

CAUSE NO. 9407130

THE STATE OF TEXAS § IN THE 248TH DISTRICT COURT
 §
V. § IN AND FOR
 §
CHARLES DOUGLAS RABY § HARRIS COUNTY, TEXAS

AFFIDAVIT OF SARAH M. FRAZIER

County of Harris §

State of Texas §


My name is Sarah M. Frazier. I am a resident of Harris County, Texas. I am over the age of eighteen and I am competent to make this affidavit. All the facts stated here are within my personal knowledge.

1. I am one of the attorneys currently representing Charles D. Raby in his post-conviction proceedings. I am with the firm of King & Spalding in Houston, Texas.
2. On July 8, 2002, I spoke by telephone with Joseph Chu of the Houston Police Department Crime Laboratory. During that conversation, Mr. Chu told me that PCR testing became available at that facility in 1993.
3. I have personally viewed the hair recovered from the victim's fist, the victim's fingernail clippings, and the blue panties, all of which are currently in the possession of the Harris County Clerk's Office in a property box. The box did not contain the nightshirt worn by Ms. Franklin at the time she was killed.
4. After inquiry by telephone and by letter, HPD produced to King & Spalding a property room inventory for physical evidence related to Mr. Raby's case, which I received on Friday, September 13, 2002.
5. On September 19, 2002, Lt. Jett of the Homicide Division confirmed by telephone message to me that the property room no longer possesses any physical evidence in the case.
6. Undersigned counsel have attempted to obtain physical evidence current inventories from the HPD Crime Lab and Harris County Medical Examiner's office, but these agencies have refused to produce such information.

Executed on this 15th day of October, 2002.


Sarah M. Frazier

Subscribed and sworn to before me, the undersigned authority, under oath duly administered, on this 15th day of October, 2002.


Notary Public in and for the State of Texas

My commission expires: 9-12-04

