

Exhibit 1

TEXAS DEPARTMENT OF PUBLIC SAFETY

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April 30, 2018

Bryce Benjet
Senior Staff Attorney
Innocence Project
40 Worth Street, Suite 701
New York, NY 10013

Dear Mr. Benjet:

I have reviewed your correspondence entitled "Request for Correction, L-246937" dated July 11, 2017. I do not believe that Ms. Blakely's testimony constitutes professional negligence or professional misconduct and thus do not see a basis for the Crime Lab to report this matter to the Texas Forensic Science Commission pursuant to Article 38.01, Sec. 4, Texas Code of Criminal Procedure. The issues raised in your letter have been extensively litigated in this case. We do not see a duty to correct in this matter; however, during our review of the testimony by Ms. Blakely we noted some potential limitations in the paper she cited during testimony: Spermatozoa -- Their Persistence After Sexual Intercourse, GM Willott and JE Allard, Forensic Science International, 19 (1982) pp 135-154.

The Willott paper cited by Ms. Blakely during her testimony concerned a study that was undertaken to determine the amount of time spermatozoa could remain in the body after intercourse. Data for this study was collected from living victims and relied on the victim to correctly estimate the time since the offense (intercourse) occurred. The paper acknowledged that reliance on the victim to estimate the time since the offense occurred was a potential limitation to the research. The paper also included a table comparing the results of similar studies. In this table, a study by Davies and Wilson was referenced that reported 72 hours as the longest time for intact spermatozoa to be found in the vagina. The Davies and Wilson study, in contrast to the Willott study, relied on laboratory volunteers to collect samples at pre-established time points. The difference in collection method is a possible explanation for the difference in result. As seen in the table in the Willott paper, the literature varied greatly in the time given for finding spermatozoa (intact and otherwise) in the female reproductive tract.

Your letter indicates that you have sent your Request for Correction to the Texas Forensic Science Commission. We would fully cooperate with the Commission or the Courts regarding any hearings or reviews they may choose to conduct.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brady W. Mills".

Brady W. Mills
Assistant Division Director
Crime Laboratory Service
Law Enforcement Service Division

cc: Lynn Garcia, Texas Forensic Science Commission

BWM:cg

Exhibit 2



10430 Furnace Road, Suite 107
Lorton, VA 22079
Phone: 703-646-9740

**Forensic DNA/Biology Analysis Testimony
Result of Review
January 11, 2018**

To:

Bryce Benjet
Staff Attorney
Innocence Project
40 Worth Street, Suite 701
New York, NY 10013

Cellmark Case #: F9801744

List of Documents Evaluated from Innocence Project received on July 11, 2017:

Transcript for Case F9801744

CONCLUSIONS:

Bode Cellmark has completed its review of the testimony transcript [and/or stipulation] for the case referenced above and found it to contain:

☐ Satisfactory Statements

☒ Unsatisfactory Statements

If Unsatisfactory: Bode Cellmark has completed its review of the testimony transcript [and/or stipulation] for the case referenced above and found it to contain:

☐ **Error Type 1:** The DNA Analyst stated an inclusion associated with a specific individual to the exclusion of all others when 1) source attribution threshold was not met (applicable only to cases reported before September 19, 2015) or 2) after Bode Cellmark discontinued the practice of applying source attribution (September 19, 2015).

☐ **Error Type 2:** The DNA Analyst provided an incorrect statistical value during testimony or incorrectly explained the meaning of the statistical value(s).

☒ **Error Type 3:** The DNA/Forensic Biology Analyst cites the number of cases and/or samples worked in the lab as a predictive value to bolster the conclusion that the DNA profile belongs to a specific individual or the DNA/Forensic Biology Analyst otherwise testifies beyond the scope of his/her expertise.

See enclosed Testimony Review Evaluation Form.

Report submitted by,

Stephane Sivak, MS
Technical Leader

Correction Review Evaluation Form

Case Information:	
Case Number:	F9801744
Defendant(s):	Rodney Reed
Date of Review:	11/22/2017

Review of Testimony:	
Date of Testimony:	5/11/1998
Testifying Analyst:	Meghan Clement
Name of Prosecutor:	Mr. Charles Penick, Mr. Forrest Sanderson, & Ms. Lisa Tanner
Name of Defense:	Mr. Calvin Garvie & Ms. Lydia Clay-Jackson
Testimony Results (mark as appropriate):	
Unsatisfactory Statements:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If testimony contained Unsatisfactory Statements, cite each by Error type, page(s), and line number(s):	
Page 55, lines 13-21	With spermatozoa, the tails are very fragile and tend to break off, so after a short period of time they start losing their tails and then what you find is only the spermatozoa heads, from sexual assault cases. So that can be an indicator of how long the spermatozoa has been in a particular place before it is actually collected and detected.
Page 56, lines 8-16	In serology work, typically, sexual assault kits weren't even collected more than 24 hours after an encounter because the chances of finding sperm is so rare. Generally, finding intact sperm at more than probably about 20 hours, 20 to 24 hours, I don't ever recall finding intact sperm more than that, from the time of the sexual assault and from the time the collection was made.
Page 56, line 18, after asked to clarify above response: "And that was in over thousands of rape kits?"	Yes.

Approved By:



Date: 1/11/2018

Document: Correction Review Evaluation Form

Revision: 1

Effective: 1/3/2018 4:22:11 PM

Issuing Authority: Quality Assurance Manager

Exhibit 2A

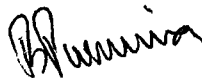
AFFIDAVIT OF PURNIMA BOKKA

I, Purnima Bokka, declare, under penalty of perjury, that the following is true and correct:

1. My name is Purnima Bokka, I am over the age of 18 and otherwise fully competent to provide this affidavit. I am a Forensic Biology/DNA Analyst II at Bode Cellmark Forensics in Lorton, Virginia. I have a Bachelor's Degree from Anna University, India and a Master's in Forensic Science Degree from The George Washington University. I began working at Bode Cellmark in 2014 and in addition to my casework responsibilities; I also train new analysts and perform quality control on serological reagents used at Bode Cellmark. I have also previously testified in court as an expert in forensic biology.
2. Bode Cellmark Forensics is a private ASCLD/LAB accredited forensic DNA laboratory and regularly performs forensic biology and DNA testing of evidence from many law enforcement agencies, prosecutor's offices, crime labs, defense attorneys, Innocence Projects and public defender's offices across the country. The accreditation is based on ISO/IEC 17025:2005 standards and the FBI Quality Assurance Standards for Forensic DNA Testing and DNA Databasing Laboratories.
3. Bode Cellmark Forensics is one of the largest private DNA laboratories in the United States and routinely processes greater than 1,000 forensic cases per month, with approximately 3,000 to 5,000 items tested each month. Bode Cellmark has worked with several law enforcement agencies to help clear sexual assault kit backlogs which also included serological testing for spermatozoa.
4. Due to the physical morphology and structure, spermatozoa are more resilient than other cell types to regular body processes and externally induced processes such as washing. This results in longer survival times of spermatozoa within internal body cavities than other cell types. It is also observed that the recovery of intact sperm cells (head and tail) is typically low due to the nature of the sperm tails being fragile and susceptible to degradation, unlike the sperm heads.
5. Several studies have been conducted to study the persistence of spermatozoa in body cavities. The time frames for intact spermatozoa (with tail attached), that have been observed in living individuals, are up to 26 hours after intercourse in the vaginal cavity and up to 6 hours in the rectal and oral cavity ^[1-5]. Some studies have shown that intact sperm are less commonly seen as late as 72 to 144 hours in the vaginal cavity ^[3, 5]. Sperm heads (without tails) have been observed in living individuals up to 7 days after intercourse in the vaginal cavity, 2-3 days in the rectal cavity and 24 hours in the oral cavity ^[1-5]. These estimates are for internal body cavities and will be different for the persistence of spermatozoa on clothing items. The presence of spermatozoa in a sample depends on several factors including, but not limited to, the time of collection after intercourse and the number of sperm present in the ejaculate.
6. In my role as Forensic Biology/DNA Analyst II, I have processed over 500 cases that involved examination of spermatozoa. In my experience with microscopic examination of spermatozoa, I have not encountered intact sperm in forensic casework due to the processes involved in preparing a sample for microscopic examination. The chemicals used typically break down the tails resulting in only sperm heads being observed. Also, most samples in forensic casework are not collected or processed immediately after the sexual assault for intact sperm cells to still be present, which can result in the loss of tails even before collection.

References:

- 1) Greenfield, A., & Sloan, M. A. (2003). Identification of biological fluids and stains. Forensic Science: an Introduction to Scientific and Investigative Techniques, 261-271.
- 2) Gaensslen, R. E. (1983). Identification of Semen and Vaginal Secretions. Sourcebook in forensic serology, immunology, and biochemistry (pp. 149-154). US Department of Justice, National Institute of Justice.
- 3) Baechtel, F. S. (1988). The identification and individualization of semen stains. Forensic science handbook, 2, 347-392.
- 4) Morrison, A. I. (1972). Persistence of spermatozoa in the vagina and cervix. British Journal of Venereal Diseases, 48(2), 141.
- 5) Davies, A., & Wilson, E. (1974). The persistence of seminal constituents in the human vagina. Forensic science, 3, 45-55.



Purnima Bokka

Sworn to before me this 20th day of June 2018.



Notary Public



Karen Hope Bennett
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7512687
My Commission Expires
May 31, 2019

5-31-19

Exhibit 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

RODNEY REED,

Petitioner

v.

**DOUG DRETKE, Director, Texas
Department of Criminal Justice,
Institutional Division,
Respondent**

§
§
§
§
§
§
§
§

CIVIL ACTION NO. A-02-CA-142

DECLARATION OF ROBERTO J. BAYARDO, M.D.

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

§

1. My name is Roberto J. Bayardo, M.D. I am over the age of 18 years and fully competent in all respects to make this Declaration. All the facts recited herein are within my personal knowledge and are true and correct. All of the opinions recited herein are expressed within a reasonable degree of medical and/or scientific probability, except where noted.

2. I am a forensic pathologist, and the former Travis County Medical Examiner. I performed the autopsy on Stacy Stites, and testified at the trial of Rodney Reed. I have recently reviewed the following materials:

- a. The autopsy report on Ms. Stites;
- b. My trial testimony;
- c. Excerpts from the trial testimony of Karen Blakely and Meghan Clement; and
- d. The April 14, 2006 affidavit and June 16, 2010 declaration of Leroy Riddick, M.D.

I am also personally aware that Jimmy Fennell, who was a Giddings police officer at the time of Ms. Stites's death, and was a suspect in her murder, has been convicted of sexual assault while

serving as police officer in Georgetown, Texas and is in prison. Based on the materials identified above, the information concerning Mr. Fennell, and my expertise as a forensic pathologist, I have the following opinions and clarifications.

3. Time of Death. At trial, I testified that I estimated the time of death as 3:00 a.m. on April 23, 1996. Estimates regarding time of death are just that – estimates – and the accuracy of the estimate is subject to various factors, as outlined by Dr. Riddick in paragraphs 10-13 of his April 14, 2006 affidavit. My estimate of time of death, again, was only an estimate, and should not have been used at trial as an accurate statement of when Ms. Stites died. (As I testified, I am unaware of how long it was between the time of death and the time her body was brought to the Travis County Medical Examiner's office.) If the prosecuting attorneys had advised me that they intended to use my time of death estimate as a scientifically reliable opinion of when Ms. Stites died, I would have advised them not to do so. In my professional opinion, pinpointing a precise time of exactly when Ms. Stites died would have been, and remains, impossible.

4. Survival of Sperm. At trial, I testified that the very few spermatozoa I found in Ms. Stites's vaginal cavity had been deposited there "quite recently." Ms. Blakely testified that spermatozoa can remain intact in the vaginal cavity for no more than 26 hours; and Ms. Clement testified that spermatozoa can remain intact for no more than 24 hours. I question the qualifications of these witnesses to offer this testimony, and in any event, they are incorrect. I am personally aware of medical literature finding that spermatozoa can remain intact in the vaginal cavity for days after death. Accordingly, in my professional opinion, the spermatozoa I found in Ms. Stites's vaginal cavity could have been deposited days before her death. Further, the fact that I found "very few" (as stated in the autopsy report) spermatozoa in Ms. Stites's vaginal cavity suggests that the spermatozoa was not deposited less than 24 hours before Ms. Stites's

death. If the prosecuting attorneys had advised me that they intended to present testimony that spermatozoa cannot remain intact in the vaginal cavity for more than 26 hours, and argue that Ms. Stites died within 24 hours of the spermatozoa being deposited, I would have advised them that neither the testimony nor the argument was medically or scientifically supported.

5. Sperm Not Found in Rectum. I reported in the autopsy report and testified at trial that rectal smears taken of Ms. Stites were negative for spermatozoa and seminal fluid. Upon direct examination, I did testify that under a microscope, the rectal smears showed what appeared to be the heads of spermatozoa. However, the smears were insufficient to conclude that spermatozoa were present in the rectum. Accordingly, I reported the smears as negative on the autopsy report. My trial testimony should not have been construed as suggesting that spermatozoa were indeed found in Ms. Stites's rectal cavity. Had the prosecuting attorneys advised me that they intended to present my testimony as evidence that spermatozoa was found in Ms. Stites's rectal cavity, I would have informed them that that was incorrect. An autopsy report is the result of scientifically valid, forensic pathology methods. Trial testimony is given in response to the questions asked. Had I been asked at trial if spermatozoa and/or seminal fluid had been found in Ms. Stites's rectal cavity, I would have said that it had not, consistent with the autopsy report.

