

This is a summary of the 306 page appeals document. The original in Italian can be found here:

<http://www.amandaknoxcase.com/wp-content/uploads/2015/03/Sollecito-Supplementary-Appeal-2015.pdf>

## **Resume of Sollecito's New Reasons of Appeal**

### **First Reason: Time of Death**

The time of death has to be brought forward with respect to the one established by the appealed ruling because:

- i. of the evidence on Kercher's phone;
- ii. of Guede's Skype conversation with Benedetti;
- iii. of Guede always stating he was alone with Kercher when there was a sexual interaction between them.

These elements place the time of death before 10-10.13 pm at the latest, while considering the time of the opening of the Naruto file (9.26 pm), the duration of the cartoon (20 minutes) and the time required for going from Sollecito's flat to the cottage (10 minutes according to the ruling itself), Raffaele Sollecito has an alibi until 9.56 pm.

The appealed ruling explicitly renounced to try and determine a precise time of death, relying on approximate elements, like the testimonies concerning the scream, while ignoring the in-depth arguments of the defense based on solid evidence.

Moreover the appealed ruling refutes itself by affirming that Curatolo's testimony denies the defendants an alibi: indeed such testimony, if considered reliable, gives them an airtight alibi and totally contradicts the reconstruction of the crime presented in the ruling itself.

This notwithstanding, Curatolo IS unreliable and his references to buses and masked people make abundantly clear his recollections must be related to Halloween night and not to the evening after.

The correct analysis of the content of the stomach of Meredith Kercher, evaluated alongside the testimonies of her friends, allows us to place the time of death between 9.30 pm and 10 pm.

### **Second Reason: The absurdity of the selective cleaning**

Since there is no proof of the presence of the defendants in the murder room (the unreliability of the bra clasp will be considered afterward), while there are multiple traces of Guede's presence, the Court of Florence should have explained how this discrepancy of evidence is possible if the three of them equally participated in the murder.

This means that the Court of Florence should have delved in depth with the subject of a possible selective cleaning, down to the DNA level, while in its motivation report it is stated that Meredith's room was locked and not cleaned.

As a corollary, this statement highlights the absurdity of a cleaning limited to areas external to the murder room, the source of all possible incriminating evidence.

Moreover, if the defendants had attempted a cleaning or an alteration of the murder room, they would have left behind further traces of themselves, unless one surmises, rather unlikely, that they donned the same type of vests in use to the Scientific Police.

For what concerns the alleged clean-up of the other rooms, the photographic evidence shows that there was no cleaning in the small bathroom, since one finds blood traces on the bidet, on the lid and inside the WC, on the sink, on a Q-tip box on the light switches and on the floor of the corridor.

Moreover the audio of a police recorded video proves that the sink was washed by some police officer, early in the afternoon of November 2, 2007.

### **Third Reason: Phantom Footprints**

The appealed ruling alleges the presence inside the murder room of three bloody footprints of size 37, presumably belonging to a woman. These alleged footprints are considered proof of the presence of multiple attackers.

These footprints simply DO NOT EXIST, as demonstrated by their absence in any court document or expert report of the present proceeding. And indeed the ruling itself does not mention them anymore when dealing with the Boemia-Rinaldi Report.

The only possible reason for this gigantic blunder, the invention of evidence, can be traced in the reliance by the Court of Florence on the rulings of the Guede trial as source of evidence of the presence of multiple attackers.

But those rulings are full of factual errors, the "phantom footprints" being just one of them. Since the appealed ruling has considered a nonexistent piece of evidence as proof of the presence of multiple attackers, this blunder alone is cause sufficient for annulling the ruling.

### **Fourth Reason: The illegal use of Guede's statements**

The appealed ruling has based much of the proof of the responsibility of the defendants on both the definitive ruling against Guede and the content of Guede's interview with the investigators.

The Court of Florence has taken for granted the presence of multiple attackers because so had been ruled in the Guede trial, without considering:

- i. the disparity of evidentiary elements between the two trials, the present one being an ordinary proceeding trial with much more evidence and expert reports than the shortened proceeding Guede trial;
- ii. the definitive ruling against Guede contains patent factual errors concerning the presence of multiple attackers and particularly:
  1. a footprint near the victim wrongly attributed to Sollecito and the phantom bloody footprints in the murder room;
  2. a switchblade with the DNA of the victim being indicated as the murder weapon
  3. inexistent expert reports demonstrating the presence of two persons and two knives;
  4. incorrect placement in time of the call to the Carabinieri.

