

EXHIBIT M

JEFFREY HANDBOOK

Page - 3

TYPE OF REPORT
HOMICIDEVICTIM
DYER, CHESTEROFFICER
FUQU 1660DR #
89-1865044 15 APRIL
TRIAL BEGAN
SCENE DESCRIPTION:

Brady & Youngblood Case

CR90-00066

Exculpatory Evidence

The location of this occurrence is known as 2635 N. 16 Street, an apartment complex of block construction, flat roof with the complex containing 10 apartment units which are efficiency apartments. The entrance to these apartments are all located to the south side of the complex with no exit. Apartment #4 is the fourth apartment to the east of 16 Street.

Prior to entry being made into the apartment, Latent Print Examiners were summoned to the scene where photographs were taken of the exterior and surrounding area of the complex. Prior to entry being made into the apartment, an electrostatic dust lifter was used on the sidewalk area in front of the apartment. Prior to entry into the apartment, it was noticed that the door to number 4 was hinged to the right with the doorknob to the left. Approximately 18 inches above the floor area was a circular hole in the door which appeared to be fresh. It is unknown at this time what caused the damage but the hole itself was approximately 2 inches in diameter. Photographs were taken of this damage.

As the apartment door was opened, photographs were taken from the doorway showing the victim, the interior of the apartment itself and its condition. Officers entered. The apartment itself is an efficiency apartment which is a one room apartment with a bath to the northwest. The bedroom, living room, kitchen are all contained in one area with the kitchen to the north, living area to the west and bedroom area to the south portion near the front door area.

After photographs were taken of the interior of the apartment, electrostatic dust lifter was used on the tile floor for possible footprints.

Examination of the apartment revealed that the victim was lying on the bed face down with his head hanging over the north side of the bed. The victim was fully clothed except for his shoes which were lying beside his left leg on top of the bed. The victim's body was positioned with his head to the north and his feet extended towards the south. On the bed near the victim's left leg, were the victim's tennis shoes, both were untied. Examining the bottom of the victim's socks, which were still on his feet, indicated that the victim had been on his feet at some period of time prior to his death because of the dirt transfer. The bed that the victim was lying on was partially made with a blue blanket beneath the victim's body. A blue striped towel was lying at the victim's waist partially on his buttocks, left side. Both pillows were near the head of the bed which is to the east, one with flower design and one with a sailboat seeded

59

TYPE OF REPORT
HOMICIDE

VICTIM
DYER, CHESTER

OFFICER
FUG... #1660

DR #
89-186504

design. On top of the victim's back at the waistline was a playing card, ace of hearts, with a nude male. This card was standing upright and supported by the victim's shirt. The remainder of the playing cards were lying to the victim's right side on top of the bed. All the cards were of the same nature, being pornographic, and with pictures displaying only male nude bodies.

In an examination of the victim's levis, it was noticed that on the left leg, just slightly above the knee, was blood smear transfer on the outside portion of the leg. This transfer was not consistent with the victim's injuries. On the victim's right leg, near the ankle, was a second blood smear and on the blue blanket between the victim's legs. Slightly west of the victim's left leg, between the ankle and the knee, was a blue small bag which was turned inside out and no evidence was nearby as to what the bag contained.

Near the victim's right waist, lying on top of the bed, was a partially eaten bologna and cheese sandwich which was totally dried out and distorted to the point that denture impressions would be impossible.

It should be noted at the time investigators entered the apartment, it there was only one light on in the house, which was the bathroom. There is a switch at the doorway to turn any lights on in the living room area of the house, only the front porch. The nearest light switch to illuminate the kitchen or living room was located in the kitchen area near the stove.

Examination of the victim's body, revealed full rigor mortis and the victim had begun decomposition. The victim's left hand was beneath his stomach area with the fingers protruding in an upward position near his right side. The victim's right arm was lying in a pool of blood directly below the victim's head. Just slightly west of the victim's shoulder was a wooden handled short straight edge screwdriver which appeared to have blood on the handle.

On top of the victim's shirt and hair was sugar scattered from the head down to the waistline. An empty bag of sugar was found underneath the nightstand just north of the victim with some sugar spread on the floor. The victim's shirt was noticed ripped at the scene near the left underarm area and around his neck was a black electrical cord, 3 prong type with the ground prong bent backward indicating that the cord possibly was jerked from a wall plug. The end wires of this electrical cord appear to have been stripped apart but the wiring itself did not appear to have been jerked from its original appliance. This cord was of heavy gauge, similar to a refrigerator or other kitchen appliance cord. The cord itself was wrapped around the victim's neck with the end lying on the floor with no obvious tie or knot. Examination of the victim's neck backside, I noticed several small puncture wounds and bruising consistent with the screwdriver made. These injuries do not appear to be deep. On the victim's back, it was noticed a small scratch starting about the left shoulder blade extending down to the center of the back. This injury did not appear to be deep and only a small amount of blood was noticed near the shoulder blade.

TYPE OF REPORT
HOMICIDE

VICTIM
DYER, CHESTER

OFFICER
FUG #1660


DR #
89-186504

Prior to turning the victim over, photographs were taken of his original position and all obvious signs of evidence and injuries that were noted. Examination of the victim's hands, several hairs were found on the fingers, stuck in blood. These hairs were removed and secured for later analysis.

On the victim's left hand, little finger, between the tip and second joint, two injuries were noticed which were consistent or similar to a bite. Inside palm of the victim's left hand was blood splattering and smears down to and including the wrist area.

An examination of the victim's head, I noticed what appeared to be injuries, possibly stab wounds at the forehead and over the right eye. Several abrasions were noticed on the elbows, both right and left. An examination of the victim's chin area and neck area in the center near midline was a bruise and abrasion where the electrical cord had been secured around the victim's neck. It should be noted that the electrical cord as earlier mentioned not in fact tied in any type of knot and it is believed that the victim was strangled from the rear, possibly while lying on the bed. To the victim's left shoulder, blood smears were noted on the blanket and over the edge of the bed on the bottom portion of the mattress, indicating that the victim was alive for some period of time on the bed, possibly moving near the edge of his own strength or possibly during the struggle. Near the northwest corner of the bed was a drag mark which appeared to be at least 3 fingers dragging from east to west to the corner edge of the bed. Directly north of the victim's bed approximately 24 inches was a sole pattern on the tile floor in blood, not consistent with the victim's tennis shoes. Examination of the living room area of the apartment, other similar sole pattern designs were noted. Near the closet which is situated to the north end of the kitchen area was a large amount of sugar spilled on the floor with a very distinctive sole impression in the sugar which was later photographed and casts made of this impression for later analysis. The same sole pattern was found going towards the bathroom area on the tile floor but the entire sole was not observed. The pattern that was found was obviously the front portion of the shoe sole. This pattern was sprayed with a lacquer base coating and later removed in its original condition by taking the tile from the floor.

After photographing and casting the sole pattern in the sugar pattern, the name Addidas was noticed on the arch area of the sole. The victim's shoes on his bed were not at Addidas and no Addidas tennis shoes were found inside the victim's apartment. It should also be noted that the sole pattern that was photographed was of a larger size than the victim's shoes.



TYPE OF REPORT	VICTIM	OF CER	DR #
HOMICIDE	DYER, CHESTER	FUQUA #1660	89-186504

Examination of the apartment, it was noticed that the victim or other unidentified persons had prepared a bologna and cheese sandwich near the table which is situated against the east wall slightly north of the bed. Cheese wrappers were found on the table and a loaf of bread was noticed on the sink area. A jar of mayonnaise and knife were also found on the table, open with two stainless steel forks. On the sink in the kitchen, blood smears were noticed on the edge and on the faucets, especially on the cold knob. Other blood smears were noticed in the bathroom on the sink area but none observed on the faucet knobs themselves.

In the living area was a dresser, T.V., small table and an easy chair. The chair obviously had been moved from its original position which is believed to be against the north wall which adjoins the kitchen area. The dresser which was against the west wall of the living room was a 3 drawer light colored wood with the drawers pulled outward and contents strewn around the floor.

The window curtains were pulled, covering the window on the south wall of the apartment and upon examination of the curtains, there was blood found on the edges inside towards the window. There was some blood droplets on the outside of the curtain towards the bed. The curtains were removed and retained for future analysis.

It appeared that the victim and person/s unknown had been involved in a fight or scuffle prior to the victim being killed and it is believed that the other person/s possibly were injured because of the blood smears on the victim's pants and on the bed along with one droplet on the floor near the stove.

The closet located on the north wall of the apartment had been gone through with several items pulled out, lying on the floor near the sugar.

Several items were located in the apartment, including a male nude calendar and male nude posters, along with notes and letters which would indicate that the victim is in fact homosexual.

After photographs were taken, all items of evidenciary value were removed and impounded for scientific analysis. See diagram for locations of footprints and other items of evidence described in this report.

TYPE OF REPORT HOMICIDE	SUPPLEMENT # 12-26-8.	DR # 89-186504
VICTIM'S NAME DYER, CHESTER	LOCATION OF OCCURRENCE 2635 N. 16 STREET #4	
OFFICER WRITING REPORT'S # DET. FUQUA #1660	SUPPLEMENT # 89-186504.04A	
DATE & TIME TYPED JANUARY 2, 1990 3:03 PM	BUREAU GIB	CLERK A1724

1. Victim: 4 feet 3 inches north and 9 inches west of door
2. Electrical cord: 34 inches west of east wall
3. Sugar bag
4. Wooden handle screwdriver on bed
5. Blood smear consistent with fingers
6. Christmas wrap and athletic bag
7. Footprint (partial)
8. Blue jacket with blood on sleeve
9. Footprint (partial)
10. Cheese wrapper and two forks
11. Footprint in sugar
12. Footprint in sugar (partial)
13. Blood smear on sink edge
14. Bicycle
15. Broken fingernail

