

EXHIBIT 34

**SEROLOGICAL RESEARCH INSTITUTE****FACSIMILE TRANSMITTAL SHEET**

TO: SARAH FRAZIER	FROM: GARY HARMOR (jm)
COMPANY: BERG AND ANDROPHY	DATE: 01-21-2008
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PHONE NUMBER: 713-529-5622	SENDER'S REFERENCE NUMBER: M'6923'06
RE:	YOUR REFERENCE NUMBER:

FAX NUMBER: (713) 529-3785

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

MS. FRAZIER,

PLEASE DISREGARD THE PREVIOUS FAX OF THE THIRD ANALYTICAL REPORT
THAT WAS FAXED EARLIER.

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**SEROLOGICAL RESEARCH INSTITUTE**

January 21, 2008

Sarah Frazier
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SERI Case No. M'6923'06
Trial Court Case No. 9407130
Laboratory No. L92-10848
Re: Charles Douglas Raby

THIRD ANALYTICAL REPORT

On July 23rd 2007, one item of evidence (item 5) and on November 9th 2007, two items of evidence (items 6 and 7) were received at the Serological Research Institute (SERI) from Kevin Mohr of King and Spalding Law firm via Federal Express (858735419857 and 858735419879). A forensic DNA analysis utilizing the Polymerase Chain Reaction (PCR) as per instructions in a court order dated July 5th 2007 was performed.

ITEM 5 HAIRS FROM COMPLAINANT'S RIGHT HAND (SLIDE #1)

This item consists of a sealed manila envelope that contains a three by two inch glass slide mounted with a cover slip. Under the cover slip are five hairs. Three of the hairs are marked with dots on the cover slips. The two unmarked hairs are non-human. The hair designated by one dot (item 5-1) is a human hair with a telogen bulb. The hair designated by two dots (item 5-2) is a human hair with a telogen bulb. The hair designated by three dots (item 5-3) is a light brown human hair with a telogen bulb. The cover slip was removed and a one centimeter piece of the proximal end of each of the hairs was cut off. The remaining hair was replaced in the packaging. The pieces were bisected into a root and shaft control for each hair. The individual pieces were extracted for DNA content, a portion of the extract was quantified for human and male specific DNA concentration. No male DNA was detected. The DNA extracts were amplified for autosomal short tandem repeats (STRs). The amplified products were subjected to genetic marker analysis and the results are tabulated below.

ITEM 6 HAIRS FROM COMPLAINANT'S LEFT HAND (SLIDE 1 & 2)

This item consists of a sealed manila envelope that contains two glass slides #1 and #2 (designated items 6A and 6B at SERI). The slides are three by two inches and are mounted with a cover slip. Slide #1 (item 6A) has three hairs that are marked by one, two and three black dots. The hairs marked with two and three dots are not human. The hair marked with one black dot is a human hair with a telogen root. The cover slip was removed and a one centimeter length of the root end was excised (item 6A -1). The hair was bisected and each half was placed in separate tubes.

Sarah Frazier
SERI Case No. M'6923'06
January 21, 2008
Page 2 of 5

ITEM 6 HAIRS FROM COMPLAINANT'S LEFT HAND (SLIDE 1 & 2) (continued)

Slide #2 (item 6B) has five hairs that are marked by one, two, three, four and five black dots. The hairs marked with three, four and five black dots are not human. The hair marked by one black dot is a human hair with a telogen root with some tissue on the root bulb. The cover slip was removed and a one centimeter piece of the root was cut off and bisected. The two pieces were placed into separate tubes (item 6B-1). The hair marked by two black dots is a human hair fragment and was not sampled. The removed pieces were extracted for DNA content and quantified for DNA by human and male specific methods. No male DNA was detected in the DNA extracts.

ITEM 7 HAIRS TAKEN FROM COMPLAINANT'S RIGHT HAND (SLIDE 1 & 3)

This item consists of a sealed manila envelope that contains two glass slides #1 and #3 (designated 7A and 7B at SERI). The slides are three by two inches and are mounted with a cover slip. Slide #1 (item 7A) has four hairs that are marked by one, two, three and four black dots. The hair marked by one dot is an animal hair fragment. The hair marked by two black dots is human and has a root, but is immature and elongated. The hairs marked by three and four dots are human hair fragments. These hairs are not suitable for autosomal DNA testing. Slide #3 (item 7B) has five strands each marked with black dots. The strand marked with three and five dots are synthetic fibers. The hairs marked with two and four dots are not human hairs. The hair marked with one dot is a human hair fragment and not suitable for autosomal DNA testing.

