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LAW OFFICES

July 24, 2003

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C.R. REILLY (1901-1983)

Records Clerk
Iron County Sheriff's Department
300 Taconite Street
Hurley, Wisconsin 54534

Re: Open Records Request Regarding
Case No. 97-02593

Dear Sir or Madam:

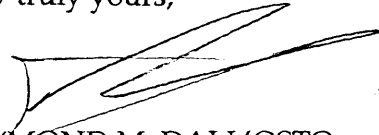
I have been retained by and am reviewing the case of Donald Miller, who was investigated by your department in October 1997 regarding allegations of battery and sex assault. I have obtained a number of documents and discovery materials from Mr. Miller's previous attorneys. Apparently, the matter was investigated by Deputies Robinson and Wicklund. Samples were taken from the alleged victim, Connie Vargovich, and a rape kit was prepared at the Grand View Hospital on October 20, 1997.

According to trial testimony, the rape kit was never sent to the State Crime Lab for analysis and testing. I need to know, and hereby request under the Open Records law, whether or not the rape kit is still in the possession of the Iron County Sheriff's Department, Grand View Hospital, the District Attorney's Office or elsewhere. If it does exist, there may be a need to access it for testing. Who would I contact in such event? If it no longer exists, when was it discarded and at whose direction?

The trial testimony also indicates that a number of photographs of Ms. Vargovich were taken by personnel at Grand View Hospital, your Department and by the DOVE domestic violence counseling agency. Does the Department have negatives of these photographs? Do you have copies of the photographs in the event I would want to have color reproductions made? Please advise if such still exist and who can I contact to arrange for access to same.

I appreciate your cooperation in response to my request.

Very truly yours,



RAYMOND M. DALL'OSTO

RMD/dkk

crimmillerdonironcounty