



**FOR ARGUMENT**

**OFFICE OF THE STATE APPELLATE DEFENDER  
FIRST JUDICIAL DISTRICT**

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November 2, 2011

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**BRIAN CARROLL**  
ASSISTANT APPELLATE DEFENDER

**BY FAX AND FIRST CLASS MAIL**

William K. Suter,  
Clerk of the Court  
Supreme Court of the United States  
Washington, DC 20543

RE: *Sandy Williams v. Illinois*  
No. 10-8505

Dear Mr. Suter:

Pursuant to Supreme Court Rule 32.3, Petitioner Sandy Williams respectfully requests permission to lodge with the Clerk, for consideration by the Court, a written report of laboratory examination produced by Cellmark Diagnostics on February 15, 2001, setting forth the results and conclusions of its forensic DNA analysis of the vaginal swabs and blood standard of the complainant in this case. The report contains a summary of Cellmark's results; allele charts for the blood standard, the epithelial cell fraction of the vaginal swab, the sperm fraction of the vaginal swab, and a possible male donor; and an electropherogram for the sperm fraction of the vaginal swab.

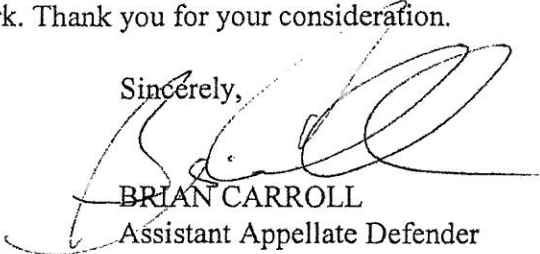
The written report itself was not admitted into evidence at Williams's trial, and, therefore, was not part of the record on appeal. However, the central controversy in the case is whether in-court testimony regarding Cellmark's report violated Petitioner's confrontation rights. The resolution of this question depends in part on whether Cellmark's report constitutes a testimonial statement for purposes of the Confrontation Clause. The nature of the report is therefore at issue. In addition, although the written report is not contained in the record, an *amici* in support of Respondent represents that the report lacks sufficient indicia of formality to be considered testimony under the Court's precedent. Br. of NDAA 19-21. Accordingly, Petitioner believes the Cellmark report may aid the Court's understanding and consideration of this case. It may also aid the Court's understanding of the scientific processes involved.

For these reasons, Petitioner respectfully asks that the Cellmark report be

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lodged with the Clerk. Thank you for your consideration.

Sincerely,



BRIAN CARROLL  
Assistant Appellate Defender

*Counsel for Petitioner*

CC: Anita Alvarez - Counsel of Record  
State's Attorney, Cook County, Illinois

Lisa Madigan  
Attorney General of Illinois

*Counsel for Respondent*