6. Sexual Assault. I found on autopsy that Ms. Stites was sexually assaulted, and testified consistently at trial. However, the presence of spermatozoa in Ms. Stites's vaginal cavity was not evidence of sexual assault. There was no indication that the spermatozoa in Ms. Stites's vaginal cavity was placed there in any fashion other than consensually. Also, because there was no spermatozoa found in Ms. Stites's rectal cavity, there is no evidence that any spermatozoa was deposited in the rectal cavity as a result of the sexual assault. In my

professional opinion, Ms. Stites was sexually assaulted in her anal cavity, and that assault did not result in the deposit of any spermatozoa. The injuries to Ms. Stites's anus are certainly consistent with penile penetration, as I testified, but if there was penile penetration, there was no ejaculation. I understand that the sexual assault for which Mr. Fennell was convicted did not involve ejaculation. This is consistent with the sexual assault on Ms. Stites. Further, the injuries to Ms. Stites's anus are more consistent with penetration by a rod-like instrument, such as a police baton.

7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 13, 2012.

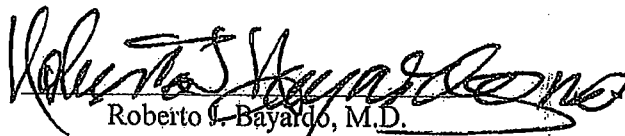

Roberto J. Bayardo, M.D.

Exhibit 4

SPERMATOZOA — THEIR PERSISTENCE AFTER SEXUAL INTERCOURSE

G. M. WILLOTT and J. E. ALLARD

The Metropolitan Police Forensic Science Laboratory, 109 Lambeth Road, London SE1 7LP (Gt. Britain)

(Received March 11, 1981; accepted July 6, 1981)

Summary

The longest times after intercourse that spermatozoa have been found on a total of 2410 casework swabs are as follows:

internal vaginal swabs	120 hours
external vaginal swabs	120 hours
rectal swabs	65 hours
anal swabs	46 hours
oral swabs	6 hours (9 hours on lips).

These results can be of use when attempting to estimate the time of the last act of intercourse.

Introduction

Data collection has become an important part of a forensic scientist's work so that he can assess the value of each test and indicate the significance of results when giving evidence in a court of law. In sexual assault cases, the amount of information available to the forensic scientist has increased considerably in the last few years. There have been several reports giving details of the length of time after intercourse that spermatozoa can be found. However, the results have usually been based on small numbers or from volunteer donors rather than actual cases. There is a particular shortage of published information on the persistence of semen following anal and oral intercourse.

This paper is intended to clarify the situation by giving the results of examination for spermatozoa on vaginal, anal and oral swabs taken at known times after alleged intercourse in sexual assault cases submitted to the Metropolitan Police Forensic Science Laboratory during the last five years. Murder cases have been excluded; the data presented refer to living victims.

Materials and methods

The swabs used were plain cotton wool swabs. The routine examination for semen is to cut off with a new scalpel blade $\frac{1}{4}$ of the cotton wool tip and

put it into 1 ml distilled water. After agitation to assist extraction of the semen into the water, the cotton wool is removed from the tube and one drop of the extract is placed on a microscope slide and allowed to dry. It is then heat fixed and stained with haematoxylin and eosin. A further sample of the extract is used to measure the acid phosphatase activity as described by Davies [1]. The remaining $\frac{3}{4}$ of the swab may be used for grouping any semen present or for the identification of other body fluids.

The density of spermatozoa present on each microscope slide has been estimated using the classification described by Kind [2] but with an extra category when only a very few spermatozoa could be found:

- ++++ many in every field.
- +++ many or some in most fields.
- ++ some in some fields, easy to find.
- + hard to find.
- few very small number on the whole slide.
- 0 none.

In addition, the presence of tails on any of the spermatozoa is recorded.

The results from all tests carried out on swabs in sexual assault cases are recorded on an ICL 1904 computer for quick retrieval and reference.

Results and discussion

Internal vaginal swabs

The number of swabs which fall into each category of sperm density is shown in Table 1 and Figs. 1 - 5. The total number of swabs on which spermatozoa were found is illustrated in Fig. 6 together with the swabs on which at least one spermatozoon had a tail. The longest time recorded for spermatozoa is 120 hours and for those with tails, the record is 26 hours. Spermatozoa were found on a cervical swab taken 179 hours (7½ days) after

TABLE 1

Density of spermatozoa on 1332 internal vaginal swabs

Sperm density*	No. of swabs	%
++++	78	6
+++	157	12
++	229	17
+	182	14
few	112	8
0	574	43
Total	1332	

*For explanation of symbols see Materials and methods.

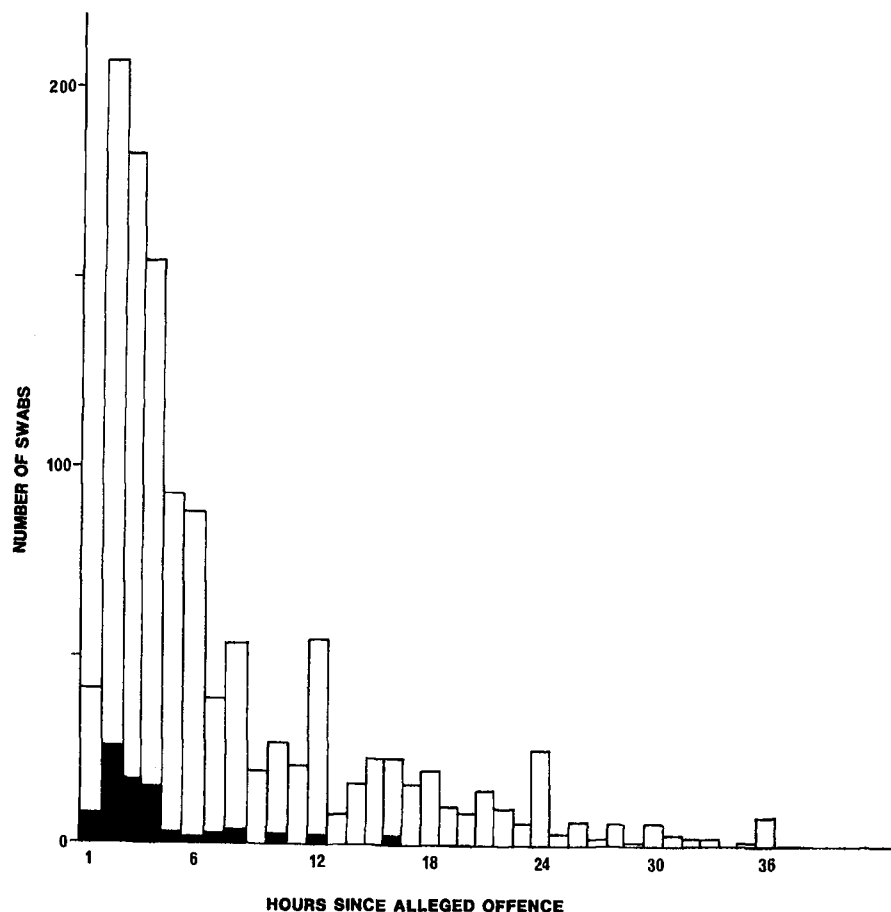


Fig. 1. Internal vaginal swabs. Occurrence of swabs with ++++ spermatozoa compared with total number of swabs examined.

intercourse. The numbers examined are quite small for the longer times after intercourse, so that, although they provide a very useful guide, they may not represent the longest time spermatozoa can persist.

The degradation of spermatozoa in the female reproductive tract results partially from phagocytosis by neutrophilic leucocytes and occasionally by mononuclear cells [3]. Phagocytosis of spermatozoa occurs in both the vaginal and cervical fluids, all components (head, tail and principal piece) having been seen in the cytoplasm of neutrophils by Moyer *et al.* [3].

Previous reports on the persistence of spermatozoa in the vagina show considerable variation and are shown in Table 2 [4 - 15].

The usefulness of the concentration of spermatozoa on vaginal swabs as a guide to the likelihood of grouping success has been examined previously along with the variation in the chances of ABO grouping compared with the blood group of the swab donor [16, 17].

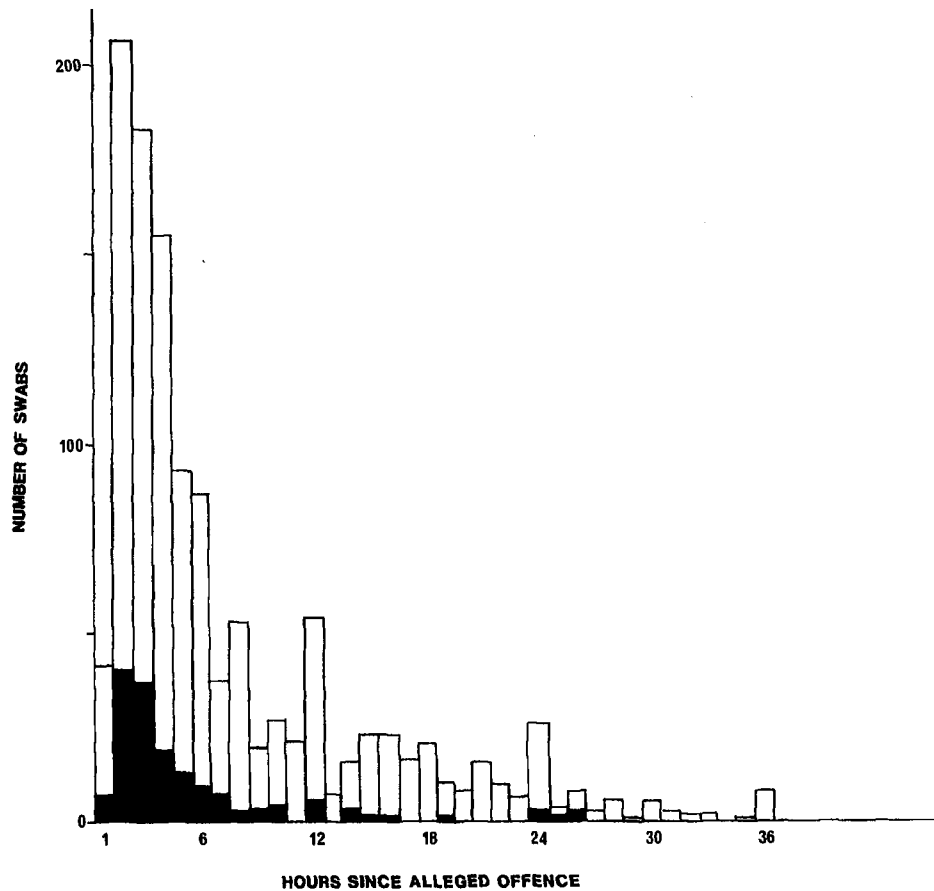


Fig. 2. Internal vaginal swabs. Occurrence of swabs with +++ spermatozoa compared with total number of swabs examined.

External vaginal swabs

This group includes swabs from the labia, vulva and perineum. The totals for each category in Figs. 7 - 11 are shown in Table 3.

The percentage of external swabs stained with semen is low compared with the frequency for internal vaginal swabs (Tables 1 and 3, Figs. 6 and 12). It is common practice when the internal swab bears semen for the external swab not to be examined. The external swab is therefore more likely to be examined when the internal is negative and this could account for the lower percentage of external swabs showing spermatozoa.

Figure 12 gives the total number of external vaginal swabs on which spermatozoa were found. It also shows the longest time after intercourse that spermatozoa and sperm with tails have been found is 120 hours and 16 hours respectively, which is very similar to the times of 120 hours and 26 hours for internal vaginal swabs.

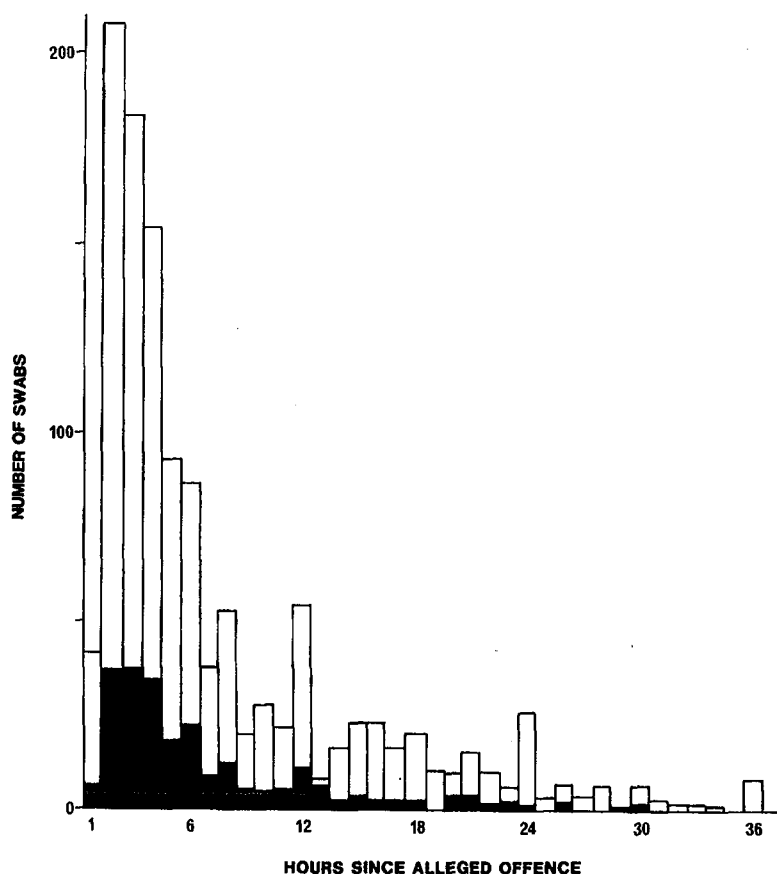


Fig. 3. Internal vaginal swabs. Occurrence of swabs with ++ spermatozoa compared with total number of swabs examined.