The appealed ruling has also employed, against the provisions of Italian and European law, the content of the interviews made by Guede with the investigators, interviews made without the presence of the lawyers of the defendants of the present trial.

Such content is therefore inadmissible in the present trial.

In the same way, the use of the statements made by Guede during the appeal trial in Perugia is improper, since Guede explicitly stated at the time that he was not going to answer questions concerning the murder, but just those concerning the letter he had written to confute Alessi.

Even considering those given to lawyer Dalla Vedova (Knox defense) as answers to questions concerning the night of the murder, these could not be used against Sollecito, since Guede explicitly refused to answer to Sollecito's lawyers.

But there is more. The Court of Florence claimed that the contents of Guede's interviews with the investigators were being used only to verify his reliability concerning the answers given during the appeal trial in Perugia.

According to article 192 section 3 of the Penal Procedural Code and to the pronouncements of the United Sections, the Judge has to verify the general reliability of the defendant or convicted criminal accusing other defendants and to find EXTERNAL validations to his testimony.

In this case the total unreliability of Guede has been established in all of his trials and has also been sanctioned by the first Cassation ruling concerning Knox and Sollecito.

Furthermore, the logic applied by the Court of Florence presumes that previous Guede's statements (the interviews) can vouch for the reliability of his later statement in front of the Court of Appeal of Perugia, against the provisions of the law, which demands for external (i.e. not coming from the same author) validations.

Besides all this, an in depth analysis of Guede's interviews shows that he interspersed his description of the would be Sollecito with many physical errors, like he having a double chin and being left-handed.

## **Fifth Reason: The Incompatible Knife**

The knife seized from the drawer at Sollecito's flat is not the murder weapon and could be considered such only because of multiple errors.

### **First error:**

The Court of Florence considered said knife compatible with Kercher's mortal wound while the court [GIP, Judge of the Preliminary Investigations] experts had stated at trial that they initially wanted to express a judgement of "doubt of incompatibility" and that only after much labour they reverted to a judgement of "non absolute incompatibility".

As stated by said experts, such a judgement was given only because the seized knife is single-edged, like the knife used to cause the wound, but many other knives would have been more compatible than that one.

### **Second error:**

The Court of Florence has neglected the opinion of the aforementioned experts that, if the seized knife was used to cause the fatal wound to Kercher's neck, then, given the size of the knife and the lack of hard structures on the path of the knife, whoever used it did not want to kill.

### **Third error:**

The Court of Florence apparently relies on the assertion by Police Officer Finzi that he chose the seized knife among others in the same drawer because of an investigative intuition due to the knife appearing as particularly bright and clean.

But a careful analysis of Finzi's testimony at trial shows that he first tried to justify his choice by asserting that it had appeared to him as compatible with the victim's wounds and that only after having been forced to admit under cross-examination that he knew nothing about the wounds, he changed his version and called into cause investigative intuition.

### **Fourth error:**

The explanations put forth by the court of Florence to justify the presence of the knife at the crime scene in a non-premeditated scenario are purely illusory and are not supported by any forensic or testimonial evidence.

Indeed there is no evidence of any kind that Amanda Knox was used to carry around that knife, or that she just carried it once, for whatever reason: nobody testified having seen or even just heard about such a thing, nor forensic evidence of the presence of the knife inside Knox's bag was found.

### **Fifth error:**

The Court of Florence has seriously misunderstood the relevance of the fact that the knife was inventoried among Sollecito's flat furnitures. Indeed the inventory generically reports the presence of "two big knives", without any description, make or model.

Hence the knife could have been easily thrown away and substituted, had it been used to commit murder.

### **Sixth error:**

The presence of Knox's DNA on the blade and on the handle of the knife is perfectly compatible with ordinary cooking use, and the presence of starch on the blade proves it had not been recently washed when it was seized.

**Seventh error:**

To justify the incompatibility of the seized knife with the minor wounds on Kercher's neck, the Court of Florence arbitrarily hypothesized the use of a second, smaller knife by Sollecito. This conjecture neglects the fact that the two switchblades also impounded at Sollecito's tested negative for the victim's DNA.

**Eight error:**

The Court of Florence has surmised that Knox and Sollecito stabbed Kercher's neck, without even considering the possibility that Guede alone could have done the stabbing.

This is all the more astounding if one considers the lack of traces of the two defendants in the murder room. The automatic assumption of Sollecito's presence is even more surprising since he is absent also from Knox's spontaneous statements of November 6, 2007.

