

Rudy Guede

Rudy Hermann Guede (born 26 December 1986, Abidjan, Ivory Coast)..... (be) 20 years old at the time of the murder.³⁴ He.....(live) in Perugia since the age of five.³⁵ In Italy, Guede..... (raise) with the help of his school teachers, a local priest, and others.³⁶ Guede's father.....(return) to Ivory Coast in 2004 Guede, then aged 17.....(adopt) by a wealthy Perugian family.³⁷ He.....(play) basketball for the Perugia youth team in the 2004-2005 season.³⁸ In mid-2007, his adoptive family.....(ask) him to leave their home.

Guede said that he.....(meet) a couple of the Italian men from the lower level of Via della Pergola 7 While spending evenings at the basketball court in the Piazza Grimana.

The young men who.....(live) in the downstairs flat at Via della Pergola 7.....(be) unable to recall when

Guede.....(meet) them but recalled how, after his first visit to their home, they.....(find) him later in the bathroom,

sitting asleep on the unflushed toilet, which was full of faeces.³⁹ Guede allegedly.....(commit) break-ins,

including one of a lawyer's office through a second-floor window, and another during which he.....(burglar) a flat and(brandish) a pocket knife when confronted.

On 27 October 2007, days before Kercher's

murder, Guede..... (arrest) in Milan after breaking into a nursery school; he.....

reportedly (find) by police with an 11 cm (28 cm) knife, which.....(take)

from the school kitchen.

Guede(go) to a friend's house around 11:30 pm on 1 November 2007, the night of the murder. He later(go) to a nightclub, where he (stay) until 4:30 am. On the following night, 2 November 2007. Guede(go) to the same nightclub with three American female students whom he(meet) in a bar. ⁴⁶] He then(leave) Italy for Germany, where he(locate) in the subsequent weeks.

Trial

After his fingerprints were found at the crime scene, Guede was extradited from Germany; he had said on the internet that he knew he was a suspect and wanted to clear his name.⁴⁷ [4 ' Guede

opted for a fast-track trial, held in closed session with no reporters present. He told the court that he had gone to Via della Pergola 7 on a date arranged with Kercher, after meeting her the previous evening. Two neighbours of Guede's, foreign female students who were with him at a nightclub on that evening, told police the only girl they saw him talking to had long, blonde hair. 4 Guede said Kercher had let him in the cottage around 9 pm. 5' sollecito's lawyers said a glass fragment from the window found beside a shoeprint of Guede's at the scene of the crime was proof that Guede had broken in.[⁵⁰ 53

Guede said that Kercher and he had kissed and touched, but did not have sexual intercourse because they did not have condoms readily available. He claimed that he then developed stomach pains and crossed to the large bathroom on the other side of the apartment. Guede said he heard Kercher scream while he was in the bathroom, and that upon emerging, he saw a shadowy figure holding a knife and standing over her as she lay

bleeding on the floor. Guede further stated that the man fled, while saying in perfect Italian, "*Trouato negro, trouato colpevole, andiamo*" ("Found black man, found culprit; let's go"),⁵⁰ [*/533f541

The court found that his version of events did not match the scientific evidence, and that he could not explain why one of his palm prints, stained with Kercher's blood, had been found on the pillow of the single bed, under the disrobed body. ⁵³[55] Guede said he had left Kercher fully dressed. ⁶ He was found guilty in October 2008 of murder and sexual assault, and sentenced to 30 years' imprisonment. ⁵⁷ Judge Micheli acquitted Guede of theft.⁵⁸

Appeal

Guede originally said that Knox had not been at the scene of the crime, but he later changed his story to say that she had been in the apartment at the time of the murder. He claimed that he had heard her arguing with Kercher, and that, glancing out of a window, he had seen Knox's silhouette outside the house.⁵⁹ ⁶⁰ ⁶¹

Three weeks after Knox and Sollecito were convicted, Guede had his prison term cut from 30 to 24 years before the automatic one-third reduction given for the fast-track trial, resulting in a final sentence of 16 years. A lawyer representing the Kercher family protested at the "drastic reduction" in the sentence.⁶² Guede had his first 36-hour release in June 2016, after nine years of prison.⁶³ ⁶⁴ He was refused permission to appeal against his conviction in 2017. ⁶⁵

Release

Guede was released from prison in November 2021, with a judge bringing forward his release date. ⁶⁶ ⁶⁷

Amanda Knox and Raffaele Sollecito

In outlining the case for colleagues hours after the discovery of the body, Perugia *Reparto uofanti* (Mobile Squad) Detective Superintendent Monica Napoleoni told them that the murderer was definitely not a burglar and that apparent signs of a break-in were staged as a deliberate deception.⁶⁸ ⁶⁹ ⁷⁰ [71] Knox was the only occupant of the house who had been nearby on the night of the murder.⁷² ⁷³ ⁷⁴ ⁷⁵ Knox also said that she had spent the night of 1 November with Sollecito at his flat, ⁷⁶ smoking marijuana and watching the French film *Amélie* and having sex. Sollecito told police he could not remember if Knox was with him that evening or not.⁷⁷ Over the next four days, Knox was repeatedly interviewed without being given access to a lawyer. On 6 November, Knox told investigators that Patrick Lumumba, the owner of the bar Knox was employed at part-time, had broken into the home she shared with Kercher and other roommates, before sexually assaulting and killing

her.⁷ she later testified that she was subjected to pressure tactics and struck by police to make her incriminate herself. She was arrested and charged with murder at noon on 6 November 2007.⁷ 80

