Witness: Pin Kyo

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris

Day 1 of 2 for this witness

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Direct Examination by David Harris

CLERK: Raise your right hand. Do you solemnly state that the evidence you shall give in this matter shall be the truth, the whole truth and nothing but the truth, so help you God?

KYO: I do.

CLERK: Be seated. State and spell your name for the record.

KYO: My name is Pin Kyo, P-I-N, K-Y-O.

CLERK: Thank you.

HARRIS: Ms. Kyo, where do you work at?

KYO: I work for California Department of Justice crime laboratory, located in Ripon.

HARRIS: And what is your occupation for the Department of Justice?

KYO: I'm a criminalist.

HARRIS: Can you -- how long have you been with the Department of Justice?

KYO: I've been working for Department of Justice for six years.

HARRIS: To be a criminalist, do you have any background, education or training that allows you to be a criminalist?

KYO: I have a Bachelor of Science degree in chemistry, and I've been trained in -- I have taken classes for -- to become -- to become...anyway, I had a bachelor's degree in chemistry. And I also have a classes that -- given by California Criminalistic Institute, and they have formal classes to become a criminalist. And I've taken a lot of classes like that. And I have 500 hours of lectures, reading material, and doing the exercise experiments to do the job.

HARRIS: Okay. Let me take you back through that a little bit. You said the California Criminalistics Institute. Does the Department of Justice have, like, it's own school for its employees?

KYO: That's correct.

HARRIS: And the California Criminalistics Institute, is that where the Department of Justice has senior experienced trained people lecture and instruct newer employees in different areas and fields of forensics?

KYO: That's correct.

HARRIS: Now, as part of this -- would you consider that to be kind of e on-the-job training that you receive?

KYO: If -- if it is given class by the CCI, or California Criminalistic Institute, that's a formal training where you got certificate. And also we have also in the laboratory that I work with there's qualified senior criminalists who also train me.

HARRIS: Okay. So that's another aspect –

KYO: Another –

HARRIS: of on-the-job training?

KYO: on-the-job training, correct.

HARRIS: So you come in with the background that you have, you're employed by the Department of Justice, and they send you to the CCI classes, formal education?

KYO: Uh-huh.

HARRIS: Then there's also a program where they assign you to senior criminalists where you learn certain proficiencies before you can actually start doing case work?

KYO: That's correct.

GERAGOS: Objection.

HARRIS: There was an objection?

JUDGE: I didn't hear it.

GERAGOS: Leading.

JUDGE: I'll overrule it, just to get through it.

GERAGOS: Foundation?

JUDGE: Yeah. Go ahead.

HARRIS: And with the -- your background, formal classroom education and the on-the-job experience, have you received certification that allows you to be proficient and to work actual case work in certain areas?

KYO: Before anybody at our lab start doing actual cases, they have to go through the proficiency. A proficiency is a blind unknown item, and then we're supposed to examine it, and we're supposed to get the right answer, and before we can proceed with the working on a actual cases. So I have done -- done proficiency tests before I started, and also annually you have to do proficiency tests.

HARRIS: What I want to get into right now is what is your current assignment? What is the actual part of the laboratory that you are assigned to do work in?

KYO: I work in the serology section, which is work with the biological fluids, all physiological fluids, like blood, semen, and saliva

HARRIS: Are you also assigned to do general evidence examination?

KYO: That's correct. That would be part of my duty.

HARRIS: To do to go back through this, what is the general evidence examination?

KYO: That is when you get evidence, you document what it is, and note -- and collect all the trace evidence, and for other analysts to be taking a look at.

HARRIS: Now, within the Department of Justice at the Ripon laboratory, do you have certain individuals that are assigned to certain areas so if you find something in general evidence you would send it to them?

KYO: That's correct.

HARRIS: For example, is Rod Oswalt one of the persons that does hair comparisons?

KYO: That's correct.

HARRIS: So if you're doing a general evidence exam and you find hairs or fibers, you would send those to him?

KYO: That's correct.

HARRIS: I want to go back through this and ask if at some point in time you were assigned to participate in a Central Valley case number dash 02-01094 -- 41?

KYO: That's correct.

HARRIS: And that's the case that's related to Scott Peterson?

KYO: That's correct.

HARRIS: Now, as cases or evidence comes into the laboratory, are they assigned certain request numbers?

KYO: Yes.

HARRIS: And is it the request number -- a report is generated for each one of those request numbers?

KYO: That's correct.

HARRIS: In this particular case, what I want to do is just start with the first request that you were involved with and kind of work through it sequentially from there. Referring you to request number 01, were you involved in the first request that came in?

KYO: I'm involved with the request number one.

HARRIS: Okay. And did you write that particular report when your examination was done?

KYO: I did.

HARRIS: If you need to at any point in time refer to your notes –

GERAGOS: Bates number stamp on that?

HARRIS: That would be 023423.

GERAGOS: Thank you.

HARRIS: The first thing I want to talk about is when you -- when you start to do one of these examinations, do you receive evidence from the agencies?

KYO: I receive evidence from agency, started on December 30th, 2002.

HARRIS: So on December 30th some evidence comes in from the Modesto Police Department?

KYO: That's correct.

HARRIS: And does the police department kind of give you an idea of what they would like you to look for?

KYO: They will have a specific instruction as to what they want to look for on evidence items.

HARRIS: And as you go through this process that you described for us, this documentation, do you examine the things as you try to do this? Or perform these tests for them that they ask for?

KYO: I did.

HARRIS: I want to talk about one of the very first items. Did you happen to receive some mops and buckets?

KYO: Yes.

HARRIS: And as part of the process of documenting this, do you take photographs of the items and also write notes in your case notes?

KYO: That's what I did.

HARRIS: Okay. And when I say case notes, these are running notes that you make of notes that might include drawings or notations –

KYO: Right.

HARRIS: about what you observed?

KYO: Right.

HARRIS: I'd like to have marked next in order a series of photographs.

JUDGE: 239. How many have you got?

HARRIS: Five.

JUDGE: A through F -- A through E.

CLERK: A through F?

JUDGE: A through E. There's five of them.

CLERK: Okay.

GERAGOS: I'm sorry, Judge, what was the exhibit number?

JUDGE: Two oh -- 239 A through E.

GERAGOS: Thank you.

HARRIS: Ms. Kyo, I'm going to present to you what's been marked as 239 and go through these. A through E. Ask if you look at those real quick and see if you recognize them.

KYO: I recognize them as the photos I've taken of the mops and bucket.

HARRIS: Now, these photographs, do they accurately depict the items that you received from the Modesto Police Department and examined?

KYO: They do.

HARRIS: All right. I want to start with putting up on the board 239 A. Can you describe for the jury what this particular item is?