The possibility of Guede as the only author of the murder has been discarded by the appealed ruling because it derived the presence of multiple attackers from the definitive ruling against Guede, while Guede's familiarity with carrying knives is proven by the testimonies of Christian Tramontano and Maria Antonietta Salvadori Del Prato Titone, headmistress of the Milan kindergarten in which Guede was arrested with stolen goods.

The Court of Florence has also neglected that Guede has a known record of performing burglaries by breaking in through windows high above the ground.

Indeed Guede has been recently definitively convicted for attempted theft at the kindergarten and possession of stolen goods, the latter being those stolen from a Perugian law office where a break-in eerily similar to the one through Romanelli's window had been performed.

This fact, together with the sign of cuts on Guede's hand recorded by the German police when he was arrested should have led the Court of Florence to admit the concrete possibility of a break-in and of a stabbing made by Guede alone.

## **Sixth reason: the unreliability of the victim's DNA on the knife.**

**First scientific mistake:**

The appealed ruling has not realized the importance of the objections made by the Conti-Vecchiotti expert report to the reliability of the alleged Kercher DNA on trace 36B, objections due to the lack of compliance to internationally approved standard in the testing of that trace.

**Second scientific mistake:**

If an element of forensic evidence has been acquired in violation of the appropriate procedures defined by the international scientific community, it has no scientific value because it is unreliable.

The appealed ruling has belittled the value of such internationally recommended procedures.

**Third scientific mistake:**

Trace 36B on the knife has not been quantified. Quantification of a DNA trace is essential to establish if it is LCN and hence if a precise set of cautions and procedures has to be applied in its testing.

Stefanoni used the less accurate Q-bit fluorimeter, which was unable to quantify the trace, but during the preliminary hearing she stated she had used the REAL TIME [PCR] quantification. Lacking a positive quantification of the DNA trace, Stefanoni proceeded to amplify it without even knowing if there was a real DNA to amplify.

#### **Fourth scientific mistake:**

The Court of Florence has completely neglected all the issues related to environmental and laboratory contamination of trace 36B.

#### **Fifth scientific mistake:**

Trace 36B was not amplified at least two times, as prescribed by the international scientific community for LCN DNA samples. This should have led the Court of Florence to consider the results of the analysis of trace 36B as totally unreliable.

There was there no scientifically reliable evidence to be used.

#### **Sixth scientific mistake:**

The Court of Florence has claimed that, while trace 36B is not an evidentiary element characterized by certainty, because of the lack of a second amplification, nevertheless it can be used as circumstantial evidence [indizio].

This is a major mistake, also from the point of view of law.

Indeed article 192 section 2 of the Penal Procedural Code prescribes that an *indizio* has to be *precise* to be usable, but the requisite of precision implies the certainty of its existence.

It is a confirmed stance of Italian jurisprudence that before it can be used, the existence of an *indizio* must be ascertained with certainty, it is not enough that it may be likely or supposed.

Hence, absent a second amplification of trace 36B, the existence of the victim's DNA on the knife lacks the prerequisite of certainty and hence it cannot be used to prove the guilt of the defendants.

A reasoning, like the one in the ruling, assuming that trace 36B **could** contain the victim's DNA is not admissible.

#### **Seventh scientific mistake:**

The presence of starch on the blade has been completely ignored in the appealed ruling.

Besides proving that the knife was not "particularly bright and clean" when seized, the starch would also have easily absorbed blood if the knife had been used to kill Meredith Kercher. No such trace of blood was found by the Court Experts during the first appeal trial.

#### **Eight scientific mistake:**

The appealed ruling wrongly states that on the kitchen knife there is the mixed DNA of Kercher and Sollecito. This is simply false, but such a conviction could have swayed the vote of the members of the court, particularly if one considers the evidentiary desert concerning Sollecito.

This is a particularly critical mistake, because this inexistent evidence could have tipped the scale in favor of Sollecito's conviction.

## **Seventh Reason: Contamination and the Bra Clasp.**

The presence of Sollecito's DNA on the bra clasp is the only evidence placing him in the murder room.

But it is not reliable evidence.

The bra clasp was collected 46 days after the murder and in the meantime the whole flat and particularly the murder room had been completely ransacked by multiple and repeated

inspections, not just of the Scientific Police, but also of the ordinary police, much less prepared and equipped to prevent contamination.

The well known cigarette butt can not be considered as the only possible source of contamination, since Sollecito had visited multiple times the flat upstairs during the week before the murder and no exhaustive sampling of the flat has been carried out.

