

**FILED**  
KING COUNTY, WASHINGTON

**JUN 04 2010**

**SUPERIOR COURT CLERK  
JUYA GHANAIE  
DEPUTY**

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,	)	
	)	
	)	Plaintiff,
	)	No. 09-C-04820-3 SEA
vs.	)	
	)	
Demetrius James,	)	Court's Ruling on <u>FRYE</u> hearing
	)	
	)	Defendant.
	)	
	)	
	)	

THIS MATTER having come on regularly before the undersigned judge of the above-entitled court upon the motion of the State of Washington, plaintiff, for an order regarding defense counsel's requested Frye hearing in the above entitled cause, and the court being fully advised in the premises; now, therefore,


IT IS HEREBY ORDERED, ADJUDGED and DECREED that defense motion for exclusion of evidence based on that evidence not meeting the Frye standard is denied.

The Court finds that the technology and science used to perform analysis by Rick Wyant of the Washington State Patrol Crime lab is not novel. It is generally accepted in the scientific community. He may testify regarding his experience and knowledge of tasers, taser application, and provide testimony with regard to the duration of TASER application based on microscopic examinations of the probe knot junction of the TASER probe.

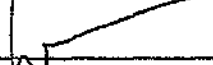
Daniel T. Satterberg, Prosecuting Attorney  
King County Court House  
516 3<sup>rd</sup> Avenue Suite 554  
Seattle, Washington 98104

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DONE IN OPEN COURT this 4<sup>th</sup> day of June 2010

  
\_\_\_\_\_  
JUDGE

Presented by:

  
\_\_\_\_\_  
Deputy Prosecuting Attorney  
Jennifer Miller WSBA #31600

Approved for entry:

\_\_\_\_\_  
Attorney for Defendant

**Daniel T. Satterberg, Prosecuting Attorney**  
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