

1 my initials from the examination.

2 Q. And again, sir, no foreign DNA?

3 A. I did not develop any foreign DNA types from that
4 sample, no.

5 MS. GARST: Commonwealth's Exhibit 124 back
6 into evidence and 87.

7 Q. Sir, thank you. Answer any questions defense
8 counsel has at this time.

9

10 Cross Examination by Mr. Albertson:

11 Q. Good afternoon.

12 A. Good afternoon.

13 Q. And I'm sorry I missed in your numerous
14 qualifications. Do I call you doctor or mister?

15 A. Mister, please.

16 Q. Okay. Mr. Flint, as far as the transference of
17 DNA, how is DNA transferred from one person to another?

18 A. It would have to be in some sort of bodily fluid
19 or a large amount of transfer from possible touch DNA.

20 Q. Now, there are times obviously when a person will
21 touch another person and not transfer DNA, isn't that
22 true?

23 A. Certainly.

24 Q. And for instance on, you were not able to find
25 any DNA amplification results on Item number 29, the

1 firearm and magazine, is that correct?

2 A. That's correct. There were no DNA. A sample was
3 collected off the firearm for a possible handler, as I
4 refer to it as handler, the person who would have been
5 holding that firearm. So I take a swabbing of the rough
6 areas, specifically on the grips and rough areas on the
7 hammer, and proceed with DNA. From that, no, there was
8 no DNA profile developed.

9 Q. And again that doesn't mean that somebody didn't
10 touch it, it just means that there was not enough
11 handling or rubbing to transfer the DNA, isn't that true?

12 A. That's correct. It could possibly be that
13 there's no handling at all or possibly that it was rubbed
14 or cleaned off as well.

15 Q. Okay. Now, when you say cleaned off, how is DNA
16 removed from an area?

17 A. Well, in a laboratory I'll use bleach followed up
18 by an alcohol or ethanol. But any type of cleaning
19 solution would readily remove DNA. Basically even water,
20 enough water would dilute DNA left on the surface
21 possibly to a point that I might not be able to detect
22 it.

23 Q. Is that, is it just the dilution of the DNA or is
24 it that the DNA is kind of swept away by water and agents
25 like that?

1 fingernails as well and maybe there was enough blood
2 there to develop a profile from the blood. So I really
3 can't determine where exactly the profile came from. I
4 can just say that blood was detected in that area.

5 Q. Now, it's also fair to say that you can't testify
6 that there was never DNA from a foreign person in that
7 area, isn't that correct?

8 A. That's correct. In the same way that DNA can be
9 removed from a firearm it could also have been removed
10 from underneath the fingernails.

11 Q. Okay. DNA can also, can DNA also degrade for
12 other environmental factors beyond moisture?

13 A. Yeah, certainly. Moisture. High temperatures.
14 Other biological reasons such as bacteria or funguses can
15 degrade DNA extensively.

16 Q. Now, you had indicated when you looked at Item
17 29, again the firearm and the magazine, that there was no
18 blood indicated on the firearm and no blood was observed
19 on the magazine. Do you recollect that?

20 MR. ALBERTSON: If I could approach again?

21 A. Yes, please. Correct.

22 Q. Why do you even look for blood on a firearm or a
23 magazine?

24 A. Anytime a firearm is used in an alleged homicide
25 we'll look for possible blowback on the firearm. And

1 blowback is where blood will blow back from the person
2 who's shot. So what I'm looking for is blood from the
3 alleged victim on that firearm.

4 Q. And again such blood could be wiped away or the
5 other environmental factors could take that blood off of
6 those items, is that true?

7 A. That's true.

8 Q. Okay. And you will not always see blowback on a
9 weapon even if there are no environmental issues, isn't
10 that correct?

11 A. I'm not trained specifically in that but I would
12 say, yes, that's correct. It would depend on the
13 distance that the person's shot at.

14 Q. Okay. Sir, thank you for answering my questions.

15 MS. GARST: I have no questions for Mr.
16 Flint. He can be released, Your Honor.

17 COURT: He's excused. You can step down.
18 You're free to leave.

19 MS. GARST: Judge, I have several more,
20 probably four more scientists. Does the Court want to
21 take a break or should I push on? I'm fine. I don't
22 know how the jury is.

23 COURT: Really that's a question for the
24 jury. Do you want a recess? You can take a census
25 amongst yourselves or we can proceed. This is not the