

IN THE SUPERIOR COURT OF DODGE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA, )  
)  
v. ) Criminal Action  
) File No. 20R-1162SFW  
ROYHEEM DELSHAWN DEEDS, )  
)  
Defendant. )

**ORDER REGARDING TRUEALLELE ADMISSIBILITY**

The above-styled case appears before the Court following evidentiary hearings regarding the admissibility of TrueAllele DNA results under the Daubert standard as well as related Defense Motions numbered 90, 96, and 101. At the hearing, witnesses testified on behalf of the State and Defense and documentary evidence was admitted.

Hearings were held between August 1, 2023 and August 4, 2023, with argument permitted on January 25, 2024.

**After considering the evidence presented and argument by counsel, the Court hereby makes the following findings of fact and law:**

**I. The Daubert Standard in Criminal Cases in Georgia**

In 2022, the Georgia legislature repealed the Harper standard in criminal cases and adopted the Daubert standard. As a result, this established a new set of guidelines regarding scientific evidence in Georgia criminal cases

found in Daubert v. Merrell Dow Pharmaceuticals, 509 U.S. 579 (1993)<sup>1</sup> and Federal Rules of Evidence 702.

To admit TrueAllele results at this trial, the State was required to show by a preponderance of the evidence:

- (1) The expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- (2) The testimony is based upon sufficient facts or data;
- (3) The testimony is the product of reliable principles and methods; and
- (4) The expert has reliably applied the principles and methods to the facts of the case.

O.C.G.A. § 24-7-702; Daubert, *supra* at 592, 593.

In Daubert the court identified several factors that may be relevant in determining the admissibility of expert testimony under Rule 702, which include: 1) whether the expert's technique or theory can be or has been tested---that is, whether the expert's theory can be challenged in some objective sense, or whether it is instead simply a subjective, conclusory approach that cannot reasonably be assessed for reliability; 2) whether the technique or theory has been subject to peer review and publication; 3) the known or potential rate of error of the technique or theory when applied; 4) the existence and maintenance of standards and controls; and 5) whether

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<sup>1</sup> Daubert has long been the standard in civil cases in Georgia. O.C.G.A. § 24-7-702.

the technique or theory has been generally accepted in the scientific community. Daubert, 509 U.S. at 593-94.

When evaluating experts and testimony, Georgia courts are to apply the opinions of the United States Supreme Court in Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993); General Electric Co. v. Joiner, 522 U.S. 136 (1997); Kumho Tire Co. Ltd. v. Carmichael, 526 U.S. 137 (1999); and other cases in federal courts applying the Daubert standard. O.C.G.A. § 24-7-702.

Importantly the federal courts have held that under 702, the focus must be on the principles and methodology and not on the conclusions they generate. Daubert, supra, at 594, 595.

This Court has evaluated all experts and their testimony and **FINDS** that the State's experts, Ms. Emily Schmidt, Ms. Michelle Shepherd, and Ms. Emily Boswell are qualified, credible, reliable, and honest.

#### **I. TrueAllele is Reliable and Satisfies the Daubert Standard**

##### **A. The GBI Independently and Exhaustively Validated TrueAllele's Reliability Before Implementation in Forensic Cases**

The Georgia Bureau of Investigation, herein after "GBI," is a nationally accredited forensic laboratory and is accredited by ANSI (American National Standards Institute), NAB (National Accreditation Board), and audited to adhere to ISO (International Organization for Standardization) 17025 standards, the AR

(Accreditation Requirements) 3125 for Forensic Testing and Calibration Laboratories, and FBI QAS (Quality Assurance Standards).

TrueAllele is a computer software tool utilized by the GBI to interpret low-level complex DNA samples. The GBI began utilizing TrueAllele in casework in 2018. GBI TrueAllele's technical leader and expert Emily Schmidt testified at the Daubert hearing. Ms. Schmidt is a forensic biologist who has previously been qualified as an expert in the fields of DNA analysis, forensic biology and TrueAllele. She has testified in both state and federal court. Ms. Schmidt exclusively studied and tested TrueAllele at the GBI for over 2 years prior to its implementation at the GBI.

Prior to implementing TrueAllele at the GBI, the GBI conducted four (4) different validation studies to test the reliability, reproducibility, specificity, and sensitivity of the TrueAllele DNA software program. This Court finds that "performance check" in the "inter office memo" are validations of the TrueAllele software. The validation process took over two (2) years to complete. During this process, DNA analysts at the GBI conducted tens of thousands of tests of the TrueAllele DNA program with known DNA samples, which showed that TrueAllele produced reliable and reproducible results. Since TrueAllele was approved for use at the GBI in January of 2018, the GBI has produced over 1200 TrueAllele reports.