Anal and rectal swabs

There appears to be little published information on the persistence of spermatozoa in the rectum and anus. Sharpe [6] has found spermatozoa in the rectum up to 24 hours after anal intercourse. Enos and Beyer [18] reported that sperm can be present for up to 20 hours after an offence of buggery.

Data from swabs submitted to the Metropolitan Police Forensic Science Laboratory (Figs. 13 - 22) show that spermatozoa can persist for over two days. Histograms for the ++++ category have not been prepared because only one such anal swab and two rectal swabs were recorded. These were taken 3, 4 and 6 hours respectively after anal intercourse. The totals for anal and rectal swabs are listed in Table 4.

Figures 17 and 22 indicate that it is comparatively rare to find tails on spermatozoa on anal and rectal swabs, especially after more than 6 hours, but sperm heads were found up to 46 hours after on an anal swab and 65 hours on one rectal swab.

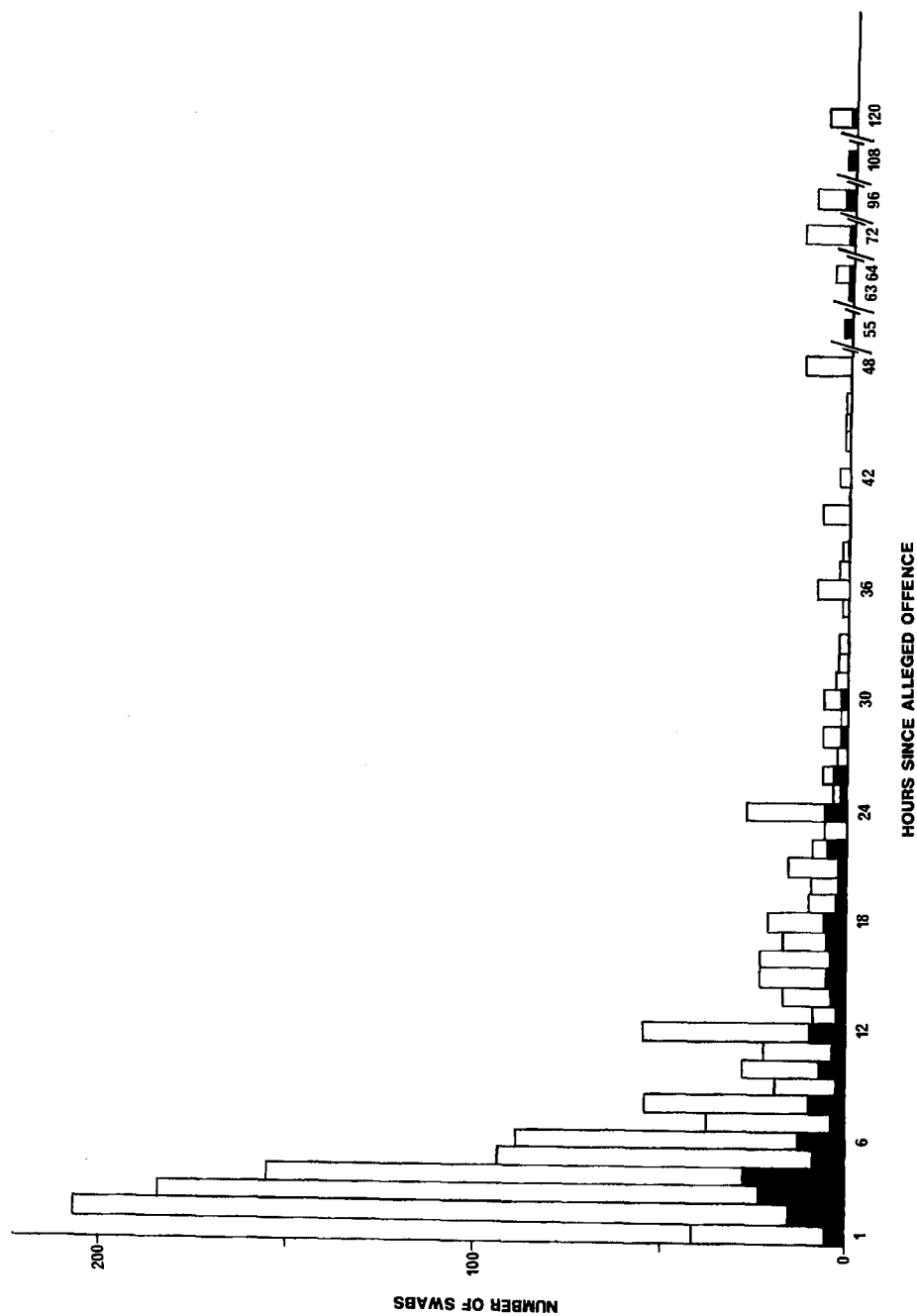


Fig. 4. Internal vaginal swabs. Occurrence of swabs with + spermatozoa compared with total number of swabs examined.

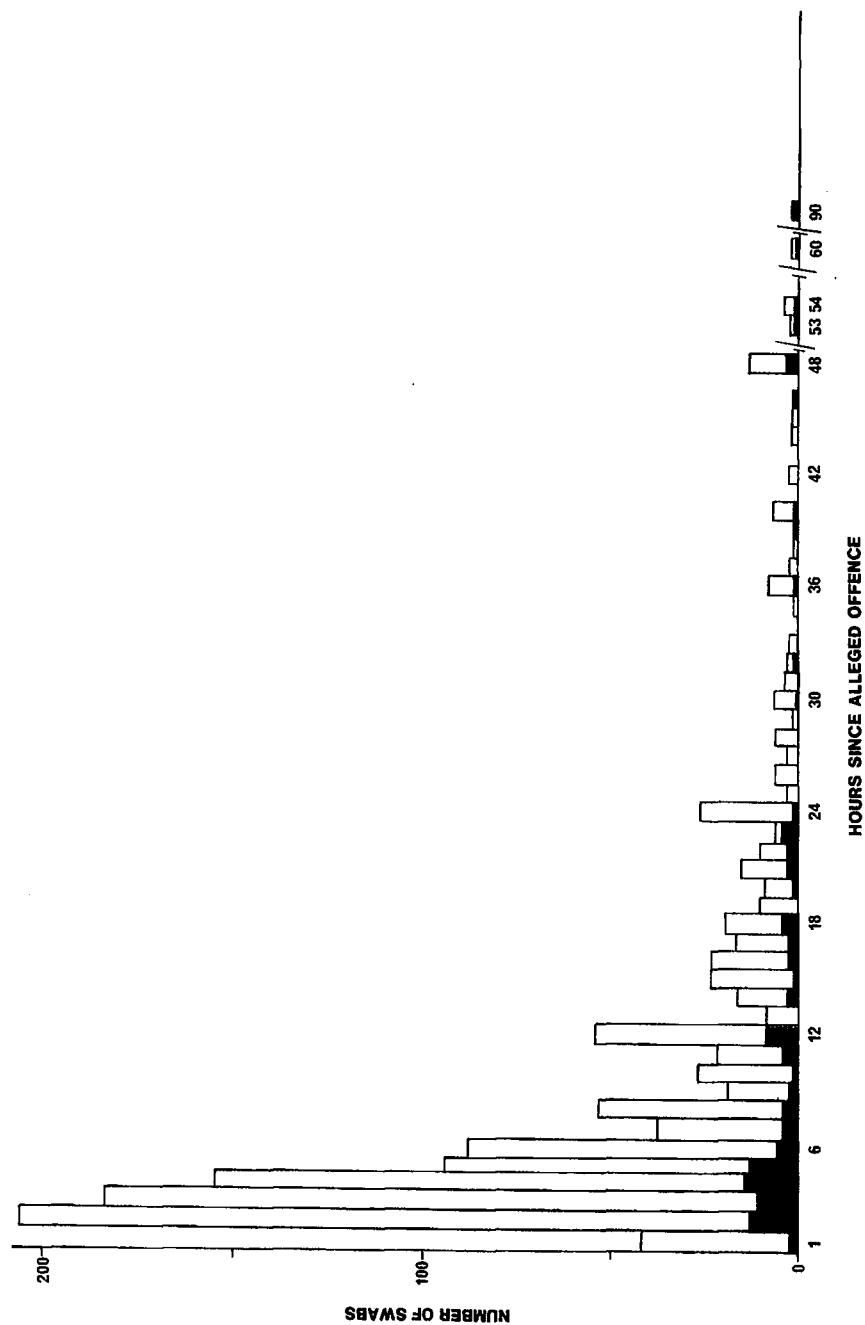


Fig. 5. Internal vaginal swabs. Occurrence of swabs with few spermatozoa compared with total number of swabs examined.

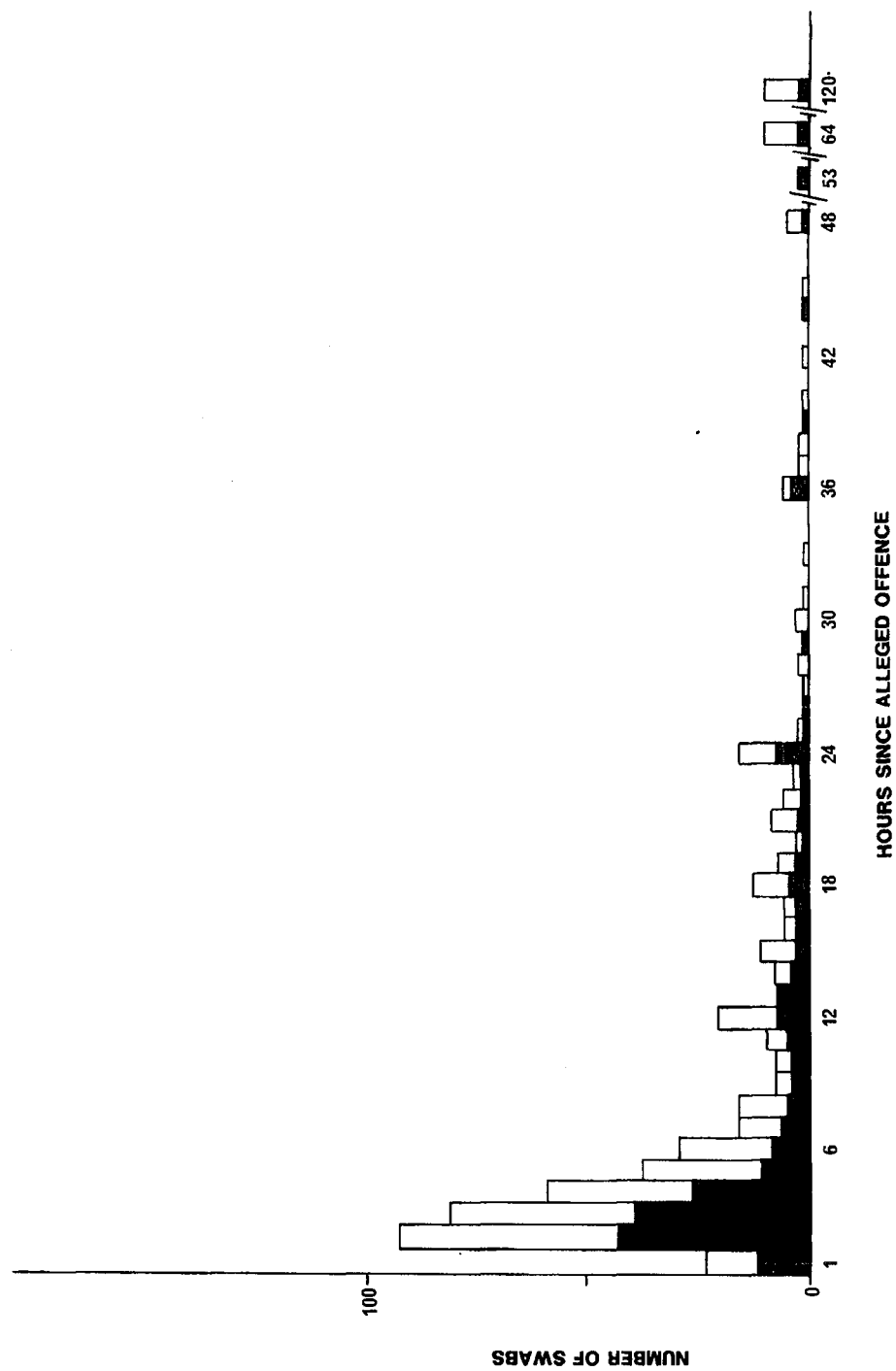


Fig. 6. Occurrence of spermatozoa on internal vaginal swabs. ■ sperm heads, □ spermatozoa with tails, ▒ no spermatozoa.