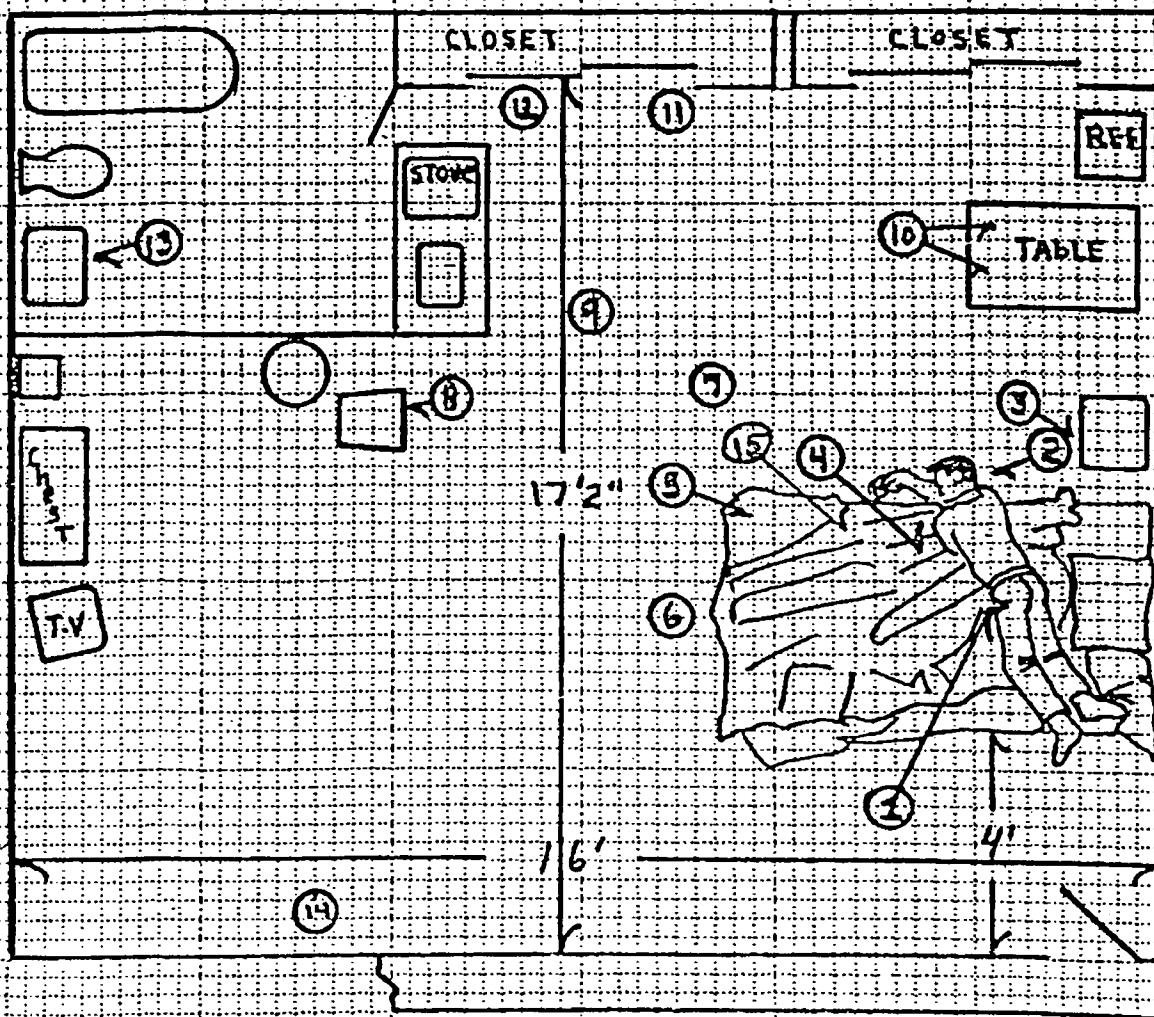


CRIME SCENE
DIAGRAM

Homicide
4. VICTIM'S NAME M NAME IF BUS. 1
DYER, C. IESTER

12. 26-84 89-1865
11. LOCAL OF OCCURRENCE
263 N 16th #4

☐ MEASUREMENTS ARE APPROXIMATE AND NOT TO
☐ MEASUREMENTS ARE SCALED (SCALE =)



NAME AND NUMBER OF OFFICER WRITING REPORT

DET. R. Zugua 1660

CITY OF PHOENIX, ARIZONA
POLICE DEPARTMENT

80-70A
SUPPLEMENT

EXHIBIT N



City of Phoenix

RECEIVED

FEB 01 2007

Federal Public Defender
Capital Habeas Unit

To: Stacy Hill, Sergeant
Property Management Bureau

Date: January 29, 2007

From: Suzanne Shaw, Detective *MS 962*
Property Management Bureau

Subject: BPL INVOICE #177-188-5, ITEMS #6, 7, 8

PURPOSE

Memo to document discovery of missing property, items #6, 7, 8 (described as "Broken finger nail", "Hairs left hand victim", "Hairs face victim") under invoice #177-188-5 and request location entry of LOST be attached to the original invoice in the active BPL file.

A copy of this memo documenting item status has been requested by Investigator Lisa Eager, Federal Public Defender Phoenix Office, Capital Habeas Unit, 850 W. Adams St, Suite #201, Phoenix AZ 85007. Ms. Eager is unable to withdraw outstanding DNA analysis requests until the status is resolved.

INTRODUCTION

All reports, impounds, laboratory requests & results, etc. related to this case are pre-PACE and pre-automation. The designation BPL stands for Book Page Line, the previous method for assigning impound invoice inventory numbers in consecutive order as property was received for storage at the Property Management Bureau, regardless of when items came into police custody.

All of the collected evidence is, or should be, currently in possession of the Clerk of the Superior Court, Central Court Exhibits (including the photographs and latents, which were never invoiced or stored at PMB under the pre-automation system).

The stored court exhibits were checked in 2000 by Detective Scott and Ms. Eager for the missing items. They were not found. Det. Scott was unable at that time to locate the items at PMB either, but no memo documenting this information was provided to PMB or the Capital Habeas Unit. He has retired from the Phoenix Police Department.

BACKGROUND

The missing property is related to homicide DR 89-186504, deceased victim Chester Dean Dyer. The original impounding officer, Detective R. E. Fuqua #1660, is deceased.

The current assigned Detective Gayle Jarrell and his supervisor Sgt. Jack Millward requested an additional search of PMB storage locations in November 2006 for any property related to this case, currently under a death penalty review by the federal Capital Habeas Unit. The federal review is assigned to Investigator Lisa Eager.

Stacy Hill, Sergeant
BPL Invoice #177-188-5
Page 2
January 29, 2007

I reviewed the DR and the related impound invoices I could find:

177-188-5	Det. R. Fuqua #1660	121689	1300 hrs.	(See all attached copies)
177-201-5	Det. R. Fuqua #1660	121689	1300	
177-224-1	Det. M. Chambers #1678	122189	0900	
177-264-2	Det. M. Chambers #1678	122389	1700	
177-284-6	Det. R. Fuqua #1660	122789	(no time entry)	
178-150-2	Det. R. Fuqua #1660	121689	1300	

The missing items were not duplicated on other invoices. The report does mention impounds of other property not accounted by the BPLs, such as the photographs, the latent lifts, and comparison cards (which were collected and stored at non-PMB locations per policy at that time).

The invoice was created on a Saturday 12-16-89. Invoice notes for 177-188-5 document that all the listed items were supposed to be in one liberty box when it was left by Det. Fuqua at the Crime Lab. The one box was noted on the invoice as being in the lab on 121989, which was a Tuesday. See written note circled on the invoice of "in lab one box 12-19-89 P F W". The BPL number was assigned 121989 by PW and the invoice was logged in the BPL book by VT A2893 (Veronica Torres).

Everything except Item #38 (the windbreaker) was returned by a Lab person known only as "I. M." on 010590 (it has 010589 written on the sign in page- incorrect year) to PMB property technician "F. O. L. #A2413" (Francis O'Laughlin) who recorded there was "1 LIB. BOX" and placed in into storage freezer #C. Item #38 was returned from the Lab packaged in a paper bag by "I. M." on 011190 to property technician F. O. L. #A2413, and this bag was placed into a freezer, in box 198.

The items were not signed out again until 061490 at 0951 hours by Det. Mike Chambers (initials M D C on the form) #1678. This is the same date all the other case related BPL invoices had the property signed out for court purposes.

The invoice was deadfiled 011791 by "K. D. A3145" (Kenneth Dunlap) when a policy decision was made by the administration to remove invoices, including signed out & court retained items, if the actual items were not stored on site. This invoice, along with the other case invoices, was re-activated 121092 by RAK A3244 (Doris De Knecht) when the policy was changed and returned to the active invoice files. There has been no activity since.

I checked the BPL totes in the freezers, refrigerator, and the warehouse but did not find any items related to this case. However, an audit of the freezers and refrigerator was in progress and Supervisor Kolbeck suggested another check after the audit was finished.

I requested and received a copy of the court exhibit list (see attached copies). The items were not introduced as exhibits during the trial.

Stacy Hill, Sergeant
BPL Invoice #177-188-5
Page 3
January 29, 2007

This information was given to Investigator Eager. I told her that all the items should have been in the box except for #38 when it was taken to court. Since items are received sealed, leave sealed, there were no sign outs, and no requests in the report for analysis on the missing items, the items should have been inside the box.

Ms. Eager called me later. She had checked through all the stored court exhibits again but items #6, 7, and 8 were still not found.

ADDITIONAL RESEARCH

The freezer and refrigerator audits have been completed. I have re-checked the refrigerator and freezer BPL sections and did not find any items related to the known BPL invoices for this case.

I re-checked the warehouse BPL rows and had the warehouse technicians also check but no items were found. I have also checked the warehouse BPL audit logs made by property technicians Villa, Colbert, and Reynoso. None of the case related BPL invoices are on these audit pages.

The Lab logs are in archive. I contacted Laboratory Admin. Assistant Jennifer Laird and requested a check for any original case notes, property inventory lists, etc. which might remain for this case. I was notified this week that no files, notes, lists, etc exist for this case outside of the original report supplements entered at the time of the investigation. This DR number does not appear on any remaining archive inventory pages for stored Lab materials.

Ms. Eager was informed 012907 that I have no additional information. Based on her search of the court exhibits and my search at PMB the items can not be located.

SUMMARY

The items are presumed to have been in the original box. There is no documentation to indicate they were removed and sent outside of the department for analysis. The items could have been lost during the initial processing of other items while at the Lab.

The sealed box was sent to the courts for trial in June 1990. The items were not introduced during the trial. It is possible they were lost during the handling of the introduced exhibits.

They were not found in the 2000 check of court exhibits. All other items listed on the original invoice were still in the exhibit room at that time. Det. Scott had some checking done at that time but the extent of his inquiry is unknown.

The items have been known to be missing since 2000 but I could find nothing to show PMB was notified, based on a check of the Lost Property books. If Det. Scott had reported the items as lost, by bureau policy it have initiated a search and documentation of the item status should have been attached to the original invoice.

Stacy Hill, Sergeant
BPL Invoice #177-188-5
Page 4
January 29, 2007

A search has been made at PMB and Ms. Eager has re-checked the court exhibits. The items were not been located during any prior audits.

RECOMMENDATION

Recommend a location of LOST be entered for items #6, 7, and 8 of BPL invoice 177-188-5 along with a copy of the MEMO to be attached to the original invoice on file.

Also, a copy confirming the status of LOST needs to be provided to Ms. Eager as we can not provide the items required to complete the new request for DNA analysis required for mandated review

Please forward through the chain of command for final review and recommendations.

Attachments

ss2962/BPL177-188-5memo.doc

NOTED AND FORWARDED *Agt. Stacia C. Hill 5588*
1/30/07

1-30-07 Noted - OK to list as "Lost." It
appears due diligence was met in
searching for the evidence.
Cmdr. Gilbert Antiviera

EXHIBIT O

Declaration by Lisa Eager

I, Lisa Eager, declare under penalty of perjury, the following to be true to the best of my information and belief:

1. My name is Lisa Eager, and I am an investigator for the Office of the Federal Public Defender, Capital Habeas Unit, in Phoenix, Arizona. I am the investigator assigned to the Jeffrey Landrigan case.

