

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

DEPARTMENT 12 BEFORE HONORABLE RICHARD M. MURPHY, JUDGE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
PLAINTIFF,)
VS.)
JOHN IVAN KOCAK,)
DEFENDANT.)

NO. SCD110465

REPORTER'S PARTIAL TRANSCRIPT
NOVEMBER 17, 1995

APPEARANCES:

FOR THE PLAINTIFF(S):

MICHAEL CARMENTER
DEPUTY DISTRICT ATTORNEY
220 WEST BROADWAY
SAN DIEGO, CA 92101

FOR THE DEFENDANT(S):

RAYMOND ARAGON
DEPUTY PUBLIC DEFENDER
233 A STREET
SUITE 400
SAN DIEGO, CA 92101

COPY

ROBIN SUNKEES, CSA NO. 8824
COURT REPORTER, SUPERIOR COURT
SAN DIEGO, CALIFORNIA

I-N-D-E-X

PG LN

11-17-95, 2:25 P.M. *

2 1

CHARLOTTE WORD, +
REDIRECT EXAMINATION +
RECROSS-EXAMINATION +

CALLED AS A WITNESS
BY MR. CARPENTER:
BY MR. ARAGON:

3 8
3 12
6 7

---00---

(WHEREUPON, THE FOLLOWING PROCEEDINGS TOOK PLACE IN OPEN COURT.)

THE COURT: THE RECORD WILL REFLECT THAT BOTH COUNSEL AND DEFENDANT ARE PRESENT.

WE HAVE HAD A 30-MINUTE RECESS. I AM -- FEEL THAT WE NEED TO FINISH WITH DR. WORD'S TESTIMONY TODAY NO MATTER HOW LATE IT TAKES SO THAT SHE DOES NOT NEED TO COME BACK ON MONDAY AND NOT GO ON VACATION TOMORROW, SO -- I MEAN, IF YOU CAN FINISH IN A HALF AN HOUR, GREAT. IF NOT, I'M STAYING.

MR. CARPENTER: GOOD.

THE COURT: SO IF YOU WANT TO INCUR THE WRATH OF MY STAFF, FEEL FREE.

MR. CARPENTER: WELL, I WOULD INDICATE TO THE COURT AND COUNSEL THAT IN ANALYZING THE FILM IN PRESENTATION BEFORE THE BREAK AND IN CONJUNCTION WITH THE NOTES THAT WERE PREPARED, DR. WORD HAS FOUND AN ERROR, AND WE'D LIKE TO INDICATE THAT TO THE COURT IN REGARD TO THIS. AND I BELIEVE THAT THE ERROR INDICATES THAT THE LANES WERE MISLABELED BY THE STAFF MOLECULAR BIOLOGIST SO THAT THE LANE --

DR. WORD: THAT'S NOT CORRECT.

MR. CARPENTER: WELL, THE REPORT THAT REFLECTS THE LANES --

DR. WORD: THAT'S CORRECT.

MR. CARPENTER: SO I'LL JUST ASK DR. WORD TO, YOU KNOW,

1 INDICATE WHAT SHE HAS FOUND IN REGARD TO THIS BASED ON SEEING IT
2 AND PRESENTING IT TO YOU BEFORE THE BREAK.

3 AND I APOLOGIZE FOR THE LENGTH OF OUR DELAY IN
4 COMING BACK, BUT WE WERE TRYING TO MAKE SURE THAT WHAT WE HAVE
5 FOUND, NOW, IS ACCURATE SO THAT WE CAN REPORT THAT TO YOU, THAT
6 THERE WAS AN ERROR IN REPORT WRITING.

7
8 CHARLOTTE WORD, +
9 CALLED AS A WITNESS HEREIN, HAVING BEEN PREVIOUSLY DULY SWORN,
10 WAS EXAMINED AND TESTIFIED AS FOLLOWS:

11
12 REDIRECT EXAMINATION *

13 BY MR. CARPENTER:

14 Q. GO AHEAD.

15 THE COURT: THIS REFERS TO THE REPORT WHICH IS ATTACHED
16 TO THE DEFENSE MOTION AS ATTACHMENT ONE; IS THAT CORRECT?

17 MR. CARPENTER: YES.

18 THE COURT: IT'S A TWO-PAGE REPORT. IT SAYS "CELLMARK
19 DIAGNOSTICS" AT THE TOP, "JUNE 20TH, 1995."

20 THE WITNESS: THAT'S CORRECT.

21 THE COURT: THIS REPORT HAS AN ERROR IN IT; NOT THE FILM?

22 THE WITNESS: I THINK SO.

23 I'M A LITTLE HYSTERICAL RIGHT NOW, BUT I THINK
24 THE -- ACCORDING TO OUR EVIDENCE LOG SHEET, OUR SAMPLE 02 WOULD
25 BE THE KNOWN SAMPLE FOR MR. KOCAK. THE -- OUR SAMPLE 03 IS THE
26 KNOWN SAMPLE FROM MISS FRANK.

27 AND IN EXPLAINING THE GEL EARLIER, IT -- I REALIZED
28 THAT THE ANALYSIS THAT WE HAD BEEN -- WE HAD DONE, WHICH SHOWS

1 THAT THE SAMPLE 03 IS CONSISTENT WITH THE TYPES FROM SAMPLE 01A,
2 IS CORRECT, BUT WHAT WE INCORRECTLY REPORTED IS THAT 03 WAS MR.
3 KOCAK'S SAMPLE.

4 ACCORDING TO MY NOTES -- AND I HOPE I'M READING
5 THEM RIGHT, BUT I CERTAINLY WILL, IN A CALMER STATE, RECONFIRM
6 THIS -- 03 IS MR. KOCAK -- I'M SORRY -- 03 IS MISS FRANK, AND 02
7 IS MR. KOCAK.

8 SO IF YOU GO TO OUR REPORT PAGE 2, THE TYPES
9 DETECTED RESULTS CHART, THE TYPES ARE ALL CORRECT, BUT THE TWO
10 NAMES SHOULD BE SWITCHED.

11 AND THEN THE CONCLUSIONS WOULD BE INCORRECT, THAT
12 THE DATA -- THE PRIMARY DATA THAT WE HAVE OBTAINED ARE
13 CONSISTENT WITH THE TYPES FROM MISS FRANK, AND WE CAN MAKE NO
14 CONCLUSION REGARDING THE FAINT BANDS, WHICH MAY OR MAY NOT
15 INCLUDE MR. KOCAK. I HAVE NOT REVIEWED IT FROM THAT
16 PERSPECTIVE.

17 THE COURT: OKAY.

18 THE WITNESS: OUR REPORT WOULD BE, IN TERMS OF THIS CASE,
19 IF I'M ANALYZING THIS CORRECTLY, INCONCLUSIVE IN TERMS OF ANY
20 SPERM DONOR, AND I'M EXTREMELY SORRY AND APOLOGIZE TO THE COURT
21 FOR THIS ERROR.

22 THE COURT: WELL, I'M NOT -- I'M NOT SURE -- I'M NOT SURE
23 WHAT I'M SUPPOSED TO MAKE OF THIS.

24 MR. CARPENTER, PERHAPS YOU CAN CLARIFY. ARE WE
25 SUPPOSED TO NOW THROW OUT THE CELLMARK REPORT?

26 MR. CARPENTER: WELL, WHAT -- WHAT WE WOULD BE DOING IS
27 NOT PRESENTING THE CELLMARK RESULTS, BECAUSE THEY'RE
28 NONCONCLUSIVE. ALL THAT THEY SHOW IS THAT THE VICTIM'S DNA WAS

1 PRESENT IN THE SAMPLE THAT THEY ANALYZED.

2 AND SO THE CELLMARK RESULTS WERE OBTAINED THROUGH
3 THE STR SYSTEM. I WOULD AT LEAST ASK THE COURT TO CONSIDER WHAT
4 DR. WORD HAS TESTIFIED REGARDING THE PCR SYSTEM, BECAUSE WE WILL
5 BE PRESENTING THE RESULTS OBTAINED BY THE SAN DIEGO POLICE
6 DEPARTMENT LAB.

7 THE COURT: OKAY. SO YOU'RE -- AT THIS POINT, YOU'RE
8 TELLING ME THAT THE PEOPLE DO NOT INTEND TO OFFER CELLMARK'S
9 RESULTS?

