

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

THE STATE OF NEVADA,  
Appellant,

No. 71208    Electronically Filed  
May 30 2017 09:27 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

v.

FRANK ALLEN SAMPLE, also  
Known as GREGORY F.A. SAMPLE,  
Respondent.

\_\_\_\_\_ /

**STATE'S SUPPLEMENTAL APPENDIX**

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1 CODE 2565  
Christopher J. Hicks  
#007747  
2 P.O. Box 11130  
Reno, NV 89520-3083  
3 (775) 328-3200  
Attorney for Plaintiff  
4  
5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,  
7 IN AND FOR THE COUNTY OF WASHOE

8 \* \* \*

9 THE STATE OF NEVADA,

10 Plaintiff,

Case No. CR16-0502

11 v.

Dept. No. D06

12 GREGORY FRANK ALLEN SAMPLE,  
13 also known as

14 GREGORY F. A. SAMPLE,

15 Defendant  
16 \_\_\_\_\_/

17 NOTICE OF EXPERT WITNESS PURSUANT TO NRS 174.234

18 COMES NOW, the State of Nevada, by and through CHRISTOPHER J.  
19 HICKS, District Attorney of Washoe County, and CHELSEA MAZZA, Deputy  
20 District Attorney, and hereby gives notice of the expert witness the  
21 State intends to call during trial, pursuant to NRS 174.234.

22 FELICIA HALL, Criminalist, Washoe County  
23 Sheriff's Office, Forensic Science Division, 911  
Parr Blvd., Reno, Nevada 89512, 775-328-2800.

24 Felicia Hall ("Ms. Hall") is expected to testify regarding  
25 the blood testing done with respect to this case as well as the  
26

1 results and relevant aspects of testing blood for alcohol, including  
2 but not limited to the following. Ms. Hall will testify consistent  
3 with her declarations attached hereto as **Exhibit "1,"** which have  
4 previously been provided in the regular course of discovery. Ms.  
5 Hall will testify that she is employed as a Criminalist in the  
6 Forensic Science Division of the Washoe County Sheriff's Office Crime  
7 Laboratory, that her education, training and experience have  
8 qualified her to perform analyses so as to detect the presence and  
9 amount of alcohol in a person's blood and/or whole blood sample from  
10 a person, and that her education, training and experience have  
11 qualified her to testify regarding the effects that alcohol has on  
12 the human body. Ms. Hall will testify to the process of testing the  
13 blood and that on September 3, 2015, she completed the analysis of  
14 the blood evidence in this case for alcohol. Ms. Hall will testify  
15 that the sample contained the results as shown in her declarations,  
16 0.193 g/100mL ethanol, 0.185 g/100mL ethanol, and 0.170 g/100mL  
17 ethanol.

18 Ms. Hall is expected to testify that her education, training,  
19 and experience have qualified her to testify regarding retrograde  
20 extrapolation, or a mathematical process for calculating or estimating  
21 the blood alcohol concentration at a specific time within a certain  
22 range of certainty or probability, and she may provide such  
23 calculations or estimates based on the results of her blood testing in  
24 this case. She is expected to testify on all relevant aspects of  
25 retrograde extrapolation, including but not limited to the  
26 applicability and results of retrograde extrapolation in this case.

1 Ms. Hall may also testify that she has previously been qualified as  
2 an expert in toxicology in the Second Judicial District Court of the  
3 State of Nevada. Attached as **Exhibit "2"** please find Ms. Hall's  
4 curriculum vitae.

5 AFFIRMATION PURSUANT TO NRS 239B.030

6 The undersigned does hereby affirm that the preceding  
7 document does not contain the social security number of any person.

8 Dated this 22nd day of August, 2016.

9  
10 CHRISTOPHER J. HICKS  
District Attorney

11 Washoe County, Nevada

12  
13 By /s/ Chelsea Mazza  
CHELSEA MAZZA  
14 13534  
Deputy District Attorney

CERTIFICATE OF SERVICE BY E-FILING

I certify that I am an employee of the Washoe County District Attorney's Office and that, on this date, I electronically filed the foregoing with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

LARRY K. DUNN, ESQ.  
1188 CALIFORNIA AVENUE  
RENO, NV 89505

DATED this 22nd day of August, 2016.