2. As part of my investigation in the Landrigan case, I attempted to view all items of evidence and property under the control of the Phoenix Police Department that were collected at the crime scene.

3. After the DNA Order was signed, I contacted the Phoenix Police Department to obtain the items for DNA testing. The police department informed me that they would contact me to make arrangements for the transfer of the items for DNA testing.

4. On November 9, 2006, I spoke to Sgt. Millward of Phoenix Police Department to explain I was looking for items in this case. I faxed a letter of request to Sgt. Millward explaining exactly which items I was looking for.

5. After receiving my letter of request by fax, Sgt. Millward told me that the items were missing and that he would have Det. Suzanne "Sam" Shaw look for the

missing items. He said if anyone could find the missing items, it would be Det. Shaw.

6. On November 29, 2006, I spoke to Det. Shaw. She agreed to search the envelopes in a freezer because Phoenix Police Department had completed a freezer inventory a few months before. Det. Shaw also told me that if a box of evidence went to court at the time of trial, the missing items might still be there.

7. I went back to the exhibits room of the Maricopa County Superior Court and looked for the items again. Again, nothing other than the actual items that were used as court exhibits were there.

8. On December 12, 2006, I spoke to Det. Shaw by telephone who told me that she could not find the items in the police freezer. I informed Det. Shaw that the Attorney General's Office was told the items of evidence were available for viewing. Det. Shaw sounded frustrated and wanted to know who told the Attorney General the items were available. I told her I did not know. Det. Shaw explained she could not yet say the items were unavailable. I explained to her I was unable to speak to the lead detective on the case because he was deceased. Det. Shaw said the lab was "not being very helpful." They told her they would send someone over to look through the books at their warehouse when someone could break away. When I told Det. Shaw the items in question were never analyzed she said they would be more difficult to locate. She said the old record books would take a while to go through. Det. Shaw

believed part of the reluctance on the part of their lab was that they could not say they ever had the items in question. Det. Shaw said she would speak to her supervisor there again, Greg Ballard, to see if she could get a firm date from him when he would have the information for her. This would compel him to send someone to look through the books.

a. I offered to go to the warehouse myself and look through the books for Det. Shaw. She said this probably would not be possible since she has never even looked at the books and they would have to have someone watch me to make sure I didn't rip any pages out of the books. I suggested to Det. Shaw if they would be able to assign someone to watch me review the books that they possibly could just assign that person to review the books. She did not think they would let me review the books.

b. Det. Shaw and I ended our call with her committing to phoning her supervisor to see if there was any progress and getting them to commit to a date they would have the information for us.

9. On January 23, 2007 I telephoned Det. Shaw to inquire about the status of my request. Det. Shaw said she "forgot" about my request and would follow up regarding the missing evidence and lab reports.

10. On January 29, 2007, I received a phone call from Det. Shaw admitting that the evidence in question was "lost." I discussed with Det. Shaw my need for some form of documentation from her agency as I had been searching for these items for a number of years. Det. Shaw agreed to write a memo explaining the search and said she would send me a copy once it was approved by her supervisor.

11. On February 1, 2007, I received in the mail a four page memo from Det. Shaw written to Sgt. Stacy Hill of the Property Management Bureau of Phoenix Police Department in which they okayed the items to be considered "lost." (Attached hereto as Exhibit A.)

12. On February 27, 2007, representatives from Phoenix Police Department, the Attorney General's Office, and the Federal Public Defender's Office met at the Medical Examiner's Office, 701 W. Jefferson Street, Phoenix, at 11:00 a.m., to discuss the issue of the missing evidence and lab reports. The head of the lab, Roger Schneider, was there, as was Sgt. Millward. Also present at the meeting was attorney Chris Plourd, a consultant for the Federal Defender's Office, who specializes in forensics and DNA issues. At this meeting, we were given a packet of information which included lab notes we had been previously given and some lab notes that, up until the date of this meeting, had never been seen by the defense. (Attached hereto as Exhibit B.)

13. On February 27, 2007, Chris Plourd and I went to Maricopa County Superior Court to view the items that were used as exhibits in the trial. We again checked for any possibility that the missing items of property were at the court but there was nothing other than the actual court exhibits.

14. On March 14, 2007 I received a telephone call from Det. Shaw. She said she was looking in the "Y" freezer for the missing liberty box and should be through that freezer the following week.

15. On March 16, 2007 I received a call from Det. Shaw. She informed me she had located the missing liberty box in this case. It was in the refrigerator, not the freezer, and it was mislabeled. The reference number is 178.150.2. The liberty box was sealed inside of a bio-hazard bag. Det. Shaw said she could not open the bag without a case agent present. I was told to contact Sgt. Millward to set up a time to go view the contents of the box.

16. On March 21, 2007 I spoke to Sgt. Millward regarding viewing the recently located property. Sgt. Millward wanted to "prepare" me he said: there had been a fire sprinkler leak and the box had flooded. He said there should be a report "somewhere" to document this which he would attempt to locate. He explained the procedure back then would have been to take everything out of the box, dry it as much as possible, and then re-store it. He said if the items were at all damp when

they went into the hazardous materials ("haz-mat") bag then they would be very moldy when we viewed them. Due to this, I was told that we would have to wear haz-mat suits when we view the property.

17. Det. Tom Daguanno of the Phoenix Police Department telephoned me to inform me they had scheduled the viewing of the evidence for March 29, 2006 at 9:00 a.m. Det. Daguanno said he had opened the box and there were 6-8 paper sacks as well as some envelopes in the box. He said he did not open any of the items because he was not wearing the proper gear at the time. He also informed me that they would have a photographer present to do a photo inventory of the items. Det. Daguanno confirmed based on the appearance of the box it had been damaged in the sprinkler head malfunction in the freezer a number of years ago. He also said the contents of the box were never re-frozen.

18. On March 29, 2007, I met with Det. Daguanno and another detective to view the items. A photographer from Phoenix Police Department photographed the items and although they promised to provide me with the photos on a disk, I am still waiting to receive it.

- a. During the viewing of the items, the detectives took an inventory of the box and repackaged all of the items. Det. Shaw was present during part of this viewing. The fingernail and hair were not in this box and are still

missing. I asked if there was anyplace else Det. Shaw could look. Det. Shaw then gripped me firmly by the wrist and led me through an office and into the doorway of a large warehouse that resembled a Costco in size. Det. Shaw asked, "Where do you suggest I begin?" I informed her I had no idea but I would be checking back with her from time to time regarding her progress and thanked her for her efforts.

19. On June 5, 2007, I spoke to attorney Chris Plourd by telephone and informed him the items we were looking for (hair, fingernail) had not been located. We discussed the possibility of testing other evidence that appeared to have biological matter on it that could be DNA tested in lieu of the missing items.

20. On July 31, 2007, at 9:00 a.m. I met with Det. J.J. Cleary of Phoenix Police Department at their property site, 100 E. Elwood, in Phoenix, to pick up one piece of property recently located: Item 36, living room drapes. Also present while I took possession of the drapes: Det. Gayle and Det. Shaw. I asked Det. Shaw if she had any success in locating the missing items in this case. She said she had not. I provided Det. Cleary with a copy of a court order in which the attorneys for Jeffrey Landrigan were given permission to have DNA analysis performed in this case. Det. Cleary signed out the drapes and gave them to me.

21. On August 3, 2007, the drapes were sent by Fed Ex to Technical

Associates, Incorporated, in Ventura, California, for analysis.

22. On approximately July 25, 2007, I contacted Lillian Barnett of Maricopa County Superior Court Exhibits Department at 602.506.3330. I explained to Ms. Barnett that our office had a court order for DNA testing and that we would like to have two items from their exhibits department. When I read the court order over the phone to Ms. Barnett, she said the order was too vague and had to be specific to the items we would be removing. I was instructed the order needed to include the case number: CR90-00066, the date of the hearing (June 18, 1990), the exhibit numbers of the items to be removed (Plaintiff's Exhibit #22 LevisTM and Plaintiff's Exhibit # 23 Blanket), and the name of the person to whom the items would be released and that the reason was for DNA testing. I was also informed we must provide them with the original court order or a certified copy.

I declare under penalty of perjury under the laws of the United States of America and the State of Arizona that the foregoing is true and correct.

Signed this 6th day of August, 2007, at Phoenix, Arizona.

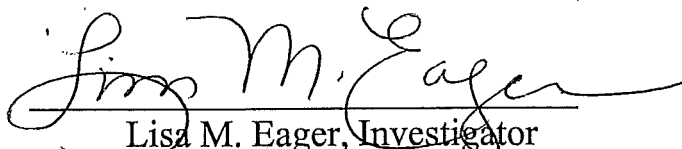

Lisa M. Eager, Investigator
Federal Public Defender's Office

EXHIBIT P



4125 Market Street, Suite 3 • Ventura, CA 93003 • 805.677.2155 • fax.805.676.1638

A Confidential-Privileged Communication

Summary Report of DNA Analysis

TAI Case #2826

Maricopa County Case #CR-90-00066

State v. Jeffrey Landrigan

22 April 2008

Background:

This case involves the homicide of Chester Dyer, Phoenix Police Department DR #89-186504. Jeffrey Landrigan has been convicted of this crime. Technical Associates, Inc. (TAI) was requested to examine two beige curtains (Item #36), one pair of blue jean pants (Item #22), and one blue blanket (Item #12) collected in the investigation of this crime for evidence of biological materials and, if found, perform DNA analysis in an attempt to identify its origin.

Chain-of Custody:

On 6 August 2007, TAI received two beige curtains (Phoenix PD DR#89-186504, Item #36) via FedEx from Investigator Lisa Eager, Office of the Federal Public Defender for the District of Arizona.

On 17 September 2007, Investigator Eager requested that TAI send one saliva collection kit to Deputy Warden Toersbijs at the Arizona State Prison – Florence for the purpose of collecting a reference sample from Jeffrey Landrigan. On this date, TAI sent the saliva collection kit via FedEx to Mr. Toersbijs.

A handwritten signature in black ink, appearing to be 'BW MGT' or similar, enclosed in a circular scribble.

On 20 September 2007, TAI received one pair of blue jean pants (Phoenix PD DR#89-186504, Item #22) and one blue blanket (Phoenix PD DR#89-186504, Item #12) via FedEx from Investigator Eager.

On 24 September 2007 TAI received the saliva collection kit via FedEx from Captain S. Fay, Arizona Department of Corrections. Included was a photocopy of the ADC inmate photo identification card belonging to Jeffrey Timothy Landrigan (date of birth 3-17-1962), and TAI's donor worksheet allegedly signed by Mr. Landrigan.

