

COMMONWEALTH OF KENTUCKY  
PIKE CIRCUIT COURT  
CASE NO. 25-CR-00223

COMMONWEALTH OF KENTUCKY,

PLAINTIFF,

VS.

COMMONWEALTH'S RENEWED MOTION  
TO CONTINUE TRIAL  
FOR COMPLETION OF FORENSIC TESTING

MICHAEL (M.K.) MCKINNEY, III,

DEFENDANT

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PROCEDURAL HISTORY

This case was previously scheduled for trial on December 1, 2025, but was continued by the Court upon motion of the Commonwealth to allow for completion of forensic testing. The Court's order continuing the trial cited the Kentucky Supreme Court Decision in *Manning v. Commonwealth*, 701 S.W.3d 478, (Ky. 2024). The Supreme Court in that case found that a fourth delay in a murder trial was justified to allow completion of DNA testing. This Court cited the following excerpt from the Manning opinion in its Order:

The importance of DNA evidence in modern criminal prosecution cannot be overstated; the absence of available DNA evidence is the equivalent to having a missing witness. We accordingly cannot fault the trial court for ensuring this evidence was available despite the incredible delay it caused, and hold that the delay associated with this period was valid.

At the time the Court entered that Order, there were two (2) large submissions of forensic evidence being tested at the Kentucky State Police lab and reports of the test results had not yet been completed. As of today, we are still waiting on completion of

testing of those submissions and reports. So there has been no change to the situation since the earlier continuance except for the fact that Defendant M. K. McKinney has since been released on bond along with the other Defendants.

#### **REASON FOR DELAYS AT KSP CRIME LAB**

There are two (2) main reasons that it has taken this long for the forensic testing to be completed. First is the unusually large amount of forensic evidence collected in this case. Due to the nature of the crime scene, which contained significant blood evidence in multiple parts of a very large home, investigators spent three (3) separate days processing evidence there. A tremendous amount of testing has already been completed, which has resulted in eleven (11) separate reports of test results for serology, DNA, and trace evidence. These reports involve more than seventy (70) items of evidence. This does not even include the numerous electronic devices that have been analyzed by multiple labs. Even though the majority of the testing is complete, there are still dozens of items left to be examined.

The second reason it's taking this long to complete testing is the legislature's refusal to adequately fund the Kentucky State Police Lab. Kentucky's pay for the forensic scientists at the crime lab ranks 47<sup>th</sup> out of 50 states. The lab is barely 70% staffed because their pay is so low that they cannot recruit scientists to

work there, or retain many of the ones that they get when surrounding states pay tens of thousands of dollars more per year. The KSP crime lab is responsible for all forensic evidence testing for over 400 police agencies in the state on every type of evidence, from blood, DNA, drugs, trace analysis, ballistics, and fingerprint analysis. The lab tests over 60,000 individual items of evidence each year and generates over 36,000 detailed, peer reviewed reports with tens of thousands of pages of documentation.

Due to the lack of resources they are provided, they simply cannot complete all of the testing demanded of them in a timely manner. And it is not their fault. The blame rests entirely on our legislature, who simply does not care enough about crime victims, accused defendants awaiting trial, or public safety, to do anything about it. It's pathetic and they should be ashamed. But they have repeatedly shown that they have no shame on this issue. The Lexington Herald Leader, among others, have published lengthy pieces documenting what a complete travesty this is, but the legislators do not care. I am not optimistic that anything will change until some legislators' family member gets raped or murdered, and they have to wait two (2) to three (3) years for lab results like the rest of Kentucky citizens have to.

In this case, specifically, the lab's inability to process evidence quickly, first resulted in a delay of over a year from the date of the murder until enough evidence could be processed to even

present the case to a Grand Jury. And in the year and a half since the indictment was returned, the lab has been unable to finish processing the remaining evidence so a trial could be held. This is out of the Commonwealth's control. And in fairness to the lab, they are working as hard and as fast as they possibly can. It is not their fault that the legislature will not provide them the resources to do their job more quickly. And it is certainly not the fault of the victim in this case.

