

1 Q Okay. So, then, it's fair to say that you only do the tests that are
2 requested by the police, or the D.A., or something like that?

3 A Well, that's not really accurate.

4 Q It's probably more accurate, isn't it, to say they may request
5 information--

6 A And we decide the tests that we do.

7 Q You're the expert on the tests?

8 A That's correct.

9 Q Okay. On this particular case, where Ms. Zold is involved, when is it
10 that you first become aware that there is at least an alleged match on the DNA for
11 Curtis Downing? Do you know the date? Maybe I can help you out. I have a letter
12 dated November 17th, 1993 from you to the district attorney's office saying that as
13 of that date you understand there's a match. And, again, I'm just talking about with
14 Ms. Zold here.

15 A I have the information that I received in the laboratory on November
16 16th that was the formal laboratory report from Cellmark Diagnostics. However, I
17 don't indicate if I had--I believe I had a conversation with them earlier in reference
18 to the case as to whether there was enough sample to perform what's called "RFLP
19 analysis." At that time, I may have had subsequent conversations where they said,
20 "Okay, the case is done and we're going to send a report to you." But the actual
21 formal laboratory report from Cellmark Diagnostics indicating that there was--a match
22 was received in our laboratory was received on November 16th.

23 Q Okay. And that was well before the preliminary hearing was had in this
24 particular case?

25 A Sir, I have no idea when the preliminary hearing was.

26 Q In your affidavit, an affidavit signed by you on 2/9/93 it says that
27 there's a possibility exists that there's insufficient evidence to do a DNA typing. I

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