KYO: It's a sponge mop with a blue handle. And when I received it, I put it -- I photographed it and I document that it has a detergent smell, meaning is used to clean something with it, so it has left-over detergent smell. And also I observed some brown stains on the -- at the end of the handle over here. And I also -- and I tested -- and I tested some of the stain over in this area.

HARRIS: Let me put the next photograph up, which is a bigger photograph, 239 B.

KYO: This is a photograph of the sponge, of the sponge mop. And on the sponge mop I saw only debris and hairs, fibers on it. So I document that.

HARRIS: Let me go back through this.

GERAGOS: I'm sorry, so I –

JUDGE: Pardon me? Debris.

KYO: Debris and fibers.

GERAGOS: Did you say something after that?

HARRIS: I believe she said So I documented that.

KYO: I document that.

GERAGOS: Thank you.

HARRIS: To go back through this, you said you were initially examining the mop and that you observed or that you smelled something?

KYO: That's correct.

HARRIS: Was it the whole mop that smelled, or any particular part of the mop that smelled?

KYO: Especially the sponge part that might come in contact with the liquid solution that you try to clean with. So, that part.

HARRIS: Did you document in your notes what kind of smell this was?

KYO: Referring to my notes, I stated that it smelled detergent on sponge.

HARRIS: Detergent?

KYO: Detergent.

HARRIS: Showing you 239 C. If you can describe for us what this was.

KYO: This is a string mop, and I documented by photograph. And, again, I noticed a smell of a detergent that been used to mop with before. And I also observe hairs, fibers and debris on the string part of the mop.

HARRIS: Now, in terms of the compare -- did you compare this mop to the other mop at all?

KYO: I just generally documented; but what you mean by "compare"?

HARRIS: Well, I was just noticing, looking at your notes on page twelve, did you make some type of notation as to the -- how used or how -- the lack of use for this particular mop?

KYO: Oh, I have seen mops before, but in this case it looked pretty clean, meaning like no mildews build up because if they don't use detergent or some kind of brown stained build up on the mop. So it's just in general observation. It's not dirty mop, as compared to clean mop.

HARRIS: Okay. Now, you also said that you examined the buckets. So let me put up the photograph of that. 239 D.

GERAGOS: D as in dog?

HARRIS: Yes.

HARRIS: And is this a photograph of the bucket that you received from the police department?

KYO: That's correct.

HARRIS: And, again, you went through the process of photographing it and making notes and documenting it?

KYO: I did.

HARRIS: Did you also take a photograph looking down into the bucket?

KYO: I also take photograph of inside also.

HARRIS: So let's put that one up, 239 E. And, if you would, could you describe for us what you see in this picture, what you found during your examination?

KYO: It's a blue bucket, and I observe there several different off-white stains inside. As you can see. And also on the outside. And there is also some light brown stain on the outside. And I also detected a detergent smell from the bucket.

HARRIS: Now, when you're talking about a detergent -- detergent smell, I don't know if you can describe that for us any better than that. Is it –

KYO: I -- I call it detergent, like a liquid soaps or whatever you use to do -- clean the mop -- clean the floors.

HARRIS: So the smell that you associated with the sponge mop, the string mop, and the bucket was something that was equivalent or close to a commercial cleaning product?

KYO: That's correct.

HARRIS: All right. Now, this particular photograph that we're looking at there, 239 D, there's some -- some -- something up there; I don't really want to describe it as white. Kind of an off-white powder?

KYO: That's correct. Off-white powders. And also at the bottom on -- let's see, refer to my notes. I observe dirt and debris here.

HARRIS: Okay. Now, you described also on the mops and the bucket that there was some of these brown stains. Did you -- did you test those stains at all?

KYO: I did.

HARRIS: And what kind of test did you perform on that?

KYO: I test for -- I did a presumptive test for blood. It's called leuco -- LMG testing. Do you need spelling? I need to refer to my notes. It's a big words. So...

HARRIS: That will make the court reporter happy.

KYO: Right. Leucomalachite, L-E-U-C-O-M-A-L-A-C-H-I-T-E, and Green, G-R-E-E-N. And we refer to that as LMG testing, and that is a presumptive test.

HARRIS: And the presumptive test that was done, you had results for those?

KYO: I tested stains on bucket, as well as I -- on the string mops and the sponge mops. They're all negative for presumptive test for blood.

HARRIS: So just because if there's a stain there, it doesn't mean that it's blood, but it's a good idea to go ahead and test it using the chemical test?

KYO: That's correct.

HARRIS: Now, when you were looking at this particular bucket, is this -- we've seen the wrapping paper that was around the bucket in the previous photograph. Did you have to take the wrapping paper off to look down inside of it?

KYO: Yes, I did.

HARRIS: And this photograph, does this document how it was when you were first looking down inside it?

KYO: That's -- that's correct.

HARRIS: Now, you indicated that you found -- to go back through this, that you found hairs, fibers and dirt from the sponge mop, not as many on the string mop, and that you found some inside bucket as well?

KYO: Referring to my notes.

JUDGE: She said dirt and debris. I don't think she said hair in the blue bucket.

KYO: I just said dirt and debris on that.

HARRIS: So there were no hairs on the bucket?

KYO: That's what my -- my notes stated, yes.

HARRIS: Now, besides the -- the mops and the bucket, did the police department also provide you with other items to test as part of that first request?

KYO: There is several different other items.

GERAGOS: Bates stamp?

HARRIS: They're all in order. 2344344.

GERAGOS: 23?

HARRIS: 2344344. Going through the notes. Maybe to speed it up, have the next series of photos marked.

JUDGE: 240. How many have you got?

GERAGOS: 240?

HARRIS: Five photographs.

JUDGE: Five, okay. A through E.

HARRIS: Ms. Kyo, can I show you what's been marked 240 A through E. Have you look at these real briefly, see if you recognize them.

KYO: I recognize them as the photograph I've taken of the blue tarp and the boat cover, and the items collected from the boat cover.

HARRIS: And these items, these photographs, do they accurately depict the items that you were taking the pictures of?

KYO: They do.

HARRIS: Starting by showing you 240 A, you can describe for us what this is and what you found when you examined it?

KYO: It's a blue tarp, and I noticed it has a mildewy smells when I received it. So I'm sure you know that when item is used and keep it wet, there is a bacteria buildup and you got mildew smells. So that's kind of smell I got. And I also observed sawdust, dirt, and pollen, like a part of flowers and grass stain, like green, greenish stain. Actually, the dirt stain I was questioning, it was found around here. It -- it appear as a gray stain at the beginning, but when I use a swab, it has a greenish color. So I think that is a dirt -- I mean like a grass stain. And I also found some hairs and fibers on -- on the tarp. On this area over here I found a piece of paper and was -- with tape on it.