**THIS COURT FINDS** the GBI Independently and Exhaustively Validated TrueAllele's Reliability Before Implementation in Forensic Cases.

**Over 40 Other Validation Studies of TrueAllele**

There have been 34 other validation studies across the nation confirming the reliability of the TrueAllele software. These studies have been conducted by various entities: independent laboratories; students; and organizations. Eight (8) additional TrueAllele validation studies have been published in peer-reviewed scientific journal, bringing the total to 42 validation studies of Trueallele to date.

**THIS COURT FINDS** TrueAllele has been validated by the GBI and the nation's scientific community.

**B. TrueAllele Has Been Peer Reviewed**

As discussed above, eight validation studies have been published in peer-reviewed scientific journals. These studies show that TrueAllele has been tested and that trends associated with sensitivity, specificity and reproducibility are well documented. Even though owner and creator of Cybergenetics, Dr. Perlin, was involved in most of the studies, as the court in United States v. Gissantaner,<sup>2</sup> held:

The peer review factor of the Fed. R. Evid. 702 and Daubert reliability analysis does not demand independent authorship, studies done by individuals unaffiliated with the developers of the technology. Independent studies, to be sure, advance the cause of reliability. But they are not indispensable. Peer review contains its own independence, as it involves anonymously reviewing a given experimenter's methods,

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<sup>2</sup> While Gissantaner is a STR-Mix case, both STR-Mix and TrueAllele are forms of probabilistic genotyping.

data, and conclusions on paper. If experts have other scientists review their work and if the other scientists have the chance to identify any methodological flaws, that usually suffices. When scientific research is accepted for publication by a reputable journal following the usual rigors of peer review, that represents a significant indication that it is taken seriously by other scientists, i.e., that it meets at least the minimal criteria of good science.

United States v. Gissantaner, 990 F.3d 457, 460 (6th Cir. 2021).

**THIS COURT FINDS** TrueAllele has been validated by the GBI and the nation's scientific community.

**C. TrueAllele has a Measurable Error Rate that has Been Mitigated by GBI Policies and Procedures**

Expert witness Ms. Schmidt testified that there is an error rate for TrueAllele established by the GBI in its validation studies, which included both false exclusions and false inclusions. Specifically, the error rate for false inclusions was found to be 0.003 percent. To compensate for this identified error rate, the GBI reports results outside of this error rate by setting limitations for their lower limit for inclusions and upper limit for the inconclusive range.

The fact that the GBI tested the reliability and calculated an error rate is enough to satisfy this factor. See United States v. Lockett, 2023 U.S. Dist. LEXIS 195952 (2023) (holding that experts at Cybergeneics and in independent crime labs have tested the reliability of TrueAllele's results by calculating an error rate. "This factor therefore weighs in favor of admissibility.")

**THIS COURT FINDS** TrueAllele has a measurable error rate

**D. TrueAllele is Generally Accepted in the Relevant Scientific Community**

TrueAllele is used in ten laboratories across the United States. TrueAllele reports and results have been issued in 46 different states within the United States. In Georgia alone, there has been approximately 115 instances of TrueAllele reports or results being admitted in Georgia courts.

Consistent with this reality, TrueAllele has survived multiple challenges to its admissibility in courts of law. See United States v. Anderson, 2023 U.S. Dist. LEXIS 86810 (MD Penn, May 2023) (Daubert standard); United States v. Lockett, 2023 US Dist. LEXIS 195952 (M.D. La. 2023) (Daubert standard); United States v. Gibbs, U.S. App. LEXIS 22228 (11<sup>th</sup> Cir. 2022) (Daubert standard -unpublished opinion); Daniels v. State, 312 So.3d 926 (4<sup>th</sup> Cir. COA 2021)(TrueAllele satisfied the Daubert standard of admissibility); State v. Simmer, 304 Neb. 369 (2019) (TrueAllele is reliable under the Daubert/Schafersman framework and is generally accepted in the relevant scientific community).

