

EXHIBIT 35



April 3, 2007

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SERI Case No. M'6923'06
Trial Court Cause No. 9407130
Re: Charles Douglas Raby
Others: Eric Berge
Lee Rose



SECOND ANALYTICAL REPORT

On March 30th 2006 two items of evidence were received at the Serological Research Institute (SERI) from Investigator Donald Cohn of the Harris County District Attorney's Office via Fed Ex (854935059643). A forensic DNA analysis utilizing the Polymerase Chain Reaction (PCR) was requested. As per the court order of March 10th 2006 a report was requested after DNA quantitation results were obtained. On June 2nd 2006 a preliminary report was issued on these findings.

A court order on the above action, dated July 18th 2006, instructed me to combine the DNA extracts from two of the left hand fingernail extracts (items 1-5 and 1-6) and analyze these for male specific short tandem repeats (YSTRs) utilizing the Polymerase Chain Reaction (PCR). On September 28th 2006, an analytical report was issued on these submitted items.

On January 19th 2007, two additional reference samples were received at SERI from Donald Cohn via Federal Express (858735419700). A comparison of these two references to the previously submitted items was requested.

ITEM 3 HEAD HAIR REFERENCE FROM ERIC BERGE

This item consists of a total of about 11 head hairs mounted on three microscope slides. The hairs were examined microscopically and two were selected for testing. The hairs were demounted and the root ends were cut off and extracted for DNA content. The extract was quantified, amplified by PCR and the amplified products were subjected to genetic marker analysis. The results are tabulated below.

ITEM 4 HEAD HAIR REFERENCE FROM LEE ROSE

This item consists of a total of about 10 head hairs mounted on three microscope slides. The hairs were examined microscopically and four were selected for testing. The hairs were demounted and the root ends were cut off and extracted for DNA content. The extract was quantified, amplified by PCR and the amplified products were subjected to genetic marker analysis. The results are tabulated below.

TABLE OF RESULTS

ITEM	DESCRIPTION	DYS456	DYS389I	DYS390	DYS389II	DYS458	DYS19	DYS385 _{n/b}	DYS393	DYS391	DYS439	DYS635	DYS392	Y GATA II4	DYS437	DYS438	DYS448
2	Reference From-Charles Raby	15	13	24	29	17	14	14,16	13	11	11	23	13	11	15	12	19
3	Reference From-Eric Bengt	14	12	23	28	14	14	14,15	14	10	11	21	11	10	16	10	21
4	Reference From-Lee Rose	15	13	24	29	17	17	11,14	13	11	12	23	13	12	16	12	19
	Extraction Blanks-References	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
1-5 & 1-6	1-6 Combined Left Hand Nail	15[14]	12[13]	24	[28]	17	[15]	12[15]	13	10	[12]	NA	[13]	12	[15]	[9]	NA
	Extraction Blank	NA	NA	NA	NA	[18]	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Key: NA = No activity.
 [] = Alleles in brackets are between 50 and 149 RFU. Because of the low activity of these alleles, it may not be possible to determine all of the genotypes at this locus.

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EXPLANATIONS

Human DNA consists of a number of genetic marker systems. Nuclear DNA is stored as chromosomes found only in the nucleus of the cell. In the nuclear DNA there are Short Tandem Repeats (STR's) found scattered throughout the human genome in specific locations (loci) and on the pairs of chromosomes. The biological parents contribute one set of chromosomes each to make up a unique genetic profile for the offspring. Included in the set of chromosomes are the sex chromosomes X and Y. The Y-chromosome specific STR loci (Y-STRs) are an inherited consistent group of linked genetic marker types (haplotype). The Y-STR haplotype is located in the non-recombining region of the Y chromosome and the same haplotype is passed on to the male offspring from the male parent. Therefore, a result consistent with an individual for Y-STRs also does not exclude any paternally related male individual. These Y-STR genetic markers can be amplified using the Polymerase Chain Reaction (PCR) process and the PCR products are then analyzed by capillary electrophoresis (CE) to separate the amplified products according to size and by the color emitted from fluorescent dye labeling. The following are Y-STR genetic markers: DYS456, DYS389I, DYS390, DYS389II, DYS458, DYS19, DYS385 a/b, DYS393, DYS391, DYS439, DYS635, DYS392, YGATAH4, DYS437, DYS438, and DYS448.

CONCLUSION

The YSTR DNA genetic profile obtained from the combined DNA extracts (items 1-5 and 1-6) is a mixture of at least two individuals that is weak and incomplete. Charles Raby (item 2), Eric Bengé (item 3) and Lee Rose (item 4) are not contributors to the DNA profile from items 1-5 and 1-6.

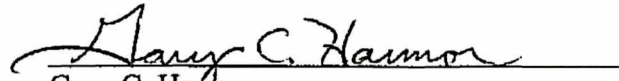
EVIDENCE DISPOSITION

Please advise as to the disposition of the evidence at our earliest convenience.

cc. Lynn Hardaway, ADA

SERI1/CaseFiles/M'6923'06/Rpt.2

SEROLOGICAL RESEARCH INSTITUTE



Gary C. Harner
Senior Forensic Serologist