

1 MR. LEONARD: State calls Deputy Dalrymple.

2 (Witness sworn.)

3 THE COURT: Have your seat.

4 And you may proceed.

5 MR. LEONARD: Thank you, Judge.

6 **JAMES DALRYMPLE,**

7 having been first duly sworn, testified as follows:

8 **DIRECT EXAMINATION**

9 Q. (BY MR. LEONARD) Deputy, please introduce yourself
10 to the jury.

11 A. James C. Dalrymple.

12 Q. And how are you currently employed?

13 A. I'm a crime scene investigator with the Harris
14 County Sheriff's Office.

15 Q. And how long have you been with the Harris County
16 Sheriff's Office?

17 A. Almost 30 years.

18 Q. And where are you currently assigned right now?

19 A. For the past 27, 27 and a half years, I've been
20 assigned to the crime scene unit of the sheriff's office.

21 Q. And what exactly do you do with the crime scene
22 unit?

23 A. We have numerous duties. They include going at
24 scenes, taking photographs, collecting evidence, working
25 with fingerprints. One of our duties are the comparison of

1 known and unknown fingerprints to try to establish the
2 identity of the unknown prints.

3 Q. Tell the jury a little bit about your training and
4 experience working with fingerprints.

5 A. I have a bachelor of science degree from the
6 Citadel, Charleston, South Carolina. Specifically in
7 fingerprints, I have attended the basic and advanced FBI
8 fingerprint schools and I've attended several advanced
9 friction ridge or fingerprint comparison schools at Harris
10 County Sheriff's Academy in Humble, at the Montgomery County
11 Sheriff's Academy in Conroe. Also attended classes at Texas
12 Tech University, also attended classes at Sam Houston State
13 University.

14 Q. And exactly how do fingerprints work? Are there
15 any two people with the same fingerprints?

16 A. It's never been found to be so, no, sir.

17 Q. Okay. And how do you compare -- how do you compare
18 fingerprints?

19 A. On the bulbs or the ends of your fingers you have
20 raised skin that's known as friction skin. This consists of
21 ridges. Some of them end, some of them split, become two,
22 two ridges become one, things like that. What you do when
23 you have a fingerprint comparison, you have your known
24 print, that's a print from a known source, and a unknown
25 print, such as a print on a document. You view the prints

1 side by side, you look for features and characteristics in
2 the same sequence in both prints. When you feel you have
3 enough of those, you're able to make the -- come to the
4 conclusion that the prints were made by the same individual.
5 If they're not or if the features and characteristics are
6 different, then you conclude that they're made from
7 different individuals.

8 Q. Okay. And have you been able to compare
9 fingerprints on two separate items few times or many?

10 A. Thousands of times, sir.

11 Q. Okay.

12 MR. LEONARD: Judge, may I approach?

13 THE COURT: You may.

14 Q. (BY MR. LEONARD) All right. Deputy, I'm going to
15 show you what's been marked as State's Exhibit 48. Would
16 you take a look at that and tell me exactly what that is?

17 A. Yes, sir. It's right hand inked fingerprints of a
18 individual.

19 Q. Okay. And how do you know that that's what that
20 is?

21 A. I have my markings on there. They are prints that
22 I took just a short while ago here in the courtroom.

23 Q. When you say "a short while ago," who did you take
24 those prints from?

25 A. The male at defense counsel table with the open

1 collar blue shirt and no jacket.

2 Q. Okay. And walk us through the process. Exactly
3 when did you do that today?

4 A. It was just a few minutes after 3:00. I have a
5 small ink pad, black ink, I have plain white 3-by-5 cards.
6 I take the individual, start with the thumb, place it in the
7 ink, place that on the card and then do the -- I did the
8 four fingers simultaneously, again, place them in the ink
9 and then place them on the card.

10 Q. Okay. And did I request that you come over and do
11 that?

12 A. Yes, sir.

13 Q. Okay.

14 MR. LEONARD: Judge, at this time I'm going to
15 tender to defense counsel State's Exhibit 29, which is a
16 certified copy of a judgment.

17 MR. MARTIN: We have no objection.

18 THE COURT: 29 is admitted.

19 Q. (BY MR. LEONARD) I'm going to show you what's been
20 marked as State's Exhibit 29. Do you recognize this
21 document?

22 A. Yes, sir, I do.

23 Q. And what do you recognize it as?

24 A. It's what's commonly referred to as a J and S, or a
25 judgment and sentence.

1 Q. Okay. Tell me exactly how a judgment and sentence
2 works. What's the purpose of it?

3 A. It's a document generated by a court concerning an
4 individual being charged with a particular crime and the
5 punishment received for that.

6 Q. Okay. And when does this document get generated?

7 A. To my knowledge, the approximate time that the
8 individual's convicted or found guilty of a crime.

9 Q. Okay. And is this an official court document that
10 documents when an individual was convicted of a crime?

11 A. Yes.

12 Q. All right. And does it have any identifying
13 information on it to let you know specifically who this
14 document is related to?

15 A. Yes. Generally there's a cause number, the
16 individual's name, the charge and also there's many times
17 fingerprints contained within the document to identify a
18 particular to a particular document.

19 Q. Okay. Did you have an opportunity to compare
20 State's Exhibit 48, which is the print card given by the
21 defendant, to the fingerprint on State's Exhibit 29?

22 A. Yes, I did.

23 Q. And what did you conclude? What did you determine?

24 A. That the print on the second page of Exhibit 29 was
25 made by the right thumb of the defendant.

1 Q. Okay. So this defendant that's here in court today
2 is the same person that gave the fingerprint on this
3 judgment and sentence in State's Exhibit 29?

4 A. Correct, sir.

5 Q. All right.

6 MR. LEONARD: Pass the witness.

7 THE COURT: Mr. Martin?

8 MR. MARTIN: I have no questions, Your Honor.

9 THE COURT: May this witness be excused?

10 MR. LEONARD: He may, Judge.

11 MR. MARTIN: Yes.

12 THE COURT: Thank you, Deputy. You're free to
13 go. Please don't discuss your testimony with anybody else.

14 THE WITNESS: Yes, ma'am.

15 THE COURT: Thank you.

16 Call your next witness, please.

17 MR. LEONARD: State calls Officer Curtis.

18 Judge, before we call Officer Curtis, may I publish State's
19 Exhibit 29 into the --

20 THE COURT: Curtis is here but go ahead. Come
21 on up and then you can publish it before you start
22 questioning him.

23 (Witness sworn.)

24 MR. LEONARD: You want me to just read it into
25 the record?