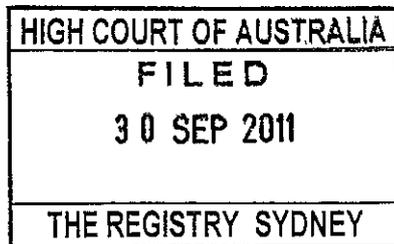


BETWEEN:



YUSUF AYTUGRUL  
Appellant

AND:

THE QUEEN  
Respondent

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### APPELLANT'S CHRONOLOGY

#### Part I:

I certify that this chronology is in a form suitable for publication on the internet.

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#### Part II:

- 2002 Appellant and deceased met and commenced a romantic relationship.
- 2003 Relationship between Appellant and deceased ceased.
- 2004 Deceased commenced an extra-marital relationship with Erdal Tunc.
- 30 On or about  
26.11.2005 Deceased murdered at her premises.
- 27.11.2005 Police attended deceased's premises after being alerted by deceased's family and located her body.
- 27.11.2005 Dr Peter Ellis, specialist forensic pathologist, examined deceased at crime scene.
- 40 27.11.2005 Search warrant executed at premises of Erdal Tunc.
- 27.11.2005 Erdal Tunc arrested for murder of deceased.
- 28.11.2005 While under arrest Erdal Tunc was interviewed by police, buccal swab provided, and released while remaining a suspect.

- 28.11.2005 Dr Peter Ellis conducted post-mortem of deceased, and collected swabs and fibres from the deceased's body, including a small hair stuck to the dried blood on the deceased's right thumbnail ("the hair").
- 29.11.2005-  
08.12.2005 Forensic biologist for Division of Analytical Laboratories ("DAL") took receipt of a number of items from deceased's unit and from the deceased, including fingernail samples and swabs from the deceased. Erdal Tunc was found to have the same DNA profile as that obtained from a cigarette butt, expected to occur in fewer than one in 10 billion individuals, and could not be excluded as male source of DNA on fingernail clipping or as minor contributor to DNA swab of deceased's neck.
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- 07.12.2005 Appellant interviewed by police for the first time. Appellant's allowed police to undertake search of home and car without a warrant.
- 08.12.2005 Appellant participated in voluntary forensic procedure providing buccal swabs, fingerprints, and allowed himself to be photographed.
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- 19.12.2005 Scientific Officer with Police Forensic Services examined the hair and found that it was not suitable for nuclear DNA analysis so recommended the hair for mitochondrial DNA analysis.
- 24.01.2006 Erdal Tunc interviewed by police for the second time.
- 06.02.2006 Officer in charge completed a report in relation to having the hair conveyed to New Orleans, USA, for mitochondrial NDA testing.
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- 9.03.2006 Appellant attended voluntarily to be interviewed police for the second time.
- 02.06.2007 Officer in charge advised that hair had a genetic profile consistent with the profile of the Appellant volunteered on 08.12.2005.
- 05.06.2007 Appellant arrested and charged with the murder of deceased.
- 09.05.2008 Appellant committed for trial to the Supreme Court of New South Wales.
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- 05.11.2008-  
09.12.2008 Trial of Appellant for murder before the Honourable Acting Justice R A Hulme SC and a jury of twelve.
- 17.11.2008 Juror discharged. Trial continued before eleven jurors.
- 09.12.2008 Jury returned verdict of guilty.

16.04.2009 Appellant sentenced for the murder of the deceased to imprisonment for a non-parole period of 21 years to commence 05.06.2007 and expire 04.06.2028 with a balance of term of 7 years to expire 04.06.2035.

21.12.2009 Appellant filed Notice of Appeal against conviction, and relied upon the following grounds of appeal:

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1. A miscarriage of justice occurred because of the prejudicial way in which DNA evidence was expressed to the jury.
2. The verdict of the jury should be set aside on the ground that it is unreasonable, or cannot be supported, having regard to the evidence.

27.05.2010 Appeal against conviction heard by CCA comprising McClellan CJ at CL, Simpson J, and Fullerton J. Judgment reserved.

03.12.2010 CCA delivered judgment in *Aytugrul v R [2010] NSWCCA 272*. Appeal dismissed (McClellan CJ at CL dissenting in respect of ground 1).

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03.12.2010 Notice of Court's Determination ordering dismissal of the appeal.

21.04.2011 Appellant filed application for special leave to appeal from the whole of the judgment of the CCA, and relied on the following grounds:

1. The Court of Criminal Appeal erred in holding that the trial judge did not err in admitting statistical evidence expressed in exclusion percentage terms.
2. The Court of Criminal Appeal erred in holding that verdict was not unreasonable.

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02.09.2011 Special leave to appeal granted but limited to the following ground:

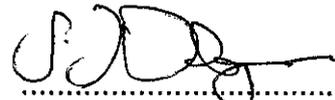
1. The Court of Criminal Appeal erred in holding that the trial judge did not err in admitting statistical evidence expressed in exclusion percentage terms.

09.09.2011 Order granting special leave to appeal to the High Court of Australia

15.09.2011 Notice of Appeal to the High Court of Australia.

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Dated 30 September 2011



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