



The Commonwealth of Massachusetts

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June 12, 2014

John LaChance
189 East Grande Ave.
Old Orchard Beach, ME 94964

RE: Commonwealth v. Benjamin LaGuer

WOCR1983-03391

Dear Attorney LaChance:

Mr. LaGuer has requested that CPCS assign counsel to seek additional DNA testing pursuant to Chapter 278A and recent case law indicating that previously tested material should be retested as new techniques become available.

As we discussed by telephone today, requests of this kind are routinely referred to Ira Gant in the Innocence Program. However, because you are representing Mr. LaGuer in an unresolved appeal to be briefed in the very near future, in which a remand is sought, I am forwarding this request to you, to incorporate in your efforts at the appropriate time. It appears unlikely that the application for testing can be made in the first instance in the Appeals Court, but may well be available after remand, in the event of a stay, or if the appeal is for some reason unsuccessful.

Thank you for your continued service to the appellate panel.

Very truly yours,

Terry Nagel
Senior Staff Counsel
Private Counsel Appeals Unit

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cc: Benjamin LaGuer