In Simmer, the Supreme Court of Nebraska held that the trial court properly admitted the DNA analysis conducted using TrueAllele under Daubert because the software had been generally accepted in the relevant scientific community and had been used in over two-thirds of the states. TrueAllele has been used to identify mass casualty victims of the 2001 terrorist attack on the World Trade Center, and it has

been used in cases by the Innocence Project<sup>3</sup>. TrueAllele has also been found to be reliable and admissible in New York under the Frye standard. See People v. Wilson, 192 A.D. 3d 1379 (2021) (TrueAllele is generally accepted as reliable within the relevant scientific community).

While the Georgia Supreme Court has yet to directly face the reliability of TrueAllele, many Georgia trial courts have admitted TrueAllele under the Daubert standard in criminal cases.<sup>4</sup> See State v. Erin Arms, Cherokee County, Indictment No. 18CR0783 (order filed 11/7/2023); State v. Lashumbia Session, Cobb County, Indictment No. 184511 (ordered filed 7/8/2022); State v. Gregory Norwood, Walton County, Indictment No. 22CR04463 (order filed 2/1/2024).

Prior to the General Assembly's adoption of Daubert, multiple trial courts admitted TrueAllele under the Harper Standard. TrueAllele faced ten (10) contested challenges under the Harper standard, and in all of those challenges Georgia trial courts found that TrueAllele was reliable.

TrueAllele has also been found to be reliable and admitted in the following state courts:

- State of Indiana v. Randal Coulter, Perry County, 62C01-1703-MR-192, Aug. 2017

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<sup>3</sup> Two of the exonerations that TrueAllele produced were in Georgia. See State v. Gates, 308 Ga. 238 (2020); St. Ex. 86; M.T., 8/2/2023, Vol. I at 203-204.

<sup>4</sup> Nundra v. State, 316 Ga. 1, 15-16 (2023) (holding that Nundra failed to show that the trial court's admission of TrueAllele was plain error and observing that the Court has not yet been asked to rule on the reliability of TrueAllele).

- State of Louisiana v. Chattel Chesterfield, et. al., East Baton Rouge Parrish, 13-0316, Nov. 2014
- Phifer v. State of Maryland, 2020 Md. App. LEXIS 539\*, June 2020
- Commonwealth of Massachusetts v. Heidi Bartlett, Plymouth County, PLCR2012-00157, May 2016
- People of New York v. John Wakefield, Schenectady County, A-812-29, Feb. 2015 (affirmed by People v. Wakefield, 47 Misc. 3d 859; 9 NYS 3d 540 (2015) and People v. Wakefield, 175 A.D. 3d 158); People v. Fields, 2018 N.Y. App. Div. LEXIS 2529\* April 2018
- State of Ohio v. David Mathis, Cuyahoga County, CR-16-611539-A, April 2018; State v. Preston, 2021 Ohio App. LEXIS 2241\* July 2021
- Commonwealth of Pennsylvania v. Kevin Foley, Indiana County, 2012PASuper31, No. 2039 WDA 2009 (affirmed by Common v. Foley, 38 A.3d 882 (2012)); Commonwealth v. Knight, 2017 Pa. Super. LEXIS 4362\* November 2017; Commonwealth v. Wade, 2020 Pa. Super. LEXIS 15\* January 2020; Commonwealth v. Harris, 2020 Pa. Super. LEXIS 3099\* October 2020; Commonwealth v. Long, 2020 Pa. Super. LEXIS 431\* February 2020
- State of South Carolina v. Jaquard Aiken, Beaufort County, 20121212-683, October 2015
- State of Tennessee v. Demontez Watkins, Davidson County, 2017-C-1811, Dec. 2018; State v. Coons, 2022 Tenn. Crim. App. LEXIS 250\* June 2022
- Commonwealth of Virginia v. Matthew Brady, Colonial Heights County, CR11000494, July 2013
- State of Washington v. Emanuel Fair, King County, 10-109274-5 SEA, Jan. 2017

Federal courts have also tackled other probabilistic genotyping DNA software and have held that it is reliable and satisfies Daubert. See United States v.

Gissantaner, 990 F.3d 457 (6<sup>th</sup> Cir. 2021) (STR-Mix); United States v. Lewis, 2020 U.S. Dist. LEXIS 38705 (D. Minn 2020) (STR-Mix); and United States v. Washington, 2020 U.S. Dist. LEXIS 105447 (D. Neb. 2020) (STR-Mix).

TrueAllele and other probabilistic genotyping software has been repeatedly found to be reliable and is generally accepted in the scientific community and **this Court FINDS** it to be so.