TABLE 2

Previous records of the persistence of spermatozoa in the vagina

Author	No. examined	Samples examined	Donors	Longest time after sexual intercourse spermatozoa found	Tails
Rupp [4]	84	Vaginal aspirates	Sexual assault victims	14 hours	
Soules, Pollard	15	Vaginal fluid	Sexually active couples	50%+ve after 72 hours	
Brown and Verma [5]	—	Vagina		3 - 4 days	
Sharpe [6]	730	Vaginal swabs	Laboratory staff	6 days	Up to 72 hours
Davies and Wilson [7]	174	Vaginal smears	Rape victims	6 days	
Eungprabhanth [8]	200	Vaginal smears	Family planning patients	7 days	
Pollack [9]	—	Posterior fornix		(assumed from data analysis) 17 days	
Morrison [10]	104	Vaginal smears	Women attending clinic	9 days	
		Cervical smears	Women attending clinic	12 days	
Tredway <i>et al.</i> [11]		Cervical mucus	Artificially inseminated	48 hours	
Stein and Cohen [12]	25	Cervical mucus	Infertile couples	72 hours	
Nicholson [13]	85	Endo-cervical canal	Patients	8 days	
Silverman and Silverman [14]	675	Cervico-vaginal scrapings	Volunteer donors	Rarely after 10th day	Proportion of sperm with tails did not vary with time after intercourse
Silverman [15]	697	Cervico-vaginal scrapings	Volunteer donors	19 days (possibly correct).	

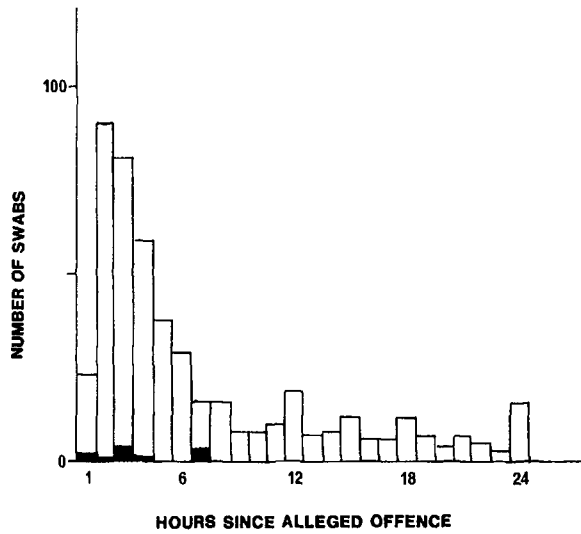


Fig. 7. External vaginal swabs. Occurrence of swabs with +++ spermatozoa compared with total number of swabs examined.

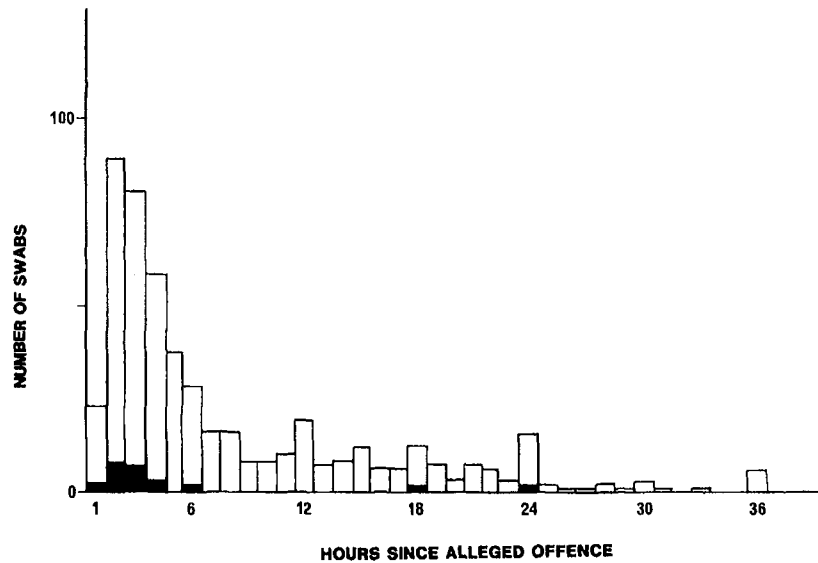


Fig. 8. External vaginal swabs. Occurrence of swabs with +++ spermatozoa compared with total number of swabs examined.

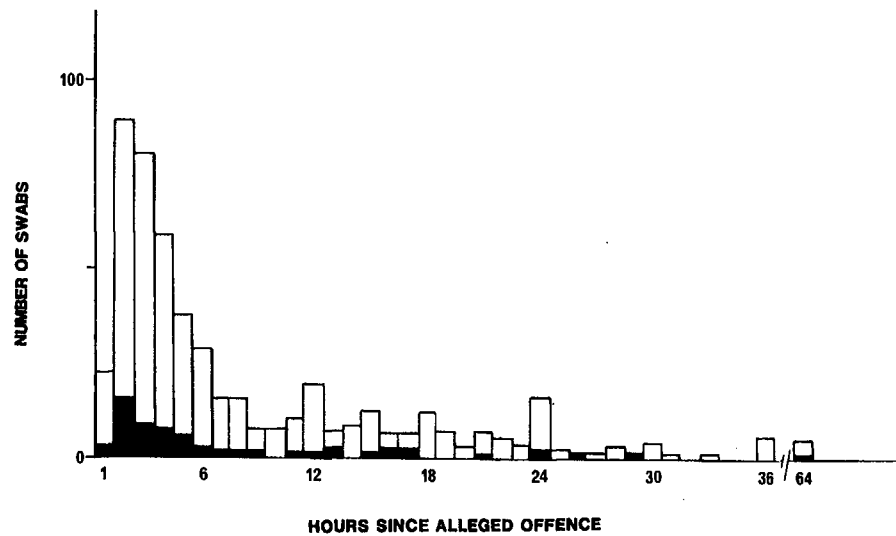


Fig. 9. External vaginal swabs. Occurrence of swabs with ++ spermatozoa compared with total number of swabs examined.

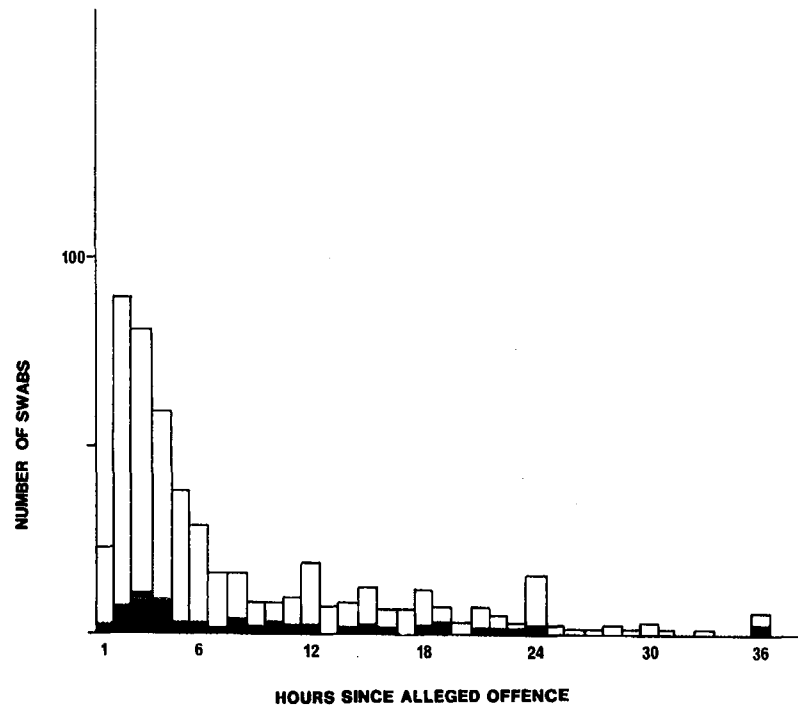


Fig. 10. External vaginal swabs. Occurrence of swabs with + spermatozoa compared with total number of swabs examined.

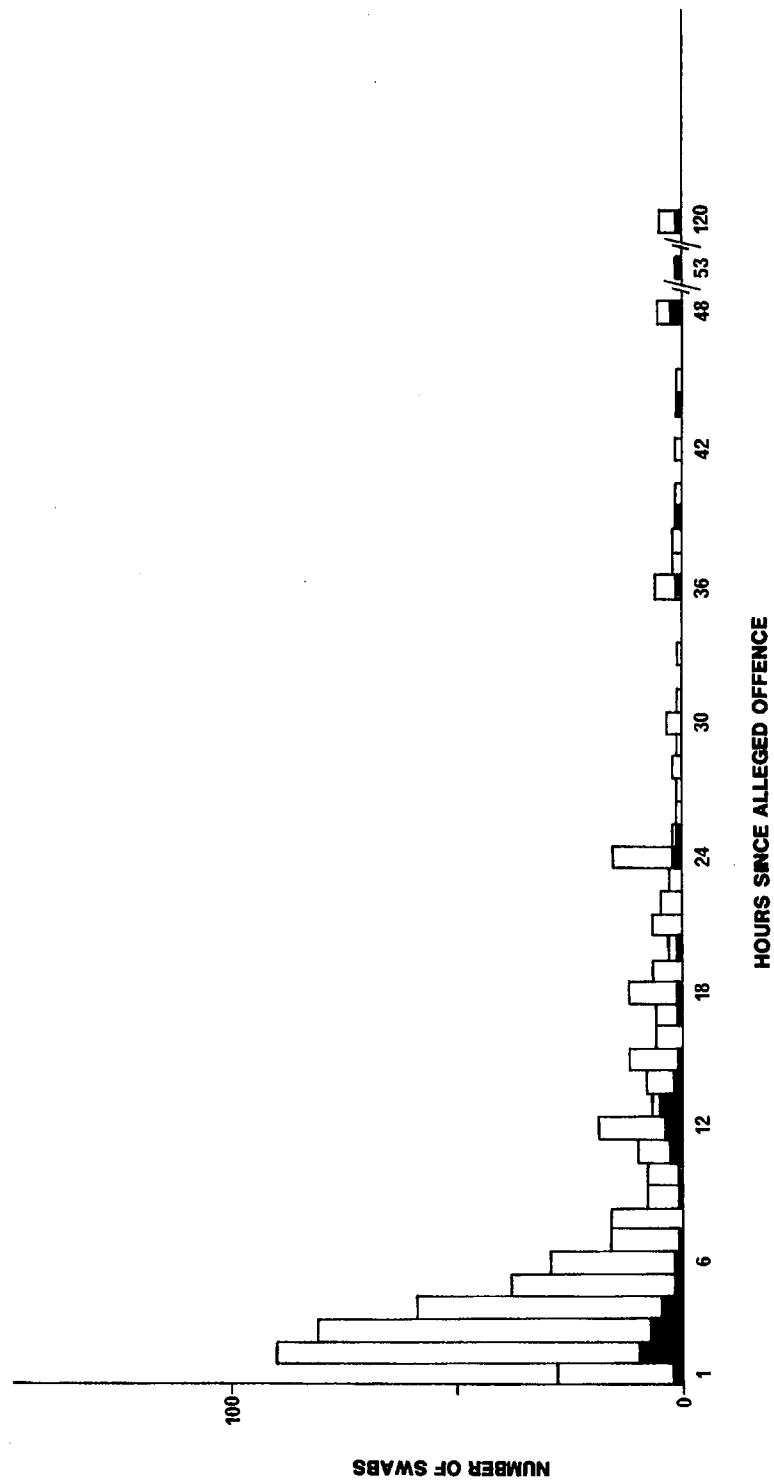


Fig. 11. External vaginal swabs. Occurrence of swabs with few spermatozoa compared with total number of swabs examined.

TABLE 3
Density of spermatozoa on 567 external vaginal swabs

Sperm density*	No. of swabs	%
++++	11	2
+++	21	4
++	63	11
+	66	12
few	59	10
0	347	61
Total	567	

*For explanation of symbols see Materials and methods.

Oral swabs

Paul [19] recommended buccal swabs should be taken if oral contact had occurred within one hour of the medical examination. More recent reports have shown spermatozoa to remain for up to six hours in the oral cavity (Enos and Beyer [20], Lewington and Williams [21]). Figure 23 shows that semen has been found on only nine oral swabs from a total of 74 (12%). Three of the nine were scored as + spermatozoa and the other six as 'few' spermatozoa. The longest time spermatozoa persisted in the buccal cavity was six hours, but a swab from the lips (external) taken nine hours after the offence has been found to have spermatozoa present. This swab is not shown in Fig. 23.

There have been several cases in which spermatozoa have been found in the saliva sample. In two of these, no spermatozoa were found on the mouth swab. Further samples are being examined to see whether the mouth swab or the saliva is more likely to prove positive in a search for semen.

