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NEW YORK STATE ASSOCIATION
OF CRIMINAL DEFENSE LAWYERS

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Course Agenda and Faculty Biographies

FRIDAY DECEMBER 3, 2010

Understanding DNA Evidence: A Criminal Defense Perspective, Dr. Michael Baird, Ph.D.

Daubert /Frye Motions: DNA and Beyond, William Easton, Esq.

Frye Case Synopsis Outline

National Academy of Sciences: Case Summaries **

** Please note: the National Academy of Sciences provides excellent materials including *Strengthening Forensic Science in the United States: A Path Forward* and *Strengthening Forensic Science in the United States: A Path Forward* Executive Summary on their website at <http://www.nap.edu/catalog/12589.html>; www.nap.edu

Affirmation of Counsel - Representative State Court Motion

Memorandum of Law (Bloodstains) State Court

Memorandum of Law (*Daubert* Motion to Preclude) Federal Court

Defending the Cold Hit Case, Jill Paperno, Esq.

Defending the Cold Hit Case (including sample motion, discovery request, and affirmation of counsel)

Defending the Cold Hit Case Power Point presentation

Fallible DNA Evidence Can Mean Prison of Freedom, Geddes, Linda, NewScientist, August 11, 2010**

How DNA Evidence Creates Victims of Chance, Geddes, Linda, NewScientist, August 11, 2010**

** Articles reproduced by permission from NewScientist

Understanding DNA Discovery: What to do with it once you have it, Benjamin Ostrer, Esq.

Panel Discussion: Wrongful Convictions and Defense Counsel's Obligations, Exonerates Steven Barnes, Frank Sterling, Jeffrey Deskovic, and Betty Tyson. Moderated by Donald M. Thompson and R.J. Byington, Reid Associates

SATURDAY, DECEMBER 4, 2010

Cross-Examination of the DNA Expert I: The "Nuts-and-Bolts" of Crossing a DNA Expert, Erik Teifke, Esq.

Cross Examination of the DNA Expert Outline of Practice Tips



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People v. Keith Lamar Laster, Ind ## 2005-0622; 2000-0466, County Court Criminal Term, Rochester, NY, November 2005 Excerpts of Transcript (Parts 1-3)

Cross-Examination of the DNA Expert: A Primer for the Scientifically Challenged Lawyer Presented by a Very Scientifically Challenged Lawyer, George Goltzer, Esq.

Introduction – Confronting the DNA Expert at Trial

People v. Arohn Kee, Ind # 6425/99, Supreme Court New York County, November 29, 2000 Excerpts of Transcript (Parts 1-7)

Guilty Pleas and Wrongful Convictions, Brian Shiffrin, Esq. and Donald M. Thompson, Esq.

The Case of Frank Sterling: When the Confession Does Not Match the Facts, R. J. Byington.

POWER POINT: An Overview of the Reid Technique and Our Part in the Frank Sterling Case

Confession Admissibility Issues

What do the Courts Say about the Testimony of False Confession Experts?

3:10–4:00 ***Examining the Firearms Examiner***, David M. Abbatoy, Jr.

United States v. Green, 405 F.Supp.2d 104 (D.Mass 2005)

United States v. Diaz, 2007 WL 485967 (N.D.Cal)

United States v. Monteiro, 407 F.Supp.2d 351 (D.Mass 2006)

United States v. Willock, 696 F.Supp.2d 536 (D.Md 2010)

United States v. Glynn, 578 F.Supp.2d 567 (S.D.N.Y. 2008)