/s/Laura Jimenez  
LAURA JIMENEZ

INDEX OF EXHIBITS

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2016-08-23 08:01:52 AM  
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# EXHIBIT 1

EXHIBIT 1



L2692-15-2



WASHOE COUNTY SHERIFF'S OFFICE  
CHUCK ALLEN, SHERIFF  
FORENSIC SCIENCE DIVISION  
911 PARR BLVD., RENO, NV 89512  
(775) 328-2800



### FORENSIC REPORT

LABORATORY NUMBER: L2692-15-2  
CONTROL NUMBER: T058490  
SUBJECT: SAMPLE, GREGORY F.  
AGENCY: WASHOE CO. S.O.  
AGENCY CASE #: 15-8161  
OFFICER: SWANSON #2980  
COLLECTION DATE: 8/30/2015  
COLLECTION TIME: 3:43

I, Felicia Hall, hereby declare,

That I am employed as a Criminalist by the Washoe County Sheriff's Office Forensic Science Division;

That my professional and academic training and experience have qualified me to perform analyses so as to detect the presence and amount of alcohol in the blood or urine of a person;

That on 8/31/2015 the Forensic Science Division received a sealed container with a sample bearing the name and/or identification listed above and that the evidence contained a WHOLE BLOOD specimen which was assigned the specimen ID: S201503589;

That on 9/3/2015 the analysis of the evidence was completed and the following results were obtained:

**Ethanol 0.193 g/100 mL  $\pm$  0.010 g/100 mL**

*The results listed above represent a level of confidence of approximately 95%.*

That such specimen was returned to locked evidence storage and remains in the custody of the Toxicology Section of said Forensic Science Division.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Felicia Hall, Criminalist

9/4/2015  
\_\_\_\_\_  
Executed on

*Please refer to our website at [www.washoesherriff.com](http://www.washoesherriff.com) in the About Us/Forensic Science/Toxicology section for testing capabilities and protocols. Contact the laboratory at [labclerical@washoecounty.us](mailto:labclerical@washoecounty.us) or at (775) 328-2800 if additional testing is required. Toxicology samples will be retained for a minimum of 13 months before being destroyed. If it is necessary for a sample to be retained beyond this period, a written request must be submitted.*

L2692-15-0



WASHOE COUNTY SHERIFF'S OFFICE  
CHUCK ALLEN, SHERIFF  
FORENSIC SCIENCE DIVISION  
911 PARR BLVD., RENO, NV 89512  
(775) 328-2800



FORENSIC REPORT

LABORATORY NUMBER: L2692-15-0  
CONTROL NUMBER: T058484  
SUBJECT: SAMPLE, GREGORY F.  
AGENCY: WASHOE CO. S.O.  
AGENCY CASE #: 15-8161  
OFFICER: SWANSON #2980  
COLLECTION DATE: 8/30/2015  
COLLECTION TIME: 4:13

I, Felicia Hall, hereby declare,

That I am employed as a Criminalist by the Washoe County Sheriff's Office Forensic Science Division;

That my professional and academic training and experience have qualified me to perform analyses so as to detect the presence and amount of alcohol in the blood or urine of a person;

That on 8/31/2015 the Forensic Science Division received a sealed container with a sample bearing the name and/or identification listed above and that the evidence contained a WHOLE BLOOD specimen which was assigned the specimen ID: S201503585;

That on 9/3/2015 the analysis of the evidence was completed and the following results were obtained:

**Ethanol 0.185 g/100 mL  $\pm$  0.009 g/100 mL**

*The results listed above represent a level of confidence of approximately 95%.*

That such specimen was returned to locked evidence storage and remains in the custody of the Toxicology Section of said Forensic Science Division.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Felicia Hall, Criminalist

9/4/2015  
\_\_\_\_\_  
Executed on

*Please refer to our website at [www.washoesherriff.com](http://www.washoesherriff.com) in the About Us/Forensic Science/Toxicology section for testing capabilities and protocols. Contact the laboratory at [labclerical@washoecounty.us](mailto:labclerical@washoecounty.us) or at (775) 328-2800 if additional testing is required. Toxicology samples will be retained for a minimum of 13 months before being destroyed. If it is necessary for a sample to be retained beyond this period, a written request must be submitted.*



