

SUPPLEMENTAL CLERK'S RECORD

**RECEIVED IN
COURT OF CRIMINAL APPEALS**

FEB 24 2015

Abel Acosta, Clerk

VOLUME 1 of 1

Trial Court Cause No. 8701

Court of Appeals No. AP-77,054

In the 21st District Court

of Bastrop County, Texas,

Honorable DOUG SHAVER, Judge Presiding

**FILED IN
COURT OF CRIMINAL APPEALS**

FEB 24 2015

Abel Acosta, Clerk

THE STATE OF TEXAS, Plaintiff(s)

vs.

RODNEY RODELL REED, Defendant(s)

Appealed to the

COURT OF CRIMINAL APPEALS of Texas, at Austin, Texas

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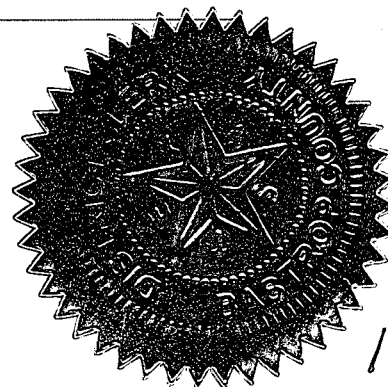
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Name of clerk preparing the clerk's record: Etta Wiley



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SUPPLEMENTAL CLERK'S RECORD

TRIAL COURT CAUSE # 8,701

COURT OF APPEALS NO. # AP-77,054

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C A P T I O N

THE STATE OF TEXAS

COUNTY OF BASTROP

In the **21st Judicial District Court** of Bastrop County, Texas, the Honorable **Doug Shaver**, Judge Presiding, The following proceedings were held and the following instruments and other papers were filed in this cause, to-wit:

Trial Court Cause No. **8701**

STATE OF TEXAS

Vs

RODNEY RODELL REED

*

*

*

IN THE 21ST JUDICIAL

DISTRICT COURT

BASTROP COUNTY, TEXAS

Cause No. 8701

STATE OF TEXAS	§	IN THE 21ST DISTRICT COURT
	§	
v.	§	OF
	§	
RODNEY REED	§	BASTROP COUNTY, TEXAS

STATE'S ADVISORY REGARDING DNA TESTING

Rodney Reed was convicted of capital murder and sentenced to death in March 1998 for the abduction, rape, and strangulation death of Stacey Stites. At trial, Reed retained a DNA expert and was given unfettered access to DNA test any evidence he saw fit. Almost fourteen years later, and after his federal and state remedies were functionally exhausted, Reed asked for additional DNA testing. Despite this massive delay, Reed and the State reached an agreement to re-test certain known biological material that had not been subjected to contamination via the Garland Crime Laboratory of the Texas Department of Public Safety. Initial reports were issued in December 2014 and follow-up reports were issued in February 2015. The State submits this advisory to update the Court on the results.

I. Agreed Testing

On July 14, 2014, this Court entered an order memorializing an agreement between Reed and the State to conduct DNA testing of specified biological material—swabs taken from Stites's vaginal and rectal cavities and from her breasts; cuttings taken from her panties; and four hairs recovered

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DATE 7/20/15
Sarah Woods
District Clerk, Bastrop County

4

from her body. Agreed Order 1-5, (21st Dist. Ct., Bastrop County, Tex. July 14, 2014). The State also agreed to test oral swabs collected from Stites; several sperm search slides; and multiple extracts from stains found on Stites's back brace and pants. Further, the State agreed to run all unknown, suitable fingerprints through the Automated Fingerprint Identification System (AFIS).

II. Factual Background

Stacey Stites was scheduled to work a 3:30 a.m. shift on April 23, 1996, at the HEB grocery store in Bastrop, Texas. When she did not show, calls were made alerting friends, family, and law enforcement about her disappearance. The truck she was driving was spotted at the Bastrop High School at 5:23 a.m. and half the murder weapon—Stites's own belt—was discovered outside the truck. Stites's partially nude body was eventually discovered around 3:00 p.m. off a rural road in Bastrop County, Texas.

Various DPS analysts processed the crime scene. Stites was clad in her work attire—blue pants and a knee brace—and her nametag was found by her body. From Stites's appearance, it was evident that she had been raped—her shirt was off, her pants zipper was broken, and her panties were bunched around her hips. Various swabs were taken from her vaginal cavity and her breasts, hairs were collected from her body, and other evidence was gathered from the scene, including the second half of the murder weapon off the side of the road. Chemical tests showed the presence of sperm on the vaginal swabs.

Later that night, at around 11:00 p.m., a sperm search slide was created and morphologically intact sperm were noted. The next day, at around 2:00 p.m., an autopsy was performed. The medical examiner took oral, vaginal, and rectal swabs. He, too, created sperm search slides and he, too, discovered fully intact sperm on the vaginal slides and what he thought were parts of sperm on the rectal slides. The medical examiner found that the cause of death was asphyxia due to ligature strangulation during a sexual assault (this was because Stites's anus was dilated and bore peri-mortem injuries).

Law enforcement investigated Stites's murder for almost a year before looking at Reed. Reed became a suspect because he committed an almost factually identical crime about six months after Stites's murder—he abducted Linda Schlueter close in time and place to the disappearance of Stites and he threatened to murder Schlueter when she rebuffed his attempts to rape her. Law enforcement asked DPS if they had known reference samples for Reed on file; they did because Reed previously raped an intellectually disabled woman, Caroline Rivas. Comparison of Reed's genetic profile to the swabs taken from Stites provided probable cause to suspect Reed.

Reed was interviewed about his knowledge of Stites. Reed denied knowing her personally and claimed he knew about the case only from media reports. Pursuant to a search warrant, additional genetic material was gathered from Reed. DNA tests showed that Reed could not be excluded from

any of the swabs, and that one would only expect 1 in 24 to 130 billion people to have the foreign genetic profile discovered on and inside of Stites. In other words, Reed was the only living person—with the possible exception of being a twin—to possess the genetic profile found on and inside Stites. Reed was found guilty of capital murder.

III. Current Test Results

A. Preliminary and Fingerprint Analysis

Presumptive testing for semen was positive on three vaginal swabs and on several vaginal swab sticks. "Spermatozoa, semen specific constituents, were detected" on the various vaginal, rectal, and "crotch" sperm-search slides. A hair found on the packaging containing a vaginal swab was determined to be an animal hair fragment unsuitable for comparison. All unknown and AFIS-suitable prints developed as part of the Stites murder investigation were run through AFIS "with negative results."

B. STR Testing

Differential extraction was utilized on many of the samples—the extraction of DNA from different types of cells, namely, epithelial and spermatozoa. The epithelial fractions were analyzed using Short Tandem Repeat (STR) Polymerase Chain Reaction (PCR) testing and DPS developed full or partial profiles from the vaginal and rectal swabs and from the vaginal and oral swab sticks that were consistent with the DNA profile of Stites. The

STR-PCR-derived epithelial DNA from stains or their extracts on Stites's panties, her pants (item #16), and her back brace (item #46) were consistent with Stites's DNA profile to a degree of 1 in 46.15 quintillion for Caucasians (and 1 in 6.447 sextillion for Blacks and 1 in 802.6 quadrillion for Hispanics); specifically, "[t]o a reasonable degree of scientific certainty, the victim [Stites] is the source."

The STR-PCR-derived sperm fraction DNA identified an unknown male profile on one vaginal swab and Stites's panties, and the profiles were consistent with each other. When compared with a recently-obtained reference sample from Reed, he could not be excluded from the sperm-fraction-DNA-profile and only 1 in 3.176 sextillion for Blacks (and 1 in 69.4 sextillion for Caucasians and 1 in 63.05 for Hispanics) would be expected to share that profile; that is, "[t]o a reasonable degree of scientific certainty, Rodney Reed is the source of the major component of this profile."

C. MiniFiler Testing

MiniFiler analysis was utilized for three extracts developed from the roots of three hairs found on Stites's body (hair #3 was found on Stites's left sock; hair #6 was found on her back near her bra; and hair #20 was found in Stites's pubic region). No usable profile was developed from any of the hairs.

D. Y-STR Testing

The sperm fractions from the following items were analyzed using STR testing on the Y-chromosome (Y-STR) and developed full or partial Y-STR profiles: the vaginal and rectal swabs, Stites's panties, the vaginal swab sticks, the DPS vaginal sperm-search slide, and extracts from Stites's back brace, her pants, and a breast swab. "The same Y-STR profile has been identified across several of the evidentiary samples."

Comparison of the Y-STR profiles against a recently-obtained reference sample from Reed shows he cannot be excluded from three vaginal swabs, a rectal swab, Stites's panties, vaginal-swab sticks, a vaginal sperm-search slide, and extracts of stains found on Stites's back brace (item #46), pants (item #16), and a breast swab (item #22).

IV. Analysis

Reed cannot deny that his semen was found in Stites's vagina and leaked onto her panties; the chance that someone else is the contributor is beyond the world's population using contemporary DNA testing. The question then is *why* was Reed's semen found in Stites's physically- and sexually-abused body? Reed unconvincingly claims a clandestine, consensual relationship, but that was rejected by the jury and every court to have considered it—without dissent (two state district-court judges, nine state appellate judges, one federal magistrate judge, one federal district-court judge, and three federal appellate judges).

