

STATE OF SOUTH CAROLINA  
14TH JUDICIAL CIRCUIT  
COUNTY OF BEAUFORT  
COURT OF COMMON PLEAS  
CASE NUMBERS 2013-GS-07-00170 & 2013-GS-07-00171

STATE OF SOUTH CAROLINA (PLAINTIFF)  
VERSUS  
JAQUARD AIKEN (DEFENDANT)

HON. CARMEN T. MULLEN, JUDGE  
TUESDAY, OCTOBER 27, 2015

RULING REGARDING THE ADMISSIBILITY OF DNA TESTING USING TRUEALLELE:

THE COURT:

I just wanted to go ahead and put on the record regards to our pretrial motion. Regarding the admissibility of DNA testing using the TrueAllele technology, as we all know, the admissibility of scientific evidence is governed by Rule 702, the rules of the evidence.

As we also know, in a pretrial hearing, we received testimony, numerous exhibits that I made court's exhibits. I certainly heard your arguments. I reviewed the relevant case law. And I do find that the evidence related to the TrueAllele DNA testing will assist the trier of fact; that Dr. Perlin is qualified as an expert in DNA evidence interpretation; that the science underlying the TrueAllele DNA testing method is reliable, because it has been peer reviewed and it has been the subject of numerous scientific publications.

I do find that it is previously applied to evidence similar to the evidence at issue in this case; they do use quality control procedures; and it is consistent with recognized scientific laws and procedures.

Therefore, I am going to permit Dr. Perlin to testify to the TrueAllele DNA testing that was done in this case.