

District Court Koblenz
21.11.2007

56065 Koblenz,

30 Gs 4190/07

(1) Ausl. 65/07

Transcript of the hearing according to. Articles 22 ,28 IRG

In the extradition case

against

the Ivorian citizen

Rudy Hermann GUEDE, born December 26th 1986 in Costa D Avorio,

without permanent residence in Germany

accused of Murder and rape

Present:

District Court Judge Bauer as the [presiding] judge

Chief prosecutor Kruse

Prosecutor Fritzen Merzhauser employee of the court serving as registrar

as interpreter Mr Vito Contento referring to his position as an already sworn in interpreter appearing for the accused.

The accused is informed about the European Arrest Warrant against him issued by the Court of Perugia dated November 20th 2007 (File Reference 9066/07 – 6671/07 GIP) and the fact that the Italian authorities in charge have ordered his provisional detention.

The accused is questioned according to articles 22, 28 of the Act on International Mutual Assistance in Criminal Matters (IRG). He was informed that he's entitled to legal council at every point of the proceeding (Art. 40 IRG). He was also informed that he can make statements about the crime he is accused of, if he wants to.

The accused declares on personal details:

My name is Rudy Hermann GUEDE, born December 26th 1986 in Costa D Avorio, I am a citizen of The Ivory Coast. I don't have residency in Germany, I live in Perugia. I'm single.

On the case:

The crime did not happen the way as I am accused of it. I was in the house. I know about the investigations because I communicated with my friend Giacomo Benetetti via the internet. He told me about it [the investigation]. Giacomo is a friend from school. This [the communication] took place in an internet cafe in Düsseldorf.

I first met Amanda in the club "Le Chic" in Perugia about a month ago. Meredith I met a little later. She had been together with two youths I knew from playing basketball together. I don't know their names.

I don't have anything to do with the death of Meredith. I've been out with Spanish friends on October 31st, 2007. We also met Meredith. I flirted with her. We agreed to meet again at her house on November 1st, 2007 at half past eight in the evening. That evening I left the house [his] at 19:30 or 19:45. I don't know the exact time because I didn't wear a watch. I first looked for my friend Alex. Then I went to Meredith's apartment, but she wasn't there. I then tried to find the two Italian boys I play basketball with, but they weren't at home either. Then I went into town, bought a kebab there and returned to Meredith's apartment. I bought the kebab next to the bar "La Tanna dell'orso". There wasn't anybody home when I returned. Meredith came after about 8 minutes, opened the door for me and we went inside. First we talked and then after the flirt the evening before we kissed. We didn't have sex and I didn't rape Meredith. I'm willing to have all necessary medical examinations done to prove this. I then went into the bathroom next to the room of Amanda and Meredith to that next to her room. I want to stress one detail because it is important to me. As we entered the house Meredith went into her room and opened a drawer next to her bed. She recognized that money was missing. She then went into Amanda's room to look for the missing money. Amanda wasn't at home. Doing this Meredith complained about Amanda that she was smoking drugs. That is something I knew because at my first visit there [Via della Pergola No. 7] we smoked drugs together. When I was in the bathroom I heard, despite listening to music on an i-Pod, that someone knocked and entered. After about 5 minutes, I was still in the bathroom, I heard screams despite the loud music. I then immediately left the bathroom, I didn't even pull up my pants completely. At the entrance door to the apartment I saw a man about as tall as my eyebrows who stood with his back towards me.

I didn't recognise that person. As I left the bathroom I recognized that Meredith was lying on the floor, bleeding. I grabbed the person and asked him in Italian: "What kind of shit have you done?" He turned around and I recognised that he had a knife. He tried to hurt me. But I fought back and received the wounds on my right hand. Because I hadn't pulled up my pants I stepped backwards and stumbled backwards. I then defended myself with a chair as the man tried to attack me again. The person then left the house through the entrance door and I saw that in Meredith's room everything was a mess and there was blood everywhere. Everything was on the floor and bloody. I went back to Meredith and saw that she had a slash wound on her neck. I went into her bathroom to get a towel to stop the bleeding. Because the towel was soaked within a few seconds I got another towel. Meredith tried to speak but because of the wound it was difficult to understand her. I only understood the word "AF" which I tried to write onto the wall next to the body of Meredith. I didn't get a doctor because I was confused because of all of

the blood. Also, the man, before he left the house, had said the sentence: "A negro found, a guilty one found". I was scared to death because I hadn't experienced something like this before. I then left the house. The reason for this was that I heard noises probably coming from the apartment below. At this time Meredith was still alive. She was very strong and was still breathing. At this point Meredith was lying diagonal in front of her nightstand next to her bed. She was lying closer to the wardrobe on the floor. As I tried to stop the bleeding with the towel she was still moving. I can't say if she was conscious when I left the house. I tried to write onto the wall where the nightstand was standing at. I think that I touched a lot of things during my efforts. I can't say if I also touched the bed, I was confused.

Answer to question:

When I was in the bathroom I listened to 2 to 3 songs.

They were:

- Outta my system from lil bow wow
- get low from Lil Sonti and
- Dirty from chamilio

When I left the house I went across the basketball court where Chinese youths were playing and I went home.

Answer to question:

I think the man had the knife in his left hand.

Answer to question:

I'm a legal resident of Italy

I later read that there had been a supposed burglary at the house.

To that I want to say that – when Meredith and I entered the house – the shutters were open and the glass hasn't been broken. I also want to say that the door to Meredith's room was open when I left. I also didn't close the front door, so everybody could have seen what happened there and anybody could have entered the apartment.

Answer to question:

When we arrived Meredith was wearing a dark jacket, later she was wearing a white pullover and blue jeans. She was still wearing this when I left.

Answer to question:

I have a pair of jeans with me which I wore that evening. I had that one cleaned in Düsseldorf. The other clothes I wore are at my home in Perugia.

Answer to question:

I have been stopped in Stuttgart once and there I gave a false name as I was told by other coloured people. I can only stress once more that I was confused. Those coloured people also told me to seek Asylum.

I also want to say that after talking to my friend Giacomo I decided to return to Italy to turn myself in. Giacomo wanted to meet me in Milan together with a lawyer.

The accused was informed according to Art. 21 Paragraph 6 in combination with Art. 41 IRG that there is the possibility of a shortened extradition process. He was also informed that if he accepts the shortened extradition process, there won't be a judicial review of possible reasons for denial by the Regional Appeal Court Koblenz.

He declares:

I accept the shortened extradition process.

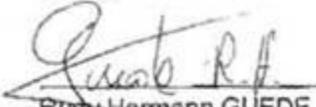
I want to go back to Italy, to explain everything there.

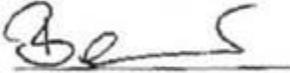
The accused is informed about the principle of specialty and the irrevocability of the renunciation of the administration of said principle. Asked if he wants to renunciate the administration he declares: **I don't have further problems in Italy, therefore I renunciate the administration of the principle of specialty.** Decided and pronounced: The court's order, as it can be seen in the attachment is pronounced, translated and handed over to the accused. Then the accused is asked if there are objections against his extradition or detention.

He declares:

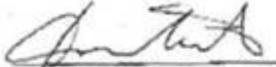
Against the detention and extradition I have no objections.

Translated, approved and signed


Rudy Hermann GUEDE


Bauer
Richterin am Amtsgericht




Vito Contento


Merzhauser
Protokollführer