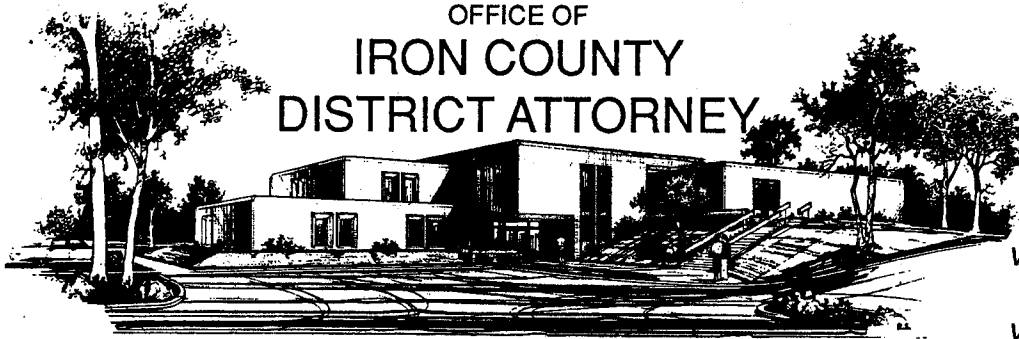


OFFICE OF
IRON COUNTY
DISTRICT ATTORNEY

MARTIN J. LIPSKE
*Iron County
District Attorney*



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July 29, 2003

Raymond M. Dall'Osto, Esq.
Attorney at Law
Gimbel, Reilly, Guerin & Brown
Two Plaza East, Suite 1170
330 East Kilbourn Avenue
Milwaukee, WI 53202

AUG 5 2003

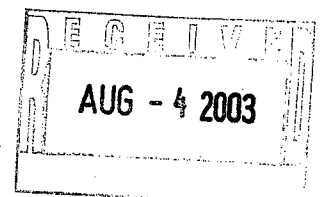
* DA Lipske
Lied about
Investigation,
"missing" DNA,
and photos

Re: State of Wisconsin vs. Donald Miller
Iron County Case No. 97-CF-60.
Your Case No. 97-02593

Dear Attorney Dall'Osto:

This office is in receipt of your letter dated July 24, 2003 addressed to the Records Clerk, Iron County Sheriff's Department, Hurley, Wisconsin regarding "Open Records Request" in the above-entitled matter. Lt. Roy Foryan of the Iron County Sheriff's Department stated that he contacted Deputy James Wicklund (retired) and Deputy Joe Robinson (no longer with the Department) and neither has present knowledge of what happened to or where the Sexual Assault Kit is at this time. Since that time, a new jail has been built and in the transition items were discarded but there is no verification that this Kit was one of those discarded items.

↓
Regarding the photos of the victim, Lt. Foryan stated that he would advise that you contact Attorney Mark McDonald who represented Don Miller in this matter. Attorney McDonald's address and phone number are as follows: Jacobs, McDonald, Silc & Moore, Attorneys at Law, 319 E. Aurora, Ironwood, MI 49938, (906) 932-0400. Attorney McDonald would be in possession of any photos by virtue of discovery.



The District Attorney's file on Don Miller has been turned over to a Special Prosecutor who can be contacted as follows: Attorney Patrick G. Schilling, Harold, Scrobell & Danner, S.C., Attorneys at Law, 315 Oneida Street, Minocqua, WI 54548. (715) 356-9591.

If this office can be of any further assistance, please let us know.

Sincerely yours,

Martin J. Lipske
Iron Co. District Attorney


By: Nancy Rozhon
Legal Assistant

MJL/nlr

cc: Lt. Roy Foryan
Iron County Sheriff's Department
Hurley, WI 54534