L2692-15-1



WASHOE COUNTY SHERIFF'S OFFICE  
CHUCK ALLEN, SHERIFF  
FORENSIC SCIENCE DIVISION  
911 PARR BLVD., RENO, NV 89512  
(775) 328-2800



### FORENSIC REPORT

LABORATORY NUMBER: L2692-15-1  
CONTROL NUMBER: T058489  
SUBJECT: SAMPLE, GREGORY F.  
AGENCY: WASHOE CO. S.O.  
AGENCY CASE #: 15-8161  
OFFICER: SWANSON #2980  
COLLECTION DATE: 8/30/2015  
COLLECTION TIME: 4:43

I, Felicia Hall, hereby declare,

That I am employed as a Criminalist by the Washoe County Sheriff's Office Forensic Science Division;

That my professional and academic training and experience have qualified me to perform analyses so as to detect the presence and amount of alcohol in the blood or urine of a person;

That on 8/31/2015 the Forensic Science Division received a sealed container with a sample bearing the name and/or identification listed above and that the evidence contained a WHOLE BLOOD specimen which was assigned the specimen ID: S201503587;

That on 9/3/2015 the analysis of the evidence was completed and the following results were obtained:

**Ethanol 0.170 g/100 mL  $\pm$  0.008 g/100 mL**

*The results listed above represent a level of confidence of approximately 95%.*

That such specimen was returned to locked evidence storage and remains in the custody of the Toxicology Section of said Forensic Science Division.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Felicia Hall, Criminalist

9/4/2015  
\_\_\_\_\_  
Executed on

Please refer to our website at [www.washoesheriff.com](http://www.washoesheriff.com) in the About Us/Forensic Science/Toxicology section for testing capabilities and protocols. Contact the laboratory at [labclerical@washoecounty.us](mailto:labclerical@washoecounty.us) or at (775) 328-2800 if additional testing is required. Toxicology samples will be retained for a minimum of 13 months before being destroyed. If it is necessary for a sample to be retained beyond this period, a written request must be submitted.

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2016-08-23 08:01:52 AM  
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Clerk of the Court  
Transaction # 5671596 : pmsewell

# EXHIBIT 2

EXHIBIT 2

## CURRICULUM VITAE

### **Felicia Hall**

Washoe County Sheriff's Office - Forensic Science Division  
911 Parr Boulevard  
Reno, NV 89512  
775-328-2807

#### **Education**

Masters of Science in Forensic Sciences May 2013

University of Alabama at Birmingham, Birmingham, AL 35294

Bachelor of Science in Chemistry Pre-Medicine May 2011

Norfolk State University, Norfolk, VA 23504

#### **Work Experience**

##### **Criminalist – Washoe County Sheriff's Office Reno, NV 89512 (February 2015 – Current)**

- Toxicology Training Program

##### **Forensic Scientist, Associate Drug Chemistry - Alabama Department of Forensic Sciences Hoover, AL 35244 (November 2012 – June 2014)**

- Conduct analyses and tests which include physical test, wet laboratory analysis, and instrumental analysis using such instruments as the gas chromatogram/ mass spectrometer and the DART Agilent-TOF
- Examine physical evidence in order to screen for and identify controlled substances, non-controlled substances, precursor chemicals, and other chemicals used in the manufacture of illegal drugs
- Compose laboratory reports identifying the sample, stating the methods and procedures used, and showing the results and calculations, using Laboratory Information Management System (LIMS)
- Ensure analyses and tests are performed following standard operation procedures, quality control, quality assurance, and safety and security guidelines
- Prepare case files, that contain detail and precise results, and conclusions that summarizes significant information about a case that will be used in court presentations; reports are based on internal policy and accreditation standards
- Conduct administrative and technical reviews on scientific analyses and reports to verify all data, interpretations, submitted information, and calculations
- Maintain data and other files, such as chemical usage data, instrument maintenance/usage logbooks, and case files
- Maintain chain of custody and integrity of evidence
- Conduct evidence and chemical inventories
- Participation in the Laboratory's on-call, crime scene rotation schedule
- Direct co workers on how to perform duties related to the job which included showing them how to document and handle evidence received by writing descriptions and taking photographs which also involved showing them how to document the case in LIMS
- Use of autoclaves to sterilize equipment and supplies
- Prepare and run quality control checks on solvents, spiked solvents, and standards
- Cleaning sources and inlets
- Change liners/o-rings, gas tanks, septa, syringes, ferrules, filaments, pump oil, and other maintenance for the GC/MS

