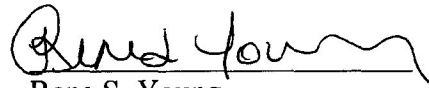


Federal Bureau of Investigation, Bureau of Alcohol, Tobacco, Firearms and Explosives, the Drug Enforcement Agency, U.S. Customs, U.S. Postal Service, and agencies from other states and countries.

6. Based upon the evidence presented at the hearing, the court finds and concludes that firearm and toolmark identification meets the *Frye* standards for reliability and is generally accepted in the field of forensic science.

The court finds and concludes that Zachary Carr, a KBI forensic scientist, is qualified to give expert testimony in the field of firearm and tool mark identification, based upon his education, training and experience. The court further finds that the bases for his scientific opinions are generally accepted as reliable and based upon a scientifically valid methodology. The court further finds that his testimony in the field of firearm and toolmark identification is relevant and will assist the jury.

WHEREFORE the court finds that defendant's Motion in Limine should be and is denied. IT IS SO ORDERED.

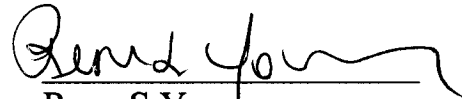

Rene S. Young
District Judge

Certificate of Service

Original filed with the Clerk of the District Court.

A copy of the foregoing *Order* was placed in courthouse mailbox to the following counsel of record on 12/1/2011.

Ellen Mitchell
Julie McKenna


Rene S Young