And, if Reed persists with a consent defense, he must explain the rapes of Connie York, Lucy Eipper, twelve-year-old A.W., intellectually-disabled Caroline Rivas, Vivian Harbottle, and the attempted rape of Linda Schlueter. Many of these victims were Stites's age or very near (York, Eipper, Schlueter); many were abused in Bastrop (A.W., Rivas, Harbottle, and Schlueter; the latter two in extremely close proximity to Stites's work route); a couple were raped or abducted close in time to Stites's murder (Harbottle and Schlueter; the latter around 3:00 a.m.); many were subject to anal or attempted anal rape (York, Eipper, A.W., and Rivas); and all but one were subjected to physical violence in addition to rape or attempted rape (York, Eipper, A.W., Rivas, and Schlueter). Reed had a distinct pattern and practice of raping women, and it overwhelmingly negates his weak consent defense raised at trial or in his postconviction proceedings.

Reed has also attempted to cast doubt on the presence of sperm found in Stites's rectum. But recent analysis of the rectal sperm-search slide has confirmed the presence of spermatozoa and, again, Reed cannot be excluded from the DNA profile from the sperm fraction found in Stites's rectum. This simply strengthens the evidence already considered by the jury.

Further, this internally-consistent and consistent-with-Reed Y-STR profile is found on other evidence beyond what the jury knew. Indeed, they knew that Reed's genetic profile was consistent with profiles developed from

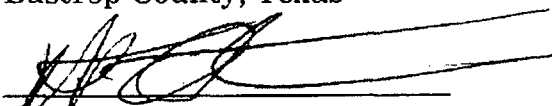
Stites's panties and the vaginal, rectal, and breast swabs taken from her body. Reed's DNA is now consistent with that found on Stites's pants and her back brace, which also include Stites's genetic profile; namely, there is a mixture of Stites's DNA and male DNA on Stites's pants and back brace from which Reed cannot be excluded. Essentially, Reed is now found on more pieces of evidence related to Stites's murder than ever before.

CONCLUSION

In sum, there is nothing exculpatory about any of these DNA reports and they confirm what the jury and the courts to have considered Reed's innocence claims have found—Rodney Reed is guilty of Stacey Stites's murder.

Respectfully submitted,

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Bastrop County, Texas



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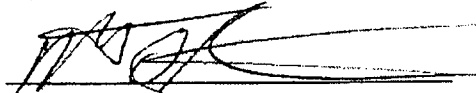
CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing pleading was served by placing same in the United States mail, postage prepaid, on this the 20th day of February, 2015, addressed to:

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MATTHEW OTTOWAY
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Exhibit A

TEXAS DEPARTMENT OF PUBLIC SAFETY



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RANDY WATSON

Laboratory Case Number: L-246937

Forensic Biology Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

02 - Small brown box on July 15, 2014 VIA FedEx 770598043424

Requested Analysis: Screen for biological evidence.

Items 01-01 through 01-12-AB and Items 2-01 through 2-04 were forwarded from the Austin DPS laboratory to the Garland DPS laboratory on July 17, 2014. Items 04-01-AA through 04-03-AH were forwarded from the Austin DPS laboratory to the Garland DPS laboratory on September 10, 2014. Please refer to previous DPS laboratory reports for original submission information.

Evidence Description, Results of Analysis and Interpretation:

01-01 : Vaginal swab from victim collected during investigation in paper fold
Presumptive testing for the presence of semen was positive.

01-02 : Vaginal swab from victim collected during investigation in paper fold
Presumptive testing for the presence of semen was positive.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold
Presumptive testing for the presence of semen was positive.

01-04 : Vaginal swab from victim collected during autopsy in paper fold
Presumptive testing for the presence of semen was negative.

01-05 : Rectal swab from victim in paper fold
Presumptive testing for the presence of semen was negative.

01-06 : Rectal swab envelope (empty packaging)

01-07 : Left breast swabs envelope (empty packaging)

01-08 : Right breast swabs envelope (empty packaging)

01-09-AA : Left breast swab from victim in tube
Presumptive testing for the presence of semen was negative.

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01-09-AB : Right breast swab from victim in tube

Presumptive testing for the presence of semen was negative.

01-10 : Stain from victim's blue panties in coin envelope

Presumptive testing for the presence of semen was negative.

01-11 : Known blood specimen from victim in coin envelope

A portion of this item was collected to be used as a reference.

01-12-AA : Known saliva specimen from suspect Rodney Reed in paper fold

No analysis.

01-12-AB : Known blood specimen from suspect Rodney Reed in coin envelope

No analysis.

02 : Small brown box**02-01-AA : Vaginal swab sticks in film canister**

Presumptive testing for the presence of semen was positive.

02-01-AB : Rectal swab sticks in film canister

Presumptive testing for the presence of semen was negative.

02-01-AC : Oral swab sticks in film canister

Presumptive testing for the presence of semen was negative.

02-02 : Vaginal swab slide from crime scene in slide holder

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-03 : Hair from left ankle of victim envelope (empty packaging)**02-04 : Hair from back of left leg of victim envelope (empty packaging)****02-05 : Hair from right back of victim envelope (empty packaging)****02-06-AA : Vaginal swab sticks in conical tube**

Presumptive testing for the presence of semen was positive on three of the vaginal swab sticks.

Presumptive testing for the presence of semen was negative on the remaining vaginal swab stick.

02-06-AB : Left breast swab sticks in conical tube

Presumptive testing for the presence of semen was negative.

02-06-AC : Right breast swab sticks in conical tube

Presumptive testing for the presence of semen was negative.

02-07-AA : Vaginal swab (ME) sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-07-AB : Crotch sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-07-AC : Vaginal swab (investigation) sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-07-AD : Rectal swab sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

04-01-AA : Austin DPS DNA extract for #20 hair-root in tube

This item was retained for possible DNA analysis.

04-01-AB : Austin DPS DNA extract for #20 hair-shaft in tube

This item was retained for possible DNA analysis.

04-02-AA : Austin DPS Reagent Blank in tube

This item was retained for possible DNA analysis.

04-02-AB : Austin DPS Reagent Blank in tube

This item was retained for possible DNA analysis.

04-02-AC : Austin DPS Reagent Blank in tube

This item was retained for possible DNA analysis.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

This item was retained for possible DNA analysis.

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

This item was retained for possible DNA analysis.

04-03-AC : Austin DPS DNA extract for #46 control in tube

This item was retained for possible DNA analysis.

04-03-AD : Austin DPS DNA extract for #46 control, 1:10 dilution in tube

This item was retained for possible DNA analysis.

04-03-AE : Austin DPS DNA extract for #16 stain #1 in tube

This item was retained for possible DNA analysis.

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

This item was retained for possible DNA analysis.

04-03-AG : Austin DPS DNA extract for #22 in tube

This item was retained for possible DNA analysis.

04-03-AH : Austin DPS reagent blank in tube

This item was retained for possible DNA analysis.

2-01 : Apparent hair (I #4) from back of left leg of victim on slide

No analysis.

2-02 : Apparent hair (I #6) from right back of victim on slide

No analysis.

2-03 : Apparent hair (I #20) from victim's pubic area in plastic tube

No analysis.

2-04 : Apparent hair (I #3) from left ankle of victim on slide

No analysis.

Disposition:

DNA analysis may be performed on selected stains from this case. A separate report will be issued upon completion of this analysis.

The vaginal swabs (Ex. 01-01, 01-02, 01-03, and 01-04), rectal swabs, left breast swab, right breast swab, stain from the blue panties, vaginal swab sticks (Ex. 02-01-AA and 02-06-AA), rectal swab sticks, oral swab sticks, left breast swab sticks, right breast swab sticks, swabbings of slides (Ex. 02-02, 02-07-AA, 02-07-AB, 02-07-AC, and 02-07-AD), Austin DPS DNA extracts (Ex. 04-01-AA thru 04-03-AH), and known blood specimen from the victim will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

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This report has been electronically prepared and approved by:

Amber Moss

Forensic Scientist

Texas DPS Garland Crime Laboratory

Exhibit B

TEXAS DEPARTMENT OF PUBLIC SAFETY



STEVEN C. McCRAW
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STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937

Supplemental Trace Analysis Laboratory Report

Issue Date: October 29, 2014

Gerald Clough
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Analyze for and examine trace evidence.

This is a supplemental report. Please refer to previous DPS laboratory reports for details of prior analysis. The vaginal swab from the victim collected during autopsy (Ex 01-03) was previously submitted to the Austin DPS laboratory on April 26, 1996. This item was forwarded to the Garland DPS laboratory on July 17, 2014.

Evidence Description, Results of Analysis and Interpretation:

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

An animal hair fragment recovered from the vaginal swabs from the victim is unsuitable for comparison. No other hairs were recovered.

Disposition:

We are unable to retain the evidence. Please make arrangements to pick up this evidence at your earliest convenience.

This report has been electronically prepared and approved by:

John Witkowski
Forensic Scientist
Texas DPS Garland Crime Laboratory

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Categories of Association Addendum**Texas Department of Public Safety - Trace Evidence Analysis**

If no category of association is provided in the attached report, please disregard this addendum.