Method:

The items of evidence were examined visually and using an alternate light source. Substrates that appeared to contain blood were tested with Ortho-Tolidine (OT) reagents, a presumptive test for blood. Stains suspected of containing semen were tested for acid phosphatase (AP) activity, a presumptive test for semen. A low volume water wash was performed on each of the samples to isolate soluble proteins. This was followed by a large volume water wash to isolate cellular debris and remove hemoglobin. A portion of this cellular debris was examined microscopically for the presence of nucleated epithelial cells and spermatozoa. A portion of the low volume water wash was tested for p30 (a protein found in semen) and amylase activity (amylase is an enzyme found in high concentrations in saliva). A differential DNA extraction process was performed on the cellular material isolated from the samples collected from the blue blanket and the pair of blue jean pants in order to separate the DNA into the non-sperm or epithelial cell (/EC) fraction and the sperm cell (/SP) fraction. An organic DNA extraction was performed on the apparent blood samples collected from the beige curtains. A Chelex DNA extraction process was performed on the saliva reference sample from Jeffrey Landrigan. Samples indicating inhibition of the PCR process were subjected to the DNA IQ extraction process. The extracted DNA from these samples was subjected to polymerase chain reaction (PCR) amplification and DNA typing at the short tandem repeat (STR) loci D3S1358, vWA, FGA, D8S1179, D21S11, D18S51, D5S818, D13S317, and D7S820 in addition to the Amelogenin locus for sex determination utilizing the Profiler Plus system.

Sample Description:

Phoenix PD DR#89-186504 Item #36, beige curtains (two curtains)

- TA2826.01A1, OT positive stain back of curtain #1, ~0.2 cm x 0.3 cm
- TA2826.01A2, OT positive stain back of curtain #1, ~0.6 cm x 0.2 cm

- TA2826.01B1, OT positive stain front of curtain #2, ~0.6 cm x 1.0 cm
- TA2826.01B2, OT positive stain front of curtain #2, ~1.3 cm x 1.1 cm
- TA2826.01B3, OT positive stain back of curtain #2, ~1.0 cm x 1.0 cm

Phoenix PD DR#89-186504 Item#22, blue jean pants

- TA2826.02A1, AP positive stain inside front left pocket lining of blue jean pants
- TA2826.02A2, AP positive stain inside front button hole flap of blue jean pants
- TA2826.02A3, AP positive stain inside front upper right leg of blue jean pants

Phoenix PD DR#89-186504 Item #12, blue blanket (side #1 and side #2)

- TA2826.03A, OT positive stain, side #2 of blue blanket
- TA2826.03B, OT positive stain, side #2 of blue blanket
- TA2826.03C, AP positive stain, side #2 of blue blanket
- TA2826.03D, OT positive stain, side #1 of blue blanket
- TA2826.03E, AP positive stain, side #1 of blue blanket
- TA2826.03F, AP positive stain, side #1 of blue blanket

New reference sample received by TAI on 24 September 2007 from Captain S. Fay, Arizona Department of Corrections

- TA2826.04A, reference saliva, Jeffrey Landrigan

Results:

A brownish stained portion of material was sampled from the back of curtain #1 (TA2826.01A1) that tested positive for OT activity. No amylase activity was detected. No AP activity was detected.

A brownish stained portion of material was sampled from the back of curtain #1 (TA2826.01A2) that tested positive for OT activity. No amylase activity was detected. No AP activity was detected.

A brownish stained portion of material was sampled from the front of curtain #2 (TA2826.01B1) that tested positive for OT activity. No amylase activity was detected. No AP activity was detected.

A brownish stained portion of material was sampled from the front of curtain #2 (TA2826.01B2) that tested positive for OT activity. No amylase activity was detected. No AP activity was detected.

A brownish stained portion of material was sampled from the back of curtain #2 (TA2826.01B3) and tested positive for OT activity. No amylase activity was detected. No AP activity was detected.

A stain located visually and using an alternate light source was sampled from the inside front left pocket lining of the blue jean pants (TA2826.02A1). This stain tested positive for AP activity and negative for amylase activity. P30 protein was detected. A high number of spermatozoa and a low number of nucleated epithelial cells were observed microscopically.

A stain located visually and using an alternate light source was sampled from the inside front button hole flap of the blue jean pants (TA2826.02A2). This stain tested positive for AP activity and negative for amylase activity. P30 protein was detected. A high number of spermatozoa and no nucleated epithelial cells were observed microscopically.

A stain located visually and using an alternate light source was sampled from the inside front upper right leg of blue jean pants (TA2826.02A3). This stain tested positive for AP activity and negative for amylase activity. P30 protein was detected. A low number of spermatozoa and a low number of nucleated epithelial cells were observed microscopically.

A brownish stain that tested positive for OT activity was sampled from side #2 of the blue blanket (TA2826.03A). No amylase or AP activity was detected. No p30 protein was detected. A low number of spermatozoa and a low number of nucleated epithelial cells were observed microscopically.

A brownish stain that tested positive for OT activity was sampled from side #2 of the blue blanket (TA2826.03B). No amylase or AP activity was detected. No p30 protein was detected. A low number of spermatozoa and a low number of nucleated epithelial cells were observed microscopically.

A faintly visible stain that tested positive for AP activity was sampled from side #2 of the blue blanket (TA2826.03C). This stain tested negative for amylase activity and p30 protein. A moderate number of spermatozoa and a low number of nucleated epithelial cells were observed microscopically.

A brownish stain that tested positive for OT activity was sampled from side #1 of the blue blanket (TA2826.03D). No amylase or AP activity was detected. No p30

protein was detected. A low number of spermatozoa and a low number of nucleated epithelial cells were observed microscopically.

A yellowish stain that tested positive for AP activity was sampled from side #1 of the blue blanket (TA2826.03E). This stain tested negative for amylase activity, but a trace level of p30 protein was detected. A moderate number of spermatozoa and a low number of nucleated epithelial cells were observed microscopically.

A yellowish stain that tested positive for AP activity was sampled from side #1 of the blue blanket (TA2826.03F). This stain tested negative for amylase activity, but p30 protein was detected. A moderate number of spermatozoa and no nucleated epithelial cells were observed microscopically.

The negative and positive controls all amplified as expected and are not included in the table below.

Each item with the corresponding alleles detected is listed in the table below:

Sample ID	D3S1358	VWA	FGA	AMEL	DBS1179	D21S11	D18S51	D5S818	D13S317	D7S820
2826.04A Reference sample, Jeffrey Landrigan	15,17	14	19,26	X,Y	14	28,33,2	12,15	9,11	10,12	11
2826.01A1 OT pos stain back of curtain #1	15	18	22,24> w23	X,Y	13,14	30,31	w18,21	11,12	8,11	w10,11
2826.01A2 OT pos stain back of curtain #1	15	18	22,24> t23	X,Y	13,14	30,31	t18,21	11,12	8>w11	t10,11
2826.01B1 OT pos stain front curtain #2	15	18	22,24> w23	X,Y	13,14	30,31	t18,21	11,12	8,11	11w10
2826.01B2/IQ OT pos stain front curtain #2	15	18	22,24> t23	X,Y	13,14	30,31	t21	11,12	8,11	t10,11
2826.01B3/IQ OT pos stain back curtain #2	15	18	22,24> t23	X,Y	13,14	30,31	t18,21	11,12	8,11	t10,11
2826.02A1/EC AP pos stain inside front of blue jean pants L pocket lining	14	15,18	20>26	X,Y	12,14> w13	30,31	19w14	11,13>12	12,13	8,9
2826.02A1/SP AP pos stain inside front of blue jean pants L pocket lining	14	15,18> t17	20,26	X,Y	12,14	30,31	w19t14	11,13	12,13	w918
2826.02A2/EC/IQ AP pos stain inside front of blue jean pants button hole flap	14	15,18	20,26> t25	X,Y	12,14	30,31	14,19	11,13	12,13	8,9
2826.02A2/SP AP pos stain inside front of blue jean pants button hole flap	14	15,18	20,26> w25	X,Y	12,14	30,31	14,19>t18	11,13	12,13	8,9
2826.02A3/EC/IQ AP pos stain inside front upper R leg of blue jean pants	14	w15> t18	NA	X,Y	12,14	t30	NA	t11,13	t12	NA
2826.02A3/SP/IQ AP pos stain inside front upper R leg of blue jean pants	14	NA	NA	X,Y	NA	NA	NA	NA	NA	NA
2826.03A/EC Portion OT+ stain, blue blanket	14	15,18	20,26	X,Y	12,14	30,31	14w19	11,13	12,13	9w8
2826.03A/SP Portion OT+ stain, blue blanket	14	15,18	w20t26	X,Y	12,14	30,31	NA	11,13	t12,13	NA

Sample ID	D3S1358	VWA	FGA	AMEL	D8S1179	D21S11	D18S51	D5S818	D13S317	D7S820
2826.03B/EC/IQ Portion OT+ stain, blue blanket	14>15	15,18	20,26	X,Y	12,14> w13	30,31	14>19	11,13> t12	12,13	8,9
2826.03B/SP Portion OT+ stain, blue blanket	14,15> w18	15,18 w16 t17	t20,24	X,Y	12,14>15 >t13	31> t27,30	t14	11,13> t12	w12,t11	t8
2826.03C/EC/IQ Portion AP+ stain, blue blanket	14>16	15,18	20,26	X,Y	12,14	30,31	14w19	11,13	12,13	8,9
2826.03C/SP Portion AP+ stain, blue blanket	14	15,18	20,26	X,Y	12,14	30,31	14,19	11,13	12,13	8,9
2826.03D/EC Portion OT+ stain, blue blanket	15>14	18	22,24> t23	X,Y	13,14>12	30,31	w18	11,12> t13	8,11	NA
2826.03D/SP Portion OT+ stain, blue blanket	15>14	18	NA	X,Y	14w13> t12	w31,t30	NA	11w12	NA	NA
2826.03E/EC Portion AP+ stain, blue blanket	14	15,18	20,26	X,Y	12,14	30,31	w14,19	11,13	12,13	8,9
2826.03E/SP Portion AP+ stain, blue blanket	14	15,18	20w26	X,Y	12,14	30,31	14,19	11,13	12,13	8,9
2826.03F/EC Portion AP+ stain, blue blanket	14	15,18	20,26	X,Y	12,14	30,31	14,19	11,13> w12	12,13	8,9
2826.03F/SP Portion AP+ stain, blue blanket	14	15,18	20,26	X,Y	12,14	30,31	14,19	11,13	12,13	8w9

> = less than 50% of higher peak w = 100 – 149 RFU t = 50 – 99 RFU _ = possible stutter 10-20% of the adjacent peak
 NA= no activity ND= not done

DNA profiles detected that appear to originate from individuals for whom there were no reference samples provided are referred to as unknown individuals. The profiles in this table are deduced from evidence items tested.

Unknown Individual #1	15	18	22,24> w23	X,Y	13,14	30,31	w18,21	11,12	8,11	w10,11
Unknown Individual #2	14	15,18	20,26	X,Y	12,14	30,31	14,19	11,13	12,13	8,9

Int'l 

Conclusions:

Jeffrey Landrigan is excluded as the source of the DNA detected in each of the samples tested by Technical Associates, Inc. in this case.

For the purposes of this report, stains having the appearance of a bloodstain and testing positive with OT reagents will be referred to as bloodstains. Stains containing spermatozoa and showing AP activity or the presence of p30 protein are referred to as semen stains.

