

als  
NOLA FOULSTON, #09175  
District Attorney  
Sedgwick County Courthouse  
Wichita, Kansas 67203  
(316) 660-3600

FILED *for*

2005 OCT 31 AM 10 49

CLERK OF DISTRICT COURT  
SEDSWICK COUNTY, KS

RY  
**IN THE EIGHTEENTH JUDICIAL DISTRICT  
DISTRICT COURT, SEDGWICK COUNTY, KANSAS  
CRIMINAL DEPARTMENT**

THE STATE OF KANSAS, )  
Plaintiff, )  
 )  
vs. )  
 )  
DENNIS L. RADER, )  
Defendant. )  
\_\_\_\_\_ )

Case No. 05 CR 00498

**ORDER OF DISPOSITION OF EVIDENCE**

NOW, on this the 12<sup>th</sup> day of October, 2005, this matter comes on for the attention of the Court upon motion of the State of Kansas. The State of Kansas appears by its attorneys, Nola Foulston, District Attorney; Kim T. Parker, Chief Deputy District Attorney; Kevin O'Connor, Deputy District Attorney, and Aaron L. Smith, Assistant District Attorney. The defendant appears in person and by his attorneys, Charles S. Osburn, Public Defender, and Sarah McKinnon, Assistant Public Defender.

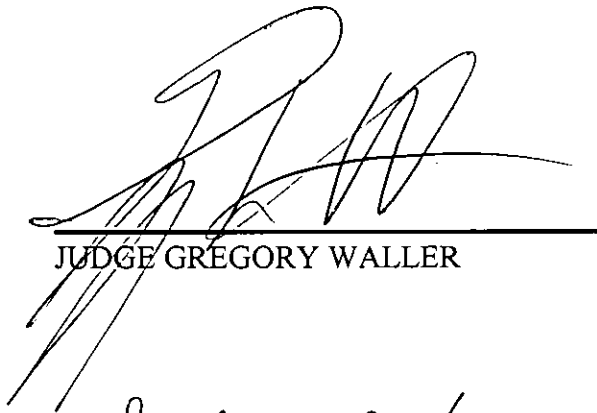
**THEREUPON**, the State of Kansas makes a motion upon the Court for an order allowing disposition of evidence pursuant to *Kansas Statutes Annotated 21-2512*.

**THEREUPON**, the Court, **FINDS** that all DNA swabs collected during the investigation of the "B.T.K." homicides, except those swabs identifying the defendant and used in the arrest and conviction of the defendant, are no longer required as evidence and accordingly should be destroyed according to law.

**FURTHER**, the Court, **FINDS** that disposition of other evidence and property shall not be made until completion of the defendant's process of appeal and until further order of the court.

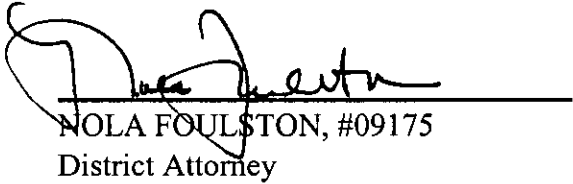
**IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED** that the State of Kansas shall effectuate the findings of the court and dispose of or preserve the evidence and property as such findings of the court and the law shall provide.

IT IS SO ORDERED.

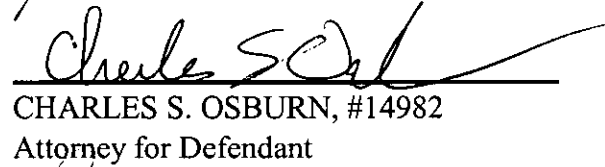


JUDGE GREGORY WALLER

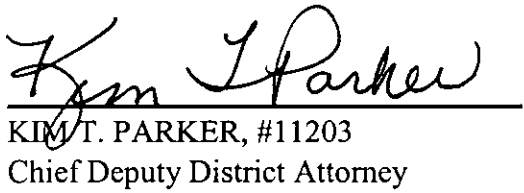
APPROVED BY:



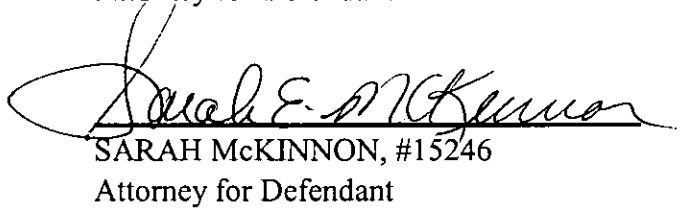
NOLA FOULSTON, #09175  
District Attorney



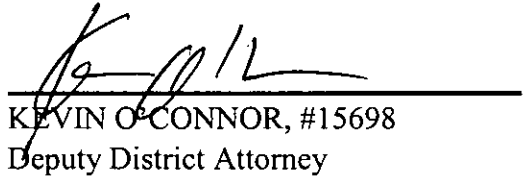
CHARLES S. OSBURN, #14982  
Attorney for Defendant



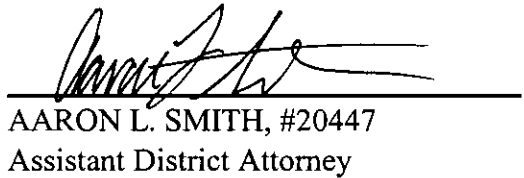
KIM T. PARKER, #11203  
Chief Deputy District Attorney



SARAH MCKINNON, #15246  
Attorney for Defendant



KEVIN O'CONNOR, #15698  
Deputy District Attorney



AARON L. SMITH, #20447  
Assistant District Attorney