



TEXAS FORENSIC  
SCIENCE COMMISSION

*Justice Through Science*

*1700 North Congress Ave., Suite 445  
Austin, Texas 78701*

February 13, 2023

***Via First Class Mail***

Mr. Arthur Henderson  
TDCJ #1725487  
Wainwright Unit  
2665 Prison Road #1  
Lovelady, TX 75871

Re: Texas Forensic Science Commission (the "Commission") Complaint # 22.49 (SWIFS;  
Toxicology)

Dear Mr. Henderson:

At its January 27, 2023 quarterly meeting, the Commission voted to dismiss the referenced complaint for failure to allege professional negligence or misconduct related to the forensic analysis of physical evidence. The complaint does not allege the toxicology was flawed but rather disputes the implications of the toxicology results on the forensic pathologist's conclusions. The term "forensic analysis" does not include the portion of an autopsy conducted by a medical examiner or other forensic pathologist who is licensed as a physician. The medical significance of the decedent's post-mortem blood toxicology results in determining the cause of death is outside the Commission's jurisdiction.

Thank you.

Sincerely,

*Robert Smith*

Robert Smith  
Senior Staff Attorney