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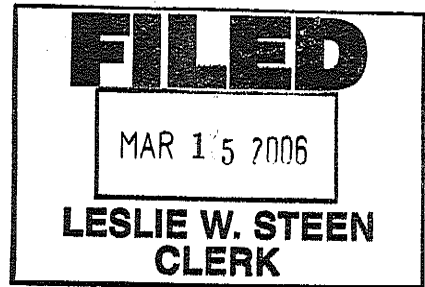
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THIS IS A CAPITAL CASE LESLIE W. STEEN, CLERK

IN THE ARKANSAS SUPREME COURT

DAMIEN WAYNE ECHOLS,)	Case No. CR 94-928
)	
Defendant,)	Case No. CR 99-1060
)	
vs.)	Craighead Co. Circuit Court Nos 93-450, 450A
)	
STATE OF ARKANSAS,)	
)	
Plaintiff.)	
_____)	

DEFENDANT ECHOLS'S
STATUS REPORT RE: DNA TESTING



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Attorneys for Defendant
 DAMIEN WAYNE ECHOLS

ORIGINAL

In response to this Court's letter of February 13, 2006, counsel for defendant Damien Echols provides the following report on the status of DNA testing being conducted in support of his motion for relief under § 16-112-201, which motion is now pending in the Craighead County Circuit Court.

On June 2, 2004, the Circuit Court issued an order based on a stipulation of the parties approving the DNA testing of specific items of evidence to be performed at the Bode Technology Group in Springfield, Virginia. Bode received over eighty items of evidence for DNA analysis on July 7, 2004. These items were to be analyzed for both STR (short tandem repeat) loci and mitochondrial DNA. Issues then arose concerning the destruction of certain items to be tested, requiring written waivers from the parties to permit such testing. Those waivers were obtained, and testing proceeded. The very extensive analysis of evidentiary items was completed on December 30, 2005, when Bode issued reports of the results of both the STR and mitochondrial analysis.

Under controlling scientific protocols, an agency testing evidentiary items for DNA of unknown origin is to complete that testing before receiving and analyzing DNA samples from known sources. With the testing of the unknowns completed, Bode was then to begin STR and mitochondrial analysis of samples from known sources — e.g., the victims, defendants, or other identified parties — before making comparisons between the unknowns and knowns. When providing the results of the testing of the unknowns in December, however, Bode informed the parties that their mitochondrial analyst was leaving the company and new personnel would have to be brought on board before testing of the knowns could commence. The parties considered the possibility of moving the testing of the knowns to another agency, but concluded that the delays

such a move would entail would be greater than that involved in continuing with Bode.

Bode informed us this week that it had recently employed a mitochondrial DNA testing analyst, whose participation is critical to completing the remaining DNA testing and analysis in this case. According to Bode, proficiency testing for this analyst (National Institute of Standards and Technology ["NIST"] Standard Reference Manual ["SRM"] test) should be completed in no more than 3 weeks. Bode has also stated that once the "known" DNA samples are sent to the laboratory, it will take 8 to 10 weeks to complete the extractions, amplifications, and the rest of the process so that reference profiles are available for both the STR and mitochondrial DNA. This 8 to 10 week period would presumably follow the 3 week period need to complete the proficiency testing to be administered to Bode's new mitochondrial DNA analyst.

I have discussed these developments with Craighead County Prosecuting Attorney Brent Davis, who has represented the state in the § 16-112-201 proceedings. We have agreed to provide Bode with the known samples as soon as possible. Once Bode completes its comparative analysis, the parties will be in a position to brief the matter in the Circuit Court.

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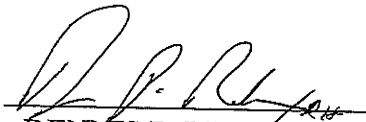
Counsel for Echols is, of course, prepared to provide the Court with any further information it should request concerning this matter.

DATED: March 14, 2006

Respectfully submitted,

DENNIS P. RIORDAN
DONALD M. HORGAN
DEBORAH R. SALLINGS

By


DENNIS P. RIORDAN

Attorneys for Defendant
DAMIEN WAYNE ECHOLS

CERTIFICATE OF SERVICE

I, Donald M. Horgan, hereby certify that I have mailed a copy of the foregoing

DEFENDANT ECHOLS'S STATUS REPORT RE: DNA TESTING

by first class mail this 14th day of March, 2006 to:

Mike Beebe, Arkansas Attorney General
David R. Raupp, Deputy Attorney General
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323 Center Street
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The Honorable David Burnett
Judge of Craighead County
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