DNA profiles detected that appear to originate from individuals for whom there were no reference samples provided are referred to as unknown individuals. In the testing performed, designations for unknown individual #1 (IND #1), and unknown individual #2 (IND #2), are utilized to refer to these individuals as possible sources of the DNA detected.

The DNA detected in the bloodstained material from the back of curtain #1 (TA2826.01A1), appears to originate from one male individual. Jeffrey Landrigan is excluded as the source of this DNA. A low-level 23 allele is detected at the FGA locus in addition to two primary alleles.

The DNA detected in the bloodstained material from the back of curtain #1 (TA2826.01A2), appears to originate from one male individual. Jeffrey Landrigan is excluded as the source of this DNA. A low-level 23 allele is detected at the FGA locus in addition to two primary alleles.

The DNA detected in the bloodstained material from the front of curtain #2 (TA2826.01B1), appears to originate from one male individual. Jeffrey Landrigan is excluded as the source of this DNA. A low-level 23 allele is detected at the FGA locus in addition to two primary alleles.

The DNA detected in the bloodstained material from the front of curtain #2 (TA2826.01B2/IQ), appears to originate from one male individual. Jeffrey Landrigan is excluded as the source of this DNA. A low-level 23 allele is detected at the FGA locus in addition to two primary alleles.

The DNA detected in the bloodstained material from the back of curtain #2 (TA2826.01B3/IQ), appears to originate from one male individual. Jeffrey Landrigan is excluded as the source of this DNA. A low-level 23 allele is detected at the FGA locus in addition to two primary alleles.

The same male individual, IND #1, could be the source of the DNA detected in all of the bloodstains collected from the curtains: TA2826.01A1, .01A2, .01B1,

.01B2/IQ, and .01B3/IQ. The additional low-level 23 allele detected at the FGA locus in each of the samples appears to be a germ line mutation resulting in a reproducible weak 23 allele when this individual's blood is analyzed.

The DNA detected in the non-sperm cell fraction of the semen-stained material from the inside front left pocket lining of the blue jean pants (TA2826.02A1/EC), appears to originate primarily from one male individual. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA. Additional low-level alleles detected at the D8S1179 and D5S818 loci are inconclusive as to origin.

The DNA detected in the sperm cell fraction of the semen-stained material from the inside front left pocket lining of the blue jean pants (TA2826.02A1/SP), appears to originate from the same male individual as the primary donor of the non-sperm cell fraction of this sample. This is expected if the stain contains semen from one individual but not cellular material from another individual. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA. A trace-level allele detected at the vWA locus appears to be an artifact of the PCR process.

The DNA detected in the non-sperm cell fraction of the semen-stained material from the inside front button hole flap of the blue jean pants (TA2826.02A2/EC/IQ), appears to originate from one male individual. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA. A trace-level allele detected at the FGA locus appears to be an artifact of the PCR process.

The DNA detected in the sperm cell fraction of the semen-stained material from the inside front button hole flap of the blue jean pants (TA2826.02A2/SP), appears to originate from the same male individual as the primary donor of the non-sperm cell fraction of this sample. This is expected if the stain contains semen from one individual but not cellular material from another individual. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA. Weak- and trace-level alleles detected at the FGA and D18S51 loci appear to be artifacts of the PCR process.

The DNA detected in the non-sperm cell fraction of the semen-stained material from the inside front upper right leg of blue jean pants (TA2826.02A3/EC/IQ), appears to originate from one male individual. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA.

The DNA detected in the sperm cell fraction of the semen-stained material from the inside front upper right leg of blue jean pants (TA2826.02A3/SP/IQ), is at a very low level and is inconclusive as to source. Only one STR allele was

detected in this sample; this allele was at the D3S1358 locus. IND #1 could not be the source of the one STR allele detected in this sample. Jeffrey Landrigan could not be the source of the one STR allele detected in this sample. No further conclusions are made regarding the donor of this allele.

A male individual, IND #2, could be the source of the DNA detected in the semen stains collected from the blue jean pants, TA2826.02A1 (sperm cell fraction and major donor of non-sperm cell fraction), .02A2 (sperm and non-sperm cell fractions) and .02A3 (non-sperm cell fraction). IND #2 is excluded as a source of the DNA detected in all of the bloodstains collected from the curtains: TA2826.01A1, .01A2, .01B1, .01B2/IQ, and .01B3/IQ.

The DNA detected in the non-sperm cell fraction of the bloodstained material from side #2 of the blue blanket (TA2826.03A/EC), appears to originate from one male individual. IND #2 cannot be excluded as the source of this DNA. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA.

The DNA detected in the sperm cell fraction of the bloodstained material from side #2 of the blue blanket (TA2826.03A/SP), appears to originate from the same male individual as the non-sperm cell fraction from this sample. IND #2 cannot be excluded as the source of this DNA. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA.

The DNA detected in the non-sperm cell fraction of the bloodstained material from side #2 of the blue blanket (TA2826.03B/EC/IQ), is a mixture of DNA from at least two individuals. The primary donor of this DNA is a male individual. IND #2 cannot be excluded as the primary donor of this DNA. IND #1 is excluded as the primary donor of this DNA. Jeffrey Landrigan is excluded as a donor of this DNA. Low-level alleles were detected at the D3S1358, D8S1179, and D5S818 loci. IND #1 cannot be excluded as the source of these low-level alleles. IND #2 is excluded as the source of these low-level alleles. Jeffrey Landrigan is excluded as a donor of this DNA.

The DNA detected in the sperm cell fraction of the bloodstained material from side #2 of the blue blanket (TA2826.03B/SP), is a mixture of DNA from at least two individuals. IND #1 cannot be excluded as a source of some of the DNA detected. IND #2 cannot be excluded as a source of some of the DNA detected. Jeffrey Landrigan is excluded as a donor of any of the DNA detected in this sample. Alleles that could not originate from IND #1 or IND #2 are detected at the D3S1358, vWA, D8S1179, and D21S11 loci. These alleles are from a source other than IND #1, IND #2, or Jeffrey Landrigan.

The DNA detected in the non-sperm cell fraction of the faintly visible semen stain from side #2 of the blue blanket (TA2826.03C/EC/IQ), appears to originate primarily from one male donor. IND #2 cannot be excluded as the primary source of this DNA. IND #1 is excluded as a donor of the DNA detected. Jeffrey Landrigan is excluded as a donor of the DNA detected. One additional trace-level allele was detected at the D3S1358 locus. This allele is from a source other than IND #1, IND #2, or Jeffrey Landrigan. No further conclusions are made regarding the donor of this allele.

The DNA detected in the sperm cell fraction of the faintly visible stain from side #2 of the blue blanket (TA2826.03C/SP), appears to originate from the same male individual as the primary donor of the non-sperm cell fraction of this sample. IND #2 cannot be excluded as the source of this DNA. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA.

The DNA detected in the non-sperm cell fraction of the bloodstained material from side #1 of the blue blanket (TA2826.03D/EC), is a mixture of DNA from at least two individuals. IND #1 cannot be excluded as the primary donor of this DNA. IND #2 is excluded as the primary donor of this DNA; however, additional alleles were detected at the D3S1358, FGA, D8S1179, and D5S818 loci. IND #2 cannot be excluded as the source of these alleles. Jeffrey Landrigan is excluded as a donor of any of the DNA detected in this sample.

The DNA detected in the sperm cell fraction of the bloodstained material from side #1 of the blue blanket (TA2826.03D/SP), is a mixture of DNA from at least two individuals. IND #1 cannot be excluded as the primary donor of this DNA. IND #2 is excluded as the primary donor of this DNA; however, additional alleles were detected at the D3S1358 and D8S1179 loci. IND #2 cannot be excluded as the source of these alleles. Jeffrey Landrigan is excluded as a donor of any of the DNA detected in this sample.

The DNA detected in the non-sperm cell fraction of the yellowish semen-stained material from side #1 of the blue blanket (TA2826.03E/EC), appears to originate from one male individual. IND #2 cannot be excluded as the source of this DNA. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA.

The DNA detected in the sperm cell fraction of the yellowish semen-stained material from side #1 of the blue blanket (TA2826.03E/SP), appears to originate from the same male individual as the primary donor of the non-sperm cell fraction of this sample. This is expected if the stain contains semen from one individual but not cellular material from another individual. IND #2 cannot be

excluded as the source of this DNA. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA.

The DNA detected in the non-sperm cell fraction of the yellowish semen-stained material from side #1 of the blue blanket (TA2826.03F/EC), appears to originate from one male individual. IND #2 cannot be excluded as the source of this DNA. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA. An additional weak allele detected at the D5S818 locus may be an artifact of the PCR process or a low-level DNA donor. No further conclusions are made regarding this additional allele.

The DNA detected in the sperm cell fraction of the yellowish semen-stained material from side #1 of the blue blanket (TA2826.03F/SP), appears to originate from the same male individual as the primary donor of the non-sperm cell fraction of this sample. This is expected if the stain contains semen from one individual but not cellular material from another individual. IND #2 cannot be excluded as the source of this DNA. IND #1 is excluded as the source of this DNA. Jeffrey Landrigan is excluded as the source of this DNA.

Jeffrey Landrigan is excluded as the source of any of the DNA detected in the samples tested by Technical Associates, Inc. in this case.

Statistics:

Male individuals having the combination of genetic markers such that they could be the primary source of the DNA detected in samples TA2826.01A1, .01A2, .01B1, and .01B3/IQ (IND #1) are very rare. Evaluation of this profile in 179 different populations (following the recommendations of the 1996 National Research Council (NRC) Report) shows that even in the population where this profile would be most common, Korean, male individuals having this profile would be expected to occur at about the rate of 1 in 34 billion men in this population. Therefore, a male individual having this genetic profile is expected to be rarer than 1 in 34 billion individuals in the general population.

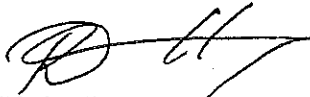
Male individuals having the combination of genetic markers such that they could be the primary source of the DNA detected in samples TA2826.02A1/EC, .02A1/SP, .02A2/EC/IQ, .02A2/SP, .03A/EC, .03B/EC/IQ, .03C/EC/IQ, .03C/SP, .03E/EC, .03E/SP, .03F/EC, and .03F/SP (IND #2) are very rare. Evaluation of this profile in 179 different populations (following the recommendations of the 1996 NRC Report) shows that even in the population where this profile would be most common, Portuguese, male individuals having this profile would be expected to occur at about the rate of 1 in 1.63 trillion men in this population. Therefore, a



male individual having this genetic profile is expected to be rarer than 1 in 1.63 trillion individuals in the general population.

If you have any questions regarding this matter, please contact me at the telephone number listed above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richelle Neverson', with a stylized flourish at the end.

Richelle Neverson
Forensic Scientist

Reviewed by:

A handwritten signature in black ink, appearing to read 'Marc Scott Taylor', with a large, stylized 'B' or flourish at the end.

