May 13, 2019

Via First Class Mail

Mr. Ryan Peucker TDCJ# 2008689 Robertson Unit 12071 FM 3522 Abilene, TX 79601

Re: TFSC Case No. 19.10: Peucker, Ryan (IFL/NMS; Seized Drugs)

Dear Mr. Peucker,

At its May 3, 2019 meeting, commissioners dismissed the referenced case for failure to state a credible allegation of negligence or misconduct with respect to the forensic analysis in the case. The complaint's allegations were unsupported based upon a review of the laboratory's case file and response.

A copy of the laboratory's response is included for reference. For clarification, please note that Integrated Forensics Laboratories ("IFL") is now part of the NMS Labs network. NMS Labs retained records from IFL and was able to provide support for its position relative to your complaint.

Thank you.

Sincerely,

Kathryn Adams

Commission Coordinator

/mka Encl.



April 3, 2019

Texas Forensic Science Commission Austin, TX

Greetings,

We have been provided a copy of the complaint filed by Mr. Peucker and would like to respond. His complaints are outlined here with our responses in red.

- 1. The lab report was generated on a day that no testing was done. The report is routinely written after all testing has been completed.
- 2. N. Huddleston based her report on color tests only. The GCMS data was also used to compile the report.
- 3. The Chain of Custody was altered. A copy of the original COC and the test vial were sent to the El Paso lab for GCMS testing. El Paso signed the copy with their information and returned the copy to the Lancaster lab. The vial was discarded in El Paso as routine practice. The <u>evidence</u> was transferred from the Lancaster vault to the Bedford vault and released to the agency. There was no break in the Chain of Custody.
- 4. The substance was identified as 4.63g of meth before any testing was done. The weight, color tests and GCMS data were all used to determine the nature of the substance and compile the report.
- 5. The three GCMS in Lancaster were "in-operative". Our laboratory system is standardized across all labs. The same methods and instruments are used so that any of the labs will obtain the same results in instances when instruments are down.
- 6. The sample was sent to El Paso instead of a lab closer to Lancaster. The Bedford lab did not perform drug identification testing. El Paso was the closest lab that performed drug identification testing.
- 7. The analyst stated she put the vial on her instrument (GCMS). She clarifies in a later statement that another analyst ran the sample on a GCMS.
- 8. The lab report was a "true and correct copy of <u>her</u> findings and <u>her</u> results". N. Huddleston interpreted the GCMS results for the evidence and prepared the report.
- 9. The GCMS results have never been shown. It is not routine to produce raw data in court. However, the entire case file is available if requested.
- 10. There was no technical review. A technical and administrative review was performed by Dr. N. Stevens and is in the case file.

This case has been re-reviewed and no discrepancies have been found. I have attached the case file for your review. Please let us know if you need additional information.

Sincerely,

Aliece Watts

Quality Director

Alien Worth



Integrated Forensic Laboratories™

3001 Brown Trail, Suite 101 Bedford, Texas 76021

FORENSIC CHEMISTRY REPORT LABORATORY # 14040881

Date:

May 07, 2014

Agency:

Cleburne Police Department

Suspect(s): Ryan Peucker

Offense Number: 14-01379

Date of Offense:

4/22/2014

Offense: Controlled Substance

Marihuana

Evidence List:

Received at Johnson County Sheriff's Office on April 23, 2014 at 0815 hours from S. Thomas by K. Robison.

14-01454. Screw-top glass jar containing (A) plastic bag containing seeds and (B) knotted plastic bag containing seeds

14-01455. Plastic bag containing stems and seeds

14-01456. Metal container containing plastic bag containing plastic bag containing crystalline material

Results:

14-01454-A. The material weighs 0.24 gram. Did not test.

14-01454-B. The material weighs 4.88 grams. Did not test.

14-01455. The material weighs 9.87 grams. Did not test.

14-01456. 4.63 grams of material containing methamphetamine, a PG-1 substance.

Nichole Huddleston, B.S.

Forensic Scientist

Uncertainty of measurement information is available upon request.

...An ASCLD/LAB-International Accredited Laboratory Since 2014...

Chain of Custody



Integrated Forensic Laboratories, LLC (817) 428-6565 (817) 428-6578 FAX

IFL LAB#	14	1040881	Date/File Origin:	4/23/2014	ł
Date	Time	Released by Print and sign	Received by Print and sign	Lab Item #s	Comments
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Reviewed by IFL Director of Business Operations Approved by IFL Quality Director

Effective 11-21-13 F-200.17.2

Chain of Custody



Integrated Forensic Laboratories, Inc. 901 Clinic Dr., Ste D110 Euless, TX 76039 (817) 553-6565 (817) 553-6567 fax

IFL LAB# ES# Submitted by: SAM THOMAS Affiliation: Place Submitted: ☐ IFL ■Other Print Special Instructions: TUSO Comments: Toxicology if For Intox Cases ☐ BAC only BAC and Toxicology ☐ BAC under ☐ Toxicology only COLLECTED DURING "NO REFUSAL" PERIOD WARRANT REQUIRED FOR COLLECTION Agency Contact: SAM THOMAS Date of Offense: 04/22/2014 Offense #: 14-01379 Agency Phone #: 81-645-0932 Offense: POCS & POM Agency Address: 302 W HENDERSON CLEBURNE, TX Offense Location: 202 N ROBINSON Agency Email: samuel.thomas@cleburne.net Suspect(s): Ryan Peucker Victim(s):

