

PUBLIC PROSECUTOR'S OFFICE
COURT OF PERUGIA

N. 19738/07 R.G. Mod. 44

DETENTION ORDER ISSUED BY THE
PUBLIC PROSECUTOR
(artt. 384, comma 1 c.p.p)

TO THE JUDGE OF PRELIMINARY
INVESTIGATION OF THE COURT OF
PERUGIA

The public prosecutor Dr. Giuliano Mignini

Based on the records of the above-mentioned proceeding;
Having found that there are serious indications of the crimes of
complicity in aggravated murder Article 576 n.5 c.p.e. and sexual
assault for which we are proceeding, against DIYA Lumumba, born in
Kindu (Zaire) on 5.05.1969, KNOX Amanda Marie and SOLLECITO
Raffaele, already identified, for the following reasons:

Regarding KNOX and DIYA, the first made glaringly contradictory and
not credible statements during the investigation. In particular KNOX
claimed to have spent the night between November 1st and 2nd in the
company of SOLLECITO Raffaele whom she met a few days before the
event while he, after initially confirming the statements made by KNOX,
confessed to have lied instructed by KNOX and made clear that he
separated from KNOX at 21,30 of November 1st 2007, remaining at his
house where he received a phone call from his father on the land line at
23:30. Furthermore from the data relating to the phone traffic of the

number 3484673590 in use by KNOX it emerges a lack of phone traffic from 20:35 of November 1st to 12:00 November 2nd. Same lack of phone traffic from 20:42 of November 1st to 06:02 of November 2nd is found in the phone traffic of 3403574303 in use by SOLLECITO Raffaele. At 20:35 of November 1st it was found an outgoing text message from the number 3484673509 belonging to KNOX sent to 3387195723 belonging to the co-defendant PATRICK to whom she communicates “see you later” which confirms that in the following hours KNOX was together with DIYA in the apartment where the victim was.

KNOX, in the statement made today has, in the end, confessed the dynamics of the committed crimes against KERCHER: the accused, in fact, first claimed to have met with DIYA, as communicated to him with the text message found in the phone memory of her cell phone by the operating Postal Police, text message sent at 20:35 in reply to a text message from DIYA sent at 20:18, detected thanks to the analysis of the phone traffic related to KNOX.

This last text message is not present in the cell phone memory.

KNOX in her witness statement from today has then confessed that, meeting DIYA in the basketball court of Piazza Grimana went to, together with DIYA, Meredith’s house, where DIYA, after having sex with the victim, killed her.

The sexual intercourse must be deemed violent in nature considering the particularly threatening context in which it took place and in which KNOX has surely aided DIYA.

In addition to this it should be pointed out that KNOX, in her spontaneous declarations from today, has consistently confirmed to have contacted DIYA, to have met with him on the night between November 1st and 2nd and to have gone with him to the apartment where the victim lived. She then said that she stayed outside of

Meredith's room while DIYA set apart with her and also added that she heard the girl's screams.

KNOX reported details that confirm her own and Sollecito Raffaele's involvement in the events like the fact that after the events she woke up in the bed of the latter.

As far as the essential facts against SOLLECITO there are numerous verifiable inconsistencies in his first declarations, in respect to the last ones and the fact that, from a first inspection, the print of the shoe found on SOLLECITO appears to be compatible in its shape with the one found on the crime scene. Moreover, there is the fact that KNOX claimed to not remember what happened between the victim's screams up until she woke up in the morning in SOLLECITO's bed, who was also found in possession of a flick knife that could abstractly be compatible for dimension and type (general length of 18cm, of which 8,5 blade), with the object that must have produced the most serious injury to the victim's neck.

Having considered all the elements described and all converging findings of the intense and detailed investigations conducted after the discovery of Kercher's body and culminating with the confession and indicated complicity of DIYA, also known as "Patrick" by KNOX, there is substantial serious evidence of the crimes for which we are proceeding to allow the detention, given the limits of the sentence.

Likewise it must be considered a founded and valid danger of flight especially for DIYA since he is a non-EU citizen and in consideration of the specific seriousness and brutality of the crimes, especially that of sexual violence and the possibility of the infliction of a particularly heavy sentence.

In regards to KNOX she has shown a particular ruthlessness in lying repeatedly to the investigators and in involving in such a serious event the young SOLLECITO.

Having regard to Art.384 comma 1 c.p.p.

ORDERS

The detention of DIYA Lumumba, KNOX Amanda Marie and SOLLECITO Raffaele, already identified, and to be taken to the local District Prison.

We proceed to request validation of the detention in the separate document.

Forward to the Secretary area of authority with regard to recognition of Diya Lumumba and Amanda Marie Knox, born in Washington (USA) on 07/09/1987, based in Perugia, Via della Pergola 7, and Raffaele Sollecito, also already identified.

Perugia, November 6th 2007, h.8,40

PUBLIC PROSECUTOR

(DR. GIULIANO MIGNINI)