In the sub-disciplines of trace evidence that TXDPS examines, a statistical assessment of significance is not possible. The following categories of association are meant to provide context to the level of opinions reached in the report. For example, a Category 2 association is a more significant association than a Category 3 association.

CATEGORY 1

Source Identity/Source Attribution - The compared samples exhibit characteristics demonstrating that the items were once part of the same object. Alternatively, the sample is positively identified.

CATEGORY 2

Associations of Class Characteristics - Class characteristics are general characteristics that apply to a group of items. Associations of this category mean items could not be differentiated based on observed, measured, and/or chemical properties and therefore can not be eliminated as having come from the same source. There are varying degrees of associations within this category depending on the number of items a particular class characteristic can include. It should be noted that associations within this category can not definitively establish that the items came from the same source.

CATEGORY 2A

Association with distinct characteristics - The items share distinct characteristic(s) that would not be expected to be encountered in the general population.

CATEGORY 2B

Association with conventional characteristics - The items share characteristics that have been manufactured or occur in nature and would be indistinguishable from the submitted evidence. Other items which share these properties may be available in the general population.

CATEGORY 2C

Association with limited characteristics/examinations - The items share characteristics that are common amongst these kinds of natural or manufactured materials and would be indistinguishable from the submitted evidence. Alternatively, a limited analysis was performed or minor variations were observed due to characteristics or size of the items.

CATEGORY 3

Inconclusive - The observed, physical, and/or chemical properties do not provide enough information to associate or eliminate the compared samples.

CATEGORY 4

Dissimilar/Non-Association - Items are dissimilar in observed, physical, and/or chemical properties indicating they did not originate from the same source. However, the compared items share enough general characteristics that, due to reasonable variations in the source, the source itself cannot be associated or eliminated based on the specimen received.

CATEGORY 5

Elimination/Exclusion - The items are dissimilar in observed, physical, and/or chemical properties demonstrating they did not originate from the same source.

Exhibit C



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RANDY WATSON

Laboratory Case Number: L-246937

DNA Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic DNA analysis.

Please refer to the Forensic Biology Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

Portions of the items were extracted by a method which yields DNA.

When necessary, the items were extracted by a two step method which first recovers DNA from non-sperm cells (epithelial cell fraction) and then recovers DNA from sperm cells (sperm cell fraction).

The DNA isolated was analyzed using STR (Short Tandem Repeat) PCR (Polymerase Chain Reaction) analysis. The following loci were examined: D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, Amelogenin, D5S818, and FGA.

01-01 : Vaginal swab from victim collected during investigation in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with a mixture from the victim and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The DNA profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

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The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-04 : Vaginal swab from victim collected during autopsy in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-05 : Rectal swab from victim in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-10 : Stain from victim's blue panties in coin envelope

The DNA profile from the sperm fraction is consistent with the same unknown male individual.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

01-11-AA : Portion of known blood specimen from victim

The DNA profile was used for comparison purposes.

02-01-AA : Vaginal swab sticks in film canister

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

02-01-AC : Oral swab sticks in film canister

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with a mixture from the victim and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

04-03-AE : Austin DPS DNA extract for #16 stain #1 in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15

quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

Investigative Leads and Requirements for Further Analysis:

The male DNA profile from the sperm fraction of the vaginal swab (Ex. 01-02) has been entered into the Combined DNA Index System (CODIS).

Disposition:

Y-STR (male-specific) DNA analysis will be performed on selected stains from this case. A separate report will be issued upon completion of that analysis.

The vaginal swabs (Ex. 01-01, 01-02, and 01-04), rectal swab, and stain from the panties were depleted during analysis. The remaining DNA extracts for these samples and remaining samples of the vaginal swabs (Ex. 01-03), vaginal swab sticks, oral swab sticks, Austin DPS DNA extracts (Ex. 04-03-AA, 04-03-AB, 04-03-AE, and 04-03-AF), and portion of the known blood specimen from the victim will continue to be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

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Exhibit D



STEVEN C. McCRAW
DIRECTOR
DAVID G. BAKER
ROBERT J. BODISCH, SR.
DEPUTY DIRECTORS

TEXAS DEPARTMENT OF PUBLIC SAFETY

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COMMISSION
A. CYNTHIA LEON, CHAIR
MANNY FLORES
FAITH JOHNSON
STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937

Minifiler Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic Minifiler DNA analysis.

Please refer to the Forensic Biology Laboratory Report dated December 16, 2014 and the DNA Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

04-01-AA : Austin DPS DNA extract for #20 hair-root in tube

Due to a quality event, no comparisons will be made to this partial DNA profile.

Disposition:

The remaining sample of the DNA extract for #20 hair root will continue to be retained frozen to preserve the biological constituents.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

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Exhibit E



STEVEN C. McCRAW
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DAVID G. BAKER
ROBERT J. BODISCH, SR.
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COMMISSION
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STEVEN P. MACH
RANDY WAYSON

Laboratory Case Number: L-246937

YSTR Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic Y-STR DNA analysis.

Perform DNA analysis on the items submitted pursuant to Cause Number 8701 in the 21st District Court of Bastrop County, Texas.

Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Report dated December 16, 2014, and the Minifiler Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was analyzed using Y-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were examined: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, YGATA H4, DYS437, DYS438, and DYS448.

01-01 : Vaginal swab from victim collected during investigation in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The Y-STR profile from the epithelial fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

The Y-STR profile from the sperm fraction is consistent with an unknown male individual.

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The Y-STR profile from the epithelial fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-04 : Vaginal swab from victim collected during autopsy in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-05 : Rectal swab from victim in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-09-AA : Left breast swab from victim in tube

No Y-STR profile was obtained from the sperm fraction.

No interpretable Y-STR profile was obtained from the epithelial fraction.

01-09-AB : Right breast swab from victim in tube

No Y-STR profile was obtained from the sperm fraction.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-10 : Stain from victim's blue panties in coin envelope

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

02-01-AA : Vaginal swab sticks in film canister

The Y-STR profile from the sperm fraction is consistent with an unknown male individual.

No interpretable Y-STR profile was obtained from the epithelial fraction.

02-01-AB : Rectal swab sticks in film canister

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-01-AC : Oral swab sticks in film canister

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-02-AA : Swabbing of vaginal swab slide

The partial Y-STR profile from the sperm fraction is consistent with an unknown male individual.

No interpretable Y-STR profile was obtained from the epithelial fraction.

02-06-AA : Vaginal swab sticks in conical tube

No interpretable Y-STR profile was obtained from the sperm fraction.

No Y-STR profile was obtained from the epithelial fraction.

02-06-AB : Left breast swab sticks in conical tube

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-06-AC : Right breast swab sticks in conical tube

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AA-01 : Swabbing of vaginal swab (ME) sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AB-01 : Swabbing of crotch sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AC-01 : Swabbing of vaginal swab (Investigation) sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AD-01 : Swabbing of rectal swab sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

The Y-STR profile is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

The Y-STR profile is consistent with an indistinguishable mixture. Therefore, this mixture profile will be used for exclusionary purposes only.

04-03-AE : Austin DPS DNA extract for #16 stain #1 in tube

No Y-STR profile was obtained.

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

The Y-STR profile is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

04-03-AG : Austin DPS DNA extract for #22 in tube

The partial Y-STR profile is consistent with an unknown male individual.

The same Y-STR profile has been identified across several of the evidentiary samples. This profile has been designated as "an unknown male individual".

Investigative Leads and Requirements for Further Analysis:

A Y-STR profile from the sperm fraction of the vaginal swab (Ex. 01-02) has been entered into the Combined DNA Index System (CODIS).

For comparison purposes, please submit known specimens from the suspect(s) and any recent consensual sexual partner of the victim. Contact the laboratory for instructions on the proper collection method for additional evidence.

Disposition:

The left and right breast swabs (Ex. 01-09-AA and 01-09-AB) and the swabbings of the slides (Ex. 02-02-AA, 02-07-AA-01, 02-07-AB-01, 02-07-AC-01, and 02-07-AD-01) were depleted during analysis. The remaining DNA extracts for these samples will be retained frozen to preserve the biological constituents. The Austin DPS DNA extracts (Ex. 04-03-AE and 04-03-AG) were depleted during analysis. The remaining amplified product for these samples will be retained frozen to preserve the biological constituents. Remaining samples of the additional items analyzed for Y-STR testing will continue to be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

Exhibit F



STEVEN C. McCRAW
DIRECTOR
DAVID G. BAKER
ROBERT J. BODISCH, SR.
DEPUTY DIRECTORS

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COMMISSION
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STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937

Supplemental DNA Laboratory Report

Issue Date: February 10, 2015

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

11 - 9x12 FedEx envelope inside a white FedEx bag on December 29, 2014 VIA FedEx 772356653948

Requested Analysis: Perform forensic DNA analysis.

This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Report dated December 16, 2014, the Minifiler Laboratory Report dated December 16, 2014, and the Y-STR Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

Portions of the items were extracted by a method which yields DNA.