Marc Scott Taylor
President/Lab Director

EXHIBIT Q

Declaration by Lisa Eager

I, Lisa Eager, declare under penalty of perjury, the following to be true to the best of my information and belief:

1. My name is Lisa Eager, and I am an investigator for the Office of the Federal Public Defender, Capital Habeas Unit, in Phoenix, Arizona. I am the investigator assigned to the Jeffrey Landrigan case.

2. As part of my investigation in the Landrigan case, I attempted to view all items of evidence and property under the control of the Phoenix Police Department that were collected at the crime scene. I wanted to view all items of evidence; however, there were specific items in which I had a greater interest due to their potential exculpatory value. These were items number 6 ("broken fingernail"), number 7 ("hairs left hand victim"), and number 8 ("hairs face victim"). See DR # 89-186504 (attached as Exhibit 1).

3. In November, 2000, I contacted Det. Scott of the Phoenix Police Department to schedule a time to view the evidence. Det. Scott worked for the cold case unit but was the officer assigned to assist me since the investigating officer, Det. Chambers, was deceased.

4. On November 8, 2000, Det. Scott and I met at the property room for

Phoenix Police Department at 10:15a.m. The property personnel were unable to locate the items of evidence at that time. Det. Scott and I waited until 11:50 a.m. and then left. Det. Scott said he would contact me when the items were located.

5. On December 7, 2000, Det. Scott telephoned me to inform me the evidence in question was not in the property freezer and was not in the lab freezer. He told me the evidence was "gone." At this time, Det. Scott agreed to write a statement to this effect on Phoenix Police Department letterhead. He was off duty when he phoned me but indicated he would write the statement the following week when he returned to the office.

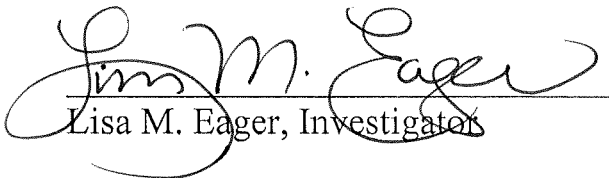
6. On December 11, 2000, Det. Scott telephoned me to inform me he had spoken to his supervisor about this matter. His supervisor said the items could be in the basement of the court house. I had previously reviewed the property at Maricopa County Superior Court in the Exhibits room in the basement of the court house and had not seen the items. They were not used as exhibits for court. Det. Scott said he would go and look at the court to see if the items in question were there.

7. On December 19, 2000, Det. Scott telephoned me. He informed me the items used as court exhibits were still at the court and the missing items from Phoenix Police Department were still "missing." Det. Scott said he did not know

where else to look for these items. I again asked Det. Scott for a letter from him indicating the items were missing. Det. Scott agreed to write a letter to this effect on Phoenix Police Department letterhead. He said he would be back in his office the following week and would do it then. I never received a letter from Det. Scott.

8. I declare under penalty of perjury under the laws of the United States of America and the State of Arizona that the foregoing is true and correct.

Signed this 20th day of October, 2010, at Phoenix, Arizona.



Lisa M. Eager, Investigator

EXHIBIT 1

NOTE: FILL IN EVERY SPACE UNLESS THE INFORMATION IS NOT AVAILABLE. PRINT LEGIBLY IN INK.		TYPE OF PROPERTY (CIRCLE ONE ONLY)	EVIDENCE PRISONER'S	SAFEKEEPING FOUND	IF FOUND, WILL FINDER CLAIM? <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE/TIME OF IMPOUND 72-96-89 1300
NAME OF VICTIM OR OWNER (LAST, FIRST, MIDDLE) MR. CHESTER DEAN	DOB 9-3-47	ADDRESS DECEASED	TELEPHONE		D.R. NUMBER 89-186504	
NAME OF RESPONSIBLE PARTY OR NEXT OF KIN	DOB	ADDRESS	TELEPHONE NUMBER			
NAME OF SUSPECT (LAST, FIRST, MIDDLE)	DOB	ADDRESS	ARREST NUMBER			
NAME OF SUSPECT (LAST, FIRST, MIDDLE)	DOB	ADDRESS	ARREST NUMBER			
NAME OF FINDER OR PERSON REPORTING FOUND PROPERTY	DOB	ADDRESS	TELEPHONE NUMBER			
TYPE OF OFFENSE IF KNOWN HOMICIDE	LOCATION OF OCCURRENCE 2635 N. 165TH #4		DISTRICT A3244			

BRIEF SYNOPSIS OF OCCURRENCE (ALSO USE THIS SPACE FOR ADDITIONAL SUSPECTS OR VICTIMS)

DEAD-FILED

CRIME LAB

JAN 17 1991

Re-activated 12/10/92 ROK

Below Removed From Scene

KD. 43145

SEARCH WARRANT

ITEMIZE AND DESCRIBE PROPERTY — LIST ONLY ONE ITEM PER LINE. NUMBER EACH ITEM ON THE FORM, TAG, AND CONTAINER. TAG ALL ITEMS NOT IN SEALED ENVELOPE. WHEN ITEMS ARE SEALED IN AN ENVELOPE, PRINT A BRIEF DESCRIPTION OF THE CONTENTS APPLICABLE DATES, TIMES, D.R. NUMBERS, OFFICER'S NAMES AND SERIAL NUMBERS ON THE ENVELOPE.

ITEM	AMOUNT	SERIAL NO. OF ITEM	DESCRIPTION
1	1		SINGLE STRAND HAIR (ELECTROSTATIC)
4	1		BLUE COTTON BAG
6	1		BROKEN FINGER NAIL
7	-		HAIRS LEFT HAND VICTIM
8	-		" RACE "
9	-		
12	1		BLUE BLANKET
19	-		HEAD HAIR VICTIM AUTOPSY
20	-		CHEST " " "
21	-		UNDERARM " " "
22	-		LEVIS " "
24	2		SOCKS " "
26	-		CIGARETTE BUTTS
33			BLUE TOWEL + SWEATSHIRT FROM BED
36	-		LINENS ROOM DRAPES
38			BLUE WINDBREAKER
32	2		TENNIS SHOES
<p>PROCESS JS 1483</p> <p>FREEZER "C"</p> <p>LIB. BOX</p> <p>FREEZER BOX 198 PAPER BAG</p> <p>17-9-89</p> <p>1660</p>			

DISPOSITION OF PROPERTY CIRCLE ONE ONLY	RETURNED TO OWNER	LEFT AT 429 W. JACKSON	TURNED OVER TO CUSTODIAN IN PERSON	PLACED IN LOCKER No. _____	TAKEN TO POLICE RANGE
PROPERTY ITEMS WERE:	PLACED IN BIKE RACK (DISTRICT) NO. _____		REMARKS		
177	188	5	LAWFUL DISPOSITION AUTHORIZED BY:		

DEC 19 1989

PROPERTY INVOICE AND RECEIPT

80-130 Rev. 8/89

WT-A2893

RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY <i>ALL EXCEPT Item 38 I.M.</i>		RETURNED BY: <i>LAB</i>	RECEIVED BY: <i>FOLA-2413</i>	DATE/TIME RETURNED <i>1-5-89</i>	
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY <i>Item 38 PAPER BAG I.M.</i>		RETURNED BY: <i>LAB</i>	RECEIVED BY: <i>FOLA-2413</i>	DATE/TIME RETURNED <i>1-11-90</i>	
DATE & TIME OF RELEASE <i>6/14/90</i>	ITEMS RELEASED <i>All</i>			RELEASED BY: <i>CABR1617</i>	REASON RELEASED
RELEASED TO (SIGNATURE) <i>[Signature]</i>			ADDRESS <i>[Address]</i>		
ITEMS RETURNED TO PROPERTY		RETURNED BY: <i>[Signature]</i>	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED <i>BAL</i>			RELEASED BY: <i>CRIME</i>	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE) <i>PROBATION</i>			ADDRESS		
ITEMS RETURNED TO PROPERTY <i>2L</i>		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED
DATE & TIME OF RELEASE	ITEMS RELEASED			RELEASED BY:	REASON RELEASED
RELEASED TO (SIGNATURE)			ADDRESS		
ITEMS RETURNED TO PROPERTY		RETURNED BY:	RECEIVED BY:	DATE/TIME RETURNED	REASON RELEASED

TYPE OF REPORT
HOMICIDEVICTIM
DYER, CHESTEROFFICER
FUQU 1660DR #
89-186504

4 Days After

TRIAL BEGAN

Brady & Youngblood Case

CR90-00066

SCENE DESCRIPTION:

Exculpatory Evidence

The location of this occurrence is known as 2635 N. 16 Street, an apartment complex of block construction, flat roof with the complex containing 10 apartment units which are efficiency apartments. The entrance to these apartments are all located to the south side of the complex with no exit. Apartment #4 is the fourth apartment to the east of 16 Street.

Prior to entry being made into the apartment, Latent Print Examiners were summoned to the scene where photographs were taken of the exterior and surrounding area of the complex. Prior to entry being made into the apartment, an electrostatic dust lifter was used on the sidewalk area in front of the apartment. Prior to entry into the apartment, it was noticed that the door to number 4 was hinged to the right with the doorknob to the left. Approximately 18 inches above the floor area was a circular hole in the door which appeared to be fresh. It is unknown at this time what caused the damage but the hole itself was approximately 2 inches in diameter. Photographs were taken of this damage.

As the apartment door was opened, photographs were taken from the doorway showing the victim, the interior of the apartment itself and its condition as officers entered. The apartment itself is an efficiency apartment which is a one room apartment with a bath to the northwest. The bedroom, living room, kitchen are all contained in one area with the kitchen to the north, living area to the west and bedroom area to the south portion near the front door area.

After photographs were taken of the interior of the apartment, electrostatic dust lifter was used on the tile floor for possible footprints.

Examination of the apartment revealed that the victim was lying on the bed face down with his head hanging over the north side of the bed. The victim was fully clothed except for his shoes which were lying beside his left leg on top of the bed. The victim's body was positioned with his head to the north and his feet extended towards the south. On the bed near the victim's left leg, were the victim's tennis shoes, both were untied. Examining the bottom of the victim's socks, which were still on his feet, indicated that the victim had been on his feet at some period of time prior to his death because of the dirt transfer. The bed that the victim was lying on was partially made with a blue blanket beneath the victim's body. A blue striped towel was lying at the victim's waist partially on his buttocks, left side. Both pillows were near the head of the bed which is to the east, one with flower design and one with a sailboat seeded

TYPE OF REPORT
HOMICIDEVICTIM
DYER, CHESTEROFFICER
FUG... #1660DR #
89-186504

design. On top of the victim's back at the waistline was a playing card, ace of hearts, with a nude male. This card was standing upright and supported by the victim's shirt. The remainder of the playing cards were lying to the victim's right side on top of the bed. All the cards were of the same nature, being pornographic, and with pictures displaying only male nude bodies.

In an examination of the victim's levis, it was noticed that on the left leg, just slightly above the knee, was blood smear transfer on the outside portion of the leg. This transfer was not consistent with the victim's injuries. On the victim's right leg, near the ankle, was a second blood smear and on the blue blanket between the victim's legs. Slightly west of the victim's left leg, between the ankle and the knee, was a blue small bag which was turned inside out and no evidence was nearby as to what the bag contained.

