

discovered, (2) material and not cumulative, and (3) of such conclusive character that it would probably change the result on retrial.” *People v. Robinson*, 2020 IL 123849, ¶ 47 (citing *People v. Edwards*, 2012 IL 111711; *People v. Coleman*, 2013 IL 113307; *People v. Washington*, 171 Ill. 2d 475).

5. Whether Misook Nowlin’s out-of-court confessions would probably change the result on retrial will require an evaluation of the extent to which those confessions were credible and corroborated, among other things. *See Chambers v. Mississippi*, 410 U.S. 284 (1973); *People v. Tenney*, 205 Ill. 2d 411 (2002).

6. Among the indicia of trustworthiness surrounding Misook Nowlin’s out-of-court confessions are evidence that her hair and DNA were present in the decedent’s bed; Susanne Burn’s evidence regarding Misook Nowlin’s behavior the night of the death; evidence that the only motive the State ever ascribed to Bart McNeil was predicated on faulty scientific conclusions; and evidence that Misook Nowlin went on to commit another, similar murder.

7. This Court ruled that those pieces of evidence did not warrant a third-stage evidentiary hearing standing alone. Mindful of that ruling, Petitioner files this motion to ensure that all evidence relevant to the issue the Court did advance to the third-stage will be considered.

WHEREFORE, for the reasons stated above, Petitioner requests that this Court allow him to introduce evidence at the third-stage evidentiary hearing that would tend to corroborate Misook Nowlin’s confessions.

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Respectfully submitted,

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