TABLE 4
Density of spermatozoa on anal and rectal swabs

Sperm density*	No. of anal swabs	%	No. of rectal swabs	%
++++	1	<1	2	1
+++	9	4	7	3
++	19	8	12	6
+	27	12	27	13
few	28	12	20	9
0	141	63	144	68
Total	225		212	

*For explanation of symbols see Materials and methods.

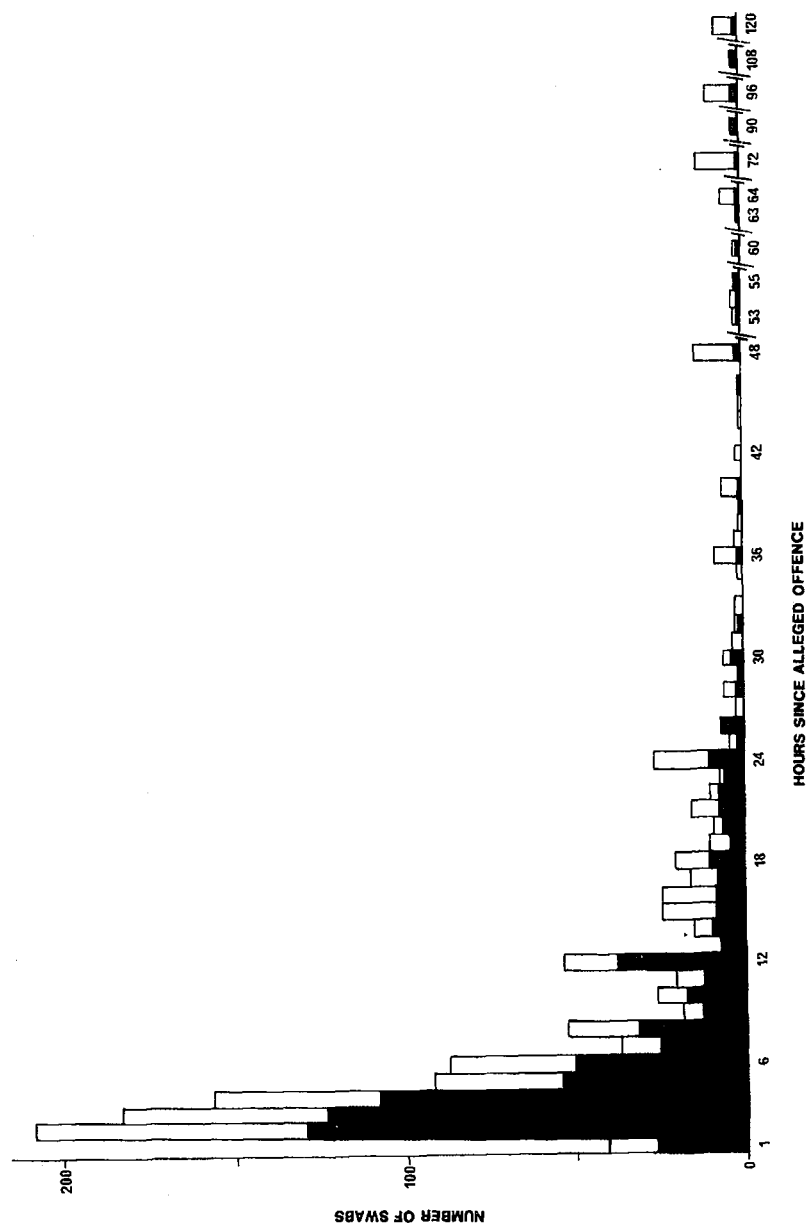


Fig. 12. Occurrence of spermatozoa on external vaginal swabs. ■ sperm heads, ▨ spermatozoa with tails, □ no spermatozoa.

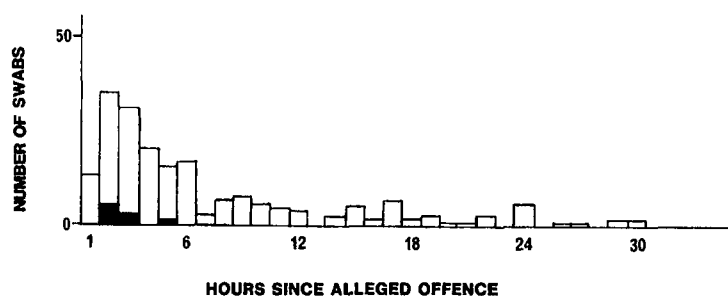


Fig. 13. Anal swabs. Occurrence of swabs with +++ spermatozoa compared with total number of swabs examined.

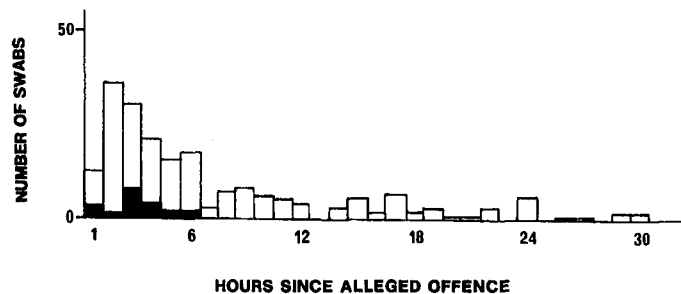


Fig. 14. Anal swabs. Occurrence of swabs with ++ spermatozoa compared with total number of swabs examined.

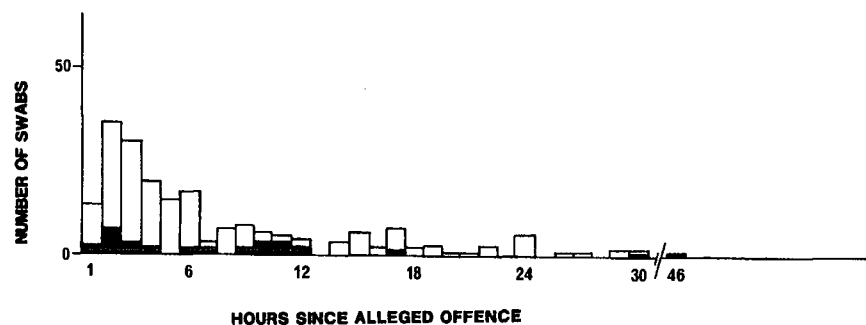


Fig. 15. Anal swabs. Occurrence of swabs with + spermatozoa compared with total number of swabs examined.

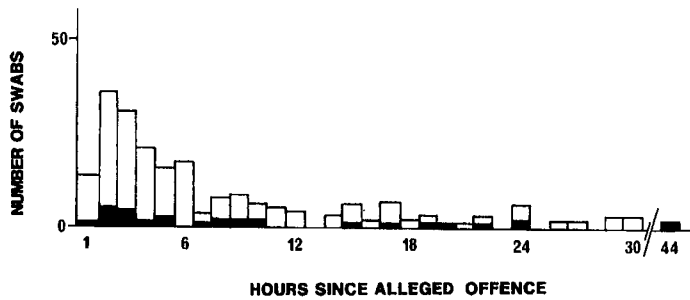


Fig. 16. Anal swabs. Occurrence of swabs with few spermatozoa compared with total number of swabs examined.

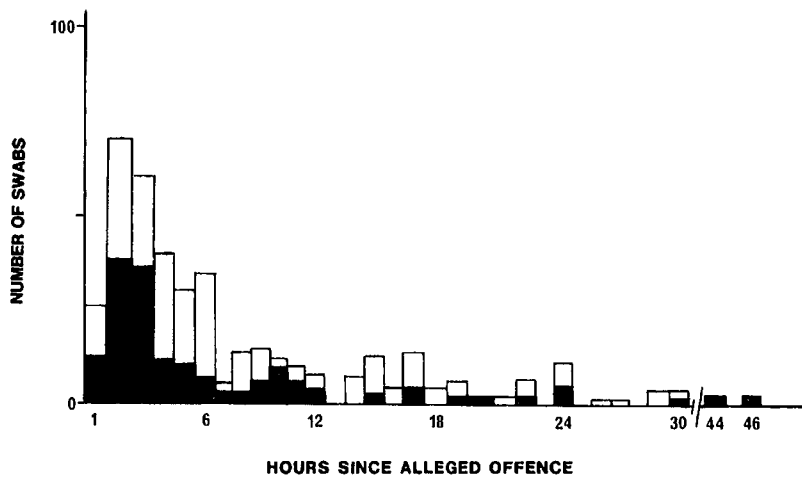


Fig. 17. Occurrence of spermatozoa on anal swabs. ■ sperm heads, ■ spermatozoa with tails, □ no spermatozoa.

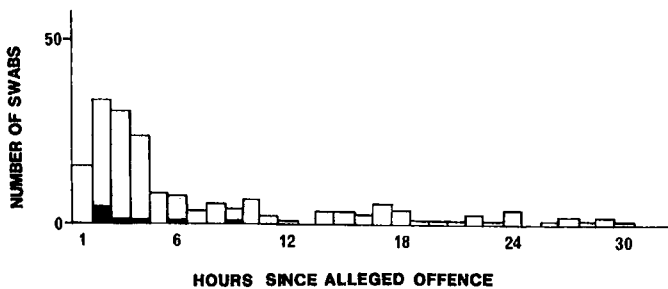


Fig. 18. Rectal swabs. Occurrence of swabs with +++ spermatozoa compared with total number of swabs examined.

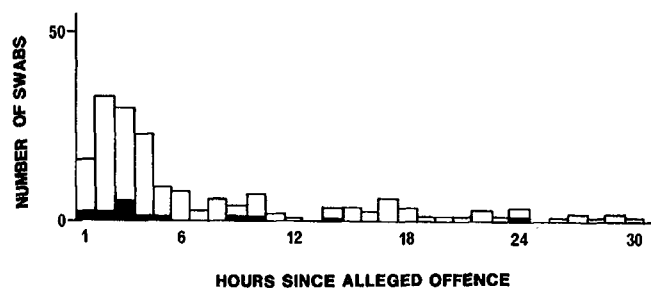


Fig. 19. Rectal swabs. Occurrence of swabs with ++ spermatozoa compared with total number of swabs examined.

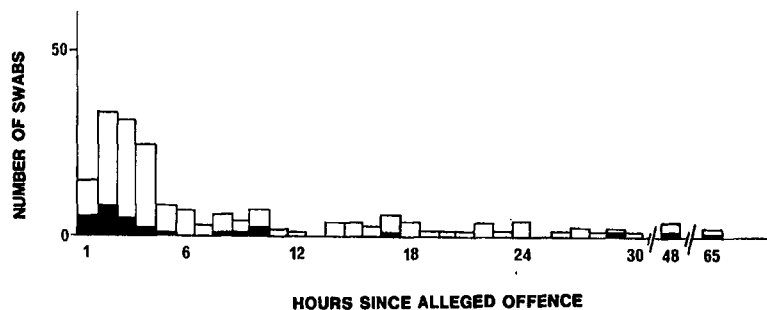


Fig. 20. Rectal swabs. Occurrence of swabs with + spermatozoa compared with total number of swabs examined.

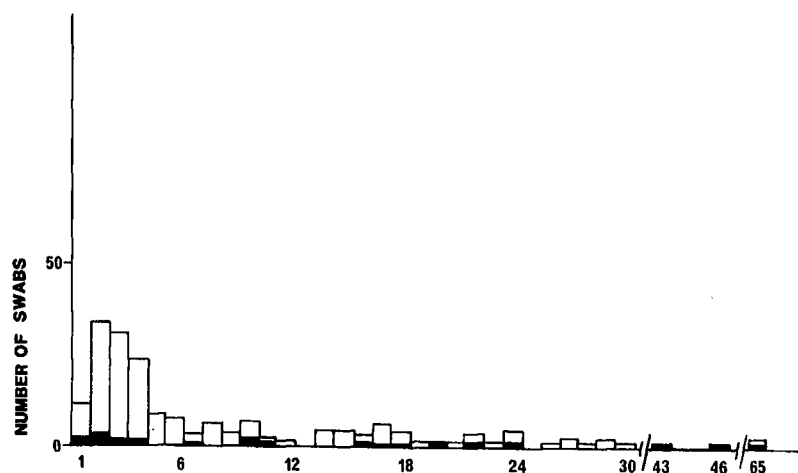


Fig. 21. Rectal swabs. Occurrence of swabs with few spermatozoa compared with total number of swabs examined.