Near the victim's right waist, lying on top of the bed, was a partially eaten bologna and cheese sandwich which was totally dried out and distorted to the point that denture impressions would be impossible.

It should be noted at the time investigators entered the apartment, it there was only one light on in the house, which was the bathroom. There is a switch at the doorway to turn any lights on in the living room area of the house, only the front porch. The nearest light switch to illuminate the kitchen or living room was located in the kitchen area near the stove.

Examination of the victim's body, revealed full rigor mortis and the victim had begun decomposition. The victim's left hand was beneath his stomach area with the fingers protruding in an upward position near his right side. The victim's right arm was lying in a pool of blood directly below the victim's head. Just slightly west of the victim's shoulder was a wooden handled short straight edge screwdriver which appeared to have blood on the handle.

On top of the victim's shirt and hair was sugar scattered from the head down to the waistline. An empty bag of sugar was found underneath the nightstand just north of the victim with some sugar spread on the floor. The victim's shirt was noticed ripped at the scene near the left underarm area and around his neck was a black electrical cord, 3 prong type with the ground prong bent backward indicating that the cord possibly was jerked from a wall plug. The end wires of this electrical cord appear to have been stripped apart but the wiring itself did not appear to have been jerked from its original appliance. This cord was of heavy gauge, similar to a refrigerator or other kitchen appliance cord. The cord itself was wrapped around the victim's neck with the end lying on the floor with no obvious tie or knot. Examination of the victim's neck backside, I noticed several small puncture wounds and bruising consistent with the screwdriver blade. These injuries do not appear to be deep. On the victim's back, it was noticed a small scratch starting about the left shoulder blade extending down to the center of the back. This injury did not appear to be deep and only a small amount of blood was noticed near the shoulder blade.

TYPE OF REPORT
HOMICIDE

VICTIM
DYER, CHESTER

OFFICER
FUG #1660

DR #
89-186504

Prior to turning the victim over, photographs were taken of his original position and all obvious signs of evidence and injuries that were noted. Examination of the victim's hands, several hairs were found on the fingers stuck in blood. These hairs were removed and secured for later analysis.

On the victim's left hand, little finger, between the tip and second joint, two injuries were noticed which were consistent or similar to a bite. Inside palm of the victim's left hand was blood splattering and smears down to and including the wrist area.

An examination of the victim's head, I noticed what appeared to be injuries, possibly stab wounds at the forehead and over the right eye. Several abrasions were noticed on the elbows, both right and left. An examination of the victim's chin area and neck area in the center near midline was a bruise and abrasion where the electrical cord had been secured around the victim's neck. It should be noted that the electrical cord as earlier mentioned not in fact tied in any type of knot and it is believed that the victim was strangled from the rear, possibly while lying on the bed. To the victim's left shoulder, blood smears were noted on the blanket and over the edge of the bed on the bottom portion of the mattress, indicating that the victim was alive for some period of time on the bed, possibly moving near the edge of his own strength or possibly during the struggle. Near the northwest corner of the bed was a drag mark which appeared to be at least 3 fingers dragging from east to west to the corner edge of the bed. Directly north of the victim's bed approximately 24 inches was a sole pattern on the tile floor in blood, not consistent with the victim's tennis shoes. Examination of the living room area of the apartment, other similar sole pattern designs were noted. Near the closet which is situated to the north end of the kitchen area was a large amount of sugar spilled on the floor with a very distinctive sole impression in the sugar which was later photographed and casts made of this impression for later analysis. The same sole pattern was found going towards the bathroom area on the tile floor but the entire sole was not observed. The pattern that was found was obviously the front portion of the shoe sole. This pattern was sprayed with a lacquer base coating and later removed in its original condition by taking the tile from the floor.

After photographing and casting the sole pattern in the sugar pattern, the name Addidas was noticed on the arch area of the sole. The victim's shoes on his bed were not at Addidas and no Addidas tennis shoes were found inside the victim's apartment. It should also be noted that the sole pattern that was photographed was of a larger size than the victim's shoes.

TYPE OF REPORT
HOMICIDE

VICTIM
DYER, CHESTER

OF CER
FUQUA #1660

DR #
89-186504

Examination of the apartment, it was noticed that the victim or other unidentified persons had prepared a bologna and cheese sandwich near the table which is situated against the east wall slightly north of the bed. Cheese wrappers were found on the table and a loaf of bread was noticed on the sink area. A jar of mayonnaise and knife were also found on the table, open with two stainless steel forks. On the sink in the kitchen, blood smears were noticed on the edge and on the faucets, especially on the cold knob. Other blood smears were noticed in the bathroom on the sink area but none observed on the faucet knobs themselves.

In the living area was a dresser, T.V., small table and an easy chair. The chair obviously had been moved from its original position which is believed to be against the north wall which adjoins the kitchen area. The dresser which was against the west wall of the living room was a 3 drawer light colored wood with the drawers pulled outward and contents strewn around the floor.

The window curtains were pulled, covering the window on the south wall of the apartment and upon examination of the curtains, there was blood found on the edges inside towards the window. There was some blood droplets on the outside of the curtain towards the bed. The curtains were removed and retained for future analysis.

It appeared that the victim and person/s unknown had been involved in a fight or scuffle prior to the victim being killed and it is believed that the other person/s possibly were injured because of the blood smears on the victim's pants and on the bed along with one droplet on the floor near the stove.

The closet located on the north wall of the apartment had been gone through with several items pulled out, lying on the floor near the sugar.

Several items were located in the apartment, including a male nude calendar and male nude posters, along with notes and letters which would indicate that the victim is in fact homosexual.

After photographs were taken, all items of evidenciary value were removed and impounded for scientific analysis. See diagram for locations of footprints and other items of evidence described in this report.

TYPE OF REPORT HOMICIDE		SUPPLEMENT # 12-26-8.	DR # 89-186504
VICTIM'S NAME DYER, CHESTER		LOCATION OF OCCURRENCE 2635 N. 16 STREET #4	
OFFICER WRITING REPORT'S # DET. FUQUA #1660		SUPPLEMENT # 89-186504.04A	
DATE & TIME TYPED JANUARY 2, 1990 3:03 PM	BUREAU GIB	CLERK A1724	

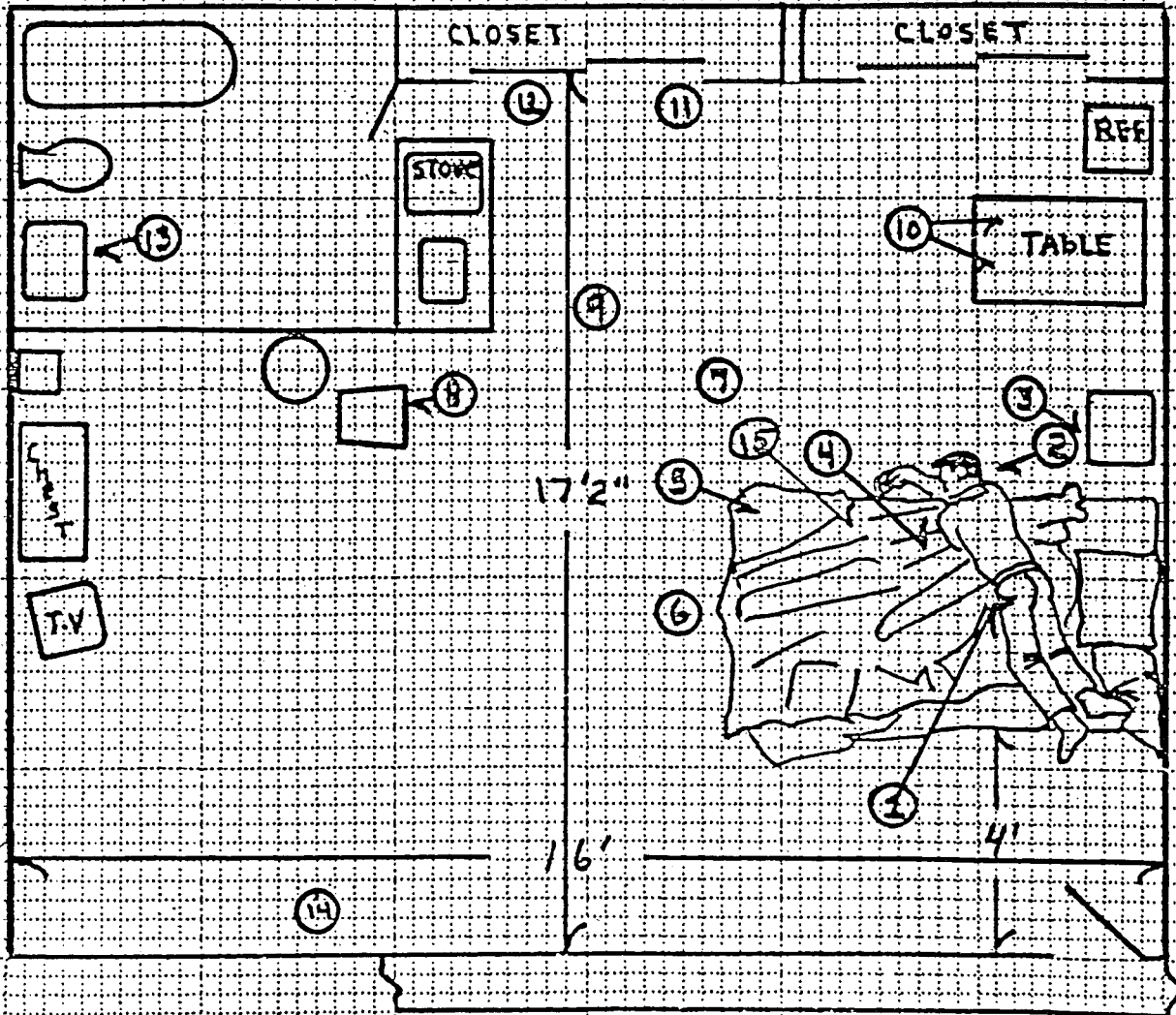
1. Victim: 4 feet 3 inches north and 9 inches west of door
2. Electrical cord: 34 inches west of east wall
3. Sugar bag
4. Wooden handle screwdriver on bed
5. Blood smear consistent with fingers
6. Christmas wrap and athletic bag
7. Footprint (partial)
8. Blue jacket with blood on sleeve
9. Footprint (partial)
10. Cheese wrapper and two forks
11. Footprint in sugar
12. Footprint in sugar (partial)
13. Blood smear on sink edge
14. Bicycle
15. Broken fingernail

CRIME SCENE
DIAGRAM

Home side
4. VICTIM'S NAME M NAME IF BUS.)
DYER, CHESTER

12-26-84 89-1865
11 LOCAT OF OCCURRENCE
263 N 16th #4

☐ MEASUREMENTS ARE APPROXIMATE AND NOT TO
☐ MEASUREMENTS ARE SCALED (SCALE = _____)