10 MR. CARPENTER: THE STR SYSTEM OBTAINED BY -- STR SYSTEM
11 RESULTS OBTAINED BY CELLMARK; THAT IS CORRECT.

12 THE COURT: OKAY. AND THAT THE PEOPLE STILL INTEND TO
13 OFFER THE SAN DIEGO POLICE DEPARTMENT'S PCR DQ ALPHA-PM RESULTS?

14 MR. CARPENTER: THAT IS CORRECT, AND WE HAVE DR.
15 O'DONNELL SCHEDULED TO TESTIFY MONDAY WHEN WE RESUME.

16 THE COURT: OKAY. AND SO DOES THIS MEAN THAT THIS IS THE
17 END OF DR. WORD'S TESTIMONY, OR DO WE STILL WANT -- DO YOU STILL
18 WANT TO ASK MORE QUESTIONS?

19 MR. CARPENTER: WELL, NO. I WAS FINISHED WITH MY
20 REDIRECT. I THINK THAT I HAD TALKED -- OR ASKED HER QUESTIONS
21 REGARDING PCR, AS WELL AS DATA BASES, AND I THINK THAT THAT
22 EVIDENCE OBVIOUSLY IS -- OR THAT TESTIMONY IS VERY IMPORTANT FOR
23 THE COURT TO CONSIDER ON THE ADMISSIBILITY OF THE PCR RESULTS
24 OBTAINED BY THE SAN DIEGO POLICE DEPARTMENT. I WOULD ASK THE
25 COURT TO CONSIDER IT FROM THAT STANDPOINT.

26 BUT IF I UNDERSTAND SOME OF THE DEFENSES CORRECTLY,
27 I THINK THAT THEY WERE MOST OBJECTION-- -- OBJECTIONABLE TO THE
28 STR RESULTS, BECAUSE THEY WERE SO NEW AND HAD NOT BEEN

1 INTRODUCED INTO COURT PREVIOUSLY, AT LEAST IN THIS STATE.

2 THE COURT: OKAY. SO LET ME ASK, THEN, OF THE DEFENSE:
3 DO YOU WISH TO ASK ANY ADDITIONAL QUESTIONS OF DR. WORD?

4 MR. ARAGON: YES.

5 THE COURT: OKAY.

6
7 RECROSS-EXAMINATION

8 BY MR. ARAGON:

9 Q. DR. WORD, YOU CAME TO THIS CONCLUSION TODAY OR
10 YESTERDAY?

11 A. RIGHT NOW IN THIS COURTROOM -- OR WHEN I WAS
12 LOOKING AT THE FILM, IT OCCURRED TO ME, YES.

13 Q. AND IS THIS ESSENTIALLY, THEN, THE FIRST TIME THAT
14 YOU'VE HAD A CHANCE TO LOOK AT THIS AREA AND DECIDE FOR YOURSELF
15 WHETHER SUCH AN ERROR WAS POSSIBLE?

16 A. I HAD REVIEWED THE CASE FOLDER AND NOTES. I HAD
17 NOT REVIEWED THE LABELING OF THE SAMPLES, SO IF YOU'RE ASKING ME
18 ABOUT THE ERROR I JUST RECOGNIZED, THIS IS THE FIRST THAT I
19 RECOGNIZED IT AND HAVE HAD A CHANCE TO LOOK AT IT AND REVIEW IT.

20 I HAD REVIEWED ALL THE DATA, THE FILM I HADN'T
21 REVIEWED THE ACTUAL LABELING OF THE SAMPLES, AND I WAS IN ERROR
22 FOR THAT.

23 Q. DO YOU HAVE ANY OPINION AS TO WHERE THE ERROR
24 OCCURRED, AT WHAT PART OF THE PROCESSING OF THE DNA THIS ERROR
25 MOST LIKELY OCCURRED?

26 A. IT CERTAINLY LOOKS THAT THE ERROR WAS SIMPLY IN THE
27 LABELING OF THE SAMPLES ON THE FINAL REPORT.

28 THE DOCUMENTATION THROUGH THE CASE IS HOW WE DO IT

1 IN EVERY CASE. SIMPLY WHAT OCCURRED IS THAT IN THE LABELING OF
2 THE SAMPLES ON THE FINAL REPORT, THE DEFENDANT'S NUMBER AND THE
3 VICTIM'S NUMBER GOT EXCHANGED, SUPERIMPOSED AND, THEREFORE,
4 REPORTED BACKWARDS.