HARRIS: And these particular items -- to go through this process. If you were -- you're examining something as part of general evidence and you find these items that you're describing, are those removed or saved some way instead of just being put back on the tarp?

KYO: Trace evidence such as hairs and fibers, I will collect them for -- for if they wanted to take it -- test it later on, eventually. So I collect the hairs from this -- hairs from this blue tarp.

HARRIS: And, again, that's -- that's something that would go to the person who's assigned to do the hair comparisons?

KYO: That's correct.

HARRIS: Now, I want to move on from the blue tarp. As part of the boat cover, did you also collect some of this trace evidence and put it into a container?

KYO: On the boat cover, referring to that note, I observe a -- chunks of concrete-like materials falling out of the boat cover. So I collected them also.

HARRIS: All right. Let me go through this with the photographs to make it easier. Showing you 240 B, is this a photograph of the boat cover that the Modesto Police Department gave you?

KYO: That's correct.

HARRIS: And as part of this process of the documentation, did you make any observations? Looking at it, smelling it when you first started?

KYO: I observe that there is a gasoline smells coming out of the boat cover.

HARRIS: And I want to ask you about looking at this particular photograph here, 240 B. Is this examination being done in one of your -- your examination rooms?

KYO: That's correct.

HARRIS: And is this laying on a couple of tables that have been put together?

KYO: That's correct.

HARRIS: Do you put something between the table and the object?

KYO: I put a white butcher paper, just to make sure that there's no contamination from the room onto the boat cover.

HARRIS: And if something comes off the boat cover, is it easier to see on the butcher paper?

KYO: That’s correct.

HARRIS: If something does come off, do you collect that?

KYO: That’s correct.

HARRIS: Showing you 240 C, is this a closeup? It's kind of hard to see here, but is this a closeup of the boat cover?

KYO: That's a different sections of the boat cover. The beginning part is where -- if you will -- there's the -- for a boat there's an engine end and then far away from engine end, that's called bow, and then closer to the area is called stern. And so the first photograph shown was the bow end of the boat. And this would be the mid-ship or middle part of the boat.

HARRIS: Putting up 240 D.

KYO: This -- this would be the stern end of the boat cover. And this is a cover for the engine.

HARRIS: Okay. We just saw a little -- so we understand this. This particular boat cover is not just for the boat; it actually has a part of the cover that will go over the engine?

KYO: That’s correct.

HARRIS: And in some of the photographs you can actually see it, to the very right just above the exhibit tag and going up past where the engine cover portion would be, there's some little tabs that stick out. Are those things that allow the cover to be attached to the boat or the trailer?

KYO: That's what I would think that's what they are for.

HARRIS: Now, you indicated that this had a gas smell. Did you continue to examine it besides just smelling it?

KYO: I examine for stains on the cover inside and outside, and I looked for bloodstains using the LMG presumptive test. And they all negative.

HARRIS: Did you notice that there was any additional -- or that there was any trace evidence at all associated with the boat cover?

KYO: Referring to my notes, I -- let's see.

HARRIS: I'll tell you what, while you're looking at that, let me put up 240 E. I'll refer you to page 26 of your notes.

KYO: Okay.

HARRIS: When you were looking at the boat cover, did you notice if there was any trace evidence or debris?

KYO: I -- I -- there are debris that fall off from the boat, which is these chunks of material.

HARRIS: Okay. To go back through that, you've told us about putting up this butcher paper. So as you examine the boat cover, you're saying that debris falls off. This item here in this little plastic container, this is the debris that came off of the boat cover?

KYO: That’s correct.

HARRIS: Did you look at this or examine this debris at all?

KYO: I collected it for examination for later, if they want to examine it.

HARRIS: And what did it appear to be to you?

KYO: It appeared to me, looking at it, it looked like possible concrete chunks.

HARRIS: Did you gather up -- when you were all done looking at it, gather it up and save it somehow so it could be examined?

KYO: That’s correct.

HARRIS: If I could have marked People's next in order.

JUDGE: 241.

HARRIS: It will be a bag and contents.

JUDGE: Okay.

HARRIS: Ms. Kyo, I'm going to present to you 241. Ask if you've seen this envelope before?

KYO: I -- I do not recognize the outer envelope.

HARRIS: Have you looked at the inside envelope previously?

KYO: I did with -- this afternoon.

HARRIS: With Detective Grogan?

KYO: With the Detective Grogan.

HARRIS: And does it appear to have some writing on the front of the outside envelope that says C Grogan with a number and a date?

KYO: That’s correct.

HARRIS: If you would go ahead and remove the inside envelope and see if you recognize that one.

KYO: I recognize the envelope labeled as transfer envelope. It's my writing, with the case number and item number.

HARRIS: Now, the item number for the boat cover from Modesto PD, that was number 43?

KYO: (Nods head)

HARRIS: I'm sorry?

KYO: That’s correct.

HARRIS: And did you attempt to use whatever number -- Modesto PD assigns something a number, 43 or 45 or 100, did the Department of Justice try to keep that number, if they could?

KYO: We try to keep it as consistent as the agency assigned to them.

HARRIS: Okay. And now, inside this envelope, is there a smaller envelope with the debris inside of it?

KYO: Yes.

HARRIS: And do you recognize that with your initials and your handwriting?

KYO: I recognize it with my initial and handwriting.

HARRIS: Okay. And this is what you put the debris that we're looking at up on the photograph into this little envelope, put it in the bigger envelope, and gave it to Detective Grogan?

KYO: That’s correct.

HARRIS: And you got it from Detective Grogan today in that outside envelope?

KYO: That’s correct.

HARRIS: Okay. If you could go ahead and put those back into each envelope.

KYO: (Witness complies)

HARRIS: Did the Modesto Police Department also give you item number 48, which is identified as a dog leash? And I'll refer you to page 28 of the notes.

KYO: Yes.

HARRIS: Have this marked as next in order.

JUDGE: 242.

HARRIS: Miss Kyo, if I can show you what's been marked as 242, if you to look at this photograph and see if you recognize it.

KYO: I recognize this as a photograph taken of a leash given -- from -- that I examined.

HARRIS: Is this one of the evidence items from the Modesto Police Department?

KYO: That’s correct.

HARRIS: And this photograph, does it accurately depict the item that you looked at, you examined?

KYO: It does.

HARRIS: What I want to do is go ahead and put this up on the board.

Miss Kyo, I don't know if you can really see it from there, but what I want to talk about with this photograph is there's a little ruler-like item towards the middle of the photograph. Is that something that you placed with the leash when you took the photograph?

KYO: That’s correct.

