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Judge orders paternity test of Duke accuser's baby

- Test was requested by lawyers for three players accused of rape
- Alleged rape occurred March 13 at a lacrosse team party
- Lab director confirms DNA found on accuser did not match any players

DURHAM, North Carolina (AP) -- A judge ordered a paternity test Friday on a baby expected by the woman who has accused three Duke lacrosse players of rape.

But the district attorney and the defense rejected any possibility that one of the men is the father.

News of the accuser's pregnancy comes roughly nine months after the team party where she says she was raped. ([Watch how the pregnancy affects the case](#))

District Attorney Mike Nifong said the woman's baby is due in the first week of February.

The defense asked for the paternity test. At the same time, defense attorney Joseph Cheshire said it is an "absolute impossibility" that she got pregnant during the alleged attack.

Cheshire said the woman was given a pregnancy test immediately after reporting she was raped -- and it was negative -- and she took an emergency contraceptive.

In addition, DNA tests found no genetic material from any Duke lacrosse team members on the woman or her clothes.

A person familiar with the case, speaking to The Associated Press on the condition of anonymity, confirmed the pregnancy late Thursday but had no information about the father.

Also Friday, a lab director said in court that after an agreement with Nifong, he violated his own procedures and withheld results showing none of the players' DNA was found on or in the woman's body.

Dr. Brian Meehan, lab director at DNA Security Inc., said he and Nifong agreed to include only DNA matches in the report on his testing results.

The report released in May omitted information about people the DNA tests excluded, including the fact that no genetic material from any member of the lacrosse team was among that from several males found in the accuser's underwear and body.

"We are extremely troubled by that," Cheshire said. The full testing results, showing the exclusions, were disclosed through a defense request in October. They did not become public until Wednesday.

Meehan said that he had been concerned about sensitive, private information becoming public and that the omission was not an attempt to withhold information.

"I was just trying to do the right thing," he said.

The defense attorneys also asked in Friday's hearing that the trial, which probably will not begin until spring, be moved outside of Durham County because publicity may have biased potential jurors.

The woman has said the three men raped her in a bathroom at a March 13 team party where she had been hired to perform as a stripper. Defense attorneys have said for months that no sex occurred at the party.

The defense claimed in court papers that the woman misidentified her alleged attackers in a photo lineup that was "an incoherent mass of contradiction and error."

They want the judge to bar prosecutors from using the photo lineup at their clients' trial and prevent the accuser from identifying the players from the witness stand.

The judge set a February 5 hearing on that request and the bid to move the trial.

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