

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

SUPERIOR COURT
DOCKET NO. 2012-1160

COMMONWEALTH OF
MASSACHUSETTS

V.

BRANDON WINSTON

STIPULATION

1. Sometime after January 15th but on or before January 18th, 2011, Ms. Willingham found a condom in a wastebasket in the bathroom in her apartment, located at 1648 Massachusetts Ave. # 53, Cambridge, Massachusetts.
2. Ms. Willingham gave this condom to Detective Mahoney of the Cambridge Police Department on January 18, 2011.
3. On January 26, 2011, the Cambridge Police turned the condom over to the Massachusetts State Police crime lab ("MSP crime lab") for analysis.
4. Ms. Willingham and VICTIM gave DNA samples for purposes of developing their DNA profiles and comparing their DNA with that found on the condom.
5. The MSP crime lab conducted DNA testing on the interior and exterior of the condom and compared Ms. Willingham and VICTIM's respective DNA profiles with the DNA found on the interior and exterior of the condom.
6. On December 8, 2011, Elisse Coronado, DNA analyst at the MSP crime lab, issued a report setting forth the conclusions of her analysis of the DNA from the condom and comparison with the DNA profiles of Ms. Willingham and VICTIM.
7. On October 14, 2014, Mr. Winston, accompanied by his attorney, gave a sample of his DNA to Amy Brodeur, Assistant Director of the Biomedical Forensic Sciences Program at the Boston University School of Medicine, which was then sent to the Bode Technology lab ("Bode lab") for testing.
8. The Bode lab analyzed Mr. Winston's DNA sample and developed Mr. Winston's DNA profile on October 31, 2014.

9. On January 28, 2015, Dr. Robin Cotton, Director of the Biomedical Forensic Sciences Program at the Boston University School of Medicine, compared Mr. Winston's DNA profile with the DNA found on the condom.
10. The DNA testing done by the MSP crime lab, and Ms. Coronado's analysis, revealed that VICTIM's DNA is not on the condom.
11. The DNA testing done by the MSP crime lab, and the analysis of Ms. Coronado, revealed that Ms. Willingham's DNA is on the exterior of the condom.
12. The DNA testing done by the MSP crime lab, and the analysis of Ms. Coronado, revealed that there is DNA from an unknown male source on the inside of the condom.
13. The DNA testing done by the Bode lab, and Dr. Cotton's analysis, revealed that Mr. Winston's DNA is not on the condom.

For the Commonwealth,
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