

Court of Assizes of Perugia

Courthouse of Perugia

Criminal division

Object: Proceeding number 9066/07 Register n.r.
Number 6671/07 Register of the Investigating Magistrate

The Presiding Judge of the Court of Assizes,

After having examined the motion of the attorney of defence of the accused, Amanda Knox, in the process in object, document deposited November the 18 2008, given that on November 18th 2008 “ the file written with provision of the Preliminary Hearing Judge dated 28/10/2008 written according to article 431 Code of Criminal Procedure was not found at the Office of the Clerk of the Court of Assizes, due to the above-mentioned motion asking to transmit this file at once and also to take into consideration a postponement for the first hearing, which was already appointed, if there is a delay in the transmission of the file;

After having examined a similar motion of the defence attorney of Raffaele Sollecito, document deposited November 19th 2008, and given that the file to be used for the hearing has not yet arrived at the Office of the Clerk of the Court of Assizes, motion in which the defence attorney requests to postpone the first hearing appointed on December 4th 2008;

Considering that due to the follow up of these motions every proceeding has a legal reserve according to article 456 of the Code of Criminal Procedure upon receipt of the order of committal of trial (see provision issued on the motion of the defence attorney of Raffaele Sollecito) and the set out of the transmission of the motion to the office of the Judge for Preliminary Hearing and to the Courthouse, with legal reserve of every evaluation concerning the postponement of the hearing appointed on December 4th 2008 upon receipt of the order that sets out the trial (see provision issued on the motion of the defence attorney of Amanda Knox);

Since November 21st 2008 the office of the Judge for Preliminary Hearing sent to the Presiding Judge of the Court of Assizes the order with transmission note which sets out the trial, note in which it is pointed out that “ the file for the hearing is in progress but there are many considerable difficulties considering also the short period of time between the preliminary hearing at the Court of Assizes, difficulties due to the large amount of documents that make up the file (10 files that have to be duplicated in order to make up all the papers of the brief judgment of the third co-defendant) and furthermore difficulties due to the fact that the Courthouse has kept the file to prepare the list of texts”;

Considering that to the present-day the file for the hearing has not yet been transmitted and with special attention to what is focalized in the note of transmission of the order that sets out the trial where the “large amount of documents that belong to the file” and “the considerable difficulties” to prepare the file are mentioned, there are justified reasons to postpone the hearing, in accordance with article 456 of the Code of Criminal Procedure, considering also the above-mentioned motions of the defence attorneys and moreover taking into consideration that even today November 24th 2008 the file to be used for the hearing has not yet been transmitted.

For these reasons

According to article 465 Code of Criminal Procedure

The appearance hearing of the two people accused Knox Amanda Marie born in Seattle on July 9th 1987 and Sollecito Raffaele born in Bari on March 26th 1984 already appointed on December 4th

2008 according to the committal of trial dated 28/10/2008 is postponed and will be heard January 16th 2009, at 9 a.m. at the Courthouse of Perugia, Palazzo di Giustizia di Piazza Matteotti, courtroom 2 (aula Affreschi).

Copies of this document are sent to the Office of the Clerk, to the Public Prosecutor, to the parties, persons aggrieved and defence attorneys.

Deposited at the Office of the Clerk
The 24/11/2008
Magistrate's clerk C1
Maurizio Bufali

Presiding Judge of the Court of Assizes
G.Massei

TRIBUNALE DI PERUGIA
CANCELLERIA PENALE DISTRATTAMENTO
DEPOSITATO IN CANCELLERIA
da ANNA FRONZICELLI
BALDELLI
Perugia, 2 DIC. 2008
IL RESPONSABILE DELLA SEZIONE PENALE
CANCELLIERE C2