NAME AND NUMBER OF OFFICER WRITING REPORT

DET. R. FUGUA 1660

CITY OF PHOENIX, ARIZONA
POLICE DEPARTMENT

80-7DA
SUPPLEMENT

EXHIBIT R

DECLARATION OF CRIMINALIST

I, Marc Scott Taylor, declare as follows:

1. That I am a court-qualified expert in the fields of Criminalistics and DNA analysis, and that I have been appointed and have testified as an expert on both polymerase chain reaction (PCR) and restriction fragment length polymorphism (RFLP) based DNA analysis.
2. That I have been appointed by the courts of various jurisdictions in California and other states to consult on and/or perform PCR and RFLP DNA typing in criminal cases in excess of 2,500 times, and I have testified for both the defense and prosecution in many of these cases.
3. That I am the director of the forensic science laboratory of Technical Associates, Inc.
4. That we perform DNA analysis on a variety of forensic specimens, and that the results of our DNA profiling, my conclusions, and those of my staff have been accepted by courts in numerous jurisdictions in California and other states.
5. That I regularly attend forensic science meetings and stay abreast of the current literature in this field.
6. That my laboratory has performed extractions of DNA and PCR-based DNA typing on in excess of 25,000 samples.
7. That the systems currently used in my lab are the various PCR based Short Tandem Repeat (STR) multiplex systems including the AmpFISTR Identifiler, MiniFiler, Profiler Plus, and COfiler systems, including sex determination utilizing



- the Amelogenin gene, as well as Y-STR DNA analysis.
8. That our laboratory procedures require participation in periodic external proficiency tests to verify the accuracy of our DNA typing, and that these surveys have affirmed the validity of our procedures and the accuracy of our DNA typing results.
 9. That I developed the multiplex system that allows the co-amplification of the Amelogenin gene in a single reaction with the six Polymarker loci; that my laboratory has performed validation on this multiplex system; and that the manuscript describing this technique and its validation has been published by the peer reviewed *Journal of Forensic Sciences*, January 1997.
 10. That I have been certified as DNA Technical Leader/Technical Manager by unanimous decision of the Credentials Review Committee for the American Society of Crime Laboratory Directors (ASCLD).
 11. That in addition to this, I have presented numerous papers and posters at scientific meetings dealing with many of the techniques developed by my laboratory for DNA typing. That the techniques developed by my laboratory and myself have been adopted and are utilized in numerous laboratories across the United States.
 12. That I have implemented the systems in use for DNA analysis at Technical Associates, Inc., which include the development of new procedures for the extraction of DNA from certain specimen types to increase the quantity and quality of DNA isolated.

A handwritten signature in black ink, appearing to be 'MAG', enclosed within a hand-drawn oval.

13. That I have been retained by the Federal Public Defender's office in Arizona v. Jeffrey Landrigan, Case #05-1575, to provide expert assistance to defense counsel.
14. That a primary function of my laboratory is DNA testing and retesting in Criminal cases.
15. That in this case we were asked to examine and perform serological evaluation and DNA typing on several items of evidence collected from the scene of a murder which Jeffrey Landrigan was charged with committing.
16. That the items we were asked to examine under case number CR90-00066 were: the blue jeans that were worn by the victim when his body was discovered (Phoenix Police Department DR #89-186504, Item #22), the blue blanket on which the body was found (Phoenix Police Department DR #89-186504, Item #12) and a set of two curtains with blood stains from the apartment in which the victim was found (Phoenix Police Department DR #89-186504, Item #36).
17. That the curtains, Phoenix Police Department DR #89-186504, Item #36, were found to have multiple reddish-brown stains that appear to be blood and react positively with a presumptive test for blood. These stains are highly likely to be blood stains. Two of the apparent blood stains on curtain #1 appear to be blood spattered on the back side of this curtain. Curtain #2 contains a possible blood spatter on the front of the curtain and multiple smears on the front and back of this curtain. The two blood spatters from curtain #1, the



possible blood spatter from curtain #2 and one of the smears from the back and one from the front of curtain #2 were sampled for DNA analysis. All of these blood stains contained the same indistinguishable DNA profile and appear to have originated from the same male individual (designated Individual #1). Jeffery Landrigan is excluded as the source of the DNA detected in these samples.

18. That the blue blanket, Phoenix Police Department DR #89-186504, Item #12, was found to be dirty covered with numerous different stains and many hairs. Multiple semen stains (containing acid phosphatase and sperm cells) were located on the blanket. Three of these semen stains were sampled for DNA analysis. In addition, numerous apparent blood stains (appear to be blood and positive with a presumptive test for blood) were located on the blanket. Several large blood stains, inches across, were located and numerous smaller blood stains. Three of these blood stains were sampled for DNA analysis; one of the large stains and two smaller stains. The semen stains sampled all contained moderately high numbers of sperm cells while the blood stains sampled contained low numbers of sperm cells.
19. That all of the DNA detected in the large blood stain from the blanket appears to originate from one individual. This individual is designated Individual #2. Individual #2 cannot be excluded as the primary donor of the DNA detected in all three of the semen stains sampled from the blanket. Two additional weak alleles detected in the semen stains are inconclusive as to

their source. Jeffery Landrigan is excluded as the source of the DNA detected in these samples.

20. That the remaining two blood stains sampled from the blanket are mixtures of DNA from more than one individual. The non-sperm DNA fraction from sample 2826.03B originates from one primary donor. Individual #2 cannot be excluded as the source of this DNA. Individual #1 cannot be excluded as the source of the remaining low level DNA detected in this mixture. Neither individual #1 nor individual #2 can be excluded as a contributor of some of the DNA in the sperm cell DNA fraction from this sample. In addition to these two individuals at least one additional individual would have to be a source of some of the sperm cell DNA detected to account for the additional alleles detected. Jeffery Landrigan is excluded as the source of the DNA detected in this sample.
21. The non-sperm and sperm cell DNA detected in sample 2826.03D originated from one primary individual. Individual #1 cannot be excluded as the source of this DNA. Individual #2 cannot be excluded as the source of the remaining low level DNA detected in this mixture. A mixture of DNA from Individual #1 and Individual #2 can account for all of the DNA detected in this sample. Jeffery Landrigan is excluded as the source of the DNA detected in this sample.
22. That the blue jeans, Phoenix Police Department DR #89-186504, Item #22, were found to be worn and stained with numerous reddish-brown and yellow

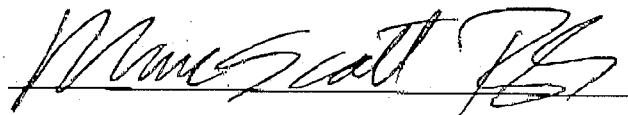
stains. Several semen stains (containing acid phosphatase and sperm cells) were located on the blue jeans. Three of these semen stains were sampled for DNA analysis. In addition, numerous apparent blood stains (appear to be blood and positive with a presumptive test for blood) were located on the blue jeans. One large blood stain, inches across, and numerous smaller blood stains were located on the blue jeans. Seven of these blood stains were sampled for DNA analysis; the large stain and six smaller stains. The semen stains sampled contained low to high numbers of sperm cells while some of the blood stains sampled also contained low numbers of sperm cells.

23. That the non-sperm and sperm cell DNA detected in all three semen stains appear to originate from one primary donor. Individual #2 cannot be excluded as the source of the semen detected in these stains. Additional low level peaks detected in the semen stains are inconclusive as to their source. Jeffery Landrigan is excluded as the source of the DNA detected in these samples.
24. That six of the seven blood stains sampled from the blue jeans appear to originate from one primary donor. Individual #2 cannot be excluded as the source of the DNA detected in these stains. Additional low level peaks detected in these stains are inconclusive as to their source. Jeffery Landrigan is excluded as the source of the DNA detected in these samples.
25. That the remaining blood stain sampled from the blue jeans appears to originate from one primary donor. Individual #2 cannot be excluded as the

primary source of the DNA detected in this stain. Individual #1 cannot be excluded as the source of the additional low level alleles detected in this sample. Jeffery Landrigan is excluded as the source of the DNA detected in these samples.

26. That Jeffery Landrigan is excluded as the source of any of the DNA detected in any of the samples tested in this case.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 20th day of October 2010, at Ventura, California.

A handwritten signature in black ink, appearing to read "Marc Scott Taylor", with a stylized flourish at the end.

Marc Scott Taylor, President

Technical Associates, Inc.

EXHIBIT S

1 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
2 IN AND FOR THE COUNTY OF MARICOPA

4 STATE OF ARIZONA,
5 Plaintiff,
6 vs.
7 JEFFREY TIMOTHY LANDRIGAN,
8 Defendant.

No. CR 90-00066
No. CR 90-0323-AP

RECEIVED
FEB 19 1961
HARVARD

Phoenix, Arizona
October 25, 1990

16 BEFORE: The Honorable CHERYL K. HENDRIX

REPORTER'S TRANSCRIPT OF PROCEEDINGS

24 Copy
25 Prepared for Appeal

By: Pauline Wood
Official Court Reporter

1 murder was premeditated or not, but the Court will
2 at least concede for the purpose of this hearing
3 that there was no evidence of premeditation and will
4 find that to be a mitigating circumstance.

5 Because the only theory of culpability the
6 jury was instructed on in this case was felony
7 murder or accomplice culpability, the Court must
8 determine whether the defendant was the actual killer
9 or only an accomplice. If the defendant was not the
10 actual killer but only an accomplice to the felony
11 that led to the killing or an accomplice to the
12 act of killing, the Court may impose death only if
13 it finds that the defendant attempted to kill -- or
14 intended to kill or that the defendant was a major
15 participant in the act which led to the killing and
16 the defendant exhibited a reckless indifference to
17 human life. The Court finds from the evidence introduced
18 at trial, the evidence at the sentencing hearing
19 and the entire case, and with particular regard the
20 Court would point to the testimony of Cheryl Smith
21 that she had a conversation with the defendant when
22 he indicated that he murdered someone, the Court finds
23 that the defendant was the actual killer, that he
24 intended to kill the victim and was a major participant
25 in the act. Although the evidence shows that another

1 person may have been present, the Court finds that
2 the blood spatters on the tennis shoes of the defendant
3 demonstrate that he was the killer in this case.

4 After weighing and considering the aggravating
5 circumstances that the defendant had two prior
6 felony convictions involving the use of violence on
7 another person and committed the offense with the
8 expectation of pecuniary gain, and considering the
9 mitigating circumstances of love of family, love of
10 his family for him -- I believe I found one other
11 mitigating circumstance.

12 Mr. Farrell, could you refresh my recollection?

13 MR. FARRELL: I believe the Court has advised that
14 since there was no premeditation --

15 THE COURT: -- and no premeditation -- thank you
16 very much -- existed.

17 After weighing and considering these, I
18 find that the mitigating circumstances do not outweigh
19 the aggravating circumstances.

20 I'm also required to consider the nature
21 of the person and the nature of the offense involved.
22 I find the nature of the murder in this case is really
23 not out of the ordinary when one considers first degree
24 murder, but I do find that Mr. Landrigan appears to be
25 somewhat of an exceptional human being. It appears that