



Texas Forensic Science Commission

Justice Through Science

November 6, 2013

Mr. Che' Patrice Hutchinson
TDCJ - 1791883
Allred Unit
2101 FM 369 North
Iowa Park, Texas 76367-6568

RE: FSC Complaint #13-08

Dear Mr. Hutchinson:

On November 1, 2013 the Texas Forensic Science Commission (FSC) voted to dismiss your complaint, because your complaint did not allege that any negligence or misconduct occurred in the forensic analysis of the evidence as required by TEX. CODE CRIM. PROC. § 38.01 (4)(a)(3).

Your allegation was that the weight of the controlled substance for which you were prosecuted was altered based on action taken by a police officer—Detective Dibrell—with respect to the substance's packaging. It did not allege negligence or misconduct with respect to the weight assigned to the controlled substance as part of the forensic examiner's analysis at the DPS laboratory in Abilene. The activity of police officers falls outside our jurisdiction. Therefore, the FSC does not have the authority to investigate further.

At the request of your wife, Ms. Melanie Hutchinson, we have enclosed an additional complaint form for you. If you would like to revise your complaint to focus on alleged negligence or misconduct in the analysis performed at the DPS Abilene laboratory, we will review it upon receipt.

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

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Respectfully,

Leigh M. Heidenreich
Commission Coordinator

cc: **Commission Members**
FSC General Counsel

encl.
