

# State v. Simmer

**Case Number**

S-18-0500

**Case Audio**

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May 20, 2019

**Court Number**

Douglas

**Case Location**

Lincoln

**Case Summary**

S-18-0500 State v. Charles M. Simmer (Appellant)

Douglas County District Court, Judge Thomas A. Otepka

Attorneys: Melissa R. Vincent (Office of the Attorney General, for Appellee) --- Thomas C. Riley (Douglas County Public Defender, for Appellant)

Criminal: First degree murder

Proceedings below: The trial court denied the Appellant's Daubert challenge and allowed the State to introduce DNA analysis using TrueAllele. After a jury trial, the Appellant was adjudged guilty of murder in the first degree and sentenced to life imprisonment.

Issues: Whether the trial court committed reversible error when it rejected the Appellant's Daubert/Schafersman challenge and allowed the state to present the expert opinion testimony and evidence from Dr. Mark Perlin concerning his conclusions on DNA evidence purportedly linking Appellant to the crime scene.

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