The DNA isolated was analyzed using STR (Short Tandem Repeat) PCR (Polymerase Chain Reaction) analysis. The following loci were examined: D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, Amelogenin, D5S818, and FGA.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The previously obtained DNA profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in this profile. The probability of selecting an unrelated person at random who could be the source of the major component in this profile is approximately 1 in 69.4 sextillion for Caucasians, 1 in 3.176 sextillion for Blacks, and 1 in 63.05 sextillion for Hispanics. To a reasonable degree of scientific certainty, Rodney Reed is the source of the major component of this profile (excluding identical twins). Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-10 : Stain from victim's blue panties in coin envelope

The previously obtained DNA profile from the sperm fraction is consistent with the DNA profile of Rodney Reed. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 69.4 sextillion for Caucasians, 1 in 3.176 sextillion for Blacks, and 1 in 63.05 sextillion for Hispanics. To a reasonable degree of scientific certainty, Rodney Reed is the source of this profile (excluding identical twins).

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1/2015 21-05-15

LABORATORY REPORT

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11 : 9x12 FedEx envelope inside a white FedEx bag

11-01 : Buccal swabs from Rodney Reed

Item was collected to be used as a reference. The DNA profile was used for comparison purposes.

Disposition:

Y-STR (male-specific) DNA analysis will be performed on the buccal swabs from Rodney Reed. A separate report will be issued upon completion of that analysis.

Remaining samples of the buccal swabs from Rodney Reed will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

Exhibit G

Exhibit H



STEVEN C. McCRAW
DIRECTOR
DAVID G. BAKER
ROBERT J. BODISCH, SR.
DEPUTY DIRECTORS

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RANDY WATSON

Laboratory Case Number: L-246937 Supplemental Minifiler Laboratory Report Issue Date: February 12, 2015

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNEL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)
Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

12 - Small brown box on December 29, 2014 VIA FedEx 772320622010

Requested Analysis: Perform forensic Minifiler DNA analysis.

This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Reports dated December 16, 2014 and February 10, 2015, the Minifiler Laboratory Report dated December 16, 2014, the Y-STR Laboratory Report dated December 16, 2014.

Perform a comparison to the DNA STR profiles previously obtained by the Austin DPS laboratory for David Hall and Ed Samela.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

12 : Small brown box

12-01 : Technical Associates DNA extract for 13B-R

No DNA profile was obtained.

12-02 : Technical Associates DNA extract for 13B-S

No DNA profile was obtained.

12-03 : Technical Associates DNA extract for 14B-R

The DNA profile is consistent with an unknown male individual. Rodney Reed, David Hall, and Ed Samela are excluded as a contributor of this profile.

12-04 : Technical Associates DNA extract for 14B-S

No interpretable DNA profile was obtained.

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12-05 : Technical Associates DNA extract for 97 (reagent blank)

No analysis.

Investigative Leads and Requirements for Further Analysis:

The DNA profile from the DNA extract for 14B-R (Ex. 12-03) has been entered into the Combined DNA Index System (CODIS).

For comparison purposes, please submit known specimens from any individuals for elimination or any additional suspect(s) when apprehended. Contact the laboratory for instructions on the proper collection method for additional evidence.

Disposition:

The DNA extracts (Ex. 12-01, 12-02, 12-03, and 12-04) were depleted during analysis. The remaining DNA amplification product for these samples and the DNA extract for 97 (reagent blank) will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

39

Exhibit I



STEVEN C. McCRAW
DIRECTOR
DAVID G. BAKER
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RANDY WATSON

Laboratory Case Number: L-246937

Supplemental YSTR Laboratory Report

Issue Date: February 13, 2015

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic Y-STR DNA analysis.

This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Reports dated December 16, 2014 and February 10, 2015, the Minifiler Laboratory Reports dated December 16, 2014 and February 12, 2015, the Y-STR Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was analyzed using Y-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were examined: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, YGATA H4, DYS437, DYS438, and DYS448.

01-01 : Vaginal swab from victim collected during investigation in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS385 a/b, DYS439, Y GATA H4, and DYS437. At these loci, the selected profile is found in 3 of 28,107 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The previously obtained Y-STR profiles from the sperm and epithelial fractions are consistent with a

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T-DPS 01 05.15

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major components in these male DNA profiles. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major components of these male DNA profiles. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor components.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with the Y-STR profile of Rodney Reed. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

The previously obtained Y-STR profile from the epithelial fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

01-04 : Vaginal swab from victim collected during autopsy in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, Y GATA H4, DYS437, DYS438, and DYS448. At these loci, the selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-05 : Rectal swab from victim in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS458, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, Y GATA H4, DYS437, DYS438, and DYS448. At these loci, the selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-09-AB : Right breast swab from victim in tube

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, Y GATA H4, DYS437, and DYS438. At these loci, the selected profile is found in 1 of 28,060 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-10 : Stain from victim's blue panties in coin envelope

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

02-01-AA : Vaginal swab sticks in film canister

The previously obtained Y-STR profile from the sperm fraction is consistent with the Y-STR profile of Rodney Reed. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

02-02-AA : Swabbing of vaginal swab slide

The previously obtained partial Y-STR profile from the sperm fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS458, DYS19, DYS385 a/b, DYS393, and DYS391. At these loci, the selected profile is found in 2 of 28,088 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

The previously obtained Y-STR profile is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

The previously obtained Y-STR profile is consistent with an indistinguishable mixture. Therefore, this mixture profile will be used for exclusionary purposes only. No conclusions will be drawn as to whether Rodney Reed could be a contributor to the Y-STR profile.

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

The previously obtained Y-STR profile is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of

data present above our analysis threshold, no comparisons will be made to the minor component.

04-03-AG : Austin DPS DNA extract for #22 in tube

The previously obtained partial Y-STR profile is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS635, DYS392, Y GATA H4, DYS437, DYS438, and DYS448. At these loci, the selected profile is found in 2 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

Disposition:

Remaining samples of the items analyzed will continue to be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

Exhibit J



STEVEN C. McCRAW
DIRECTOR
DAVID G. BAKER
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STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937

Amended Minifiler Laboratory Report

Issue Date: February 18, 2015

(Shaded or bordered areas indicate corrections from original report)

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

12 - Small brown box on December 29, 2014 VIA FedEx 772320622010

Requested Analysis: Conduct forensic examinations.

Corrected: This amended report serves as a replacement to the original Minifiler Laboratory Report dated February 12, 2015. Any shaded or bordered areas indicate corrections.

Original: This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Reports dated December 16, 2014 and February 10, 2015, the Minifiler Laboratory Report dated December 16, 2014, the Y-STR Laboratory Report dated December 16, 2014.

Perform a comparison to the DNA STR profiles previously obtained by the Austin DPS laboratory for David Hall and Ed Samela.

Corrected Evidence Description, Results of Analysis and Interpretation:

Portions of the items were extracted by a method which yields DNA.

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

12-03 : Technical Associates DNA extract for 14B-R

Due to a quality event, this partial DNA profile is not suitable for further comparisons.

Original Evidence Description, Results of Analysis and Interpretation:

46

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

12 : Small brown box

12-01 : Technical Associates DNA extract for 13B-R

No DNA profile was obtained.

12-02 : Technical Associates DNA extract for 13B-S

No DNA profile was obtained.

12-03 : Technical Associates DNA extract for 14B-R

The DNA profile is consistent with an unknown male individual. Rodney Reed, David Hall, and Ed Samela are excluded as a contributor of this profile.

12-04 : Technical Associates DNA extract for 14B-S

No interpretable DNA profile was obtained.

12-05 : Technical Associates DNA extract for 97 (reagent blank)

No analysis.

Corrected Investigative Leads and Requirements for Further Analysis:

The partial DNA profile from the DNA extract for 14B-R (Ex. 12-03) previously entered into the Combined DNA Index System (CODIS) has been determined to be ineligible for entry and therefore has been deleted from the database.

Original Investigative Leads and Requirements for Further Analysis:

The DNA profile from the DNA extract for 14B-R (Ex. 12-03) has been entered into the Combined DNA Index System (CODIS).

For comparison purposes, please submit known specimens from any individuals for elimination or any additional suspect(s) when apprehended. Contact the laboratory for instructions on the proper collection method for additional evidence.

Original Disposition:

The DNA extracts (Ex. 12-01, 12-02, 12-03, and 12-04) were depleted during analysis. The remaining DNA amplification product for these samples and the DNA extract for 97 (reagent blank) will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

47

Cause No. 8701

STATE OF TEXAS	§	IN THE 21ST DISTRICT COURT
	§	
v.	§	OF
	§	
RODNEY REED	§	BASTROP COUNTY, TEXAS

STATE'S AMENDED ADVISORY REGARDING DNA TESTING

Rodney Reed was convicted of capital murder and sentenced to death in March 1998 for the abduction, rape, and strangulation death of Stacey Stites. At trial, Reed retained a DNA expert and was given unfettered access to DNA test any evidence he saw fit. Almost fourteen years later, and after his federal and state remedies were functionally exhausted, Reed asked for additional DNA testing. Despite this massive delay, Reed and the State reached an agreement to re-test certain known biological material that had not been subjected to contamination via the Garland Crime Laboratory of the Texas Department of Public Safety. Initial reports were issued in December 2014 and follow-up reports were issued in February 2015. The State submits this advisory to update the Court on the results.

