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DURHAM COUNTY
CLERK OF SUPERIOR COURT
BY: Wiggins, Caitlin

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE No. 21CR054671-310

STATE OF NORTH CAROLINA)	
)	
v.)	Motion in Limine
)	to Exclude Evidence Regarding
MIGUEL SALGUERO OLIVARES,)	Investigative Genetic Genealogy
Defendant.)	

NOW COMES the State of North Carolina, by and through the undersigned Assistant District Attorney, and respectfully moves this Court to issue an order prohibiting both parties from seeking to introduce into evidence, through direct or cross-examination of witnesses or through any other method, matters related to Investigative Genetic Genealogy, including but not limited to testing and searches conducted during the investigative phase of the above-captioned case.

IN SUPPORT OF THIS MOTION, the State offers the following:

1. The above-named defendant is indicted for First-degree murder, First-degree rape, First-degree sexual offense, and First-degree burglary committed against Faith Hedgepeth on September 7, 2012.

2. Male DNA was found at the crime scene, including on and inside Hedgepeth's body post-mortem, on the presumed murder weapon, and on other items of evidence collected. This DNA was subjected to Short Tandem Repeat (STR) DNA analysis and an STR DNA profile was developed.

3. Law enforcement interviewed and collected DNA samples from hundreds of individuals over the course of years following Hedgepeth's rape and murder. STR DNA profiles were developed from those DNA samples and compared to the male STR DNA profile found at the crime scene without finding a match.

4. Additionally, the North Carolina State Crime Lab submitted the crime scene DNA profile to the Combined DNA Index System (CODIS) database maintained by the Federal Bureau of Investigation and did not find a match.

5. Law enforcement continued actively investigating the case, and in 2015 they engaged with Parabon NanoLabs for help using Investigative Genetic Genealogy (IGG) to search for a new lead.

6. IGG, sometimes referred to as Forensic Genetic Genealogy, is a search technique that integrates comparative DNA analysis (employing Single Nucleotide Polymorphism DNA, also referred to as SNP DNA) with traditional genealogy research using historical and public records; including, for example, newspaper archives, U.S. Census records, databases of birth, marriage, and death records, as well as social media accounts and publicly available family tree and pedigree information, to infer familial relationships between individuals.[1] It is distinguishable from STR DNA analysis, which was used to confirm the defendant's identity by direct comparison of STR DNA profiles. SNP DNA was not used to confirm the identity of the defendant. Rather, SNP DNA was developed from different parts of the human genome and was used to measure genetic relatedness between DNA profiles. In other words, we humans share greater centimorgan (cM) values with people to whom we are genetically more closely related.[2]

7. IGG is used in the context of law enforcement investigation not to prove the identity of individuals, but to generate leads that may help identify, for example, previously unidentified human remains or, as in this case, an unidentified DNA

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[1] **A Primer for Detectives, Prosecutors, and Judges When Faced With A Case Involving Leads Generated Through Investigative Genetic Genealogy**, Parabon NanoLabs Authors: Paula Gawthorp-Armentrout (Vice President & Legal Liaison, CeCe Moore (Chief Genetic Genealogist), and Ellen Greytak, PhD (Director of Bioinformatics & Snapshot Technical Lead), p. 3.

[2] **National Human Genome Research Institute, National Institutes of Health,** https://www.genome.gov/genetics-glossary/Centimorgan-cM, "A centimorgan is a unit of measure for the frequency of genetic recombination. One centimorgan is equal to a 1% chance that two markers on a chromosome will become separated from one another due to a recombination event during meiosis (which occurs during the formation of egg and sperm cells). On average, one centimorgan corresponds to roughly 1 million base pairs in the human genome.

profile found at a crime scene based on how that profile fits into a family tree organized according to relative centimorgan values.

8. An IGG search may take years before yielding any useful information, if ever. It took years in this case.

9. In the context of a criminal case like this one, IGG functions like a crime stopper's tip or information provided by a jail informant years into the investigation. Information generated via IGG is similar to a CODIS DNA hit/match in that neither are used as proof of identity at trial. Rather, like CODIS, IGG provides information investigators may use to guide their next steps. Ideally, IGG may narrow a list of potential suspects to a specific population group, an extended family, or in some cases an individual person. Law enforcement is then responsible for confirming or eliminating potential suspects using other standard investigative strategies.

10. IGG was just one of countless investigative methods law enforcement used to solve this case over the course of more than a decade. While it contributed to identifying the defendant as a potential suspect, the IGG search is otherwise unrelated to the relevant evidence in this case and is immaterial to proving any fact of consequence. Accordingly, the State does not intend to introduce the use of IGG in the investigation in its case-in-chief. Rather, the State intends to introduce the results of the direct comparison between the STR DNA profile developed from the crime scene evidence and the STR DNA profile developed from the sample obtained pursuant to a search warrant from the defendant.

11. Evidence that is not relevant is not admissible. N.C.G.S. 8C-1, Rule 401. Relevant evidence is defined as "having the tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without other evidence." Irrelevant evidence may be excluded by motion in limine. *See e.g., State v. Cowan*, 194 N.C. App. 330, 332 (2008). *See also State v. White*, 355 N.C. 696, 565 S.E.2d 55 (2002).

12. How the defendant was ultimately identified as a suspect (including insights or leads found using IGG or any other investigative techniques law enforcement employed) is irrelevant and immaterial to establishing any fact of consequence in the above-captioned case. While the defendant's identity is a fact of consequence, the State will be relying on the results of the direct STR DNA comparison described above to establish identity – not the use of IGG to develop a lead to the defendant, which had no bearing on the results of the direct STR DNA comparison. It is therefore inadmissible and should be excluded.

13. Assuming *arguendo* this Court finds IGG to be logically relevant even if not legally so, the IGG should be excluded pursuant to N.C.G.S. 8C-1, Rule 403, which states that "relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence."

BASED UPON the foregoing facts, the State respectfully asks the Court to order both parties to refrain from introducing evidence, whether through direct or cross-examination of witnesses or through any other method, related to Investigative Genetic Genealogy as irrelevant, immaterial, and therefore inadmissible.

Respectfully submitted, this the 13th day of July, 2026.



Angela Garcia-Lamarca
Assistant District Attorney

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing Motion was served upon counsel for the Defendant, Chris Barnes, Jason Murphy, and James Rainsford, by electronic mail.

This the 13th day of July, 2026.



Angela Garcia-Lamarca
Assistant District Attorney