacy judgment, referring to another judge, is merely possible and not determinable in the state of the proceedings, as the parties point out as suspect of constitutionality not the judgment of referral in itself, but rather the possible unrepeatable reiteration of the judgment itself, which suggests that at this precise stage of the proceedings it can not appreciate the relevance of the question of constitutionality which is linked to the outcome of this process of referral.

Also considered to be concerned with the investigative renewal instances advanced by the parties, as follows: With particular reference to the investigative inquiries advanced by Amanda Marie Knox's defenses, in connection with the request for a review of the Romanelli Filomena test, on how to close the shades of his bedroom, observes that the Court has already been thoroughly examined in the first instance on the specific probandum theme, and therefore the reassignment of the evidence is not indispensable for the purpose of the decision of the case; in connection with the request for deposition

as the heads of Marshal Francesco Pasquali, the investigative act does not seem to be properly qualified, being an instance of examination of a peritoneal assessment, which is not indispensable for the purpose of the decision of the case; a similar assessment must be made for the required judicial experiment in order to ascertain the possibility of entering into the home of Via della Pergola number 7 for a young athlete; in connection with the request for recruitment of the testimonies of those Rosignoli Maurizio and Ceccarelli Alessia, managers of the magazine newspaper in Piazza Grimana, to specify the time they saw the Curatolo, and especially if they took drugs, if he has repeatedly offered testimony in other processes as a protagonist, the Court considers that the evidence requested - which has already been ruled out - is based on circumstances which are partially irrelevant to the decision and in part inadmissible, since they relate to alleged conduct of the extraneous heads to the process; as regards the renewal of the testimonies of Quintavalle Mario and the two employees of his business on the circumstances and the manner in which Knox was identified in the shop on the morning of 02 November 2007, an examination also common to the defense of the Solicitude, which also requested a a comparison between the two witnesses, the Court finds that the Quintavalle test has exhausted exhaustively in the procedural contradictions of the parties, subjecting them to a strict objection, so that there is no need for the renewal of the investigative measure; in relation to the store's employees, Chiriboga Anna Marina also dismissed, without considering the need to renew the act, nor contradiction with the Quintavalle test, which justifies a comparison between the texts, as the two witnesses refer to individual perceptions; as far as Oreste Volturno is concerned, the request is generic since it has already documented the manner in which the investigations are carried out, which is the subject of written documentation; in connection with the request for the renewal of the expertise to establish the telephone connections of Meredith Kercher's telephone on the night of November 1, 2007, as the Judicial Police provided telephone directory analysis while the defendant Raffaele Sollecito's defense provided part of technical consulting, so a full contradictory process has already been carried out, and in the absence of further specification of the purpose of renewal, the latter must be considered inadmissible; as regards the full reconsideration request of all experts and technical consultants - which have already been examined in the two previous grades of merit - which should again specify what has already been abundantly specified in both previous degrees of merit of judgment, the absence of any specification of relevance and renewal in this referral judgment qualifies the instance, at least in the state, as merely dilatory and inadmissible; with regard to the request for a new hearing of the texts Purton Sophie, Frost Amy and Butterworth Robyn on Knox's behavior and comments on the crime event in the days following the crime, procedural acquisitions already carried out in the previous grades of judgment on the specific point may be considered sufficient and the renewal of the examination of the texts does not seem indispensable for the purpose of the decision of the case; as regards, finally, the request for renewal of Rudy Hermann Guede's examination of the whole episode of the incident, which was also commonly requested by both defendants, on the ground that Guede was finally convicted, in competition with others, for Meredith Kercher's murder, the fact that the convicted person has already made statements on the facts of the case, and the limitations to which the examination should be based on Article 197a of the Code of Criminal Procedure, make the examination of the Guess here, at least in the state, and without prejudice to the powers of the Court under Article 603, paragraph 3, cpp, to be exercised at any stage of the trial, which is not indispensable for the purpose of the decision of the case. With particular reference to Raffaele Sollecito's defense inquiries: As far as the request for genetic expertise on pillowcase pillow found in the room where Meredith Kercher's lifeless body was located, he considers the Court to share the judgment of relevance already many times expressed during the

