

1 THE COURT: Objection overruled.

2 A Aging or the passing of time could have an
3 effect on the hair, that's possible.

4 Q As to the final report which I think that
5 you prepared, this being the June 8th, 1989 report, and in
6 that regard, we have listed here items which were
7 resubmitted to you for analysis. First of all, 1-B, the
8 sample from the bedroom floor, and the items from the
9 front door, the FE items, specifically Items 2-FE, which
10 is identified as the 0 sample, 4-FE, again identified as 0
11 blood, 5-FE, again identified as 0 blood, and 6-FE from
12 the door identified as 0 blood, those items were
13 resubmitted to you for a specific purpose, is that correct
14 at that time?

15 A Could I see the report, please?

16 Q Yes, sir. I think we have all the reports
17 right here. This is the June 8th, 1989 report. Did you
18 prepare that report?

19 A Yes, I did. It bears my original signature.

20 Q And the purpose of those items being
21 resubmitted to you at that time was what?

22 A I was to determine whether or not it was
23 sufficient material or staining remaining for a possible
24 DNA analysis. I made the determination and found that the
25 staining on the swabs was consumed during previous

1 serological examinations, therefore, no DNA analysis is
2 possible.

3 Q And these items which we just listed were
4 submitted to you on June 7th, 1989?

5 A That's correct, by Deputy Sheriff S. C.
6 Rush.

7 Q At this time through the Division of
8 Consolidated Laboratory Services for the Commonwealth of
9 Virginia, is the DNA analysis available to us here in
10 Virginia at this time?

11 A At this time it is, yes, sir.

12 Q And the DNA procedure, without getting into
13 any type of detail, is that the genetic fingerprinting
14 procedure --

15 MR. CLEVELAND: Your Honor, I'm just
16 going to note an objection, because this
17 trial has gone on probably three days too
18 long already, and I don't --

19 MR. UPDIKE: Objection.

20 MR. CLEVELAND: And don't like to be
21 interrupted with regard to Mr. Updike's
22 examination, but my only point is that I
23 don't see the relevance of going on at this
24 point. He's already asked and answered the
25 question.