**III. GBI Protocols and Policies Were Followed in This Case and the Principles and Methods of TrueAllele were Reliably Applied to the facts of this case.**

The State's expert witnesses, all of which were credible and reliable, meticulously described the GBI's written policies and procedures for the quantification and amplification of DNA and the use of TrueAllele software. These policies and procedures were implemented after the GBI's validation studies. These policies have been audited by FBI QAS (Quality Assurance Standards) and the GBI is in compliance with QAS.

GBI Analyst Michelle Shepherd processed the Nike sandal in this case for DNA.<sup>5</sup> Ms. Shepherd has been working in the field of forensic biology since 1985. This Court finds Ms. Shepherd's testimony as an expert in the fields of forensic biology and DNA credible. Ms. Shepherd extracted DNA by swabbing the Nike

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<sup>5</sup> Ms. Shepherd also authored St.Ex. 107 which is a DNA report linking Deeds to other evidence that is not the subject of any challenges by Defendant. M.T. 8/3/2023 Vol. I at 141.

sandal and in a “very logical step wise protocol” proceeded to quantification and amplification. Ms. Shepherd obtained approximately 15 picograms of DNA during this process. After examining the DNA data, she concluded that low level DNA and complexity of the results would be best assessed by TrueAllele. Ms. Shepherd sent her results to TrueAllele for further analysis consistent with the GBI protocols and policies.

GBI Analyst Emily Boswell, another credible and reliable forensic DNA and TrueAllele expert, conducted the TrueAllele analysis in this case. Ms. Boswell is a Senior Scientist at GBI and has had specialized training in the TrueAllele software.

Ms. Boswell determined that the DNA data from the Nike sandal was reproducible and reliable. She ran the data from the Nike sandal through the TrueAllele software program twice. Ms. Boswell observed three individuals present in this data and set it as such in TrueAllele. Ms. Boswell did not observe four individuals present. For each of the runs in the TrueAllele program, the minor contributor to the DNA data from the Nike sandal was over 20 percent. Ms. Boswell produced a report with a likelihood ratio that is discussed in section four below. Ms. Boswell’s results were peer reviewed.

Ms. Boswell testified that she followed all GBI protocols and procedures in conducting her TrueAllele analysis in this case. She further testified that she produced reliable and reproducible results in this case. The amount of DNA ran in

the TrueAllele program in this case was above the GBI's threshold for which she is able to draw conclusions. If it had not been, she would not have drawn any conclusions. Ms. Boswell followed all policies in applying TrueAllele to this case.

#### **IV. Defendant's Challenge to TrueAllele Goes to the Weight the Jury Should Assign Such Evidence and Not its Admissibility**

A trial court may not exclude evidence because it believes the opinion is not strong or persuasive under Daubert. Fireman's Fund Ins. Co. V. Holder Constr. Group, 362 Ga. App. 367 (2022) (citing Daubert, *supra* at 596). The gatekeeper role is not meant to supplant the adversarial system. Even shaky but admissible evidence can be tested by attorneys at trial and the weight to be given to it is up to the jury. Id. "Vigorous cross examination, presentation of contrary evidence, and careful instruction on the burden of proof are the traditional and appropriate means of attacking shaky but admissible evidence." United States v. Frazier, 387 F.3d 1244, 1272 (11th Cir. 2004) (*en banc*).

#### **The Likelihood Ratio Statistic**

The GBI reported the following TrueAllele statistic in this case:

"A DNA match was identified between the swabs from the Nike sandal from Item 20 (item 21) and Royheem Deeds. A match between the swabs from the Nike sandal from Item 20 (item 21) and Royheem Deeds is approximately 1 million times more probable than a coincidental match to an unrelated person

in the population.”

In the context of TrueAllele, courts have held that a lower mixture weight that makes a likelihood ratio less certain is not a basis for exclusion of DNA evidence. Simmer, *supra*, at 393. In Simmer, the statistic obtained from a knife handle was much lower than the one here. The match between the knife handle and Simmer was only 3.71 thousand times more probable than a coincidental match to an unrelated person in the population. Id. at 392. Yet, the court found that the evidence furnished the jury with the “statistical context” to carry out its duty. Id. at 393.

**This Court FINDS** the strength of the likelihood ratio in this case is an issue of weight for the jury to consider and not a reason to exclude otherwise admissible DNA evidence.

#### **The Low Level of DNA does Not Render these Results Unreliable**

There is no evidence in the record to support Defendant’s position that TrueAllele results are unreliable at this low level.

