



January 15, 2008

Assistant County Attorney
110 West Main
P.O. BOX 268
Madelia, MN 56062

RE: State of Minnesota v. S█████M█████D█████
Court File No.: CR-07-207
Discovery Request

Dear :

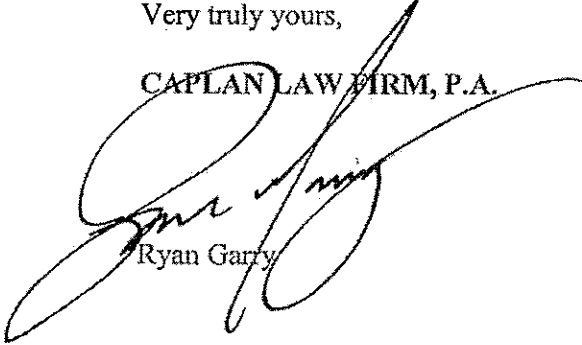
Enclosed with this letter is a discovery motion pursuant to Minn.R.Crim.P. 9.01, Subd. 1(4) seeking an actual sample of Mr. D█████'s blood draw the State withdrew when he was arrested on December 31, 2006. We seek to have his blood sample independently evaluated by our own expert.

If his blood sample is available, please contact me with what I need to do to obtain the actual sample for independent testing. If his blood sample has been destroyed, depending upon the outcome of the Minnesota Court of Appeal's decision referenced below, I may bring a motion to suppress the test result at trial.

As noted in the enclosed motion, this exact issue is currently before the Minnesota Court of Appeals. As a courtesy, I have enclosed a copy of the district court order in that case for your review. Thank you for your attention to this matter.

Very truly yours,

CAPLAN LAW FIRM, P.A.


Ryan Garry

Enclosure