I. Agreed Testing

On July 14, 2014, this Court entered an order memorializing an agreement between Reed and the State to conduct DNA testing of specified biological material—swabs taken from Stites's vaginal and rectal cavities and from her breasts; cuttings taken from her panties; and four hairs recovered

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DATE 7/20/15
Sarah [Signature]
District Clerk, Bastrop County
48

from her body. Agreed Order 1-5, (21st Dist. Ct., Bastrop County, Tex. July 14, 2014). The State also agreed to test oral swabs collected from Stites; several sperm search slides; and multiple extracts from stains found on Stites's back brace and pants. Further, the State agreed to run all unknown, suitable fingerprints through the Automated Fingerprint Identification System (AFIS).

II. Factual Background

Stacey Stites was scheduled to work a 3:30 a.m. shift on April 23, 1996, at the HEB grocery store in Bastrop, Texas. When she did not show, calls were made alerting friends, family, and law enforcement about her disappearance. The truck she was driving was spotted at the Bastrop High School at 5:23 a.m. and half the murder weapon—Stites's own belt—was discovered outside the truck. Stites's partially nude body was eventually discovered around 3:00 p.m. off a rural road in Bastrop County, Texas.

Various DPS analysts processed the crime scene. Stites was clad in her work attire—blue pants and a knee brace—and her nametag was found by her body. From Stites's appearance, it was evident that she had been raped—her shirt was off, her pants zipper was broken, and her panties were bunched around her hips. Various swabs were taken from her vaginal cavity and her breasts, hairs were collected from her body, and other evidence was gathered from the scene, including the second half of the murder weapon off the side of the road. Chemical tests showed the presence of sperm on the vaginal swabs.

Later that night, at around 11:00 p.m., a sperm search slide was created and morphologically intact sperm were noted. The next day, at around 2:00 p.m., an autopsy was performed. The medical examiner took oral, vaginal, and rectal swabs. He, too, created sperm search slides and he, too, discovered fully intact sperm on the vaginal slides and what he thought were parts of sperm on the rectal slides. The medical examiner found that the cause of death was asphyxia due to ligature strangulation during a sexual assault (this was because Stites's anus was dilated and bore peri-mortem injuries).

Law enforcement investigated Stites's murder for almost a year before looking at Reed. Reed became a suspect because he committed an almost factually identical crime about six months after Stites's murder—he abducted Linda Schlueter close in time and place to the disappearance of Stites and he threatened to murder Schlueter when she rebuffed his attempts to rape her. Law enforcement asked DPS if they had known reference samples for Reed on file; they did because Reed previously raped an intellectually disabled woman, Caroline Rivas. Comparison of Reed's genetic profile to the swabs taken from Stites provided probable cause to suspect Reed.

Reed was interviewed about his knowledge of Stites. Reed denied knowing her personally and claimed he knew about the case only from media reports. Pursuant to a search warrant, additional genetic material was gathered from Reed. DNA tests showed that Reed could not be excluded from

any of the swabs, and that one would only expect 1 in 24 to 130 billion people to have the foreign genetic profile discovered on and inside of Stites. In other words, Reed was the only living person—with the possible exception of being a twin—to possess the genetic profile found on and inside Stites. Reed was found guilty of capital murder.

III. Current Test Results

A. Preliminary and Fingerprint Analysis

Presumptive testing for semen was positive on three vaginal swabs and on several vaginal swab sticks. "Spermatozoa, semen specific constituents, were detected" on the various vaginal, rectal, and "crotch" sperm-search slides. A hair found on the packaging containing a vaginal swab was determined to be an animal hair fragment unsuitable for comparison. All unknown and AFIS-suitable prints developed as part of the Stites murder investigation were run through AFIS "with negative results."

B. STR Testing

Differential extraction was utilized on many of the samples—the extraction of DNA from different types of cells, namely, epithelial and spermatozoa. The epithelial fractions were analyzed using Short Tandem Repeat (STR) Polymerase Chain Reaction (PCR) testing and DPS developed full or partial profiles from the vaginal and rectal swabs and from the vaginal and oral swab sticks that were consistent with the DNA profile of Stites. The

STR-PCR-derived epithelial DNA from stains or their extracts on Stites's panties, her pants (item #16), and her back brace (item #46) were consistent with Stites's DNA profile to a degree of 1 in 46.15 quintillion for Caucasians (and 1 in 6.447 sextillion for Blacks and 1 in 802.6 quadrillion for Hispanics); specifically, "[t]o a reasonable degree of scientific certainty, the victim [Stites] is the source."

The STR-PCR-derived sperm fraction DNA identified an unknown male profile on one vaginal swab and Stites's panties, and the profiles were consistent with each other. When compared with a recently-obtained reference sample from Reed, he could not be excluded from the sperm-fraction-DNA-profile and only 1 in 3.176 sextillion for Blacks (and 1 in 69.4 sextillion for Caucasians and 1 in 63.05 for Hispanics) would be expected to share that profile; that is, "[t]o a reasonable degree of scientific certainty, Rodney Reed is the source of the major component of this profile."

C. MiniFiler Testing

MiniFiler analysis was utilized for three extracts developed from the roots of three hairs found on Stites's body (hair #3 was found on Stites's left sock; hair #6 was found on her back near her bra; and hair #20 was found in Stites's pubic region). No usable profile was developed from any of the hairs.

D. Y-STR Testing

Sperm fractions from the following items were analyzed using STR testing on the Y-chromosome (Y-STR) and developed full or partial Y-STR profiles: the vaginal and rectal swabs, Stites's panties, the vaginal swab sticks, the DPS vaginal sperm-search slide, and non-sperm-fraction extracts from Stites's back brace, her pants, and a breast swab. "The same Y-STR profile has been identified across several of the evidentiary samples."

Comparison of the Y-STR profiles against a recently-obtained reference sample from Reed shows he cannot be excluded from three vaginal swabs, a rectal swab, Stites's panties, vaginal-swab sticks, a vaginal sperm-search slide, and extracts of stains found on Stites's back brace (item #46), pants (item #16), and a breast swab (item #22).

IV. Analysis

Reed cannot deny that his semen was found in Stites's vagina and leaked onto her panties; the chance that someone else is the contributor is beyond the world's population using contemporary DNA testing. The question then is *why* was Reed's semen found in Stites's physically- and sexually-abused body? Reed unconvincingly claims a clandestine, consensual relationship, but that was rejected by the jury and every court to have considered it—without dissent (two state district-court judges, nine state appellate judges, one federal magistrate judge, one federal district-court judge, and three federal appellate judges).

And, if Reed persists with a consent defense, he must explain the rapes of Connie York, Lucy Eipper, twelve-year-old A.W., intellectually-disabled Caroline Rivas, Vivian Harbottle, and the attempted rape of Linda Schlueter. Many of these victims were Stites's age or very near (York, Eipper, Schlueter); many were abused in Bastrop (A.W., Rivas, Harbottle, and Schlueter; the latter two in extremely close proximity to Stites's work route); a couple were raped or abducted close in time to Stites's murder (Harbottle and Schlueter; the latter around 3:00 a.m.); many were subject to anal or attempted anal rape (York, Eipper, A.W., and Rivas); and all but one were subjected to physical violence in addition to rape or attempted rape (York, Eipper, A.W., Rivas, and Schlueter). Reed had a distinct pattern and practice of raping women, and it overwhelmingly negates his weak consent defense raised at trial or in his postconviction proceedings.

Reed has also attempted to cast doubt on the presence of sperm found in Stites's rectum. But recent analysis of the rectal sperm-search slide has confirmed the presence of spermatozoa and, again, Reed cannot be excluded from the DNA profile from the sperm fraction found in Stites's rectum. This simply strengthens the evidence already considered by the jury.

Further, this internally-consistent and consistent-with-Reed Y-STR profile is found on other evidence beyond what the jury knew. Indeed, they knew that Reed's genetic profile was consistent with profiles developed from

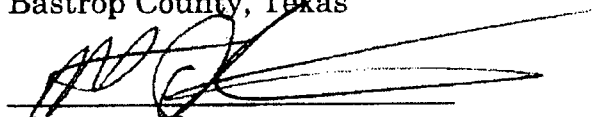
Stites's panties and the vaginal, rectal, and breast swabs taken from her body. Reed's DNA is now consistent with that found on Stites's pants and her back brace, which also include Stites's genetic profile; namely, there is a mixture of Stites's DNA and male DNA on Stites's pants and back brace from which Reed cannot be excluded. Essentially, Reed is now found on more pieces of evidence related to Stites's murder than ever before.

CONCLUSION

In sum, there is nothing exculpatory about any of these DNA reports and they confirm what the jury and the courts to have considered Reed's innocence claims have found—Rodney Reed is guilty of Stacey Stites's murder.

Respectfully submitted,

BRYAN GOERTZ
Criminal District Attorney
Bastrop County, Texas



MATTHEW OTTOWAY
Assistant Attorney General/
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Bastrop County, Texas

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Attorneys for the State

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing pleading was served by placing same in the United States mail, postage prepaid, on this the 20th day of February, 2015, addressed to:

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MATTHEW OTTOWAY
Assistant Attorney General/
Assistant District Attorney
Bastrop County, Texas

Exhibit A

TEXAS DEPARTMENT OF PUBLIC SAFETY



STEVEN C. McCRAW
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COMMISSION
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MANNY FLORES
FAITH JOHNSON
STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937

Forensic Biology Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

02 - Small brown box on July 15, 2014 VIA FedEx 770598043424

Requested Analysis: Screen for biological evidence.