#### **SIGNIFICANCE OF OUTSTANDING EVIDENCE**

There are currently two (2) large submissions of evidence awaiting completion of DNA testing. It is undisputed that only two (2) people in the home that night were bleeding. That would be Roy Kidd, who the defense has claimed is the real killer, and the victim, Amber Spradlin. It is very likely that the whole case will come down to whether the jury believes the murder was committed by Defendant M. K. McKinney, or Roy Kidd. Because of that, the blood and DNA evidence will be extremely important to the jury in making their decision. It could literally make or break the case for the Commonwealth or the Defendants. The best way to understand the significance of the outstanding evidence is to go through some of the items currently being tested.

## **1. Bloody Handprint on Couch**

There was a bloody handprint on the couch where the victim was murdered right next to her body. Since this handprint was almost certainly left by the killer, it is critical to complete the DNA test results on it. If any DNA profile is obtained from it, other than the victim, that could be hugely significant to the case. Could it be a defendant's DNA? What if it's Roy Kidd's DNA? The defense would certainly want to know if that's the case. And a jury being asked to decide if the killer was Defendant M.K. McKinney definitely needs to have that information to make a fair and just decision when the Defendant is looking at the potential for life in prison.

## **2. Blood from Dr. McKinney's Bedroom Door**

There was some blood found on Defendant Michael McKinney's bedroom door, which is located very close to the couch where the victim was found. Who this blood belonged to and how it got there will be important questions for the jury. If it's the victim's blood, how did it get there? The defense would surely point out that Roy Kidd told police that he knocked on Dr. McKinney's door to wake him up after he found the victim dead on the couch. Or could it be from Defendant M. K. McKinney knocking on the door seeking help from his

dad that morning of the murder before he left around 8:30 a.m. while everyone else was asleep? A jury deciding this case needs to know the results of this test.

### **3. DNA from Victim's Clothing**

Numerous samples of blood located on the victim's clothing, including her shirt, pants, and belt, are also being tested for DNA. We know that at least one other person in the home, Roy Kidd, was bleeding. Because of the contact that occurred between the killer and the victim during the violent struggle and murder, it is critically important to all parties, and to a jury deciding the case, that the testing be completed on the victim's clothing.

### **4. Blood in the Basement Area**

In addition to the bloody scene around the couch where the victim was found, there was also blood throughout the basement area where everyone in the house, including the victim, had been hanging out in the hours leading up to the murder. Blood samples were taken from a bed in the basement bedroom, a trash bag on the floor outside the basement bedroom, a garbage can by the basement bedroom door, the bar in the basement where the parties had been congregating earlier, a couch in the basement, a window in the basement, a door facing in the basement, the basement bathroom sink, and a sheet from the basement bedroom. The assumption is

that these may all be Roy Kidd's blood since the basement area is where he fell and cut his chin that night. But we can't know unless the testing is permitted to be completed on those areas.

#### **5. Sink Traps**

In an effort to try to determine if any of the numerous showers or sinks in the home were used either by the killer to clean themselves up after the murder, or by others to clean up the scene or destroy evidence, investigators cut out every drain and sink trap in the entire home for DNA testing. Serological testing on those items found potential blood in sink traps from the kitchen, laundry room, and numerous bathrooms. While the serological tests are just preliminary and the answer can't be known until DNA testing is completed, all parties certainly need to know what that testing shows. The DNA testing may yield nothing, but it needs to be completed before going to trial in a case of this magnitude.

#### **EXTREME PREJUDICE TO THE COMMONWEALTH AND VICTIM**

The Commonwealth has the burden of proving the Defendant's guilt beyond a reasonable doubt, and the verdict must be unanimous. The Defendants in this case have no obligation to put on any evidence, call any witnesses, or have the Defendants

testify. They are presumed innocent until proven otherwise by the Commonwealth, and that's the way that it should be. But because the Commonwealth bears such a heavy burden, we must be given a reasonable opportunity to obtain all relevant evidence to have any chance of proving our case.

Forcing the Commonwealth to trial with one hand tied behind our back would severely damage our chances of obtaining a conviction. No juror would have any confidence in a prosecution asking them to convict people of serious crimes with a potential life sentence with numerous items of evidence untested.