Raffaele Sollecito deposited his DNA in multiple places inside the flat during that week and the multiple inspections, performed by many people, moved it on the hook of the bra clasp. And just on that small hook, not on the surrounding cloth, and it is impossible for a human being to touch just the hook and not the surrounding cloth.

Further proof of contamination is to be found in the presence of other male profiles on that same hook.

There is photographic and video evidence of how the way in which evidence collection was carried out multiplied the risk of contamination and this evidence as been ignored both by the Court of Florence and by the Court of Cassation in the ruling annulling the acquittal.

The Cassation ruling also wrongly stated that it was not true that there had been multiple, not documented inspections of the crime scene.

This is false and belied by the trial documents.

Moreover the appealed ruling confuses evidence degradation with evidence contamination, asserting, with a manifest error, that contamination cannot add organic material to a sample but just take away some from it.

Contamination does not reduce the available information on a sample, but adds information totally unrelated with the event that sample is used to prove.

Moreover, many of the ordinary police officers who inspected the flat had also previously inspected Sollecito's flat, during those same days.

To summarize it, the Court of Florence has wrongly reasoned concerning the bra clasp in four main ways:

- i. it is proven, also visually, that the murder room, after all the inspections performed on it, has undergone manifest contamination events;
- ii. the ruling ignores the presence of Sollecito's DNA inside the cottage thanks to his frequentation there in the days immediately before the murder and on the day after it occurred;
- iii. the Scientific Police not only delayed the recovery of the bra clasp but also improperly handled it with dirty gloves and after having touched many other items;
- iv. the defense experts have extensively challenged the way items were collected and handled at the crime scene, contrarily to what the appealed ruling states..

The video of December 18, 2007, the official document of that inspection, by showing that the Scientific Police handled many objects at the cottage before collecting the bra clasp IS the proof of the contamination and the dirty gloves were its vehicle.

## **Eight Reason: The wrong interpretation of the DNA on the bra clasp.**

The Court of Florence uncritically accepted Stefanoni's findings about Sollecito's DNA profile on the bra clasp without considering that those findings did not follow the internationally accepted guidelines for the interpretation of DNA mixtures.

- i. Stefanoni considered as stutter peaks which should have been considered as alleles. This had led Professor Vecchiotti, at the hearing of July 30, 2011, to state that the autosomic profile attributed to Sollecito was indeed not compatible with him, because of the presence of alleles which are absent from his profile. Vecchiotti also stated that the interpretation of the mixture was necessarily more complex than the one given by Stefanoni and that one could have found there the profiles of many more people by just pairing differently the various peaks. The difference between the electropherogram originally derived by Stefanoni in 2008 and the one she finally gave to the court appointed experts on May 2011 lies in as much as 19 peaks suppressed from the autosomic profile and 14 suppressed from the Y-plotype profile.
- ii. There are at least two more (besides Sollecito) male contributors on the bra clasp, further proof of contamination. This said, the appropriate use of the Likelihood Ratio formula to the mixture in place of the Random Man Not Excluded one incorrectly championed by Professor Novelli, proves that the hypothesis that the secondary contributor to the mixture (the victim being the primary contributor) is an unknown subject is 29000 times more probable of the hypothesis that Sollecito is that contributor. The Court of Florence has instead accepted Novelli's method, against the opinion of their own court appointed experts, Berti and Barni, that the Likelihood Ratio method is to be preferred.
- iii. The appealed ruling has not considered that a Y-plotype profile cannot be used for an attribution of identity, but just for an exclusion. Besides issues in the attribution of peaks to Sollecito, a simple statistical calculation shows that at the time of the murder there were in Perugia about 280 male individuals with the same Y-plotype profile of Raffaele Sollecito.

## **Ninth Reason: The Limits of DNA Evidence.**

It is fundamental that the judges of the Court of Cassation ask themselves what are the limits found by a judge during the assessment of a scientifically controversial result.

How has a judge to consider forensic evidence when different experts give opposed opinions on it?

What is certain is that the judge has to explain his choice extensively and without contradictions, but it is also certain that the forensic evidence itself must satisfy severe standards, namely that of beyond any reasonable doubt, before being used to convict.

To this end, the judge has to consider that DNA itself is not always a reliable tool, sometimes leading to out and out miscarriages of justice.



This is the subject of a recent work by one of the most worldwide renowned experts on the forensic use of DNA, Peter Gill.

In his book Gill details how wrong conclusions can be drawn from a scientifically improper view of DNA as evidence, how much contamination is important and at the same time underestimated.