HARRIS: And is that something that you do as part of the documentation process of going through this?

KYO: That’s correct.

HARRIS: And does it bear the case number for the Department of Justice that we were talking about before?

KYO: That's correct -- that's correct. That would be CV 0210941.

HARRIS: And the -- next to that is the date. Is that the date that you do the examinations?

KYO: That’s correct.

HARRIS: And then below that there's an analyst and then there's some initials there. Do you recognize those initials?

KYO: That is my initial.

HARRIS: And then to the left of that where it has item number, this particular item has item number 48?

KYO: That’s correct.

HARRIS: So when we've been going through looking at these photographs, we can tell what the agency number is and who the analyst information is by looking at these -- I don't want to say little placards, but little rulers?

KYO: That’s correct.

HARRIS: Now, do you go through the same process of examination with this particular leash, looking at it to see whether it smells or what debris or trace evidence might be there?

KYO: In this particular case or item I -- I observe -- well, this leash has two ends, one is a smooth surface and the other end is a little rougher surface. And where the clasp is, I found lots of hair. Possibly dog hair. And also I look for bloodstains, whether they had it or not. And I didn't found anything that look like bloodstain.

HARRIS: Now, when you look at this for bloodstains, do you just kind of hold it up to the eye and look at it?

KYO: I visually examine it to look for bloodstain, as well as using a Lumilight, which is like a black light, and you will see stain that you might not be able to see under normal light.

HARRIS: Did you also look at it under a stereoscope?

KYO: Referring to my notes. In this case I did not look -- note it as looking under a stereoscope, but in some points I will -- as required, I will look under a stereoscope also.

HARRIS: Do you have –

KYO: Oh, actually -- actually, I put a note in here that under stereoscope also. I'm sorry.

HARRIS: Okay. Just want to go back through that. So you did examine this particular leash under a stereoscope as well?

KYO: That’s correct.

GERAGOS: Page 28 is what you're looking at?

KYO: That's right.

HARRIS: Page 28. Bates number 23453.

GERAGOS: Thank you.

HARRIS: Can you explain to us what a stereoscope is?

KYO: A stereoscope is like a magnifying glass, like, but it has two eye pieces. So whatever you're seeing, it magnify to look at it, smaller items.

HARRIS: And besides just looking at it visually, with the light source and the stereoscope, did you also take any of the swabs that you have told us about that you were trying on these other items?

KYO: That’s correct. I try to sample different area of the leash just to make sure that there's no blood.

HARRIS: When you say you sampled other areas of the leash, can you explain that?

KYO: I went along the length of the leash and then swab the leash, the specific area, and then I test it for blood.

HARRIS: And the results were?

KYO: They're all negative for presumptive test for blood.

HARRIS: Now, you were also given some -- another item by the police department, number 57. So I want to refer you to your notes there. Page 30. If I could have another series of photographs marked.

JUDGE: 243 A through?

HARRIS: Six photographs.

JUDGE: A through F.

HARRIS: Ms. Kyo, let me present again to you 243 A through -- I think it was F. See if you recognize what's depicted in these photographs.

KYO: I recognize A through D as a photograph that I've taken of the comforter cover, or the duvet cover, and 243 E and F is a photograph of -- I did not take in this photograph, but is a cutting of the duvet cover, that I've taken from the duvet.

HARRIS: Okay. Just, now, so where clear about that in 243 E and F, is there something that appears to be depicted as a cut piece of cloth in those photographs?

KYO: That’s correct.

HARRIS: And there's the standard little ruler that we're talking about that you previously described. But also written on the cloth, is there some handwriting that you recognize?

KYO: That’s correct. I have taken this photograph. I recognize this by my initials and item number and the case number on the item that I had taken out.

HARRIS: And that's a photograph of the cutting you made of the duvet cover?

KYO: That’s correct.

HARRIS: All right. And these photographs, do they accurately depict the items that you examined?

KYO: They do.

HARRIS: Starting with 243 -- do you need to see them?

GERAGOS: I saw them.

HARRIS: Starting with 243 A, if you can describe for us what that is.

KYO: It's a duvet cover. It's a -- I call it side A and side B. This is a side B of the duvet cover.

HARRIS: Let me stop you there for a second. When you're talking about a duvet cover, this is -- I don't -- maybe this isn't too technical; that is the outside of something of a comforter?

KYO: Comforter cover.

HARRIS: Comforter cover or duvet cover?

KYO: Right.

HARRIS: Some people just call it a comforter cover?

KYO: Right.

HARRIS: And when you're looking at this, can you tell which is the top or bottom or how you stick the comforter inside of it?

KYO: I hang this comforter, the opening where -- where you see buttons and where you can slide the comforter in is on this end over here where I hang.

HARRIS: So, the top of the photograph –

KYO: That would be -- that would be -- if you were to put on the bed, that would be the bottom end. And this part would be -- when you put on the bed, it will be on the -- the headboard part.

HARRIS: So when we're talking about this 243 A, this comforter, the open side or the button side is at the top of that photograph?

KYO: That’s correct.

HARRIS: And you were saying that there was a side A or an A and a B side?

KYO: If you look at it, is a duvet cover is a flat -- two flat sheet keep it together. And this would be side B and the other side would be side A. That's how I designate that.

HARRIS: And this side that we're looking at here would be which side?

KYO: This would be side B.

HARRIS: And on this particular -- on side B, photographed in 243 A, there appears to be some little squares up there. What do those represent?

KYO: I put a Post-it note on the duvet cover, showing the location of the reddish brown stains that I observed on the side B.

HARRIS: Back up for a second. You observed reddish brown stains on the comforter?

KYO: That’s correct.

HARRIS: Did you -- it's kind of hard to tell on this photograph projected, but did you use the same color Post-it note? Or different colored Post-it notes?

KYO: I put different color Post-it note on there so when I take a closeup photograph you can tell, you know, this is a green color, then that would be -- on the overall picture, that came from this location. And there's a -- that's -- this would be like purple Post-it note, and this would be red colored Post-it note, so you know where the stains are coming from.

HARRIS: So that we're clear, because it's tough to see from there, the purple would be the square that's towards the upper center of this photograph?

KYO: That’s correct.

HARRIS: And the red square would be to the right, lower right portion of the comforter?

KYO: That’s correct.

HARRIS: And then the two -- they're green over to the left corner of the photograph?

KYO: That’s correct.

HARRIS: Let's look at the close-ups. Starting with 243 B. A little bit easier to see the color there. Can you describe for us what this is?

KYO: This is a reddish brown stains that I found on the duvet cover, which I located as a purple Post-it note.

HARRIS: 243 C?

KYO: Again, this is another reddish brown stains on the duvet cover, which I noted as a red -- reddish color, orange color Post-it note.