Sarah Frazier
 SFRI Case No. M692306
 January 21, 2008
 Page 3 of 5

TABLE OF RESULTS

ITEM	DESCRIPTION	D8S1179	D11S114	D7S820	CSF1PO	D8S1338	TH01	D15S117	D16S539	D2S1338	D19S433	vWA	TPOX	D18S51	AMEL	DSS18	FGA
S-1	Hair From Complainant's Right Hand	NA	[30]	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
S-1S	Hair From Complainant's Right Hand	NA	[29]	NA	NA	NA	NA	NA	[13]	NA	NA	NA	NA	NA	NA	NA	NA
S-2R	Hair From Complainant's Right Hand	NA	NA	NA	NA	[15]	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
S-2S	Hair From Complainant's Right Hand	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	[X]	NA	NA
S-3R	Hair From Complainant's Right Hand	12.13	28-31.2	10[12]	11	14.17	7.8	8	11.13	[10]18	14.15	14.16	8	13	X.X	12	20.21
S-3S	Hair From Complainant's Right Hand	NA	NA	NA	NA	NA	NA	NA	NA	NA	[14]	NA	NA	NA	[X]	NA	NA
6A-1R	Hair From Complainant's Left Hand	12.13	[28]	[10]	NA	14.17	[8]	8	[13]	18	14.15	14[16]	[8]	NA	X.X	[11]12	[20, 21]
6A-1S	Hair From Complainant's Left Hand	NA	NA	NA	NA	[16]	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
6B-1R	Hair From Complainant's Left Hand	NA	NA	NA	NA	NA	[7]	NA	NA	NA	[13]	NA	NA	NA	[X]	NA	NA
6B-1S	Hair From Complainant's Left Hand	[14]	NA	NA	NA	[18]	[7]	[12]	NA	NA	[13]	NA	NA	NA	[X]	NA	NA
6L-1S	Extraction Blanks	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Key: NA No activity.
 > Greater than.
 X, X Female DNA.
 [] Alleles in brackets are between 50 and 149 RFLU. Because of the low activity of these alleles, it may not be possible to determine all of the genotypes at this locus.

Sarah Frazier
SERI Case No. M'6923'06
January 21, 2008
Page 4 of 5

EXPLANATIONS

A segment of the Amelogenin gene for gender identification can be co-amplified with some groups of Short Tandem Repeats.

Deoxyribonucleic acid or DNA is found in nucleated cells, e.g., white blood cells, spermatozoa, salivary, vaginal and tissue epithelial cells. Although nuclear DNA is not found in the shafts of hairs, it can be found in epithelial tissue surrounding the hair root. The DNA can be extracted and the amount obtained is proportional to the number of cells present.

In some hair samples extraneous material can adhere to the hair shaft and root. This material may be another body fluid (e.g. blood, semen, saliva, etc.), epithelial cells from the body or dirt and grime. Although the hair is washed before extraction, the extraneous material may remain. Thus the use of a control in the form of a section from the shaft is employed.

The hair was examined microscopically, then washed to remove any extraneous material. The entire root was removed to one tube, and approximately one-half centimeter of the shaft was removed to a separate tube. Both samples were extracted for DNA content, quantified, amplified by PCR and subjected to genetic marker analysis. The results are tabulated below.

CONCLUSIONS

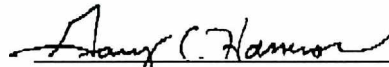
1. No male DNA was detected in the DNA extracts from the hairs that were selected for autosomal DNA testing (items 5 and 6). Therefore, as per the court order dated July 5th 2007, autosomal DNA testing was conducted.
 2. The DNA typing results were either negative or too weak to interpret for the right hand hairs (items 5-1R and 5-2R) and the left hand hair (item 6B-1).
 3. A female source was detected in the DNA fraction from the hair root from the right hand (item 5-3R). The shaft DNA fraction of the hair (item 5-3S) is negative for genetic markers.
 4. The genetic marker results from the root DNA fraction from the hair from the left hand (item 6A-1R) are weak and incomplete. These results are consistent with the female source. The genetic marker results for the shaft DNA fraction (item 6A-1S) are insufficient for interpretation.
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Sarah Frazier
SERI Case No. M'6923'06
January 21, 2008
Page 5 of 5

EVIDENCE DISPOSITION

The remaining unconsumed submitted evidence will be returned to Kevin Mohr. Portions of any unconsumed evidentiary extracts will be retained at SERI.

SEROLOGICAL RESEARCH INSTITUTE



Gary C. Harmor
Senior Forensic Serologist