Items 01-01 through 01-12-AB and Items 2-01 through 2-04 were forwarded from the Austin DPS laboratory to the Garland DPS laboratory on July 17, 2014. Items 04-01-AA through 04-03-AH were forwarded from the Austin DPS laboratory to the Garland DPS laboratory on September 10, 2014. Please refer to previous DPS laboratory reports for original submission information.

Evidence Description, Results of Analysis and Interpretation:

01-01 : Vaginal swab from victim collected during investigation in paper fold
Presumptive testing for the presence of semen was positive.

01-02 : Vaginal swab from victim collected during investigation in paper fold
Presumptive testing for the presence of semen was positive.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold
Presumptive testing for the presence of semen was positive.

01-04 : Vaginal swab from victim collected during autopsy in paper fold
Presumptive testing for the presence of semen was negative.

01-05 : Rectal swab from victim in paper fold
Presumptive testing for the presence of semen was negative.

01-06 : Rectal swab envelope (empty packaging)

01-07 : Left breast swabs envelope (empty packaging)

01-08 : Right breast swabs envelope (empty packaging)

01-09-AA : Left breast swab from victim in tube
Presumptive testing for the presence of semen was negative.

ACCREDITED BY THE AMERICAN SOCIETY OF CRIME LABORATORY DIRECTORS - LAB ACCREDITATION BOARD

TxDPS 12 10 14

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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01-09-AB : Right breast swab from victim in tube

Presumptive testing for the presence of semen was negative.

01-10 : Stain from victim's blue panties in coin envelope

Presumptive testing for the presence of semen was negative.

01-11 : Known blood specimen from victim in coin envelope

A portion of this item was collected to be used as a reference.

01-12-AA : Known saliva specimen from suspect Rodney Reed in paper fold

No analysis.

01-12-AB : Known blood specimen from suspect Rodney Reed in coin envelope

No analysis.

02 : Small brown box**02-01-AA : Vaginal swab sticks in film canister**

Presumptive testing for the presence of semen was positive.

02-01-AB : Rectal swab sticks in film canister

Presumptive testing for the presence of semen was negative.

02-01-AC : Oral swab sticks in film canister

Presumptive testing for the presence of semen was negative.

02-02 : Vaginal swab slide from crime scene in slide holder

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-03 : Hair from left ankle of victim envelope (empty packaging)**02-04 : Hair from back of left leg of victim envelope (empty packaging)****02-05 : Hair from right back of victim envelope (empty packaging)****02-06-AA : Vaginal swab sticks in conical tube**

Presumptive testing for the presence of semen was positive on three of the vaginal swab sticks.

Presumptive testing for the presence of semen was negative on the remaining vaginal swab stick.

02-06-AB : Left breast swab sticks in conical tube

Presumptive testing for the presence of semen was negative.

02-06-AC : Right breast swab sticks in conical tube

Presumptive testing for the presence of semen was negative.

02-07-AA : Vaginal swab (ME) sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-07-AB : Crotch sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-07-AC : Vaginal swab (investigation) sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

02-07-AD : Rectal swab sperm search slide

Spermatozoa, semen specific constituents, were detected. The item was swabbed for potential DNA.

04-01-AA : Austin DPS DNA extract for #20 hair-root in tube

This item was retained for possible DNA analysis.

04-01-AB : Austin DPS DNA extract for #20 hair-shaft in tube

This item was retained for possible DNA analysis.

04-02-AA : Austin DPS Reagent Blank in tube

This item was retained for possible DNA analysis.

04-02-AB : Austin DPS Reagent Blank in tube

This item was retained for possible DNA analysis.

04-02-AC : Austin DPS Reagent Blank in tube

This item was retained for possible DNA analysis.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

This item was retained for possible DNA analysis.

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

This item was retained for possible DNA analysis.

04-03-AC : Austin DPS DNA extract for #46 control in tube

This item was retained for possible DNA analysis.

04-03-AD : Austin DPS DNA extract for #46 control, 1:10 dilution in tube

This item was retained for possible DNA analysis.

04-03-AE : Austin DPS DNA extract for #16 stain #1 in tube

This item was retained for possible DNA analysis.

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

This item was retained for possible DNA analysis.

04-03-AG : Austin DPS DNA extract for #22 in tube

This item was retained for possible DNA analysis.

04-03-AH : Austin DPS reagent blank in tube

This item was retained for possible DNA analysis.

2-01 : Apparent hair (I #4) from back of left leg of victim on slide

No analysis.

2-02 : Apparent hair (I #6) from right back of victim on slide

No analysis.

2-03 : Apparent hair (I #20) from victim's pubic area in plastic tube

No analysis.

2-04 : Apparent hair (I #3) from left ankle of victim on slide

No analysis.

Disposition:

DNA analysis may be performed on selected stains from this case. A separate report will be issued upon completion of this analysis.

The vaginal swabs (Ex. 01-01, 01-02, 01-03, and 01-04), rectal swabs, left breast swab, right breast swab, stain from the blue panties, vaginal swab sticks (Ex. 02-01-AA and 02-06-AA), rectal swab sticks, oral swab sticks, left breast swab sticks, right breast swab sticks, swabbings of slides (Ex. 02-02, 02-07-AA, 02-07-AB, 02-07-AC, and 02-07-AD), Austin DPS DNA extracts (Ex. 04-01-AA thru 04-03-AH), and known blood specimen from the victim will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss

Forensic Scientist

Texas DPS Garland Crime Laboratory

661

Exhibit B

TEXAS DEPARTMENT OF PUBLIC SAFETY



STEVEN C. MURRAY
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DAVID G. BAKER
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COMMISSION
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MANNY FLORES
FAITH JOHNSON
STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937 Supplemental Trace Analysis Laboratory Report

Issue Date: October 29, 2014

Gerald Clough
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Analyze for and examine trace evidence.

This is a supplemental report. Please refer to previous DPS laboratory reports for details of prior analysis. The vaginal swab from the victim collected during autopsy (Ex 01-03) was previously submitted to the Austin DPS laboratory on April 26, 1996. This item was forwarded to the Garland DPS laboratory on July 17, 2014.

Evidence Description, Results of Analysis and Interpretation:

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

An animal hair fragment recovered from the vaginal swabs from the victim is unsuitable for comparison. No other hairs were recovered.

Disposition:

We are unable to retain the evidence. Please make arrangements to pick up this evidence at your earliest convenience.

This report has been electronically prepared and approved by:

John Witkowski
Forensic Scientist
Texas DPS Garland Crime Laboratory

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Categories of Association Addendum**Texas Department of Public Safety - Trace Evidence Analysis**

If no category of association is provided in the attached report, please disregard this addendum.

In the sub-disciplines of trace evidence that TXDPS examines, a statistical assessment of significance is not possible. The following categories of association are meant to provide context to the level of opinions reached in the report. For example, a Category 2 association is a more significant association than a Category 3 association.

CATEGORY 1

Source Identity/Source Attribution - The compared samples exhibit characteristics demonstrating that the items were once part of the same object. Alternatively, the sample is positively identified.

CATEGORY 2

Associations of Class Characteristics - Class characteristics are general characteristics that apply to a group of items. Associations of this category mean items could not be differentiated based on observed, measured, and/or chemical properties and therefore can not be eliminated as having come from the same source. There are varying degrees of associations within this category depending on the number of items a particular class characteristic can include. It should be noted that associations within this category can not definitively establish that the items came from the same source.

CATEGORY 2A

Association with distinct characteristics - The items share distinct characteristic(s) that would not be expected to be encountered in the general population.

CATEGORY 2B

Association with conventional characteristics - The items share characteristics that have been manufactured or occur in nature and would be indistinguishable from the submitted evidence. Other items which share these properties may be available in the general population.

CATEGORY 2C

Association with limited characteristics/examinations - The items share characteristics that are common amongst these kinds of natural or manufactured materials and would be indistinguishable from the submitted evidence. Alternatively, a limited analysis was performed or minor variations were observed due to characteristics or size of the items.

CATEGORY 3

Inconclusive - The observed, physical, and/or chemical properties do not provide enough information to associate or eliminate the compared samples.

CATEGORY 4

Dissimilar/Non-Association - Items are dissimilar in observed, physical, and/or chemical properties indicating they did not originate from the same source. However, the compared items share enough general characteristics that, due to reasonable variations in the source, the source itself cannot be associated or eliminated based on the specimen received.

CATEGORY 5

Elimination/Exclusion - The items are dissimilar in observed, physical, and/or chemical properties demonstrating they did not originate from the same source.

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Exhibit C



STEVEN C. McCRAW
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COMMISSION
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MANNY FLORES
FAITH JOHNSON
STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937

DNA Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic DNA analysis.

Please refer to the Forensic Biology Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

Portions of the items were extracted by a method which yields DNA.

When necessary, the items were extracted by a two step method which first recovers DNA from non-sperm cells (epithelial cell fraction) and then recovers DNA from sperm cells (sperm cell fraction).

The DNA isolated was analyzed using STR (Short Tandem Repeat) PCR (Polymerase Chain Reaction) analysis. The following loci were examined: D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, Amelogenin, D5S818, and FGA.

