

8-26-11



TEXAS FORENSIC SCIENCE COMMISSION

Justice Through Science

COMPLAINT DISPOSITION FORM

Complaint # 11-03

Name/Subject of Complaint DPS

- Complaint was **dismissed** based on the following factor(s) pursuant to §3.0(c) of the FSC policies and procedures:

Complaint was outside the limited jurisdiction of the FSC.

- Complaint was **accepted and submitted for action** by an Investigative Panel in accordance with §3.0(b) (2) and §4.0(a) of the FSC policies and procedures.

Investigation Panel Members:

- Other **such action was taken** as appropriate and in accordance with §3.0(c) of the FSC policies and procedures.

Final Disposition of ACCEPTED complaint

In accordance with FSC policies and procedures §4.0(c), the Texas Forensic Science Commission found that:

- there was insufficient credible information to conclude that professional negligence or misconduct occurred in the forensic analysis.
- the forensic analysis met the standard of practice that an ordinary forensic analyst would have exercised at the time the analysis originally took place.
- there was clear and convincing evidence that professional negligence or misconduct occurred in the forensic analysis; or
- took such other action as appropriate and described below:

- The FSC has made a final report available to the public on the FSC website and provided appropriate copies of the report as described in §4.0(e) of the FSC policies and procedures.

As described in FSC policies and procedures §4.0(d), a finding is not a comment upon the guilt or innocence of any individual and is not necessarily a basis for relief in litigation or in any other forum. Any final report itself is not prima facie evidence of the information or findings contained in the report.