#### **15 picograms<sup>6</sup> is greater than 10 picograms**

The GBI has set their DNA testing threshold through an exhaustive validation process. The GBI policies and procedures used in DNA testing and TrueAllele testing has been audited and approved of by QAS.

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<sup>6</sup> The transcript repeatedly refers to picograms as “pictograms.” However, the accurate measurement is picogram.

The GBI can send DNA samples that have more than 10 picograms of DNA present to amplification and onto TrueAllele. This number was established by all validation data for both DNA amplification and TrueAllele. At 15 picograms, this sample from the Nike sandal fell within the threshold to test, and if it had been lower than 10 picograms, it would not have been tested.

While the GBI never tested a sample as low as 15 picograms during the GBI TrueAllele validation, the GBI tested low-level samples during the Hyres and GlobalFiler validation process and followed all the policies, which were formed from the validations, must be considered together.

There is no evidence in this record to support Defendant's proposition that a TrueAllele result at this low level is unreliable, nor any evidence to support the Defendant's proposition that any amplification of anything under 200 picograms would be unreliable. In fact, there is evidence to the contrary. Ms. Schmidt testified that there is a higher percent chance of a false exclusion with low level data. The prospect of drawing a judicial line is fraught with uncertainty and arbitrariness. That is why courts in similar situations have held that low level DNA results goes to the weight the jury should assign such evidence and not its admissibility. See Simmer, *supra*.

**THIS COURT FINDS** the low-level amount of DNA does not render these results unreliable or inadmissible.

## V. Computer Science is not the Relevant Scientific Community and the Court Does Not Give Any Weight to the Testimony of Nate Adams

This Court agrees with the Court in Anderson, *supra*, which found general acceptance of TrueAllele and its methods and the “Government ha[d] established that TrueAllele complies with the relevant standards in the field of *forensic science*” and rejected the argument that “among the community of computer scientists and software engineers, TrueAllele is not considered reliable software due to the lack of adherence to accepted practices in the field.” United States v. Anderson, 2023 U.S. Dist. LEXIS 86810, 32 (2023) (emphasis added).

Many courts have rejected Defendant’s position that computer science should be a requirement in forensic biology, a notion forced on them by witnesses such as Adams. In Simmer, *supra*, where Adams testified on behalf of the defense, the Supreme Court of Nebraska found they

*do not believe that the district court was required to find that TrueAllele had been validated “from a software engineering perspective” to find it reliable. In the Daubert/ Schafersman context, a trial court has discretion to decide what factors are reasonable measures of reliability in each case. See Zimmerman v. Powell, 268 Neb. 422, 684 N.W.2d 1 (2004), citing Kumho Tire Co. v. Carmichael, 526 U.S. 137, 119 S. Ct. 1167, 143 L. Ed. 2d 238 (1999) (Scalia, J., concurring). While a review of the TrueAllele source code might also have confirmed the reliability of TrueAllele, we cannot say that the district court abused its discretion by relying on the numerous validation studies confirming the reliability of TrueAllele by other means. See Com. v. Foley, 2012 PA Super 31, 38 A.3d 882 (Pa. Super. 2012) (noting in Frye v. United*

States, 293 F. 1013 (D.C. Cir. 1923), analysis of TrueAllele that scientists can validate reliability of computerized process even if source code underlying process is unavailable to public). See, also, Edward J. Imwinkelried, Computer Source Code: A Source of the Growing Controversy Over the Reliability of Automated Forensic Techniques, 66 DePaul L. Rev. 97 (2016).

304 Neb. 369, 387 (2019) (emphasis added).

As admitted by Defendant's experts, there is "no requirement for source code to be vetted independently", companies are not required to follow IEEE, "conformance to IEEE 1012 is not required by the FBI QAS or ASB standard", and "one way to determine if software works is if it does what it says it's supposed to do" and "you'd have to run software to determine if it was performing correctly".

Mr. Dean offered little credibility and reliability to this Court, but of all Defendant's experts, he was the only one who does not have as much to gain as Dr. Krane and Mr. Adams, who testify regularly against TrueAllele probabilistic genotyping. Mr. Dean confirmed there is no requirement for organizations to follow the IV and V standard, and he is not familiar with or aware of any organizations who are required to have their source code vetted independently.