5 Q. SO THAT ERROR OCCURRED IN PREPARATION FOR THIS JUNE
6 20TH REPORT AT CELLMARK?

7 A. THAT'S CORRECT. I DON'T HAVE ANY INDICATION THAT
8 THERE'S ANYTHING WRONG WITH THE DATA OR THE SCIENCE. IT'S
9 SIMPLY IN OUR FINAL REPORT, WE ERRED.

10 MR. ARAGON: YOUR HONOR, BEFORE I LET MRS. WORD CATCH HER
11 PLANE, COULD I TALK TO MR. TAYLOR FOR JUST ONE MINUTE?

12 THE COURT: SURE.

13 (WHEREUPON, AN OFF-THE-RECORD DISCUSSION WAS HAD.)

14 MR. ARAGON: YOUR HONOR, I HAVE NO MORE QUESTIONS.

15 THE COURT: ALL RIGHT. I JUST HAVE A COUPLE OF
16 QUESTIONS.

17 FIRST OF ALL, MR. CARPENTER, DOES THIS MEAN THAT
18 CELLMARK STILL GETS THEIR \$1200 A DAY?

19 MR. CARPENTER: I BELIEVE SO. I MEAN, SHE'S PUT A
20 YEOMAN'S PERSON'S EFFORT INTO IT, AND --

21 THE COURT: WHAT I DON'T -- I DON'T MEAN TO BEAT A DEAD
22 HORSE, BUT I NEED TO UNDERSTAND, ON PAGE 2 OF THE JUNE 23
23 REPORT, HOW THIS WOULD BE CHANGED TO REFLECT WHAT YOU BELIEVE TO
24 BE THE ACCURATE DATA. WHAT WOULD YOU MARK OUT AND CHANGE?

25 THE WITNESS: ON THE TOP OF THE PAGE UNDER TYPES
26 DETECTED," UNDER "SAMPLE," WHERE IT SAYS "A. FRANK" THAT SHOULD
27 BE SCRATCHED OUT AND LABELED JOHN KOCAK, AND UNDER "SAMPLE:
28 JOHN KOCAK," THAT SHOULD BE SCRATCHED OUT AND LABELED A. FRANK.

1 THE COURT: OKAY. AND --

2 THE WITNESS: AND THEN IN THE MIDDLE OF THE PAGE UNDER
3 "GENOTYPES," THE NAMES WOULD ALSO BE CHANGED.

4 THE COURT: SO THE -- LINE ONE WHERE IT SAYS "A. FRANK"
5 SHOULD READ KOCAK?

6 THE WITNESS: THAT'S CORRECT.

7 THE COURT: AND WHERE IT SAYS "KOCAK," IT SHOULD SAY
8 FRANK?

9 THE WITNESS: THAT'S CORRECT.

10 AND THEN, CERTAINLY, THE CONCLUSION SECTION IS
11 ALL -- ALL THE NAMES SHOULD ALSO BE CHANGED. WHERE IT SAYS, "A.
12 FRANK IS EXCLUDED AS THE SOURCE," THAT SHOULD SAY JOHN KOCAK IS
13 EXCLUDED AS THE SOURCE. WHERE IT SAYS, "JOHN KOCAK CANNOT BE
14 EXCLUDED," IT SHOULD BE -- IT SHOULD SAY A. FRANK CANNOT BE
15 EXCLUDED.

16 AND THEN THE FREQUENCY CALCULATIONS WOULD ALL BE
17 FOR A. FRANK, NOT FOR MR. KOCAK, AND THEN THE FREQUENCY
18 CALCULATIONS --

19 THE COURT: SO DOWN THERE ON -- IN THAT LAST SENTENCE
20 THAT STARTS "USING LOCI," INSTEAD OF JOHN KOCAK, IT SHOULD SAY
21 A. FRANK?

22 THE WITNESS: THAT'S CORRECT.

23 AND THEN THE CUMULATIVE FREQUENCY CALCULATIONS THAT
24 I DID EARLIER ARE HALF RIGHT AND HALF WRONG. THE SAN DIEGO
25 POLICE DEPARTMENT TYPES WOULD BE CORRECT FOR THE EVIDENCE IN MR.
26 KOCAK, AND THOSE FREQUENCIES WOULD STILL BE CORRECT, BUT ALL OF
27 THE STR DATA WOULD BE INCORRECT FOR HIS TYPES.

