



Texas Forensic Science Commission

Justice Through Science

November 6, 2013

Mr. Gustavo Mireles
3001 South Emily Drive
Beeville, Texas 78102

RE: FSC Complaint #13-06

Dear Mr. Mireles:

On November 1, 2013 the Texas Forensic Science Commission (FSC) voted to dismiss your complaint, because the Commission has no jurisdiction to conduct a negligence or misconduct review in this case. The facts in your case pre-date the crime laboratory accreditation program as required by TEX. CODE CRIM. PROC. § 38.01 (4)(a)(3).

Moreover, the DNA analysis conducted by the laboratory was appropriate at the time the case was prosecuted. Any further testing would need to be obtained through court order by your attorneys. The attorneys would also be responsible for pursuing any additional claims for relief on your behalf. We understand you are working with the Innocence Project of Texas on these issues.

The Commission does not intervene in legal proceedings and has no ability or authority to determine guilt or innocence in any criminal case. Therefore, we recommend you contact your attorneys for specific information regarding possible next steps in your case.

Respectfully,

Leigh M. Heidenreich
Commission Coordinator

Commission Office
Lynn M. Robitaille
Commission General Counsel
Leigh M. Tomlin
Commission Coordinator

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cc: Commission Members
FSC General Counsel