If the Defendants go to trial and are convicted, they can appeal that even if they are convicted multiple times over multiple trials. The Commonwealth has no such ability to appeal a loss. We only get one opportunity to present this case to a jury and to seek justice for this young woman who was viciously slaughtered. It is critical that when we get our one (1) opportunity to do so, that we be allowed to do it with all of the available evidence at our disposal.

#### **POSSIBILITY OF EXCULPATORY EVIDENCE**

It is very possible that some of these remaining test results could be helpful to one or more of the Defendants. As this Court found in the previous Order granting the December trial continuance, "failure to complete testing of the material may

cause the Defendant to lose an opportunity to have potential exculpatory evidence at his disposal". This is why counsel for two (2) of the three (3) Defendants have already gone on the record at the last hearing agreeing that this case did not need to go to trial until all the evidence was tested because it would be prejudicial to their clients.

Counsel for Defendant M. K. McKinney made a procedural objection to a delay in order to preserve any potential speedy trial issue for appeal. That's a common objection in cases like this, and an understandable one. This Defendant made the same objection when the December trial was continued and the Court continued the trial anyway because it correctly found that it would not be right to try the case without all the evidence, especially given the possibility that there could be something exculpatory for the Defendants.

At that time, Defendant M.K. McKinney was still in jail and unable to make bond. He has since been released. As the Court knows from the previous hearings, defense counsel's primary reason for requesting a speedy trial was because his client was still in jail. Now that he is out, any hardship or prejudice he was enduring because of his continued incarceration is gone. Moving the trial out long enough to allow completion of all forensic testing does not create a speedy trial issue or prejudice the Defendant. This is especially true when the indictment was only

returned 20 months ago. As the Court knows, it very commonly takes much longer than that for a complex murder case to go to trial.

### CONCLUSION

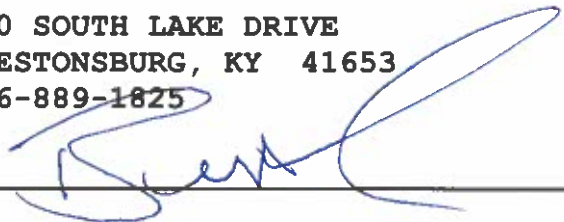
There is simply no way that the Defendants or the Commonwealth can receive a fair trial if forensic testing on all the evidence has not been completed. We have a young woman who was viciously murdered and a young man looking at the possibility of life in prison.

Accordingly, the Commonwealth is requesting that the Trial be continued to allow for completion of all forensic testing. Rushing this case to trial without all of the evidence being available would result in a terrible injustice. All three (3) Defendants are out on bond and would not be prejudiced by a delay. If anything, it would be to their benefit given the possibility of exculpatory evidence being obtained. The jury's decision in this case will have life-altering implications for everyone involved and it is critical that they be allowed to make their decision with all of the evidence available to them. Anything short of that jeopardizes the integrity of the entire process and would diminish public confidence of the outcome of the case, where there has been considerable public interest, both in the Commonwealth of Kentucky and throughout the nation.

**WHEREFORE**, the Commonwealth prays for appropriate Orders of the Court rescheduling the trial date until all forensic testing can be completed.

Respectfully submitted this 30 day of April,  
2026.

HON. ARNOLD BRENT TURNER  
140 SOUTH LAKE DRIVE  
PRESTONSBURG, KY 41653  
606-889-1825



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**NOTICE**

Please take Notice that the foregoing Motion will come on for hearing before Hon. Eddie Coleman, Judge, Pike Circuit Court, Pike County Justice Center, Prestonsburg, Kentucky, at the convenience of the Court.

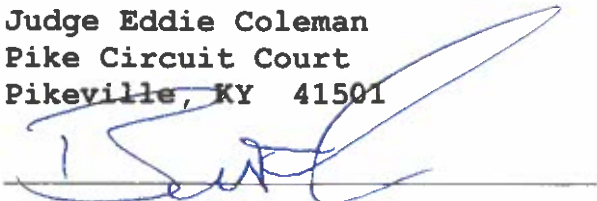
**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing Motion was e-mailed or FAXED on this the 30 day of **April, 2026** to the following:

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