28 THE COURT: AND MY QUESTION IS WHY DOES THIS NOT

1 EXONERATE MR. KOCAK?

2 THE WITNESS: BASICALLY, THE ONLY DATA THAT WE OBTAINED
3 MATCHES THE VICTIM. WE -- WE HAVE FAINT BANDS THAT I WOULD
4 CERTAINLY NOT BE WILLING TO INTERPRET. THEY ARE POSSIBLY DUE TO
5 ARTIFACT, AND WE HAVE NO GENETIC INFORMATION FOR AN INDIVIDUAL
6 THAT WE CAN INTERPRET OTHER THAN FOR THE VICTIM IN THIS CASE, SO
7 IT'S AN INCONCLUSIVE RESULT IN TERMS OF WHO A POSSIBLE SEMEN OR
8 SPERM DONOR WAS IN THIS SAMPLE. WE HAVE NO DATA TO INTERPRET
9 REGARDING THAT.

10 IF WE HAD A SECOND SET OF DATA, INFORMATION FROM
11 ANOTHER INDIVIDUAL THAT DID NOT MATCH THE VICTIM AND THAT DID
12 NOT MATCH MR. KOCAK, THEN THAT WOULD BE EVIDENCE OF A SECOND
13 PERSON BEING THERE, AND HE WOULD BE EXCLUDED AS THAT DONOR. WE
14 DON'T HAVE THAT INFORMATION HERE. WE SIMPLY HAVE DNA FROM ONE
15 INDIVIDUAL, AND IT IS CONSISTENT WITH THE VICTIM.

16 THE COURT: SO I GUESS I DON'T UNDERSTAND WHY, ON SPERM
17 FRACTION, YOU'RE SAYING THAT THAT IS -- YOU BELIEVE IS FROM MISS
18 FRANK.

19 THE WITNESS: THAT'S CORRECT. IT'S SIMPLY CARRY OVER OF
20 THAT DNA FROM THE FIRST FRACTION TO THE -- TO THE SPERM
21 FRACTION. THAT CAN OCCUR. THE --.

22 AS I SAID YESTERDAY, THE DEFINITION OF NONSPERM AND
23 SPERM ARE WORKING DEFINITIONS OF THE ABILITY OF THESE CELLS TO
24 BREAK OPEN. THEY ARE NOT 100 PERCENT DISCREET SEPARATIONS OF
25 THOSE TWO CELL TYPES, SO BY SAYING SPERM FRACTION, IT DOESN'T
26 MEAN THAT IS DNA FROM SPERM AND ONLY SPERM. IT'S WHERE WE WOULD
27 EXPECT TO SEE DNA FROM SPERM WHERE SPERM ARE PRESENT.

28 THE COURT: OKAY. ANY FURTHER QUESTIONS?

1 MR. CARPENTER: I HAVE NONE. THANK YOU.

2 MR. ARAGON: NO, YOUR HONOR.

3 (WHEREUPON, THIS CONCLUDES THIS PARTIAL TRANSCRIPT

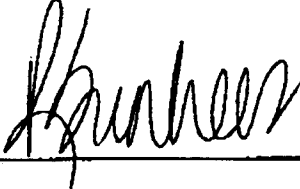
4 OF PROCEEDINGS.)

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STATE OF CALIFORNIA)
) SS:
COUNTY OF SAN DIEGO)

I, ROBIN K. SUNKEES, CSR, CERTIFICATE NO. 8824, A
PRO TEM REPORTER OF THE SUPERIOR COURT OF THE STATE OF
CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, HEREBY CERTIFY
THAT I REPORTED IN SHORTHAND THE PROCEEDINGS HAD IN THIS MATTER
AND THAT THE FOREGOING TRANSCRIPT, CONSISTING OF PAGES NUMBERED
FROM 1 THROUGH 10, INCLUSIVE, CONTAINS A FULL, TRUE AND CORRECT
TRANSCRIPTION OF MY STENOGRAPHIC NOTES OF SAID PROCEEDINGS.

DATED DECEMBER 5, 1995, AT SAN DIEGO, CALIFORNIA.