## CURRICULUM VITAE

### Felicia Hall

Washoe County Sheriff's Office - Forensic Science Division  
911 Parr Boulevard  
Reno, NV 89512  
775-328-2807

- Conduct performance checks, troubleshoots, and maintains records of laboratory equipment. Other duties related to the program are performed based on the operations and functions of the laboratory. Continued drug chemistry in house training to include written, oral, and competency test

#### **Internship Lab Technician CODIS - Alabama Department of Forensic Sciences Hoover, AL 35244 (October 2011 – October 2012)**

- Perform temperature checks of freezers and refrigerators containing biological samples and important laboratory resources
- Spotted blood samples from arrestees on FTA cards, input arrestee information into Tracker, and filed arrestee samples for both analyses and storage purposes
- Use of autoclaves to sterilize equipment and supplies

#### **Training**

10/15 Fundamentals of Mass Spectrometry used in Toxicology, RTI International Online Course

09/15 Uncertainty in Forensic Chemistry and Toxicology: Part 2, RTI International Online Course

09/15 Fundamentals of LC/MS/MS, RTI International Online Course

09/15 Introduction to Uncertainty in Forensic Chemistry and Toxicology, RTI International Online Course

09/15 Fundamentals of Sample Preparation used in Toxicology, RTI International Online Course

08/15 Best Practices for Volumetric Measurements, RTI International Online Course

08/15 Conflict Resolution, Washoe County HR Training Center

05/15 Robert F. Borkenstein Course on Alcohol and Highway Safety: Testing, Research, and Litigation

03/15 Fundamentals of Non-Mass Selective Detectors

03/15 Fundamentals of Chromatography used in Toxicology

03/15 Expert Testimony Training for the Prosecutor and Scientist I & II, RTI International Online Course

02/15 Fundamentals of Immunoassay Testing used in Toxicology, RTI International Online Course

11/12 – 06/14 Drug Chemistry In-House Training Program, Alabama Department of Forensic Sciences

- Completed training modules which included written, oral, and competency test:
  - Evidence
  - Sample Weighing/ Uncertainty of Measurement
  - Chromatography



## CURRICULUM VITAE

### **Felicia Hall**

Washoe County Sheriff's Office - Forensic Science Division  
911 Parr Boulevard  
Reno, NV 89512  
775-328-2807

- Ionization
- Mass Spectrometry
- Marihuana /THC
- DART-Agilent TOF
- Color Tests

### **Graduate Research – University of Alabama at Birmingham, Birmingham, AL (December 2011 – April 2013)**

- Quantitative and qualitative comparison of over the counter single active ingredient acetaminophen containing products using gas chromatography/ mass spectrometry
- Developed a procedure to extract and perform qualitative and quantitative analysis on multiple over the counter medications using the gas chromatogram/ mass spectrometer as well as the FTIR, for qualitative analysis
- Directed activities of workers in the lab that assisted me with my graduate research
- Prepared a research paper as well as a presentation with the use of biostatistics which included the use of t- test and Analysis of Variance and Microsoft which included the use of Word, Excel, and PowerPoint

### **Achievements and Memberships**

#### **Awards**

- Outstanding Service for the year 2013, Alabama Department of Forensic Sciences

#### **Publications**

- Rahul Bhure, Tarek M. Abdel-Fattah, Carl Bonner, Felicia Hall and **Anil Mahapatro**, "Stability of Phosphonic Self Assembled Monolayers (SAMs) on Cobalt Chromium (Co-Cr) Alloy under Oxidative conditions" *Applied Surface Science*, **2011 Accepted in press**

#### **Memberships**

- Alabama State Association of Forensic Sciences (ASAFS) Membership 2013-2014
- Member of Golden Key International Honor Society
- Member of the National Honor Society

**CERTIFICATE OF SERVICE**

I hereby certify that this document was filed electronically with the Nevada Supreme Court on May 25, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Larry K. Dunn, Esq.

Destinee Allen  
Washoe County District Attorney's Office