various degrees of merit judgment; Rudy Hermann Guede's presence in the room where he was attacked Meredith Kercher was definitively determined by a judgment passed and that Guede's conduct was not the subject of this judgment; it is also established that the victim had normal sexual life for a young person of his age, with a boyfriend with whom he had complete sexual relations; Finally, it should be noted that the eventual probative assessment required may not in any case indicate a certain correspondence between the moment of pillow cushioning and aggression at Meredith Kercher; the circumstances mentioned above make it felt that any indication would provide the probative assessment, the same would not be relevant. As regards the request for collegial expertise, in order to determine the actual time of Meredith Kercher's death, provided that the assessment of the time of death has been the subject of long dissertation among the perpetrators in the course of a substantive judgment, and was subject to various reconstruction by the Judge of the Court in the judgment under appeal, with respect to the Judge of the Appeal in the cassata judgment, the Court observes that the reliance on a further specific assignment to a collegiate tribunal does not seem indispensable for the purposes of even in view of the extreme credibility of the identification of the temporal data of a retrospectively re-established death, but the Court already has a large amount of investigative material available to evaluate. In connection with the request for audiometric examination to verify the truthfulness of the declarations made by the witnesses Capezzali, Dramis and Monacchia, there is no prejudice to any assessment of the reliability of testimony depositions, the technical assessment required does not appear to be conducive to the assessment that this Court must give to the reliability of such statements, which must therefore be assessed in correlation with the other evidence. As regards the request for expertise on the Mac Book Pro computer, owned and used by the defendant Raffaele Sollecito, the Court observes that the technical assessment has already been carried out in the procedural contradiction, so that the proceedings of the proceedings involve a large and a critical contribution from the technical defense consultant, a material that allows this Court to fully assess the indifferent significance of the use of the said computer by the defendant without the necessity of any renewal of the investigative act. without the required assessment, for the high degree of intrinsic perception, may qualify as indispensable for the purpose of the decision. Regarding the request for renewal of the examination of the 165B inventory and the carrying out of new genetic testing, the impossibility of renewal of the act, even if it was considered indispensable for the purposes of the decision, is derived from the fact that the Court of Assise of The appeal by Perugia had already prompted that renewal of the examination before the Court of Auditors, referring to the Court on the impossibility of renewing the examination for the misuse of the evidence - see page 87 of the judgment of the Court of Assistance of Appellate Court of Perugia - and this was done without the advisers of some of the defendants perceiving anything; well then, unless he has to hold the office of experts appointed by the Court of Appeals of Appeal of Perugia and the consultants of the professional parties of such inaction to omit genetic traces useful for the renewal of their examination by the Judge, which would then doubt the the Court has to believe that there is an objective impossibility to repeat the examination for the unavailability of a properly prosecuted body of offenses from which to extract the material necessary for the examination itself. Regarding the request for new peritals, if it is possible to selectively clean the traces left by the runners inside the room where Meredith Kercher's corpse was found, and if it was possible to collect such findings as genuine, the Court observes that the findings sought to be repetitive to individual technical examinations already carried out and examined in the proceedings are, in turn, inadmissible as they tend to transfer to Judges of merit that must remain entrusted to this Court on the basis of the elements of the documents which would then be examined

by the expert. Regarding newly discussed cases of data already acquired in the process, both through the assignment of new peritonal appointments and by auditions of experts and consultants who have previously been assigned, considers that the Court should have all the elements of knowledge in the proceedings of the case so that the Judge can make an assessment and that further prosecution of the investigation does not appear to be necessary for the purpose of the decision. The investigative renewal instances above must therefore be rejected for the reasons given.

On the contrary, it is necessary to argue in relation to the instances of preliminary investigation described below. The Court considers that the documentary productions attached to the defensive memory lodged by Raffaele Sollecito's defendants on 29 July 2013, and in particular those mentioned in paragraphs 6 and 8 of the request for renewal of the trial investigation, must be considered useful for the purpose of establishing the truth process, and are therefore acquired in the proceedings of the proceedings.

As regards the request made by the Attorney General for the hearing of Aviello Luciano, the Court observes that, apart from any merits of the merits of the reliability of its statements, it is a matter of fact that the Court of Appeal of Appeal of Perugia has ordered the acquisition to the minutes of the interrogation report made on July 27, 2011 to the Public Ministry of Perugia, thereby initiating a procedural course interrupted without any apparent justification, when the Court rejected its request for review; It is a neutral process that the statements made by the Reseller to the Public Prosecutor on July 27, 2011, although acquired by the Court of Assize of Appeal of Perugia, with an assessment of relevance that this Judge shares, could not be used in this judgment in any way, even for an assessment of unreliability, as requested by the defendants of the defendants, based on a procedural error of the former appellate judge, specifically censured in the referral by the Court of Legality in the judgment of Cassation. Consequently, Aviello Luciano's hearing on statements made to the Public Prosecutor on 27 July 2011 is required for procedural reasons, even before merit.

Similar considerations of relevance must be made in relation to the request for examination of the sample taken from the blade of the knife seized in the house of Raffaele Sollecito (number 36) by the perpetrators appointed by the Court of Appeals of Appeal of Perugia and a censurable assessment carried out by the Office of Experts, which was subsequently dealt with by the Judge, was not examined, albeit in the presence of conflicting assessments between the expert witnesses and the parties' consultants on the concrete possibility of carrying out with reliable results, examination of the findings. Consequently, the Court considers that, in order to acquire all possible elements of the assessment of the facts for which the proceedings are held, there is no prejudice to any assessment of the procedural relevance of the outcome of the examination,

For these reasons, the Appeals Court of Appeals dismisses the request to raise questions of constitutionality of the regulatory system, referred to in Articles 627 and 628 of the Code of Criminal

Procedure, before the Constitutional Court for obvious contravention of Articles 3, 27 and 111 of the Constitution.

On instances of renewal of the trial panel, it acquires the documents produced by the Raffaele Sollecito defendants filed on 29 July 2013, and in particular those in recitals 6 and 8 of the request for renewal of the 'debriefing, rejecting any other claim relating to the documentation produced in the annex to the memories filed.

He has the hearing of Aviello Luciano on the statements made to the Public Ministry of Perugia on July 27, 2011, and provides his translation to this Judicial Authority for the day 04 October 2013 at 10:00.

She has to carry out genetic testing of the sample taken by the perpetrators appointed by the Court of Appeals of Appeal of Perugia on the blade of the knife seized in the house of Raffaele Sollecito (number 36), appointing personal investigators of the Investigation Department Scientific Officers of the Carabinieri Army based in Rome, and providing their quotation for the assignment for the hearing on October 4, 2013 at 09:00.

It rescues the other instances of renewal of the parties' deliberative trial. Send the Registry for the fulfillment of this Ordinance.

So we'll be back on Friday, October 04 at 09:00 for the two instigators who the Court renewed. The hearing is removed.