ROBIN K. SUNKEES, CSR NO. 8824

AMENDED REPORT OF LABORATORY EXAMINATION

November 20, 1995

Ms. Aiko Lawson, Criminalist
San Diego Police Department
Forensic Science Section
1401 Broadway, M.S. 725
San Diego, CA 92101

Cellmark Diagnostics
20271 Goldenrod Lane
Germantown, MD 20876
Telephone (301) 428-4980
800-USA-LABS
Fax (301) 428-4877

Re: Your Case No. 95-007092
Cellmark Case No. F951078

EXHIBITS:

Items of evidence were received for analysis on February 12, 1995. Polymerase chain reaction (PCR) testing was performed on the items listed below:

<u>ID#</u>	<u>DESCRIPTION</u>
2-A	White material in envelope labelled "... Item #2 sample A..."
2-B	White material in envelope labelled "...Item #2 sample B..."
	One of two blood swatches in envelope labelled "...John Kocak..."
	One of two swabs in envelope labelled "Franke, AM..."

RESULTS:

DNA was isolated from the items listed above. DNA from each of the items was amplified using the PCR and typed for the short tandem repeat (STR) loci HUMCSF1PO, HUMTPOX, and HUMTH01 using GenePrint™ STR Systems. The types detected for each sample are listed below:

TYPES DETECTED

<u>Sample</u>	<u>CSF1PO</u>	<u>TPOX</u>	<u>THO1</u>
combined material cuttings (non-sperm fraction)	11*	8,12*	6,7
combined material cuttings (sperm fraction)	11	8,12	6,7
John Kocak	10	8,10	7
A. Franke	11	8,12	6,7

* In addition to the types listed above, results were obtained that were faint. These results may be due to the presence of DNA from more than one individual or to technical artifacts.

GENOTYPES

<u>Samples</u>	<u>CSF1PO</u>	<u>TPOX</u>	<u>THO1</u>
John Kocak	10,10	8,10	7,7
A. Franke	11,11	8,12	6,7

CONCLUSIONS:

A. Franke cannot be excluded as the source of the DNA obtained from the combined material cuttings.

John Kocak is not the donor of the DNA obtained from the combined material cuttings. However, since the only types obtained from the combined material cuttings are consistent with the types obtained from the swab labelled A. Franke, no further conclusion can be made concerning the combined material cuttings.



Robin W. Cotton, Ph.D.
Director of Laboratories



Charlotte J. Word, Ph.D.
Molecular Geneticist

** The bold type indicates changes made in the Amended Report of Laboratory Examination. The accompanying letter explains the changes made.

Report for Case No. F951078

November 20, 1995

Page Three

cc: Mr. Michael G. Carpenter
Deputy District Attorney
County of San Diego
220 West Broadway
San Diego, CA 92101

Mr. Raymond George Aragon
Office of the Public Defender
County of San Diego
233 A Street
Suite 400
San Diego, CA 92101

November 20, 1995

Mr. Michael G. Carpenter
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Cellmark Diagnostics
20271 Goldenrod Lane
Germantown, MD 20876
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800-USA-LABS
Fax (301) 428-4877

RE: People of California v. John Kocak
Your Case No. P56538/SCD110465
Cellmark Case No. F951078

Dear Mr. Carpenter:

Please find attached an Amended Report of Laboratory Examination dated November 20, 1995 which is provided as a replacement for the Report of Laboratory Examination dated June 20, 1995 previously provided in the above-referenced case. As you will recall, Dr. Word discovered in court on Friday, November 17, 1995 that the names of the two known individuals tested in this case, A. Franke and John Kocak, had been reversed in the Report of Laboratory Examination dated June 20, 1995. As a result of this error, the stated conclusions were also not correct. These errors have been corrected in the Amended Report of Laboratory Examination dated November 20, 1995.

Please note that there is no indication of any errors in the scientific procedures used or the data obtained in this case; the error was simply at the level of reporting where a transposition of the names occurred. We have requested that the two known samples be resubmitted for analysis to confirm the typing results.

Please accept our sincerest apologies for this error. We regret any inconvenience that this error may have caused.

Respectfully yours,



Robin W. Cotton, Ph.D.
Director of Laboratories



Charlotte J. Word, Ph.D.
Molecular Geneticist

cc: Mr. Raymond George Aragon
Office of the Public Defender
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Enc.