This Court did not recognize defense witness Nate Adams as an expert in DNA, as Adams lacks expertise in the forensic DNA community, has not gone through a formal training program or a competency test in accordance with QAS, has never worked in an accredited forensic laboratory, does not work for a crime

laboratory, has not been involved in probabilistic genotyping validation studies as the forensic DNA community uses them, is not a part of the American Academy of Forensic Science, is not a member of the Southern Association of Forensic Sciences, does not have a Masters despite having “worked” towards it for 9 years, and has no formal training in DNA processing. This Court finds Mr. Adams is biased on behalf of the Defense and this Court does not find Mr. Adams credible or reliable.

Mr. Adams had the ability and opportunity to test TrueAllele to determine whether it does what it intends to do, review the data in this case with TrueAllele, and even reach out to Cybergenetics to review the source code. All of which Mr. Adams did not do.

Defendant’s expert Dr. Krane has never been part of an accredited forensic laboratory validation study of probabilistic genotyping software and has not worked at an accredited forensic crime lab. Dr. Krane’s opinions \_\_ \_\_ are not factually supported by sufficient evidence. Dr. Krane did not review all the GBI policies that apply in this case and certainly did not review them as a whole. Dr. Krane never analyzed the actual DNA data in this case within the TrueAllele software. Dr. Krane opined the results were not reliable after looking at a poor quality black and white printout of Michelle Shepherd’s results. However, Michelle Sheperd did not conduct the TrueAllele analysis. She conducted the original DNA typing. Dr. Krane did not use TrueAllele or any other probabilistic genotyping software and did not reach out

to anyone at the GBI for better quality images or the ability to review the TrueAllele output.

#### **VI. 403 Is Not a Basis to Exclude this Reliable Evidence**

This Court is not persuaded by Defendant's arguments that TrueAllele and its application would be so confusing to a jury that it should be excluded pursuant to O.C.G.A. §24-4-403.

Federal courts have instructed that even if expert testimony is "confusing" or even "potentially misleading" that does not render the testimony inadmissible under Daubert. Lockett, *supra*, at 20 (citing United States v. Perry, 35 F.4<sup>th</sup> 293, 329 (5<sup>th</sup> Cir. 2022)). If such evidence is subject to attacks from traditional means such as cross examination, the evidence is admissible. Id. In United States v. Morrow, 374 F. Supp. 2d 42 (D.D.C. 2005), DNA evidence resulting in a relatively low level of statistical significance was still admissible under Daubert and Fed. R. Evid. 403. The Morrow court reasoned that DNA on crime scene evidence that cannot exclude the defendant as contributors is probative to the crime charged and any statistical significance of such DNA goes to the weight of such evidence and not its admissibility. Id. A likelihood ratio is a real-world comparison that the jury is entitled to give whatever weight they deem worthy.

**THIS COURT FINDS O.C.G.A. §24-4-403 is not a basis for exclusion.**


**THIS COURT FINDS** the State has more than met its burden as to all Daubert factors, and both TrueAllele and the application of TrueAllele in this case is admissible.

**IT IS FURTHER ORDERED** that Defense Motion #90 Motion to Bar Evidence or Testimony Produced by the TrueAllele Software, or in the Alternative, for Harper Hearing is **DENIED**. The Court notes that the Harper standard has been replaced by the Daubert standard and O.C.G.A. § 24-7-707 has been repealed.

**IT IS FURTHER ORDERED** that Defense Motion #96 Motion to Preclude TrueAllele Results is **DENIED**.

**IT IS FURTHER ORDERED** that Defense Motion #101 Supplemental Motion to Preclude Proffered Expert Evidence Pursuant to O.C.G.A. § 24-7-702 is **DENIED** as it relates to TrueAllele.

SO ORDERED, this 12<sup>th</sup> day of February, 2026.

  
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Sarah F. Wall, Chief Judge  
Dodge County Superior Court

IN THE SUPERIOR COURT OF DODGE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA, )  
 )  
 ) Criminal Action  
v. ) File No. 20R-1162SFW  
 )  
ROYHEEM DELSHAWN DEEDS, )  
 )  
Defendant )

CERTIFICATE OF SERVICE

Comes now, Genie Williams, Judicial Assistant to Chief Judge Sarah F. Wall, and hereby certifies that the originals of this Order Regarding Trueallele Admissibility and Certificate of Service in the above-mentioned case have been submitted to the Clerk of Dodge County Superior Court for filing. A copy of these Orders has been served by email to all interested parties.

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This the 13<sup>th</sup> day of February, 2026.

  
Genie Williams, Judicial Assistant to  
Chief Judge Sarah F. Wall