HARRIS: 243 D?

KYO: There are two reddish brown stains, which I noted as a -- with a green Post-it notes.

HARRIS: Now, you've told us before when you find these particular stains that you were doing that presumptive test. Did you go through the same process with these four particular stains on the duvet cover?

KYO: I did. And the results were positive for presumptive test for blood.

HARRIS: So item number 57 on the B side, as you described it, there were these four stains that test positive for blood?

KYO: For presumptive test for blood, that's correct.

HARRIS: Now, you say presumptive test. Is -- in the forensic or criminalist's point of view, do you guys stop there when you have this presumptive test?

KYO: No. We generally either do a confirmatory testing to make sure -- making sure that's a human blood, or -- I'm sorry, and/or go on with the DNA testing when cases where you have limited sample, a small size samples.

HARRIS: When you say testing to see if it's human blood, you can find blood that would test positive presumptively with this test that it might not be human blood?

KYO: That’s correct.

HARRIS: So this confirmatory test that you do sometimes, is that also referred to as a species test?

KYO: That’s correct.

HARRIS: And that will tell you if it's human or some other species?

KYO: That’s correct.

HARRIS: Now, with regards to these four particular samples that we've seen in the 243 series of photographs, did you take cuttings, as you were describing for us, to send those off for testing?

KYO: I take cuttings of all four stains as depicted by my photographs. And...

HARRIS: Let me put up 243 E.

KYO: And this particular piece of cloth, material, is which I cut out where I -- on the photograph I put two green stickers, a Post-it mark.

HARRIS: And then does this appear to be the back side of the same cutting, 243 F?

KYO: That's the back view of the cutting where you can see there's the two stains.

HARRIS: Now, looking at this particular item here, we see that same ruler with another analyst's initials down there, BRH. Who does that stand for?

KYO: That would be Bill Hudlow, one of our senior criminalists who is qualified to do DNA analysis, and –

HARRIS: And this particular item, these cuttings, were they sent to Mr. Hudlow for him to do DNA testing?

KYO: That’s correct.

HARRIS: I don't know where the court wants to take a break.

JUDGE: This would probably be a good time. All right. Ladies and gentlemen of the jury, we'll take a recess until five after 3:00. Remember the admonition I've heretofore given you.

JUDGE: All right. Let the record show the defendant is present with counsel. The jury is in the jury box and along with the alternates. Mr. Harris, you may proceed.

HARRIS: Thank you.

HARRIS: Miss Kyo, I want to go back to the blue tarp. Looking at 240A. And you talked to us about doing the same type of presumptive tests that you were describing for us on the comforter. And you did the same type of presumptive tests which were negative on the tarp. That you said one of the swabbings came up green. Just want to go back to that real quick. When it comes up green like that, does it mean anything with regard to that test? Or is it just part of

the stain?

KYO: It's a same. When I swab it, the stain look like a gray stain. When I swab it, when it transfer on to white cotton swab, it appear to be green. That's what I mean by green color. The swab is colored, but not the testing.

HARRIS: All right. When you do swabbing, just so we go through this process, we have heard some about it before in terms of what the Department of Justice does. When you are doing a swabbing, do you start with something like a sterile Q-Tip, or cotton type swab?

KYO: That’s correct. We use a sterile cotton swab, just like the one you will see for cleaning your ears. And it's a sterilized. And you put a drop of water just to transfer the stain on to the swab. And I just lightly touch it just to make sure that there is some transfer on to the white swab. So when I look at that after the transfer, it -- even though on the blue tarp it looks like gray color, on the cotton swab, on the white background, it appeared to be a green color stain.

HARRIS: You believe that was a grass stain?

KYO: That's what I think. That's a grass stain.

HARRIS: Now, the measurement of this tarp, it's kind of hard to see from here because there is no scale. Did you measure this tarp?

KYO: I did. And it is approximately 68 inch by 91 inch.

HARRIS: Moving forward again. You told us about sending the cuttings from the duvet cover to Mr. Hudlow for testing. Did you also receive some swabs that -- like we were just talking about from the Modesto Police Department in terms of what they had taken in terms of these type of presumptive swabs? Let me try that again.

KYO: Can you repeat?

GERAGOS: Objection, vague.

JUDGE: Could be a little more specific?

DISTASO: First let me have some photographs marked.

JUDGE: 244. How many are you marking?

HARRIS: Four.

JUDGE: A through D.

HARRIS: Miss Kyo, let me show you what's marked 244A through E, or D, excuse me. See if you recognize what's depicted in these photographs.

KYO: I recognize it as photographs that I had taken of items submitted by Modesto PD. And one of the swabs I don't recognize.

JUDGE: What number is that?

KYO: That would be 244D?

JUDGE: D?

KYO: D as in dog. Taken by somebody else.

HARRIS: And that particular photograph, does it have one of those scales in it with Mr. Hudlow's information, and an item number of 1-D?

KYO: That’s correct.

HARRIS: Looking at the photographs that you took, starting with 244A, is there a sample 1-D in that particular photograph?

KYO: Yes. Actually there is another photograph which I didn't take, which is 244C.

HARRIS: Again, is that -- does that have that ruler at the bottom with Mr. Hudlow's information?

KYO: That’s correct.

HARRIS: Does it have an item number of 1-A?

KYO: That’s correct.

HARRIS: And is there, in the photograph, an envelope with item number of 1-A, photographs that you took?

KYO: That’s correct.

HARRIS: All right. Just to go through this. So the Modesto Police Department, besides those items that we have been talking about, also submitted to you some other items. We'll put it up here. 244A. Do you recognize these items?

KYO: I recognize these items as the -- this photograph is taken by me. And I recognize it by my initials and case number.

HARRIS: From looking at this, this would blood samples that were collected by Detective Hendee. And it has labels up there of standard control samples off door, steering wheel, et cetera, et cetera. Did you look at these items and then package them up for Mr. Hudlow? Showing you 244B.

KYO: That’s correct. After I examine it, I package it and hand it over to Bill Hudlow.

HARRIS: And did you do presumptive tests on these particular items?

KYO: That’s correct. Before I handed over and repackaged it, I did the presumptive test for blood on all these swabs. Except -- I'm sorry -- on the swab labeled as blood sample.

GERAGOS: Which?

HARRIS: Which one?

KYO: That would be 1-B, 1-C, 1-D, 1-E and 1-F.

HARRIS: So you did 1-B, 1-C, 1-D, 1-E, and 1-F. B, C, D, E, F?

KYO: That’s correct. The other items are controls, so I didn't examine them.

HARRIS: That would be 1-A was one of the controls?

KYO: That’s correct.