Miscarriages of justice may happen when DNA analysis is too concerned in finding matching profiles and neglects how and when the DNA was deposited.

The book also stresses the importance of strict controls on every link of the chain of recovery and custody of the evidence and also of a complete documentation, while in these proceedings we are still waiting for the Raw Data Files pertaining to the original 2007-2008 tests.

Therefore a judge cannot accept a given test result without having before ascertained the quality of the evidence, with a particular attention to determine "how, where and when" a given DNA was laid down.

Chapter Five of Gill's work deals with the DNA in the Kercher case and his analysis fully supports the conclusions of the defense with respect to the lack of evidentiary value against the defendant of the DNA evidence collected and analyzed in this case.

## **Tenth Reason: Luminol traces, the bathmat and the small bathroom.**

The Court of Florence assumed that the footprints detected by Luminol in different areas of the upstairs flat were made in blood. There is scientific evidence that this assumption is false. The same incorrect assumption was made by the Court of Cassation itself in its 2013 ruling.

The TMB tests performed on those same footprints prove that they were not made in blood, and this has been completely ignored by the appealed ruling.

Hence the statements made in the ruling about the haematic origin of those traces is not just a conjecture: it is explicitly belied by scientific evidence.

Luminol is also known to react to many other substances besides blood, including various types of substances used for house cleaning.

For what concerns the bloody footprint on the bathmat, not only there is no proof it belongs to Sollecito, but there are elements excluding this.

First of all it is not true that Guede directly exited the house without going to the small bathroom, since he himself stated he went to that bathroom twice to pick up the towels he used to try to pad Kercher's wounds.

The footprint on the bathroom could hence well have been his, since he could initially have had blood only on his naked right foot and only later soaked in blood his left shoe.

But the real point lies in the incompatibility of Sollecito's right foot with that print, for morphological reasons and particularly because his second toe does not touch the ground, so that he could have never soiled it with blood and hence never have left a trace of it on the bathmat.

It is important also to stress that Sollecito's consultant, Professor Vinci is the only expert who dealt with footprints at the morphological level, since the prosecution experts, Rinaldi and Boemia, did only dimensional considerations.

For what concerns the mixed DNA of Knox and Kercher in the small bathroom, it is more than evident that, contrary to what stated in the ruling, that mix can be easily justified by the prolonged shared use of that bathroom by the two girls and by the inappropriate, sweeping way in which that evidence was collected.

## **Eleventh Reason: The Missing Motive.**

There is no real motive in the appealed ruling. The one presented is just a fairy tale.

It must also be noticed that in these proceedings the motives offered by the prosecution and by the courts ruling adversely to the defendants have been many and always changing, going from a sex game gone wrong, to the inappropriate use of the bathroom, to the choice of evil for evil's sake, to an alleged theft of money by the defendants.

The motive chosen by the Court of Florence is completely without links to the trial documents and an arbitrary assumption. The alleged petty grudges between Knox and Kercher are not supported by evidence and in anyway, even if one accepts those presented by the ruling (house cleaning and Knox's behavior with boys), they are absolutely inadequate to motivate a murder.

Moreover, the ruling takes for granted that Sollecito would have participated in the murderous act of violence just to please his girlfriend of a week.

The Court of Florence bases its theory of a theft of Kercher's money on Guede's own words, particularly on the statements he made during his interviews with the investigators.

This is both against the law, since his interviews cannot be used in this trial [as explained in a previous point] and against the assessment of Guede's total unreliability coming from all of the judges who ruled about him.

Moreover, the mere existence of such a theft has been denied both by the appeal ruling concerning Guede and by the first grade ruling which acquitted Knox and Sollecito for this charge because "the fact does not exist", and this acquittal has become definitive in 2010.

Finally, it is a mere conjecture that Knox opened the door to Guede (indeed Guede has always claimed it was Kercher to let him in, and one cannot see why Guede should somehow "protect" Knox now that he has accused her of murder) and is also an empty allegation the supposition that a cigarette butt found at the cottage with a mixture of Knox's and Sollecito's DNAs on it could be proof that the two defendants smoked a joint there that night.

Indeed many cigarette butts with unknown DNA profiles have been found at the cottage and no drug test was ever performed on these exhibits. Moreover the smoking of those cigarettes cannot be positioned in time.

So we should believe to a murder jointly committed by a newly formed couple and a perfect stranger, moreover a murder with sexual aspects. It would have been much more logical to envisage the participation of another unknown subject. There is some element that could support such a possibility: the driver of the recovery van who intervened that evening just outside the cottage, testified he had seen an old car parked in front of the slightly open gate of the cottage.