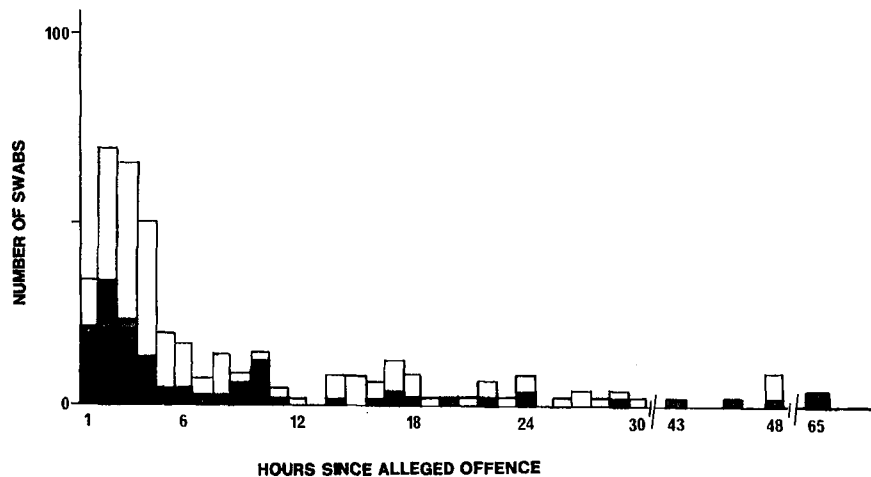


Fig. 22. Occurrence of spermatozoa on rectal swabs. ▨ sperm heads, ■ spermatozoa with tails, □ no spermatozoa.

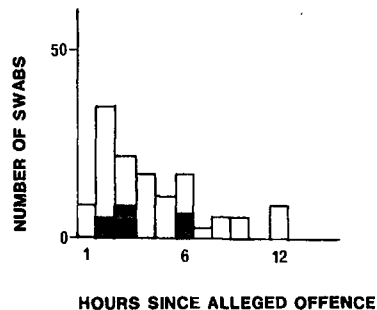


Fig. 23. Occurrence of spermatozoa on oral swabs. ▨ sperm heads, ■ spermatozoa with tails, □ no spermatozoa.

Conclusions

The allocation of a swab to a particular category of sperm density will depend to some extent on the way the slide is prepared and on personal variation in assessing the density. The allocation cannot therefore be very accurate. In addition, data taken from casework inevitably run the risk of having incorrect details supplied. The police surgeon could be given the wrong information at the medical examination regarding the time since the offence. However, although this may be true on occasions it is unlikely to detract from the overall value of the data. Considerable effort has been made as far as possible to ensure as few errors as possible have been included.

No spermatozoa were found on a considerable proportion of the swabs, even of those taken in the first three hours after the alleged intercourse. (Figs. 6, 12, 17, 22 and 23). These results contrast with those of Davies and Wilson [7] for vaginal swabs from laboratory donors. They found spermatozoa on all swabs up to 24 hours after intercourse and, up to 36 hours, only 1% of swabs had no spermatozoa. In casework, however, an alleged offence is not always confirmed. It is sometimes necessary to examine swabs for semen even when rape is thought improbable. In addition, a rape victim's behaviour may not assist retention of the semen. She may attempt to resist at the time of the offence or try to escape immediately afterwards.

When testing swabs in sexual assault cases for the presence of semen, it is standard practice in this laboratory to assay the acid phosphatase activity as well as estimate the sperm density. An exception to this is made for rectal swabs because it was found by Davies [1] that acid phosphatase determinations on anal and rectal swabs do not provide a useful guide to the presence of semen except where the semen is particularly abundant. Details of the persistence of acid phosphatase in the vagina are given by Allard and Davies [22]. They found that in only 1 per cent of cases in which semen was not detected was there an acid phosphatase level above 20 Sigma Units and in most of these cases there were particular circumstances which probably accounted for a positive acid phosphatase in the absence of detectable sperm.

Schumann *et al.* [23] found detection of semen in vaginal specimens more reliable with acid phosphatase measurements than examining for spermatozoa. They recommend that, instead of searching routinely for spermatozoa, examination be limited to the detection of motile sperm except when examining stained materials such as clothing, or in cases of sodomy. However, acid phosphatase activity in the vagina drops to the normal level within approximately two days of intercourse (Willott [24, 25], Davies and Wilson [7]), so that it is obviously essential to search for spermatozoa when the time interval is longer than this. McCloskey *et al.* [26] state that a low acid phosphatase level does not rule out the possibility of recent sexual intercourse.

It is therefore recommended that the concentration of spermatozoa and the level of acid phosphatase is taken into account when attempting to estimate the last act of intercourse. However, the acid phosphatase activity will only be useful on anal and rectal swabs when semen is abundant and will not be helpful on vaginal swabs more than two days after the offence.

Acknowledgements

We wish to thank Miss P. Wainwright for her assistance with the computer program and Miss D. Wiltshire for her help with the histograms.

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Exhibit 5



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

September 15, 2015

The Honorable Richard Blumenthal
United States Senate
Washington, DC 20510

Dear Senator Blumenthal:

This responds to your letter to the Attorney General and the Federal Bureau of Investigation (FBI) Director, dated April 28, 2015, regarding the FBI's review of federal and state criminal cases in which the results of microscopic hair comparison analyses were used. We are sending identical responses to the other Senators who joined in your letter and we apologize for our delay in responding.

As you are aware, the Department of Justice (the Department) and the FBI are engaged in a review of historical cases involving testimony and laboratory reports regarding microscopic hair comparison analysis. The Department and FBI have developed a process to systematically identify and review all cases that resulted in a conviction in which microscopic hair comparison analysis was conducted, a positive association between evidentiary hair and a known sample was identified, and the hair was not submitted for mitochondrial DNA analysis. We have given the highest priority to reviewing capital cases. To date, 21,614 cases have been identified as having the potential to meet the above stated criteria and the FBI has completed its review of 95% of those cases. Of those 95%, 3,118 contained positive associations between evidentiary hair and a known sample. So far, 89% of the 3,118 cases have been marked as complete following a review.

The FBI's methodology for processing identified cases was carefully constructed in coordination with the Innocence Project (IP), the National Association of Criminal Defense Lawyers (NACDL), and the Department. A coordinated effort with multiple parties throughout the country is being implemented to obtain information to conduct reviews. This process requires multiple attempts to obtain pertinent case file materials via telephone and letter. If no response is received, assistance is sought from the applicable state's attorney general, the IP, the NACDL, and the Department. In the event that pertinent materials are obtained after a reviewed matter is closed, it is reopened and the review resumes. The FBI has received valuable assistance by following this process, including, but not limited to, obtaining several testimony transcripts.

The FBI anticipates completing reviews of all identified cases by the end of the calendar year 2015. This means the identified case files will be reviewed to determine if further action is required. This review process, however, is dependent on the responses and cooperation the FBI receives from contributors of the evidence, prosecutor's offices, and others.

Once the files have been reviewed and notifications are made, individuals seeking to challenge their convictions based on erroneous statements in laboratory reports or testimony will file their claims in an appropriate court proceeding, such as a direct appeal, collateral review, or petition for a writ of habeas corpus. In state courts, the claims will be subject to state laws and procedures regarding post-conviction challenges. Since the United States is not a party to the underlying state court criminal proceedings, it does not have jurisdiction to intervene in post-conviction proceedings. However, in our notification letters to state prosecutors and defense counsel, we are informing them that in federal post-conviction proceedings, in the interest of justice, the government is waiving reliance on the statute of limitations for collateral attack on the convictions and any procedural-default defenses in order to permit a resolution on the merits of any legal claims arising from erroneous statements in laboratory reports or testimony. Specifically, the government will not dispute that the erroneous statements should be treated as false evidence and that knowledge of the falsity should be imputed to the prosecution. This will allow the parties to litigate the effect of the false evidence on the conviction in light of the remaining evidence in the case. In addition, in cases where it is clear that a defendant is actually innocent, the government will consent to vacating the conviction.

In addition to the above actions, the FBI continues to be involved in the forensic science community. The FBI has enjoyed a long history of working with the National Institute of Standards and Technology (NIST) and has already partnered with NIST, through the Department, to strengthen and enhance the practice of forensic science through the establishment of the Organization of Scientific Area Committees (OSAC). The mission of the OSAC is to develop standards of practice and guidance documents within the forensic science disciplines represented in the organization. The FBI is well-represented in the OSAC with over 35 members currently employed in the FBI's Science and Technology Branch.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'PJK', is written over the typed name.

Peter J. Kadzik
Assistant Attorney General

Exhibit 6

Michael M. Baden, M.D.

15 West 53rd Street, Suite 18
New York, New York 10019

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10 February 2015

Via e-mail to bbenjet@innocenceproject.com

Bryce Benjet
Staff Attorney, Innocence Project
40 Worth Street, Suite 701
New York, New York 10013

Re: Stacey Stites, deceased

Dear Mr. Benjet:

1. I am a physician, licensed to practice medicine in the State of New York and Board-Certified in Anatomic, Clinical and Forensic Pathology. I am a former Chief Medical Examiner of New York City and the former Chief Forensic Pathologist for the New York State Police. I have held professorial appointments at Albert Einstein Medical School, Albany Medical College, New York Law School and John Jay College of Criminal Justice. I served as Chairman of the Forensic Pathology Panels of the United States Congress Select Committee on Assassinations that reinvestigated the deaths of President John F. Kennedy and Dr. Martin Luther King, Jr. (1970s). I have been a forensic pathology consultant to the Federal Bureau of Investigation,

the Veterans Administration, the U.S. Department of Justice and the U.S. Drug Enforcement Agency. Attached hereto is a copy of my *curriculum vitae*.

2. I have reviewed the autopsy report and other medical examiner office documents, scene and autopsy and clothing photographs, a scene videotape, police reports, laboratory reports and a statement by Mrs. Carol Stites relative to the death of Stacey Stites, 19 years old.

3. According to Mrs. Stites, her daughter returned from work as usual about 1:30 p.m. on April 22, 1996. She went upstairs to the apartment she and her fiancé Jimmy Fennel, a police officer, shared, changed out of her work clothes and came back down. She stayed with her mother until about 8:00 p.m. when Mr. Fennel returned from baseball practice and they both went upstairs. That was the last time Mrs. Stites saw her daughter alive.

4. Mr. Fennel told police that Ms. Stites left their apartment to drive to work in his pickup truck by herself about 3:00 a.m. on April 23, 1996. The unoccupied truck was seen parked in the Bastrop High School parking lot by a patrol officer less than 2-1/2 hours later, at 5:23 a.m. The officer also noticed a six to eight inch length of part of a leather belt with a square chrome buckle on the ground in front of the driver's door.

5. Ms. Stites' partially clothed body was found lying face-up in brush a number of yards from an unpaved road about 3:00 p.m. the same day. Prominent

lividity was noted on the front non-dependent parts of her body by responding sheriff's department officers. This inappropriate lividity is clearly documented in scene photographs. A homicidal ligature mark was present around her neck and the ligature, the remainder of the belt portion seen near the truck, was nearby.

6. Lividity develops by the gravitational settling of red blood cells while still in blood vessels in the lower dependent portions of the body after death causing a maroon-type discoloration of the skin. The intensity and extent of the lividity present on Ms. Stites' body demonstrates that she would have lain face down after she was dead for more than four or five hours in order for this lividity to remain after she was turned over when she was placed on her back in the brush. This lividity demonstrates that Ms. Stites was dead before midnight on April 22nd when she was alone with Mr. Fennel.

7. Examination of the truck showed that the driver's seat was reclined back and the passenger seat was in a slightly forward position. "Some type of viscous fluid" was found on the passenger-side floorboard. This is not pulmonary edema fluid from Ms. Stites as interpreted by the prosecution. Pulmonary edema fluid is thin and frothy and would also have been present in and around her mouth and nose, and was not. Pulmonary edema fluid is not viscous. This is typical post-mortem purge fluid that flowed from her nose and mouth as her body began to decompose and showed other decomposition changes, such as skin slippage and

green discoloration of skin, which were also described at the scene and autopsy. It would have taken more than four hours after her death for this purge fluid to develop. It could not have developed in less than 2-1/2 hours if she were alive at 3:00 a.m. when she got into the truck. This finding also demonstrates that she had been dead for a number of hours, before midnight, when she was placed in the passenger seat.

8. The testimony at trial that no intact sperm remains in the vagina after 24 hours is not correct. It is my experience, and the experience of other forensic pathologists as reported in the forensic science literature, that sperm may remain intact for more than 72 hours after intercourse. The few sperm seen are entirely consistent with consensual intercourse that Mr. Reed said occurred between midnight and 3:00 a.m. on April 22, 1996.

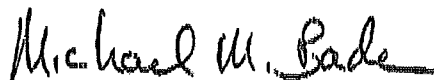
9. The autopsy photographs show dilatation of Ms. Stites' anus that normally occurs after death when the anal sphincter muscles relax. No lacerations, no blood, no semen were present in or around the anus in the photographs and which finding was also confirmed in Dr. Bayardo's autopsy report. There is no evidence of anal penetration. There is no forensic evidence that Ms. Stites was sexually assaulted in any manner.

10. In my opinion removing the clothing and performing vaginal swabs at the scene where the body was found rather than at the properly equipped medical

examiner's office is contrary to proper forensic practice. Such procedure can cause loss of trace evidence at the scene and contamination of evidence that is removed and evidence that remains, including contamination of rectal swabs with vaginal contents.

11. It is my opinion, to a reasonable degree of medical and scientific certainty, based on my education, training and more than fifty years' experience as a forensic pathologist, that the distribution and intensity of Mrs. Stites' lividity shows that she was murdered before midnight of April 22, more than four hours before she was brought to where her body was found; that she was already dead with signs of decomposition and development of purge fluids when she was placed in the truck; that intact sperm could be present two or three days after consensual vaginal intercourse; and that there is no evidence of anal intercourse or of sexual assault. It is further my opinion beyond a reasonable degree of medical certainty that, based on all of the forensic evidence, Mr. Reed is scheduled to be executed for a crime that he did not commit.

