

VI D.1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

|                           |   |                              |
|---------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, | ) |                              |
|                           | ) |                              |
| Plaintiff,                | ) |                              |
|                           | ) |                              |
| vs.                       | ) | CRIMINAL CASE NO. 75-26-CR-3 |
|                           | ) |                              |
| JEFFREY R. MacDONALD,     | ) | MOTION OF DEFENDANT TO       |
|                           | ) | COMPEL PRODUCTION OF         |
| Defendant.                | ) | TANGIBLE OBJECTS             |
|                           | ) |                              |

The Defendant, Jeffrey R. MacDonald, by and through his undersigned attorney, pursuant to Rule 16(a)(1)(C) of the Federal Rules of Criminal Procedure, hereby moves the Court for an order directing Plaintiff to produce the tangible objects listed in Exhibit "A" attached hereto and to deliver said objects to Defendant's independent expert, Dr. John Thornton, for examination and analysis thereof.

This Motion is based upon the accompanying Memorandum and the Affidavits attached hereto.

Date: April 23, 1979

Respectfully submitted,

\_\_\_\_\_  
Bernard L. Segal  
Attorney for Defendant,  
JEFFREY R. MacDONALD  
536 Mission Street  
San Francisco, California 94105  
415/543-2512

and with him

Wade M. Smith  
Tharrington, Smith & Hargrove  
300 Branch Bank Building  
Post Office Box 1500  
Raleigh, North Carolina 27602

(7)

Very respectfully,  
[Signature]



PHYSICAL EVIDENCE IN THE POSSESSION OF THE GOVERNMENT  
WHICH THE DEFENDANT SEEKS TO HAVE EXAMINED BY DEFENSE  
EXPERTS PURSUANT TO FED. RULE OF CRIM. PROC. 16 (a) (1) (C)

All exhibits which were the subject of and/or  
which were referred to in the following laboratory reports  
and all addenda and supplements thereto:

- 1/
- A. USACIL laboratory reports numbered as follows:
- (1) FA-D-P-C-FP-82-70 [referred to as the "Consolidated" laboratory report]; dated 29 March, 1972
  - (2) FA-D-P-C-FP-82-70-R thru R-4; dated RETURNED 11 Apr 70  
17 Apr 70
  - (3) FA-D-P-C-FP-82-70-R-4; dated RETURNED  
Change 1 5 Jun 70
  - (4) FA-D-P-C-FP-82-70-R-5
  - (5) FA-D-P-C-FP-82-70-R6; dated RETURNED 22 Apr 70
  - (6) FA-D-P-C-FP-82-70-R7
  - (7) FA-D-P-C-FP-82-70-R8
  - (8) FA-D-P-C-FP-82-70-R9
  - (9) FA-D-P-C-FP-82-70-R-10 & R-12 & R-13; dated RETURNED  
22 Aug 70 (R-10 & R-13) and 1 Sep 70 (R-12)
  - (10) FA-D-P-C-FP-82-70-R10; dated RETURNED 22 Aug 70
  - (11) P-FA-D-C-FP-82-70-R11 [sic]; dated RETURNED 29 Jul 70
  - (12) P-FA-D-C-FP-82-70-R13; dated RETURNED 19 Aug 70
  - (13) P-FA-D-C-FP-82-70-R14
  - (14) P-FA-D-C-FP-82-70-R-15; dated RETURNED 2 Sep 70
  - (15) P-FA-D-C-FP-82-70-R-16
  - (16) P-D-FA-C-FP-82-70-R-17; dated RETURNED 9 Dec 70
  - (17) P-FA-D-FP-82-70-R-18; dated RETURNED 1 Feb 71
  - (18) P-FA-D-C-FP-82-70-R19; dated RETURNED 19 Feb 71
  - (19) P-FA-D-C-FP-82-70-R20
  - (20) P-FA-D-C-FP-82-70-R21; dated RETURNED 22 Feb 71
  - (21) P-FA-D-C-FP-82-70-R22; dated RETURNED 16 Mar 71
  - (22) P-FA-D-C-FP-82-70-R23; dated RETURNED 17 Mar 71

---

1/ The initials USACIL identify the United States Army  
Criminal Investigation Laboratory



- (23) P-FA-D-C-FP-82-70-R24; dated RETURNED 20 Apr 71
- (24) P-FA-D-C-FP-82-70-R25; dated RETURNED 25 May 71
- (25) FA-D-C-FP-82-R26; dated RETURNED 24 June 71
- (26) FA-D-P-C-FP-82-70-R27; dated RETURNED June 1971
- (27) P-FA-D-C-FP-82-70-R28; dated RETURNED 19 Jul 71
- (28) P-D-FA-C-FP-82-70-R29; dated RETURNED 20 Sep 71
- (29) P-D-FA-C-FP-82-70-R30; dated RETURNED 10 Sep 71
- (30) P-D-FA-C-FP-82-70-R31; dated RETURNED 21 Oct 71
- (31) P-D-FA-C-FP-82-70-R32; dated RETURNED 11 Nov 71
- (32) P-D-FA-C-FP-82-70-R33; dated RETURNED 18 Nov 71
- (33) P-D-FA-C-FP-82-70-R34; dated RETURNED 1 Dec 71
- (34) FA-D-P-C-FP-82-70-R35; dated RETURNED 11 Jan 72
- (35) P-D-FA-C-FP-82-70-R36; dated RETURNED 4 Feb 72

B. USACIDC Laboratory Reports numbered as follows:

- (1) 70-FA-P-C-FP-82-R34 (R-37); dated RETURNED 18 May 73
- (2) FP-82-70-R35 (R-38); dated RETURNED 25 Jun 73
- (3) 70-FP-82-R36 (R-39); dated RETURNED 12 Jul 73
- (4) 70-Fa-D-P-C-FP-82-R37 (R-40); dated RETURNED 3 Aug 73  
23 Aug 73

C. Criminal Investigation Laboratory Report, Laboratory Case Number 75-CID131-01729-FP; dated 4 February 1975

D. National Office Laboratory, Alcohol, Tobacco and Firearms Division Report No. NOL 3589, re 71CID011-00015; dated August 20, 1971

E. Federal Bureau of Investigation Laboratory Reports re Jeffrey R. MacDonald, as follows:

- (1) Latent Fingerprint Report; Case No. A-25000; dated August 26, 1970
- (2) Laboratory Report No. PC-F7279 JV; dated July 2, 1971



- (3) Laboratory Report dated October 17, 1974
- (4) Latent Fingerprint Report dated October 29, 1974
- (5) Laboratory Report dated November 5, 1974
- (6) Laboratory Report re Airtel 11/1/74 dated November 14, 1974
- (7) Latent Fingerprint Report dated February 12, 1975
- (8) Latent Fingerprint Report re Airtel 2/24/75 dated March 4, 1975

F. Memorandum to B. Grotts from Martin Lonky re 71-CID011-00015; dated 27 July 1973

G. All matters which were collected and/or gathered and/or examined and/or interpreted and/or submitted for laboratory, medical or other scientific examination, and which are referred to in the reports of autopsy of Colette, Kimberly and Kristen MacDonald.

##