01-01 : Vaginal swab from victim collected during investigation in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with a mixture from the victim and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The DNA profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

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The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-04 : Vaginal swab from victim collected during autopsy in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-05 : Rectal swab from victim in paper fold

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

01-10 : Stain from victim's blue panties in coin envelope

The DNA profile from the sperm fraction is consistent with the same unknown male individual.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

01-11-AA : Portion of known blood specimen from victim

The DNA profile was used for comparison purposes.

02-01-AA : Vaginal swab sticks in film canister

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with the DNA profile of the victim.

02-01-AC : Oral swab sticks in film canister

The sperm fraction was analyzed for Y-STR loci only. A separate report will be issued upon completion of the analysis.

The DNA profile from the epithelial fraction is consistent with a mixture from the victim and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

04-03-AE : Austin DPS DNA extract for #16 stain #1 in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15

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quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

The DNA profile is consistent with the DNA profile of the victim. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 46.15 quintillion for Caucasians, 1 in 6.447 sextillion for Blacks, and 1 in 802.6 quadrillion for Hispanics. To a reasonable degree of scientific certainty, the victim is the source of this profile (excluding identical twins).

Investigative Leads and Requirements for Further Analysis:

The male DNA profile from the sperm fraction of the vaginal swab (Ex. 01-02) has been entered into the Combined DNA Index System (CODIS).

Disposition:

Y-STR (male-specific) DNA analysis will be performed on selected stains from this case. A separate report will be issued upon completion of that analysis.

The vaginal swabs (Ex. 01-01, 01-02, and 01-04), rectal swab, and stain from the panties were depleted during analysis. The remaining DNA extracts for these samples and remaining samples of the vaginal swabs (Ex. 01-03), vaginal swab sticks, oral swab sticks, Austin DPS DNA extracts (Ex. 04-03-AA, 04-03-AB, 04-03-AE, and 04-03-AF), and portion of the known blood specimen from the victim will continue to be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

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Exhibit D



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COMMISSION
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RANDY WATSON

Laboratory Case Number: L-246937

Minifiler Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNEL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic Minifiler DNA analysis.

Please refer to the Forensic Biology Laboratory Report dated December 16, 2014 and the DNA Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

04-01-AA : Austin DPS DNA extract for #20 hair-root in tube

Due to a quality event, no comparisons will be made to this partial DNA profile.

Disposition:

The remaining sample of the DNA extract for #20 hair root will continue to be retained frozen to preserve the biological constituents.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

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Page 1 of 1

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Exhibit E



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RANDY WATSON

Laboratory Case Number: L-246937

YSTR Laboratory Report

Issue Date: December 16, 2014

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic Y-STR DNA analysis.

Perform DNA analysis on the items submitted pursuant to Cause Number 8701 in the 21st District Court of Bastrop County, Texas.

Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Report dated December 16, 2014, and the Minifiler Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was analyzed using Y-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were examined: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, YGATA H4, DYS437, DYS438, and DYS448.

01-01 : Vaginal swab from victim collected during investigation in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The Y-STR profile from the epithelial fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

The Y-STR profile from the sperm fraction is consistent with an unknown male individual.

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The Y-STR profile from the epithelial fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-04 : Vaginal swab from victim collected during autopsy in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-05 : Rectal swab from victim in paper fold

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-09-AA : Left breast swab from victim in tube

No Y-STR profile was obtained from the sperm fraction.

No interpretable Y-STR profile was obtained from the epithelial fraction.

01-09-AB : Right breast swab from victim in tube

No Y-STR profile was obtained from the sperm fraction.

The partial Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

01-10 : Stain from victim's blue panties in coin envelope

The Y-STR profile from the sperm fraction is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

The Y-STR profile from the epithelial fraction is consistent with an unknown male individual.

02-01-AA : Vaginal swab sticks in film canister

The Y-STR profile from the sperm fraction is consistent with an unknown male individual.

No interpretable Y-STR profile was obtained from the epithelial fraction.

02-01-AB : Rectal swab sticks in film canister

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-01-AC : Oral swab sticks in film canister

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-02-AA : Swabbing of vaginal swab slide

The partial Y-STR profile from the sperm fraction is consistent with an unknown male individual.

No interpretable Y-STR profile was obtained from the epithelial fraction.

02-06-AA : Vaginal swab sticks in conical tube

No interpretable Y-STR profile was obtained from the sperm fraction.

No Y-STR profile was obtained from the epithelial fraction.

02-06-AB : Left breast swab sticks in conical tube

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-06-AC : Right breast swab sticks in conical tube

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AA-01 : Swabbing of vaginal swab (ME) sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AB-01 : Swabbing of crotch sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AC-01 : Swabbing of vaginal swab (investigation) sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

02-07-AD-01 : Swabbing of rectal swab sperm search slide

No Y-STR profile was obtained from the sperm or epithelial fractions.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

The Y-STR profile is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

The Y-STR profile is consistent with an indistinguishable mixture. Therefore, this mixture profile will be used for exclusionary purposes only.

04-03-AE : Austin DPS DNA extract for #16 stain #1 in tube

No Y-STR profile was obtained.

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

The Y-STR profile is consistent with a mixture from an unknown male individual and an additional contributor. Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

04-03-AG : Austin DPS DNA extract for #22 in tube

The partial Y-STR profile is consistent with an unknown male individual.

The same Y-STR profile has been identified across several of the evidentiary samples. This profile has been designated as "an unknown male individual".

Investigative Leads and Requirements for Further Analysis:

A Y-STR profile from the sperm fraction of the vaginal swab (Ex. 01-02) has been entered into the Combined DNA Index System (CODIS).

For comparison purposes, please submit known specimens from the suspect(s) and any recent consensual sexual partner of the victim. Contact the laboratory for instructions on the proper collection method for additional evidence.

Disposition:

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Exhibit F



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RANDY WATSON

Laboratory Case Number: L-246937

Supplemental DNA Laboratory Report

Issue Date: February 10, 2015

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 4/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

11 - 9x12 FedEx envelope inside a white FedEx bag on December 29, 2014 VIA FedEx 772356653948

Requested Analysis: Perform forensic DNA analysis.

This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Report dated December 16, 2014, the Minifiler Laboratory Report dated December 16, 2014, and the Y-STR Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

Portions of the items were extracted by a method which yields DNA.

The DNA isolated was analyzed using STR (Short Tandem Repeat) PCR (Polymerase Chain Reaction) analysis. The following loci were examined: D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, Amelogenin, D5S818, and FGA.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The previously obtained DNA profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in this profile. The probability of selecting an unrelated person at random who could be the source of the major component in this profile is approximately 1 in 69.4 sextillion for Caucasians, 1 in 3.176 sextillion for Blacks, and 1 in 63.05 sextillion for Hispanics. To a reasonable degree of scientific certainty, Rodney Reed is the source of the major component of this profile (excluding identical twins). Due to the low level of data present above our analysis threshold, no comparisons will be made to the additional contributor.

01-10 : Stain from victim's blue panties in coin envelope

The previously obtained DNA profile from the sperm fraction is consistent with the DNA profile of Rodney Reed. The probability of selecting an unrelated person at random who could be the source of this DNA profile is approximately 1 in 69.4 sextillion for Caucasians, 1 in 3.176 sextillion for Blacks, and 1 in 63.05 sextillion for Hispanics. To a reasonable degree of scientific certainty, Rodney Reed is the source of this profile (excluding identical twins).

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11 : 9x12 FedEx envelope inside a white FedEx bag

11-01 : Buccal swabs from Rodney Reed

Item was collected to be used as a reference. The DNA profile was used for comparison purposes.

Disposition:

Y-STR (male-specific) DNA analysis will be performed on the buccal swabs from Rodney Reed. A separate report will be issued upon completion of that analysis.

Remaining samples of the buccal swabs from Rodney Reed will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

Exhibit G

Exhibit H



STEVEN C. McCRAW
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Laboratory Case Number: L-246937 Supplemental Minifiler Laboratory Report

Issue Date: February 12, 2015

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

12 - Small brown box on December 29, 2014 VIA FedEx 772320622010

Requested Analysis: Perform forensic Minifiler DNA analysis.

This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Reports dated December 16, 2014 and February 10, 2015, the Minifiler Laboratory Report dated December 16, 2014, the Y-STR Laboratory Report dated December 16, 2014.

Perform a comparison to the DNA STR profiles previously obtained by the Austin DPS laboratory for David Hall and Ed Samela.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

12 : Small brown box

12-01 : Technical Associates DNA extract for 13B-R

No DNA profile was obtained.

12-02 : Technical Associates DNA extract for 13B-S

No DNA profile was obtained.

12-03 : Technical Associates DNA extract for 14B-R

The DNA profile is consistent with an unknown male individual. Rodney Reed, David Hall, and Ed Samela are excluded as a contributor of this profile.

12-04 : Technical Associates DNA extract for 14B-S

No interpretable DNA profile was obtained.

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12-05 : Technical Associates DNA extract for 97 (reagent blank)

No analysis.

Investigative Leads and Requirements for Further Analysis:

The DNA profile from the DNA extract for 14B-R (Ex. 12-03) has been entered into the Combined DNA Index System (CODIS).