Very truly yours,

A handwritten signature in black ink, reading "Michael M. Baden". The signature is fluid and cursive, with the first name "Michael" and last name "Baden" clearly legible.

Michael M. Baden, M.D.
Former Chief Medical Examiner,
City of New York
Former Chief Forensic Pathologist,
New York State Police

MMB:ph

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CURRICULUM VITAE

EDUCATION

- The City College of New York (1955) B.S. Degree
- New York University School of Medicine (1959) M.D. Degree

POST-GRADUATE TRAINING

1959-1960 Intern, First (Columbia) Medical Division, Bellevue Hospital
1960-1961 Resident, First (Columbia) Medical Division, Bellevue Hospital
1961-1963 Resident, Pathology, Bellevue Hospital
1963-1964 Chief Resident, Pathology, Bellevue Hospital

LICENSURE

- New York State Medical License (1960)
- Diplomate, National Board of Medical Examiner's (1960)
- Diplomate, American Board of Pathology:
 - Anatomic Pathology (1965)
 - Clinical Pathology (1966)
 - Forensic Pathology (1966)

PROFESSIONAL POSITIONS

1985-2011 Director, Medicolegal Investigations Unit, New York State Police
1961-1985 Office of Chief Medical Examiner, New York City; Chief Medical Examiner (1978-1979)
1981-1983 Deputy Chief Medical Examiner and Acting Chief Medical Examiner, Suffolk County, New York; Director of Laboratories, Suffolk County, New York

TEACHING APPOINTMENTS

1961-1989	New York University School of Medicine, Associate Professor, Forensic Medicine
1975-2001	Visiting Professor of Pathology, Albert Einstein School of Medicine
1975-1988	Adjunct Professor of Law, New York Law School
1975-1978	Lecturer in Pathology, College of Physicians and Surgeons of Columbia University
1986, 1989	Visiting Professor, John Jay College of Criminal Justice
1965-1978	Assist Visiting Pathologist, Bellevue Hospital, New York
2002	Adjunct Lecturer, The Cyril H. Wecht Institute of Forensic Science and Law, Duquesne University School of Law
2002	Distinguished Professor/Adjunct Lecturer, Henry C. Lee Institute, University of New Haven (Connecticut)

GOVERNMENTAL APPOINTMENTS

1977-1979	Chairman, Forensic Pathology Panel, United States Congress, Select Committee on Assassinations, Investigations into the deaths of President John F. Kennedy and Dr. Martin Luther King
1973-Present	Member, New York State Correction Medical Review Board
1976-2013	Member, New York State Mental Hygiene Medical Review Board
2014	Member, New York State Justice Center for the Protection of People with Special Needs, Mental Hygiene Medical Review Board
1983-1986	Member, National Crime Information Center, Committee on Missing Children, United States Department of Justice (F.B.I.)
1971-1975	Special Forensic Pathology Consultant, New York State Organized Crime Task Force (investigation of deaths at Attica Prison)
1974-2006	Founder, Director and/or Moderator, Annual Northeastern Seminar in Forensic Medicine, Colby College, Maine

1973-1987 Lecturer, Drug Enforcement Administration, Drug Law Enforcement Training School, United States Department of Justice

PROFESSIONAL ORGANIZATIONS

1966-Present American Academy of Forensic Sciences; Fellow, Vice President and Program Chairman (1982-1983)

1965-Present The Society of Medical Jurisprudence; Fellow, President (1981-1985)

1966-Present College of American Pathologist; Fellow, Chairman, Toxicology Subcommittee (1972-1974)

1971-1975 College of American Pathologists Foundation; Forensic Pathology Seminar Faculty

1973-1976 American Board of Pathology; Forensic Pathology Board Test Committee (1973-1976)

1966-1986 American Society of Clinical Pathologist; Fellow Member, Drug Abuse Task Force (1973-1977)

1965-1978 New York State Medical Society; Chairman, Section of Medicolegal and Workers' Compensation Matters (1972)

1965-Present Medical Society of the County of New York

1969-1978 National Association of Medical Examiner's

1965-Present American Medical Association

HONORS

- The City College of New York: Senior Class President; Editor-in-Chief of The Campus (newspaper); Phi Beta Kappa
- Honor Legion, New York City Police Department, 1969
- College of American Pathologists, Certificate of Appreciation (Chairman, Toxicology Resource Committee, 1972-1975)

- American Academy of Forensic Sciences, Award of Merit, 1974 and 1983
- Drug Enforcement Administration, United States Department of Justice, Certificate of Appreciation, 1982
- New Jersey Narcotic Enforcement Officers Association, Certificate of Appreciation, 1977
- Fire Department of the City of New York, Certificate of Appreciation, 1978
- New York State Bar Association, Certificate of Appreciation, 1980
- New York City Health and Hospitals Corporation, Certificate of Appreciation for participation in development of emergency facilities for Emergency Medical Services for the City of New York, 1980
- New York University, Great Teacher Award, 1980
- U.S. Department of Veterans Affairs, Inspector General's Award, 2000 and 2001
- First Fellow in Forensic Science of the University of New Haven, Henry C. Lee Institute, (Connecticut), 2002
- Society of Professional Investigators, Distinguished Career Award, 2011
- Emory University Pathology Department Residents' Choice Award, 2012

PROFESSIONAL PUBLICATIONS AND PRESENTATIONS

1. M. Helpern and M. Baden; Editors: Atlas of Legal Medicine by Tomio Watanabe, Lippincott, 1968
2. D. Louri, M. Baden, et al.: The Dangerous Drug Problem. New York Medicine, 22:3, May 1966
3. D. Gold, P. Henkind, W. Sturmer and M. Baden: Occulodermal Melanocytosis and Retinitis Pigmentosa. Am. J. of Ophthalmology, 63:271, 1967
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5. M. Helpern and M. Baden: Patterns of Suicides and Homicides in New York City, Proceedings of the Seventh International Meeting of Legal Medicine (Budapest); October 1967

6. M. Baden: Pathology of Narcotic Addiction, Proceedings of the Sixth Latin American Congress of Pathology (San Juan, Puerto Rico); December 1967
7. M. Baden: The Diagnosis of Narcotism at Autopsy, Proceedings of the American Academy of Forensic Sciences (Chicago); February 1968
8. M. Baden: Medical Aspects of Drug Abuse, New York Medicine, 24:464, 1968
9. C. Cherubin, M. Baden, et al.: Infective Endocarditis in Narcotic Addicts. Ann. Int. Med., 69:1091, 1968.
10. M. Baden: Pathologic Aspects of Drug Abuse, Proceedings of the Committee on Problems of Drug Dependence, National Academy of Sciences, National Research Council, 1969.
11. W. Matusiak, L. Dal Cortivo and M. Baden: Analytical Problems on a Narcotic Addiction Laboratory, Proceedings of the American Academy of Forensic Sciences (Chicago), February 1969
12. M. Baden, P. Hushins and M. Helpert: The Laboratory for Addictive Drugs of the Office of Chief Medical Examiner of New York City, Proceedings of the International Conference on Poison Control (New York City), June 1969
13. M. Baden, S. Hofstetter and T. Smith: Patterns of Suicide in New York City, Proceedings of the Fifth International Meeting of Forensic Sciences (Toronto), June 1969
14. R.W. Richter and M. Baden: Neurological Aspects of Heroin Addiction, Proceedings of the Ninth International Congress of Neurology (New York City), September 1969
15. R.W. Richter and M. Baden: Neurological Complications of Heroin Addiction. Transactions of the American Neurological Association
16. M. Baden: Of Drugs and Urine, Editorial, Medical Tribune
17. M. Baden: Methadone-Related Deaths in New York City, Proceedings of the Second National Conference on Methadone Treatment (New York City), October 1969. Int. J. Addictions.
18. M. Baden: Chairman, Workshop on Techniques for Detecting Drugs of Abuse, Proceedings of the Statewide Conference on Prevention Aspects of Treatment and Research in Drug Abuse. New York City Narcotics Addiction Control Commission, 1969.

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83. M. Baden, L. Kenney Baden: "Remains Silent," Alfred A. Knopf, August 2005.
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RECENT LECTURES

- Lecturer, Greater New York Dental Meeting, "The Dentist and the Medical Examiner/Coroner," New York City, December 2, 2014
- Lecturer, 23rd Annual Arnold Markle Symposium, "Medical Examiner's Perspective on Elder Victims & Crime," October 30, 2014
- Lecturer, Henry F. Williams Seminar, "Cold Cases with Dr. Baden," New York State Police, September 15, 2014
- American Association of Pathologist Assistants, New York, September 10, 2014
- Medicolegal Investigation of Death, "Time of Death and Post-Mortem Changes," Wayne State University, Dearborn, Michigan, April 29-30, 2014
- American Academy of Forensic Sciences, Co-Chairman, Bring Your Own Slides, February 17-21, 2014
- American Academy of Forensic Sciences, "Plausible Deniability The Ethics of Inconsistent Consistency," February 17-21, 2014
- Keynote Speaker, Baruch Biomedical Society, New York, New York, October 17, 2013
- Speaker, Markle Symposium, "Medical Examiner Perspective on the Death of JFK," October 15, 2013

- Speaker, NAMFCU Annual Training, "Use of a Medical Examiner in a Nursing Home," Mobile, Alabama, October 7, 2013
- Speaker, Northeastern Association of Forensic Scientists, Cromwell, "Medical Evidence in the JFK Assassination," Connecticut, September 27, 2013
- Lecturer, Henry F. Williams Seminar, "Cold Cases with Dr. Baden," New York State Police, September 24, 2013
- "Use of a Medical Examiner in a Nursing Home Death Investigation," Resident Abuse Training Program, Virginia Beach, Virginia, June 6, 2013
- "Medicolegal Investigation of Death, "Investigating the Scene of Mass Disasters: What to Look for with Fire, Explosion or Terrorist Attack," Wayne State University, Dearborn, Michigan, May 1-3, 2012
- Children's Law Topical Conference, "When 'Abuse' is Not Abuse," Albany, New York, April 19, 2013
- "Determining Cause of Death," Making Sense of Science VI: Forensic Science and the Law, NACDL & CACJ's 6th Annual Conference, Las Vegas, Nevada April 5-6, 2013
- American Academy of Forensic Science, Panelist, "150 Years — Does Time Bring Agreement? The H.L. Hunley, the R.M.S. Titanic, and the Assassination of John F. Kennedy," Washington, D.C., February 17-24, 2013
- American Academy of Forensic Sciences, Co-Chairman, Bring Your Own Slides, February 17-24, 2013
- Speaker, Corrections and Youth Services Association Annual Meeting, Saratoga Springs, New York, October 31, 2012
- Lecturer, 21st Annual Arnold Markle Symposium, "Sexually Related Homicides," October 9, 2012
- Lecturer, Henry F. Williams Seminar, New York State Police, "Forensic Pathology," September 18-19, 2012
- Society of Professional Investigators, "Current Status of the Forensic Sciences," New York, New York, September 12, 2012
- Speaker, New York State Police Sexual Abuse Seminar, Albany, New York, May 21, 2012

- "Medicolegal Investigation of Death, "Problems in Forensic Pathology," Wayne State University, Dearborn, Michigan, May 1-3, 2012
- 2012 NASDEA Spring Conference, "Drug Deaths: Homicide v. Overdose," The Roosevelt Hotel, New York City, NY, April 24, 2012
- Concord Seminars for the Dental and Medical Professions, "Forensic Odontology," Manchester, New Hampshire and Bangor, Maine, April 20-21, 2011
- Emory School of Medicine, Grand Rounds, "Forensic Pathology: The Good, The Bad, The Ugly," Atlanta, Georgia, March 3, 2012
- Major Case Squad of Greater St. Louis Annual Retraining Conference, "Forensic Pathology," Missouri, March 4-5, 2012
- American Academy of Forensic Sciences, "Conflicting and Misleading Testimony in the Forensic Pathology Community," February 19-25, 2012
- American Academy of Forensic Sciences, Co-Chairman, Bring Your Own Slides, February 19-25, 2012
- Lecturer, 20th Annual Arnold Markle Symposium, "Investigation of Sex Crime: Forensic Investigation of Sexual Assault, Serial Offenders, and Sexual Abuse," October 10, 2011
- Lecturer, Henry F. Williams Seminar, New York State Police, "Forensic Pathology," September 18-21, 2011
- Speaker, Annual Investigation for Identification, New Orleans, Louisiana, August 25-26, 2011
- Lenox Hill Hospital, Medical Grand Rounds, "Controversies in Forensic Medicine," New York City, March 11, 2011
- Valley Forge Dental Conference, Keynote Speaker, "Justice Through Science," Valley Forge, Pennsylvania, March 4, 2011
- American Academy of Forensic Sciences, Communications in Forensics, "In My Experience ..." February 21, 2011
- American Academy of Forensic Sciences, A Multidisciplinary Look into Forensic Science: Perspectives, Views and Experiences, "Forensic Pathology Perspectives," February 22, 2011
- American Academy of Forensic Sciences, Co-Chairman, Bring Your Own Slides, February 23, 2011