14-01454 14-01454 GLASS BABY FOOD CONTAINER OF SUSPECTED MARIJUANA SEEDS 14-01455 ZIPLOC STYLE BAGGIE OF SUSPECTED MARIJUANA 14-01456 SILVER COLORED CONTAINER CONTAINER	
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Chain of Custody



Integrated Forensic Laboratories, Inc. 901 Clinic Dr., Ste D110 Euless, TX 76039 (817) 553-6565 (817) 553-6567 fax

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Submitted by: SA	AM THOMAS Af	filiation:		Place Submitted:	
Special Instructio	ns:		Comments	:	JUSO
For Intox Cases	☐ BAC only	BAC and T	Toxicology	Toxicology if BAC under	Toxicology only
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Agency Phone #:				fense: 04/22/2014 O POCS & POM	ffense #: 14-01379
	302 W HENDERSON CLEB	URNE, TX		ocation: 202 N ROBINSON	
Agency Email: samuel.thomas@cleburne.net			Suspect(s): Ryan Peucker		
			Victim(s):		

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14-01456 SILVER COLORED CONTAINER CONTAINING SUSPECTED METH TEST FO	SPECTED METH TEST FOR CS	SILVER COLORED CONTAINER CONTAINI	14-01456	14-01450

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INTEGRATED FORENSIC LABORATORIES WORKSHEET: CHEMISTRY SECTION PACKAGING: LABORATORY BALANCE 14040881 MICROSCOPE LAB# FTIR TSE C & LAN □ B01 🗷 B04 □ MC01 DFTIR-01 O ELP DATE STARTED MAY 0.5 2014 □ MC02 □ BED □ B03 □ B06 □ MC06 The above equipment was used unless otherwise noted MAY 07 2014 DATE FINISHED WT. MARQUIS SODIUM SCOTTS DUQ-VISUAL / OTHER EXTRACTION DESCRIPTION: GRAM(S) NITRO LEVINE METHOD IDENTIFICATION: STGJ C neede 0.24 DNT B. KPB of seeds 4.98 DNT 14-01455. PB C/ Otema 9.87 DNT + reeds 14-01456. Metal Container c PBC PBC CM 4.63 BI HBX methamphetamine COMMENTS: NH Description: Weight: Color Test; Visual: Chemistry Worksheet 1 Effective Date 12-16-13 Extraction:

Reviewed by IFL Chemistry Supervisor Approved by IFL Quality Director

WS-600.1.7

Interpretation and Findings:

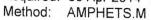
IFL GCMS01-ELP ANALYSIS

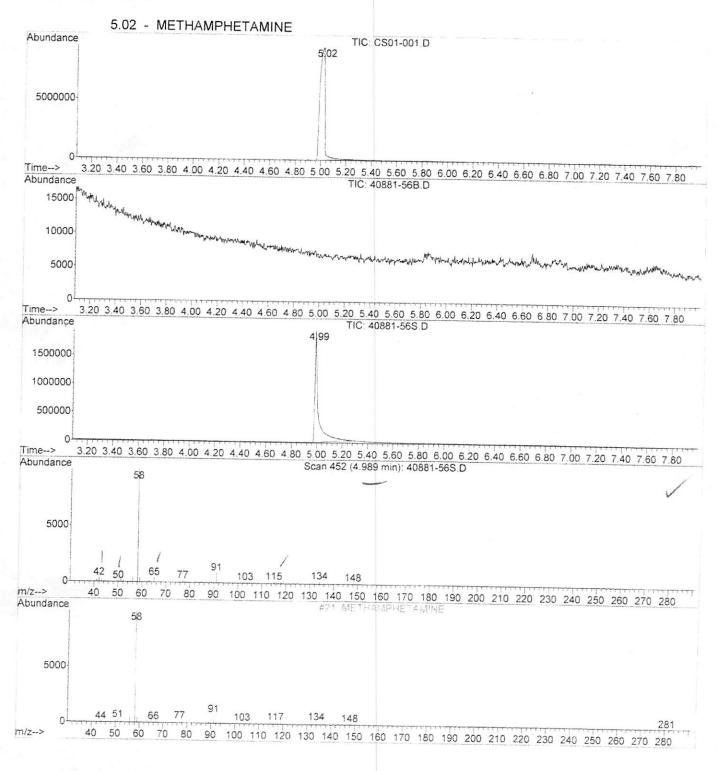
File: C:\MSDChem\1\DATA\201404\20140430\CS01-001.D

Acquired: 30 Apr 2014 15:49

METHAMPHETAMINE

HBX





File: C:\MSDChem\1\DATA\201405\20140506\40881-56S.D

Acquired: 6 May 2014 13:46 Method: AMPHETS M 14040881 14-01456

HBX

Printed: 05/06/14



CLIENT ACTION LIST LABORATORY # 14040881 Cleburne Police Department

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REVIEW CHECKLIST LABORATORY # 14040881 Cleburne Police Department

TECHNICAL

Chemistry: Controlled Substance Marihuana

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Chemis review which fo	TECHNICAL REVIEWER: nalysis performed in accordance with the ent Integrated Forensic Laboratories, Inc, stry Standard Operating Procedures. I have wed the notes, data and other documents orm the basis for a scientific conclusion and e with the findings of the original analyst.	ADMINISTRATIVE REVIEWER: I have reviewed the above noted case file to compliance with administrative quality requirer of the Integrated Forensic Laboratories, Inc.	nents
Technica	Report MAY 0.7 2014 Date	Administrative Reviewer Date Pages reviewed 1-1 NH Report	
Reviewed by Approved by	y IFL Director of Business Operations y IFL Quality Director	Effective Date 11-01 F-20	-2012 0.20.1