For comparison purposes, please submit known specimens from any individuals for elimination or any additional suspect(s) when apprehended. Contact the laboratory for instructions on the proper collection method for additional evidence.

Disposition:

The DNA extracts (Ex. 12-01, 12-02, 12-03, and 12-04) were depleted during analysis. The remaining DNA amplification product for these samples and the DNA extract for 97 (reagent blank) will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

Exhibit I



STEVEN C. McCRAW
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Laboratory Case Number: L-246937

Supplemental YSTR Laboratory Report

Issue Date: February 13, 2015

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Requested Analysis: Perform forensic Y-STR DNA analysis.

This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Reports dated December 16, 2014 and February 10, 2015, the Minifiler Laboratory Reports dated December 16, 2014 and February 12, 2015, the Y-STR Laboratory Report dated December 16, 2014.

Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was analyzed using Y-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were examined: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, YGATA H4, DYS437, DYS438, and DYS448.

01-01 : Vaginal swab from victim collected during investigation in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS385 a/b, DYS439, Y GATA H4, and DYS437. At these loci, the selected profile is found in 3 of 28,107 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-02 : Vaginal swab from victim collected during investigation in paper fold

The previously obtained Y-STR profiles from the sperm and epithelial fractions are consistent with a

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mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major components in these male DNA profiles. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major components of these male DNA profiles. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor components.

01-03 : Vaginal swabs from victim collected during autopsy in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with the Y-STR profile of Rodney Reed. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

The previously obtained Y-STR profile from the epithelial fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

01-04 : Vaginal swab from victim collected during autopsy in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, Y GATA H4, DYS437, DYS438, and DYS448. At these loci, the selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-05 : Rectal swab from victim in paper fold

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS458, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, Y GATA H4, DYS437, DYS438, and DYS448. At these loci, the selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-09-AB : Right breast swab from victim in tube

The previously obtained partial Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, Y GATA H4, DYS437, and DYS438. At these loci, the selected profile is found in 1 of 28,060 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

01-10 : Stain from victim's blue panties in coin envelope

The previously obtained Y-STR profile from the sperm fraction is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

The previously obtained Y-STR profile from the epithelial fraction is consistent with the Y-STR profile of Rodney Reed. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

02-01-AA : Vaginal swab sticks in film canister

The previously obtained Y-STR profile from the sperm fraction is consistent with the Y-STR profile of Rodney Reed. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

02-02-AA : Swabbing of vaginal swab slide

The previously obtained partial Y-STR profile from the sperm fraction is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS458, DYS19, DYS385 a/b, DYS393, and DYS391. At these loci, the selected profile is found in 2 of 28,088 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

04-03-AA : Austin DPS DNA extract for #46 stain in tube

The previously obtained Y-STR profile is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of data present above our analysis threshold, no comparisons will be made to the minor component.

04-03-AB : Austin DPS DNA extract for #46 stain, 1:10 dilution in tube

The previously obtained Y-STR profile is consistent with an indistinguishable mixture. Therefore, this mixture profile will be used for exclusionary purposes only. No conclusions will be drawn as to whether Rodney Reed could be a contributor to the Y-STR profile.

04-03-AF : Austin DPS DNA extract for #16 stain #2 in tube

The previously obtained Y-STR profile is consistent with a mixture from Rodney Reed and an additional contributor. Rodney Reed cannot be excluded as the contributor of the major component in the male DNA profile. The selected profile is found in 1 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as the contributor of the major component of this male DNA profile. Due to the low level of

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data present above our analysis threshold, no comparisons will be made to the minor component.

04-03-AG : Austin DPS DNA extract for #22 In tube

The previously obtained partial Y-STR profile is consistent with the Y-STR profile of Rodney Reed. Rodney Reed cannot be excluded as the contributor of the male DNA profile at the following loci: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS635, DYS392, Y GATA H4, DYS437, DYS438, and DYS448. At these loci, the selected profile is found in 2 of 25,644 total individuals within the database. Barring mutation, any paternally-related male relatives of Rodney Reed cannot be excluded as being the contributor of this male DNA profile.

Disposition:

Remaining samples of the items analyzed will continue to be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

Exhibit J



STEVEN C. McCRAW
DIRECTOR
DAVID G. BAKER
ROBERT J. BODISCH, SR.
DEPUTY DIRECTORS

TEXAS DEPARTMENT OF PUBLIC SAFETY

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COMMISSION
A. CYNTHIA LEON, CHAIR
MANNY FLORES
FAITH JOHNSON
STEVEN P. MACH
RANDY WATSON

Laboratory Case Number: L-246937

Amended Minifiler Laboratory Report

Issue Date: February 18, 2015

(Shaded or bordered areas indicate corrections from original report)

Matt Ottoway
Texas Attorney General's Office
300 W 15th St 15th Floor
Austin, TX 78701

Agency Case Information: Texas Attorney General's Office - 072466865

Offense Information: Homicide - 04/23/1996 - Bastrop County

Suspect(s): FENNELL, JIMMY
REED, RODNEY (DOB xx/xx/xxxx)

Victim(s): STITES, STACEY (DOB xx/xx/xxxx)

Submission Information:

12 - Small brown box on December 29, 2014 VIA FedEx 772320622010

Requested Analysis: Conduct forensic examinations.

Corrected: This amended report serves as a replacement to the original Minifiler Laboratory Report dated February 12, 2015. Any shaded or bordered areas indicate corrections.

Original: This is a supplemental report. Please refer to the Forensic Biology Laboratory Report dated December 16, 2014, the DNA Laboratory Reports dated December 16, 2014 and February 10, 2015, the Minifiler Laboratory Report dated December 16, 2014, the Y-STR Laboratory Report dated December 16, 2014.

Perform a comparison to the DNA STR profiles previously obtained by the Austin DPS laboratory for David Hall and Ed Samela.

Corrected Evidence Description, Results of Analysis and Interpretation:

Portions of the items were extracted by a method which yields DNA.

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

12-03 : Technical Associates DNA extract for 14B-R

Due to a quality event, this partial DNA profile is not suitable for further comparisons.

Original Evidence Description, Results of Analysis and Interpretation:

The DNA isolated was additionally analyzed using mini-STR (Short Tandem Repeat) Polymerase Chain Reaction (PCR) analysis. The following loci were re-examined: D13S317, D7S820, Amelogenin, D2S1338, D21S11, D16S539, D18S51, CSF1PO, and FGA.

12 : Small brown box

12-01 : Technical Associates DNA extract for 13B-R

No DNA profile was obtained.

12-02 : Technical Associates DNA extract for 13B-S

No DNA profile was obtained.

12-03 : Technical Associates DNA extract for 14B-R

The DNA profile is consistent with an unknown male individual. Rodney Reed, David Hall, and Ed Samela are excluded as a contributor of this profile.

12-04 : Technical Associates DNA extract for 14B-S

No interpretable DNA profile was obtained.

12-05 : Technical Associates DNA extract for 97 (reagent blank)

No analysis.

Corrected Investigative Leads and Requirements for Further Analysis:

The partial DNA profile from the DNA extract for 14B-R (Ex. 12-03) previously entered into the Combined DNA Index System (CODIS) has been determined to be ineligible for entry and therefore has been deleted from the database.

Original Investigative Leads and Requirements for Further Analysis:

The DNA profile from the DNA extract for 14B-R (Ex. 12-03) has been entered into the Combined DNA Index System (CODIS).

For comparison purposes, please submit known specimens from any individuals for elimination or any additional suspect(s) when apprehended. Contact the laboratory for instructions on the proper collection method for additional evidence.

Original Disposition:

The DNA extracts (Ex. 12-01, 12-02, 12-03, and 12-04) were depleted during analysis. The remaining DNA amplification product for these samples and the DNA extract for 97 (reagent blank) will be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

The left and right breast swabs (Ex. 01-09-AA and 01-09-AB) and the swabbings of the slides (Ex. 02-02-AA, 02-07-AA-01, 02-07-AB-01, 02-07-AC-01, and 02-07-AD-01) were depleted during analysis. The remaining DNA extracts for these samples will be retained frozen to preserve the biological constituents. The Austin DPS DNA extracts (Ex. 04-03-AE and 04-03-AG) were depleted during analysis. The remaining amplified product for these samples will be retained frozen to preserve the biological constituents. Remaining samples of the additional items analyzed for Y-STR testing will continue to be retained frozen to preserve the biological constituents.

We are unable to retain the remainder of this evidence. Please make arrangements to pick it up at your earliest convenience.

This report has been electronically prepared and approved by:

Amber Moss
Forensic Scientist
Texas DPS Garland Crime Laboratory

The State of Texas)
County of Bastrop)

I, SARAH LOUCKS, Clerk of the **21st District Court** of Bastrop County, Texas,
Do hereby certify that the documents contained in this record to which this certification is
attached are all of the documents specified by Texas Rule of Appellate Procedure 34.5(a) and
all other documents timely requested by a party to this proceeding under Texas Rule of
Appellate Procedure 34.5(b).

GIVEN UNDER MY HAND AND SEAL, at my office in Bastrop, County, Texas,
on this the 23rd day of February, 2015.

Sarah Loucks, Bastrop County District Clerk

By: 

Name of clerk: **Etta Wiley**

Title: **DEPUTY CLERK**