EXHIBIT 31

Cause No. 9407130

STATE OF TEXAS§IN THE 248TH DISTRICT COURTV.§OFCHARLES DOUGLAS RABY§HARRIS COUNTY, TEXAS

AFFIDAVIT

STATE OF TEXAS

DATE: March 31, 2009

HARRIS COUNTY

Before me, the undersigned authority, a Notary Public in and for Harris County, Texas, on this day personally appeared Joseph Chu, who being by me duly sworn, upon his oath deposes and says:

"My name is Joseph Chu. I am presently employed with the Houston Police Department Crime Lab as a Criminalist. I testified in the capital murder trial of State of Texas v. Charles Douglas Raby, cause no. 9407130.

I have reviewed Sarah M. Frazier's March 25, 2009 letter intended as an offer of proof regarding my anticipated testimony during a January 16, 2009 hearing in the instant cause. Ms. Frazier's March 25, 2009 letter does not accurately report the testimony that I would have given during the January 16, 2009 hearing.

I have read the above statement and find it to be true and correct to the best of my knowledge."

JOSEPH CHU Affiant

SWORN AND SUBSCRIBED before me, under oath, on this the 31st day of March, 2009.



NOTARY PUBLIC in and for the State of Texas

My commission expires: 1.2/