Arrests

Napoleoni was backed by several other detectives in arguing for the arrest of Knox, Sollecito, and Lumumba, the latter whom Knox had implicated as being involved. However, Napoleoni's immediate superior, Chief Superintendent Marco Chiacchiera, thought arrests would be premature and advocated close surveillance of the suspects as the best way to further the investigation. On 8 November 2007, Knox, Sollecito, and Lumumba appeared before Judge Claudia Matteini, and during an hour-long adjournment, Knox met her lawyers for the first time. Matteini ordered Knox, Sollecito, and Lumumba to be detained for a year. On 19 November 2007, the Rome forensic police matched fingerprints found in Kercher's bedroom to Rudy Guede. On 20 November 2007, Guede was arrested in Germany, and Lumumba was released. The prosecution charged Guede with the murder. "

Pretrial publicity

Knox became the subject of intense media attention.⁸² Shortly before her trial, she began legal action against Fiorenza Sarzanini, the author of a best-selling book about her, which had been published in Italy. The book included accounts of events as imagined or invented by Sarzanini, witness transcripts not in the public record, and selected excerpts from Knox's private journals, which Sarzanini had somehow obtained. Lawyers for Knox said the book had "reported in a prurient manner, aimed solely at arousing the morbid imagination of readers".³ [41f8s]

According to American legal commentator Kendal Coffey, "In this country we would say, with this kind of media exposure, you could not get a fair trial".⁸⁶ In the United States, a pretrial publicity campaign supported Knox and attacked Italian investigators, but her lawyer thought it was counterproductive.⁷ 81 " "

Knox and Sollecito trials

Knox and Sollecito were held in prison. Their trial began on 16 January 2008 before Judge Giancarlo Massei, Deputy Judge Beatrice Cristiani, and six lay judges at the Corte d'Assise of Perugia. ° The charges were that Knox, Sollecito, and Guede had murdered Kercher in her bedroom.[³] Knox and Sollecito both pleaded not guilty.

According to the prosecution, Knox had attacked Kercher in her bedroom, repeatedly banged her head against a wall, forcefully held her face, and tried to strangle her. Prosecutor Giuliano Mignini suggested Knox had taunted Kercher and may have said, 'You acted the goody-goody so much, now we are going to show you. Now you're going to be forced to have sex!' " The prosecution hypothesized that Guede, Knox, and Sollecito had removed Kercher's jeans, and held her on her hands and knees while Guede sexually abused her; that Knox had cut Kercher with a knife before inflicting the fatal stab wound; and that she had then stolen Kercher's mobile phones and money to fake a burglary.' On

5 December 2009, Knox and Sollecito were convicted of murder and sentenced to 26 and
w s hirs' imprisonment, respectively [93] 94 95

The appeal (or second grade) trial began in November 2010, presided over by Judges
Claudio Pratillo Hellmann and Massimo Zanetti. A court-ordered reissue of the contested
DNA evidence by independent experts noted numerous basic errors in the gathering and
analysis of the evidence, and concluded that no evidential trace of Kercher's DNA had been
found on the alleged murder weapon. (6 7 Although the review confirmed the DNA
fragments on the bra clasp included some from Sollecito, an expert testified that the
context strongly suggested contamination. ' 'oo 'o'

On 3 October 2011, Knox and Sollecito were acquitted. A ruling that proof was insufficient,
similar to the verdict of not proven, was available to the court, but the court acquitted
Knox and Sollecito completely. [1 0' The conviction of Knox on a charge of slander of
Patrick Lumumba was upheld, and the original one-year sentence was increased to three
years and eleven days' imprisonment. ' 1 03 " 4 ' 05

In their official report on the court's decision to overturn the convictions, the appeal trial
judges wrote that the verdict of guilty at the original trial "was not corroborated by any
objective element of evidence". Describing the police interviews of Knox as of "obsessive
duration", the judges said that the statements she made incriminating herself and
Lumumba during interrogation were evidence of her confusion while under "great
psychological pressure . [6 The judges further noted that a tramp who had testified to
seeing Sollecito and Knox in the Piazza Grimana on the night of the murder was a heroin
addict; that Massei, the judge at the 000 9 trial, had used the word "probably" 39 times in
his report; and that no evidence existed of any phone calls or texts between Knox or
Sollecito, and Guede. ' 7 808 [10 HO)

New trial

Following a successful prosecution request, a rehearing of Knox and Sollecito's second-
level trial was held. The only new evidence came from the court-ordered analysis of a
previously

unexamined sample of the blade of Sollecito's kitchen knife,
which the prosecution had alleged was the murder
weapon. ["] [" 2 When the unexamined sample was tested by
court-appointed experts for the new appeal trial, no DNA
belonging to Kercher was found. Despite the negative result for the prosecution case, the
court returned verdicts of guilty against the defendants, who both appealed. " " 4 " 5

Acquittal of murder charge

On 27 March 2013, Italy's highest court, the Court of Cassation, ruled that Knox and
Sollecito were innocent of murder, thereby definitively ending the case. " [" 7] ["] ["
Rather than merely declaring that errors occurred in the earlier court cases or that
evidence was insufficient to convict, the court ruled that Knox and Sollecito had not
committed the murder and were innocent of those charges, but it upheld Knox's conviction
for slandering Patrick Lumumba.