HARRIS: Looking at this photograph 244D, does this appear to be a photograph of one of those swabs and was labeled 1-D, one of the swabs that you looked at?

KYO: That’s correct.

HARRIS: When you did the presumptive analysis of this, did you receive any results?

KYO: When I did the presumptive test, 1-B, 1-C, 1-D, and 1-E tested positive for presumptive test for blood.

HARRIS: And, again, these items, as part of the process at Ripon, they were submitted over to for DNA analysis by Mr. Hudlow?

KYO: Could you repeat that?

HARRIS: These -- the items that you received the presumptive positive tests for, were they submitted over to DNA analysis by Mr. Hudlow?

KYO: That’s correct.

JUDGE: What were the numbers again, 1-B –

KYO: 1-C, 1-D, and 1-E.

JUDGE: And 1-E. B, C, D, and E. Okay.

HARRIS: That would be item 1-B, 1-C, 1-D, and 1-E?

KYO: That’s correct.

HARRIS: That's the Modesto PD's numbers. We saw those depicted in the envelopes up there?

KYO: That’s correct.

HARRIS: Now, as part of the process to DNA, did the Modesto Police Department provide you with a blood sample from the defendant?

KYO: Yes.

HARRIS: And did that come in some type of packaging and tubes that you could see that the blood was in it?

KYO: That’s correct.

HARRIS: When you received that, did you do anything with it?

KYO: I preserved the blood in a bloodstain card so they could be used later on for analysis, like DNA analysis.

HARRIS: Let me go ahead and have marked as next a series of photographs.

JUDGE: You didn't identify C.

GERAGOS: She said she didn't recognize C or D.

JUDGE: C or D.

GERAGOS: C and D.

JUDGE: Only thought she said C. D also.

GERAGOS: She said that, and corrected herself and said C as well.

JUDGE: I missed that. Okay. This would be 245. How many have you got there?

HARRIS: Five.

JUDGE: A through E.

HARRIS: Miss Kyo, let me show you what's been marked as 245A through E, see if you recognize what's depicted in these photographs.

KYO: I recognize these photographs of the blood from the blood sample one of blood of Scott Peterson and the bloodstain card I made from these blood sample.

HARRIS: Let me go through this. Starting with 245A, can you describe for us what we're looking at in this particular photograph?

KYO: When I received a blood sample, it come in a blood envelope, blood sample envelope. And it contain a biohazard plastic bag that's sealed. And it contain two vial of blood. And I documented it as –

JUDGE: Whose blood was that, Mr. Peterson's?

KYO: Scott Peterson.

HARRIS: Showing you 245B. This is a closeup of the two vials in that package?

KYO: That’s correct.

HARRIS: And then 245C, a closeup. Can you read the writing on it?

KYO: Correct.

HARRIS: Do you recognize the writing on these vials?

KYO: I recognize my initial on the day that I examined, or make the bloodstain cards from the blood vial, and case number, and the item number over here.

HARRIS: That would be 18-A on the photographs?

KYO: That's correct.

HARRIS: Looking at 245D. Is this another close-up of both of those vials?

KYO: That’s correct.

HARRIS: And looking at 245E. What do we see in this particular photograph?

KYO: This is a photograph taken by Bill Hudlow. I recognize the bloodstain card by the initial over here, and the date that I make the bloodstain card and item number and the case number.

HARRIS: Looking at this photograph, there appears to be two cards up there with the defendant's name on there, number -- item number and your initials?

KYO: That’s correct. There is a two different type of blood vial. Preservative in it. One had contained the EDTA, and the other is ACD. EDTA is the one we generally use for DNA analysis.

JUDGE: Can you flash D up there again? Can you flash D up there again? There is a date on there. What's 10-24-72 mean?

GERAGOS: His birthday.

JUDGE: Okay. You cleared that up. Thank you, Mr. Geragos.

GERAGOS: I'm testifying, Judge.

DISTASO: We'll accept that stipulation, Judge.

JUDGE: All right.

HARRIS: Going back to 245E. You are saying there is an EDTA and the ACD. We saw on the photographs of the vials, there is a yellow top and a purple top?

KYO: That’s correct. The purple top contained preservative. EDTA and that's good for preserving the DNA. And the other card is ACD containing preservative which is a yellow top. When you receive these, they are in package with the two blood vials in it.

HARRIS: It comes in this, those blood vials, how do you actually go about making these cards?

KYO: Actually I label identifier on the blood vial with my initials, and then I label the bloodstain card with my initials and information on it. And then I put the bloodstain cards in the biohazard hood, and I use a dropper, like an eye dropper. I suck up some of blood and dribble over the bloodstain card and let it dry, and then I package it after it dry.

HARRIS: So you prepared that particular card. And then it ultimately goes to Mr. Hudlow for him to do the DNA comparisons?

KYO: That’s correct.

HARRIS: You also received some items from the Modesto Police Department that were possible bloodstains from the house. And that was a series of items number 24, from the warehouse, series of items in the 100 series, and from the Land Rover, and the series of 401. Do you have any results from those items?

KYO: I found all those swabs of blood, possible blood sample swabs to be negative presumptive test for blood.

HARRIS: Now, the Modesto Police Department asked you to look at some other items. And I want to move to your case, or your Request Number 4.

KYO: Okay.

HARRIS: And have you had a chance to find that at this point in time?

KYO: Got it.

HARRIS: And when you received these -- let me just back up for a second. When you told us about how this process works, the Modesto Police Department brings in some items, you document in your reports the items that you received and the date they come into your laboratory?

KYO: That’s correct.

HARRIS: So talking about this particular report under Request Number 4, did you receive the number of items on January 22nd of 2003?

KYO: Yes. We received Oral B toothbrush on 25-A and 25-B; black and blue brush, 26-A. B-r-o -- I don't know. It's brown brush, 26-B.

HARRIS: Let me stop you there for a second. You are going down a list that's on the first page of your report?

KYO: That’s correct.

HARRIS: So as part of the process of documenting what's there, these items come in, you look at the packaging and decide if you are going to examine it as part of the request that you receive from the police department?

KYO: Generally to let the agency know that we received them, when we received them, even though we don't examine it, we put it in the note so that we have a record of it in the reports. So, in this case, these the items that we received, so I documented as such, but I didn't examine them, because that's -- I didn't examine them, because it wasn't -- I couldn't do all these examinations.

HARRIS: Now, this particular report, Request Number 4, were you specifically being asked to look at a vacuum cleaner?

KYO: That’s correct.

HARRIS: And this vacuum cleaner, was it a Dirt Devil that had been taken from the defendant's house?

KYO: That’s correct.

HARRIS: If I could have marked next a series of photographs. It would be four photographs -- actually five photographs.

JUDGE: Okay. 246A through E.

