

VIRGINIA:

Martinez Torres-Defense-#81
ORDER

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA,

v.

DARWIN MARTINEZ TORRES,

Accused.

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CASE NUMBER: FE2017-1245

ORDER

CAME THIS DAY Darwin Martinez Torres, by counsel, on Defense *Renewed Ex Parte Motion for Forensic Testing* (DMT-81) and based upon the arguments of counsel and for good cause shown, it is hereby

ORDERED that pursuant to Virginia Code §§ 9.1-1104, the motion is **GRANTED**, and

IT IS FURTHER ORDERED that the Fairfax County Sheriff's Office shall transmit evidence items with the following FCPD Case Nos. 2017-1690059 & 2017-1690061 identification numbers to the Department of Forensic Sciences: 1102015; 1102019; 1102020; 1102021; 1102022; 1102026; 1102028; 1102029; 1102031; and 1102032, and

IT IS FURTHER ORDERED that upon receipt of such items of evidence, the Department of Forensic Sciences shall thereafter conduct DNA testing and comparison analysis on the following items: (a) 1102019, and 1102020 (suspected vomit); and (b) 1102021, 1102022, 1102026, 1102028, 1102029, 1102031, and 1102032 (cigarette butts); and (c) 1102015 (plastic bag containing plant material); and

* Compared to the DNA of Darwin Martinez Torres and to the DNA of [REDACTED] [REDACTED]

IT IS FURTHER ORDERED that upon receipt of such items of evidence, the Department of Forensic Sciences shall thereafter conduct full chemical analysis of the following items: (a) 1102015 (plant material); and (b) 1102021, 1102022, 1102026, 1102028, 1102029, 1102031, and 1102032 (cigarette butts); and (c) 1102019, and 1102020 (suspected vomit); and

IT IS FURTHER ORDERED that upon receipt of such items of evidence, the Department of Forensic Sciences shall thereafter conduct microscopic analysis of 1102019, and 1102020 (suspected vomit); and

IT IS FURTHER ORDERED that upon completion of testing the Department of Forensic Sciences shall provide a Certificate of Analysis of its findings to the Court, and such findings shall be distributed to counsel for the Defendant and for the Commonwealth and placed under seal.

The Clerk is directed to send a certified copy of this Order to counsel for the Defendant and for the Commonwealth.

ENTERED this 27 day of September, 2018

HON. RANDY I. BELLOWS

We ask for this: _____

Darwin Martinez Torres, by counsel _____