## **Twelfth Reason: The Call to the Carabinieri.**

The Court of Florence committed a factual mistake when it ruled that Sollecito called the Carabinieri after the arrival of the Postal Police at the cottage on November 2, 2007.

The mistake can be easily demonstrated by using the time of a call between the Carabinieri driving towards the cottage and Amanda Knox.

The time of arrival of their car is shown by the clock of the parking camera as being 1.22 pm, but they called Knox at 1.29 pm and the call lasted 296 seconds (practically 5 minutes), so that they could not reach the cottage before 1.34 pm (otherwise, why would they have continued the call?) and this means that the clock of the camera goes 12 minutes backward in time.

Nor can be accepted the reasoning of the Court of Florence that the Carabinieri's car could have passed multiple times in front of the cottage before stopping there: it is clearly seen in the images that at 1.22 pm (camera clock time) the car enters the driveway to the cottage.

Since the Postal Police, according to the camera clock, arrived at the cottage at 12.48, the right time of their arrival is 1 pm, well after both Sollecito's calls to the Carabinieri.

Further confirmation of this discrepancy in time can be derived from the time of arrival of Meredith Kercher at the cottage on the evening of November 1, 2007. According to the clock of the camera it is 8.51 pm, but according to Sophie Parton she left Kercher well before reaching Via della Pergola and she (Parton) was back at her home by 8.55 pm.

This is consistent with a time of arrival of Kercher at 9.03 pm, that is the camera clock time plus 12 minutes. Moreover, according to the appealed ruling itself Kercher separated from Parton as late as 9 pm.

It must then also be remembered that the two defendants invited the Postal Police officers to enter the house and told them about the break-in: there was no attempt to send them away, quite the contrary.

A further factual mistake of the ruling lies in asserting that the Postal Police officers did not realize that Sollecito made the calls to the Carabinieri when they were already at the cottage because of the confusion caused by the presence of multiple people there, namely Zaroli, Altieri, Romanelli and Grande.

But the phone records show that at 12.45 am Marco Zaroli phoned from his home to Luca Altieri, who still had to pass by Zaroli's home, take him onboard and then drive to the cottage. Romanelli and Grande arrived even later.

Zaroli himself in his testimony stated that he and Altieri arrived at the cottage at about 1 pm.

### **Thirteenth Reason: Sollecito did not protect Knox with a false alibi.**

The Court of Florence did not analyze Sollecito's position separately from Knox's. Particularly it appears that the Court denied the need for such an analysis because Sollecito had not dissociated himself from Knox.

In truth in all the recorded statements by Sollecito, he claims he does not remember the details of that evening because he had smoked marijuana. He does not remember exactly if Knox went out of his flat or not. On the other hand Sollecito is not accusing Knox: he cannot believe that she may have participated to such a heinous crime.

But this should not have prevented the Court of Florence from examining the possibility of an acquittal of Sollecito independently from Knox's position.

Moreover the appealed ruling itself admits that in her 1.45 statement Knox places herself at Piazza Grimana not together with Sollecito, but with Lumumba.

For what concerns witness Curatolo and his sighting of the two defendants together at Piazza Grimana that evening, his unreliability has already been exposed previously, together with the paradoxical fact that accepting his testimony as true would mean giving the two defendants an alibi.

### **Fourteenth Reason: The positions of the two defendants must be considered separately and Sollecito's conviction must be annulled without referral.**

There are 21 reasons (listed from A to Z) justifying the annulment without referral of Sollecito's conviction.

These reasons are a resume of points already made in the previous chapters of the document and specifically stress that much of the evidence used against Knox does not concern Sollecito, whose position should be considered independently from Knox's, and not intertwined with it as done by the Court of Florence.

Some of these reasons point out, with the caveat that false confessions are a reality to be considered, that if Knox's statements are to be considered as a sort of confession, then Sollecito is named in them only to affirm his non-involvement.

In the same way, all the circumstantial evidence linked to “odd behavior” concerns Knox alone and the same is true for Quintavalle’s testimony.

## Conclusions

The primary request is that Sollecito’s conviction be **annulled without referral**, because the holes and the illogicalities of the appealed ruling show that a further trial would not possibly be able to satisfyingly prove guilt, given the unreliability of the evidentiary material.

Only as a subordinate request, it is pointed out that the serious deficiencies of the appealed ruling justify an annulment with referral.