HARRIS: Miss Kyo, let me give you 246A through E, see if you recognize these.

KYO: I recognize these as a series of photograph I have taken of the line vacuum cleaner and the vacuum bag, and the debris inside the vacuum bag.

HARRIS: These photographs, do they accurately depict what's shown in the photographs?

KYO: They do.

HARRIS: Starting with 246A. Can you describe for us what this item is?

KYO: This is when I removed the cover to look to take out the vacuum bag.

HARRIS: And 246B.

KYO: This is the other side of the vacuum bag where the debris will come into this hole over here.

HARRIS: Would this particular vacuum that you are describing there, you were pointing out where the debris comes in, it's sucked up through the machine, and then it's kept in this bag?

KYO: That's right. This is where the debris will come through into the bag. And this particular hole will fit directly on to this area.

HARRIS: Looking at 246C. What to we see in this particular photograph?

KYO: I cut away the top part of the vacuum bag, peeling away. I saw a series of clumps directly across from the -- where the debris will come in. And I labeled them as the 271, 272, 273. And I examined all those debris, and I take a photograph of them. And also I combed throughout the rest of the other debris that is in the vacuum.

HARRIS: In 246D, does this appear to be pretty close to the same photograph as the last photograph?

KYO: That’s correct.

HARRIS: Moving to 246E. Let's talk about that particular item.

KYO: This is debris that directly across from where the debris will come in the hole of the vacuum bag. And I just teased them away. I try to do a general evidence processing, documenting what I observe. And I observed dirt, debris, fibers, a piece of blue plastic. And –

HARRIS: Let me stop there, talk about this for a second. When -- you were talking about how you were picking through the debris. So you open up this bag. And we saw in the previous photograph how there is these layers. It's more compacted at the bottom. As you get towards the top of the opening, it's more loose. I want to say fluffy, but kind of looks that way at the top?

KYO: That’s correct.

HARRIS: And you were saying you are doing a general evidence processing. Do you start at the top to see what the last items were that went into the vacuum cleaner?

KYO: That’s correct.

HARRIS: You start picking through that. We see in the photograph in the upper, right there is a pair of tweezers?

KYO: These are the tweezers that I use to tease out all the item.

HARRIS: You were describing for us with the photograph that you separated these into the very top, into a 1, 2, and 3?

KYO: That’s correct.

HARRIS: And these were from item number 27 with the Modesto Police Department number?

KYO: That’s correct.

HARRIS: Now, this photograph that we are looking at here 246E, this has written in the lower right the number of 27 dash 2?

KYO: This one over here. That's the pile of debris from vacuum bag I label earlier. That's where these debris come from. Divide this photograph.

HARRIS: You said that you are going to go through this tweezing out these things. What was it that you found as you go through?

KYO: I found Christmas tree debris, pine needles, dry grass cutting material, feather, pieces of feathers, fibers, plastic, blue -- in this particular photo, blue-colored plastic piece. Onion skins. So general debris.

HARRIS: Now, pointing out something to us, that little blue piece of plastic. Could you tell or describe for us what type of plastic that was this?

KYO: It's a thin piece of plastic. It's measure approximately one centimeter by three centimeter. Very small. And it looked like to me possibly from the grocery bag kind of material. Very thin and crunchy.

HARRIS: When you saying thin and crunchy, you are holding your index finger and thumb, kind of squeezing them together?

KYO: That's right.

HARRIS: You are pinching between your fingers, it would have some kind of sound to it?

KYO: That’s correct.

HARRIS: Now, you pick through this -- looking at again at 246E. Do you separate these items out and try and look at them in terms of age? Or can you to that?

KYO: I try to look at the most recent, the last piece of debris that comes through, which would be directly across from where the incoming hole is. So that would be 27-2. And then there are other clumps of debris in the vacuum bag also on top -- I mean behind it, but close also. So I look at them also. But I look at it in separate pile as they come out of it.

HARRIS: Again, this photograph represents the most recent stuff that would be -- or the last items going into that vacuum cleaner bag?

KYO: That’s correct.

HARRIS: Moving on again to your Request Number 8. Did you receive some items from the Modesto Police Department as part of Request Number 8 for you to examine?

JUDGE: What date?

HARRIS: Many different dates on here.

HARRIS: You received certain particular items on February 21st, 2003?

KYO: I received several items on February 21st, 2003. And I examined a brown paper bag containing clothing articles, a shirt, pajama tops and bottoms, blue underwear, four socks, and another item, 218 dash 45 –

HARRIS: Tell you what. Just to help along with this, to identify them, I'll have marked next in order two photographs.

JUDGE: 247.

KYO: The first item, list of clothing articles.

JUDGE: Hold on, Miss Kyo, there is not a question pending.

JUDGE: 247A, B.

HARRIS: Miss Kyo, let me show you 247A and B, and ask you if you recognize what depicted in those photographs?

KYO: I recognize photograph that the one I had taken of item 218-45 and 218-31.

HARRIS: And the items depicted in these photographs, do these photographs accurately depict the items that you observed in the photographs?

KYO: They do.

HARRIS: 247A. You are saying that you received certain items. If you could go through and describe for us what it is.

KYO: I received a purse, a green and blue weave purse, and contained a jacket and a novel. And I am referring to my notes. Again, I examined for -- I take them out, take out the items. And I photographed it, and I examined each item. In the purse lining I observed off-white watery stains inside. And I tested it for blood. And it tested negative for blood. And I also observed inside the purse plant -- grass debris. I did not collect -- I did not collect them. And I examined the jacket. I observed a small reddish-brown stain in the front close to the zipper area. And it tested negative for blood also. And I also observed fibers, plant dirt debris on the shirt. And I did not collect them. And I examined the novel book that's inside the -- come from the purse. And I found a card, but no bloodstains observed on the book. So I didn't test any stains on the book.

HARRIS: And with these particular items there was a second bag. Go ahead and put that photograph up 247B. Did you examine these items as well?

KYO: Yes, I did. Starting with the shirt. I observed some stains also closer to the front chest area. And they tested negative for -- presumptive test for blood. And I examined a pair of pajama tops and bottom. And I observe some stains on the pocket, on the front clothes area over in the -- close to the upper thigh area. I tested them with LMG. And they also all tested negative for presumptive test for blood. And I did not find any LMG. I did not find any blood-like stains on the underwear. And so I didn't test for bloodstains on the underwear. And I tested the Polo socks, and two of the four, two has a small reddish-brown stain that tested positive for presumptive test for blood.

HARRIS: Go through this. You are saying -- looking at the bottom of that particular photograph, 247B, there are four Polo socks, kind of white athletic socks that have a – bear something that says "Polo Sport" toward the top?

KYO: Correct.

