

# Wienckowski evidence still being withheld; Attorney says requests refused

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By Patrick Lakamp

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The lawyer looking into Amanda L. Wienckowski's death on behalf of her family said he did not come any closer Friday to getting all the documents, photographs and other evidence that he says could cast a negative light on how authorities investigated the case.

Attorney Steven M. Cohen met with lawyers for the city and the county in State Supreme Court Justice Gerald J. Whalen's chambers.

"If Amanda's death was an accident, I don't know why they're fighting tooth and nail before releasing any information," Cohen said after the hour-plus meeting. "This is the sixth time we've come back to court, and we're going to have to come back a seventh time, perhaps an eighth time, to argue in open court."

Cohen said officials from the Buffalo Police Department and the Erie County Medical Examiner's Office have refused to release the majority of what he's requested.

"If Amanda's death was an accident, what's the big secret?" he asked. "If they think that their efforts have diminished our resolve, they are mistaken. We will follow them to hell and back until we get the truth in this case."

Cohen said authorities are resisting turning over the information "to shield evidence of their own incompetence."

"What Buffalo [Police are] saying is they won't turn over the evidence from the scene of a crime, crime scene photographs or autopsy photos without a judge's order because it could compromise an ongoing investigation," Cohen said.

But authorities also have labeled her death an accident, he said.

"Then what investigation is it?" he asked.

The other lawyers declined to comment on their way out of the judge's chamber.

The remains of the 20-year-old woman, who lived in Lewiston but grew up in Kenmore, were found frozen and upside down in a plastic garbage tote outside a Buffalo church Jan. 9, 2009, a month after she was first reported missing.

The Erie County medical examiner ruled that her death was accidentally caused by a heroin overdose.

Leslie Fink, Amanda's mother, who waited outside the private session in Whalen's chamber, said afterward she's prepared to fight for more information.

"We have to fight for everything we need," she said.

"This is my daughter, my daughter's name," she added. "She hasn't been able to rest. And it's terrible that I have to go through this. My family has to go through this. This is absurd. These are people that should be looking out for us. They have not helped my daughter one inch of the way."

e-mail: [plakamp@buffnews.com](mailto:plakamp@buffnews.com)