HARRIS: They appear to be tied or bundled together. And the agency number for those particular items were?

KYO: 218 dash 31 as a whole. And I labeled that as 218 dash 31D.

HARRIS: You indicated there were two of those socks that had some kind of stains on them?

KYO: Correct.

HARRIS: And you indicated that you used that LMG test on them?

KYO: That’s correct.

HARRIS: And that was presumptive positive?

KYO: That’s correct.

HARRIS: Did you run a species test on those particular items?

KYO: On a later date I did species test on those stains, and it does not test as human. And I also further tested to see if there is a dog, cat, cow, a pig. I think that's also -- let me check my note. Hold on a second. Referring to my note, on Request Number 37 –

GERAGOS: Could I just approach for seeking -- look over her shoulder?

JUDGE: Yes, go ahead.

HARRIS: That would be Bates stamp 38519?

GERAGOS: That's correct.

KYO: I also further tested that this possibly, dog, cat, cow, or pig, or horse. And they do not respond to all those species either.

HARRIS: So these socks, there is a presumptive test for blood. But when you do the species test, it's negative for human, for dog, cat, cow, pig and horse?

KYO: That’s correct.

HARRIS: Going to move on. In your Request Number 15, at some point in time did the Department of Justice receive information that the Contra Costa crime lab had evidence, or had items that they were going to be shipping to you?

KYO: That’s correct.

HARRIS: And so you received these particular items from Contra Costa?

KYO: That’s correct.

HARRIS: And as part of, again, the generalized process, that when you went through -- when you received these items from Contra Costa, did you document the items, photograph them, and do your examination?

KYO: Yes, I did.

HARRIS: If I can have marked next –

JUDGE: 248.

HARRIS: 17 photographs.

JUDGE: All right, A through Q.

HARRIS: Miss Kyo, let me present to you 248A through Q, see if you recognize these.

KYO: I recognize these photographs as the ones I took of the items submitted by Contra Costa County Sheriff's Department.

HARRIS: And the photographs, do they accurately depict the evidence items that were sent to you by Contra Costa County?

KYO: Yes.

HARRIS: I'm going to start with 248A. If you can describe for us what's in this photograph.

KYO: This is a photograph of large cardboard box containing four cardboard box. These cardboard box contain victim's bra, panties, maternity pants, and fabric mass from the right leg.

HARRIS: The items that -- when you received them, were they -- we can see red tape on the boxes that have the evidence items in there. Were they in the sealed condition when you received them?

KYO: That’s correct.

HARRIS: We can see some writing. It's not very clear. But is that kind of like a chain-of-custody log from Contra Costa County?

KYO: That’s correct.

HARRIS: Now, you are saying they include the victim's clothing. Showing you 248B. Is this the bra that was recovered?

KYO: That’s correct.

HARRIS: Now, we can see some staining around here in the top of the photograph. What is that?

KYO: That's the original white butcher paper that packaged by the Contra Costa County. And those -- the stain made from the debris from the bra. Most likely the fat decomposed tissues.

HARRIS: 248C.

KYO: This is the photograph of the victim bra. That's the way I found it when I unpackaged the butcher paper. It's folded. And you can see these little globs of decomposed tissues.

HARRIS: Going next to 246D.

KYO: This is victim panties. This is the way I found it when I unpackaged it.

HARRIS: 248E.

KYO: When I untangled victim's panties, this is what I observed. This is the waistline here. This is where the legs will go through. And here is the crotch part of the panties. And there is a cutting here, most likely done by the -- at the autopsy.

HARRIS: Going to 248F.

KYO: This is a photograph of the right -- let me see. This is a photograph of the maternity pants.

HARRIS: 248G?

KYO: This is the other side of the maternity pants, when I flipped over this mass of material. And you can see the maker of the pants of The Motherhood.

HARRIS: 248H?

KYO: This is when I untangled the mass. And you can see the front zipper here, part of the legs here. And this is a waistline. And this appear to be -- there is a cut over to right side of the pant, and the right leg is part of the mass missing.

HARRIS: Now, at the bottom, again, we see the ruler that you have been discussing throughout your testimony, how you use to document the photographs.

KYO: That’s correct. This I labeled as 1 dash 1, item number, and the case number, the date I examined this item, and my initial.

HARRIS: Now, this particular item, it had the number from Contra Costa already assigned, 1 dash 3?

KYO: That’s correct.

HARRIS: And 248I.

KYO: This is when I opened up the victim's pants. You can see the front zipper here and waistline go all the way from here to here.

HARRIS: 248J.

KYO: This is the close-up of the victim pants. And from inside front area you can see the zipper, the front zipper here.

HARRIS: 248K?

KYO: This is another view of the victim pants.

HARRIS: And looking at this particular photograph, are we looking kind of face-on towards the zipper here in the center? You are using the laser pointer to point that out right now?

KYO: Could you repeat that?

HARRIS: Let me just try to do this, not have dueling lasers. But we are looking at the front of the pants right here. This would be the zipper portion?

KYO: That’s correct.

HARRIS: And towards the top of that, at the front part of the pants, there is a button or snap of some kind?

KYO: That’s correct. That's a button.

HARRIS: And if you were to follow the waistband around, you come to the back of the pants, which is visible where the label is at the top center portion of this photograph?

KYO: That’s correct.

HARRIS: And we're looking at -- to the left of the photograph would be the right leg; right of the photograph would be the left leg as it extends down to the bottom?

KYO: That’s correct.

HARRIS: 248L.

KYO: This is a photograph of the victim pants looking down the left leg.

HARRIS: 248M.

KYO: That's a photograph of the close-up of the very end of the left leg.

HARRIS: 248N?

KYO: This is a Contra Costa County item number 1 dash4. It's a cutting from the right leg. And you can see a string of sorts coming down. And this is a piece of fiber with globs of possibly decomposed tissues and marine plants materials, as well as barnacles were observed.

HARRIS: 248O. Is this a close-up of that mass?

KYO: That’s correct. That's a close-up of the mass that we were looking at.

HARRIS: 248P.

KYO: That's when I untangle the mass, and this is a piece of string that pull out. And this possibly is the right leg. This is probably top of the thigh and going down the leg.

HARRIS: And 248Q?

KYO: Another view of the pants. This is the top of the thigh, and then going down the leg.

JUDGE: I think we'll stop there. Ladies and gentlemen of the jury, we'll take the evening recess. Remember the admonition. You are not to discuss this case among yourselves or with any other person, or form or express any opinion about this case. You are not listen to, read, or watch any media reports of this trial, nor discuss it with any representative of the media, or their agent. We'll reconvene tomorrow morning at nine. We'll pick up with Miss Kyo with further testimony. Have a nice evening.