- Lecturer, "CSI: Dartmouth," University of Massachusetts/Dartmouth Law School, Dartmouth, Massachusetts, November 18, 2010
- Guest Forensic Lecturer (4 lectures), Transatlantic Crossing of the Queen Elizabeth II, November 1-8, 2010
- Lecturer, Henry F. Williams Seminar, New York State Police, "Forensic Pathology," September 27-30, 2010
- Speaker, 13th Annual Investigation for Identification, New Orleans, Louisiana, "A History of Forensic Science from Cain and Abel Through Katrina," August 27-28, 2010
- Speaker, Brigham & Women's 2010 Master Clinician Section, August 1, 2010
- Speaker, "Post-Mortem with Dr. Michael Baden," Kentucky Funeral Director's Association, Louisville, Kentucky, June 30, 2010
- Speaker, Northeast College and Universities Security Association, 57th Annual Conference, Skidmore College, Saratoga Springs, New York, June 28, 2010
- Speaker, 13th Annual Investigation for Identification, New Orleans, Louisiana, "A History of Forensic Science from Cain and Abel Through Katrina," August 27-28, 2010
- Speaker, Brigham & Women's 2010 Master Clinician Section, August 1, 2010
- Speaker, "Post-Mortem with Dr. Michael Baden," Kentucky Funeral Director's Association, Louisville, Kentucky, June 30, 2010
- Speaker, Northeast College and Universities Security Association, 57th Annual Conference, Skidmore College, Saratoga Springs, New York, June 28, 2010
- * Lecturer, New York Prosecutor's Training Institute, Westchester, New York, June 8, 2010
- SELETS 14th Annual Law Enforcement Training Seminar, Lawrenceberg, Tennessee, June 1, 2010
- New York State Police Sex Offense Seminar, "The Forensic Sciences," Albany, New York, May 24-28-2010
- Society of Professional Investigator's Meeting, New York City, May 20, 2020
- Wayne State University, Medicolegal Investigation of Death, "Exhumation and Time of Death," and "Fire, Explosion and Mass Casualty," April 21-22, 2010

- Oswego University, "History of Forensic Science," March 25, 2010
- American Academy of Forensic Sciences, "Bring Your Own Slides," Seattle, Washington, February 22-26, 2010
- 2010 Forensic Seminar for Capital Defense Attorneys, DePaul University College of Law, February 18-19, 2010
- CSI Symposium, Norwich University, "Forensic Pathology," January 29, 2010
- NYSP Child Physical Abuse and Neglect Seminar, November 18, 2009
- New York Council of Defense Lawyers, Rye, New York, November 7, 2009
- FBI/IT Exchange Conference, Keynote Speaker, Seattle, Washington, September 20-21, 2009
- Henry F. Williams Seminar, New York State Police, "Forensic Pathology and Child Deaths," Albany, New York, September 14-17, 2009
- New York State Funeral Director's Association, Saratoga, New York, September 1, 2009
- Cabell Sheriff's Department, West Virginia (Marshall University in Huntington, West Virginia), August 25, 2009
- NCSTL Conference, Tampa, Florida, May 20-21, 2009
- Wayne State University, Medicolegal Investigation of Death, "Exhumation and Time of Death," and "Forensic Questions: The Experts Answer," with Werner Spitz, M.D., Dearborn, Michigan, April 22-24, 2009
- Bronx High School of Science, March 11, 2009
- American Academy of Forensic Sciences, "Bring Your Own Slides," Denver, Colorado, February 16-21, 2009
- American Academy of Forensic Sciences, "New Investigative Techniques and Scientific Advancement for Forensic Scientists in the Future," Denver, Colorado, February 16-21, 2009
- South Carolina Funeral Director's Association, "Post Mortem with Dr. Michael Baden," Columbia, South Carolina, February 4, 2009
- CSI Symposium, "Forensic Pathology," Norwich, Connecticut, January 29-30, 2009

- New York State CASA DNA Initiative Conference, Albany, New York, January 28, 2009
- Medicolegal Investigation of Death Conference, "Exhumation and Time of Death," Las Vegas, Nevada, January 5-6, 2009
- Mattapoisett (Massachusetts) Police Department, Forensic lecture, November 25, 2008
- George Mason University, "Sexually Violent Crime: the Body as Evidence," November 10-11, 2008
- Hofstra University, "An Evening of Crime and Wine," October 29, 2008
- New Jersey State Funeral Director's Association, "Post Mortem with Dr. Michael Baden," September 17, 2008
- SPIAA 57th Annual Retraining Conference, July 23, 2008
- NY Cops Foundation Annual Dinner Gala, Keynote Speaker, June 2, 2008
- New York State Police Sex Offense Seminar "The Forensic Sciences," May 2008
- Keynote Speaker, National Council of Investigation & Security Services annual meeting, May 2, 2008
- Medicolegal Investigation of Death Conference, Wayne State University, "Terrorism," April 23, 2008
- Medicolegal Investigation of Death Conference, Wayne State University, "Exhumation and Time of Death," April 23, 2008
- 17th Annual Arnold Markle Symposium, Connecticut State Police, March 23-24, 2008
- "Forensic Pathology and Living/Injured Victims," Academy for BCI Basic School (NYSP), March 11, 2008
- Lecturer, New Jersey Chapter of Int'l Assn of Arson Investigators, March 5, 2008
- American Academy of Forensic Sciences, Young Forensic Scientists Forum "Death is My Teacher," February 19, 2008
- American Academy of Forensic Sciences, "Healthcare Serial Killer Workshop," February 19, 2008

- American Academy of Forensic Sciences, "Significant Achievements and Contributions by Forensic Scientists to the International Community," February 19, 2008
- Medicolegal Investigation of Death Conference, "Postmortem Changes & Time of Death," and "Forensic Questions: The Experts Answer," Las Vegas, Nevada, December 4-6, 2007
- 33rd Annual Arson Seminar, NYS Fire Academy, "The Role of the Forensic Pathologist in Fire Investigation," November 7, 2007
- 12th Annual Investigation for Identification Educational Conference, Pensacola, Florida, October 19-20, 2007
- Penn State University, Forensic Sciences Seminar, September 24, 2007
- Col. Henry F. Williams Homicide Seminar, "Forensic Pathology," September 17-20, 2007
- Harvard Medical School, Intensive Review of Internal Medicine Course, "CSI Meets IRIM – The New Science of Catching Killers," Boston, Massachusetts, July 2007
- Arizona Judicial Conference: Forensic Pathology, 2007
- New York State Police Sex Offense Seminar "The Forensic Sciences," May 2007
- Smithsonian Associates, "Murder Investigation with Forensics: The Good, the Bad, and the Ugly," May 2007
- Medicolegal Investigation of Death Conference, "Death Investigation" and "Fire, Explosions and Terrorism," April 24-26, 2007
- Louisiana Judicial College, "CSI Effect," April 19-20, 2007
- 16th Annual Arnold Markle Symposium 2007, "Parents who Kill: Muchaussen's by Proxy," April 9, 2007
- Harvard Medical School "Brigham Master Clinician: Update in Medicine," "The Forensic Sciences: From Cain and Abel to JFK to OJ Simpson," March 29, 2007
- American Academy of Forensic Sciences, "Bring Your Own Slides," February 21, 2007
- American Academy of Forensic Sciences, "Police Use of Force: Where is the Line and When is it Crossed" February 22, 2007

- Medicolegal Investigation of Death Homicide Conference, "Asphyxias, Serial Murders and Sexual Assaults," "Death Investigations: Fire, Explosions and Terrorism," Las Vegas, Nevada, November 29-30, 2006
- American College of Trust and Estate Counsel, Westin Providence, Rhode Island, October 12, 2006
- Col. Henry F. Williams Homicide Seminar, "Forensic Pathology," September 19-21, 2006
- 57th Annual Harvard Associates in Police Science Conference, Vermont Criminal Justice Training Council, Burlington, Vermont, June 27, 2006
- SEAK National Expert Witness, "The Role of the Expert Witness: from the Expert's Perspective," Cape Cod, Massachusetts, June 23, 2006
- Mississippi Coroner's Association, Vicksburg, Mississippi, June 15, 2006
- Monmouth University, "Time of Death Determination" and "Electrocution, Explosives, and Fire-Related Deaths," Oceanport, New Jersey, June 13, 2006
- SELETS Homicide Conference, Lawrenceberg, Tennessee, June 7-8, 2006
- NYSP Sex Crimes Seminar "The Forensic Sciences," May 22, 2006
- Fermilab National Accelerator Laboratory, Colloquium, "How Long Has Grandpa Been Dead and Other Forensic Mysteries," Chicago, Illinois, May 17, 2006
- AtlantiCare Regional Medical Center, New Jersey, Keynote Speaker, 8th Annual Trauma Symposium, "Forensic Sciences, Trauma & Mass Disasters," May 2, 2006
- Medicolegal Investigation of Death Homicide Conference: "The Asphyxias, Serial Murders and Sexual Assaults," Detroit, Michigan, April 26-28, 2006
- Albany, New York, Area Association of Certified Fraud Examiners, keynote speaker, March 30, 2006
- American Academy of Forensic Sciences, "Victims & Defendants: Clinical Aspects of Their Death," February 21, 2006
- American Academy of Forensic Sciences, "The Role of the Forensic Scientist in the Investigation of Police-Related Deaths - A Current Dilemma," February 22, 2006
- American Academy of Forensic Sciences, "'Shaken Baby Syndrome: Medical Myth or Medical Fact?" February 24, 2006

- Clinical Forensic Nursing, Veterans Administration, Phoenix, Arizona, Impacting Patient Care Delivery, Quality Management and Investigations in Healthcare Settings, January 23, 2006
- Advanced Practical Homicide Seminar, "Modes of Death Involving Firearms, Knives, Blunt Force and Child Abuse," November 8-9, 2005
- Monmouth University, Oceanport, New Jersey, "Determining Time of Death" and "Fire-related Death and Electrocution and Explosions," June, 2005
- New York State Police, Sex Offense Seminar, "The Forensic Sciences," May 23, 2005
- New York State Association of County Coroners & Medical Examiners, "Violence Among Children," April 30-May 1, 2005
- Medicolegal Investigation of Death Conference, "Serial Killers, Autoerotic Asphyxias, Sexual Assault or Accident," and "Death by Fire and Explosion," Wayne State University, School of Medicine, April 20-22, 2005
- College of Mt. Saint Vincent, Department of Nursing, "Unraveling the Mystery of the Nurse Investigator," April 14, 2005.
- The National Clearinghouse for Science, Technology and the Law at Stetson University College of Law, "Forensic Pathology on Both Sides of the Pond," April 4, 2005
- Markle Symposium, Connecticut State Police Homicide Conference, Foxwoods Lodge, Connecticut, March 27-28, 2005
- The Learning Annex, "Revealing the Mysteries of Forensic Science," March 10, 2005
- American Academy of Forensic Sciences, "Complex Forensic Science Issues on Highly Controversial Cases," February 21-26, 2005
- Quinnipiac University, Law and Forensic Sciences, Hamden, Connecticut, February 5, 2005
- Duquesne University, The Cyril H. Wecht Institute of Forensic Science and Law, "Tracking Terrorism in the 21st Century," October 21-23, 2004
- Greater Cincinnati Regional Arson and Fire Investigators Seminar, "The Death Detective," October 14, 2004
- Col. Henry F. Williams Homicide Seminar, "Forensic Pathology," October 5, 2004

- Associated Licensed Detectives of New York State, Keynote speaker, October 1, 2004
- Nebraska Institute of Forensic Sciences, "Crime & Death Scene Reconstruction: Utilizing Bloodstain Pattern Analysis," September 15-17, 2004
- Southeast Law Enforcement Seminar, "Fascinating Cases of Death," June 9, 2004
- Florida Coastal School of Law, "Role of Forensic Pathology in Criminal and Civil Litigation," Jacksonville, Florida, May 7, 2004
- Wayne State University, "Medicolegal Investigation of Death," Dearborn, Michigan, April 21-23, 2004
- The Three Sleuths (with Drs. Cyril Wecht and Henry Lee), The Rio Suite, Hotel & Casino, Las Vegas, Nevada, April 17, 2004
- Annual SleuthFest Meeting, Exhumation Session, "Famous Cases," March 20, 2004
- 44th Annual American College of Legal Medicine, "The Role of the Forensic Pathologist in Medical Malpractice Cases," Las Vegas, Nevada, March 5-7, 2004
- Stetson University College of Law, "The Complete History of Murder and Science in One Hour," Gulfport, Florida, January 29, 2004
- Quinnipiac Law School, Law and Forensic Science, January 24, 2004
- The City University of New York, Graduate School and University Center, "Forensic Series," December 2, 2003
- Testified before the United States Senate Committee on the Judiciary Department of Justice Oversight: "Funding Forensic Sciences, DNA and Beyond" 2003
- Duquesne University, National Symposium on the 40th Anniversary of the JFK Assassination, "Solving the Great American Murder Mystery," November 20-23, 2003
- Smithsonian Associates, Educational and Cultural Programs, "Murder, Mystery and the New Forensics," November 1, 2003
- Association of Inspectors General, John Jay College of Criminal Justice, "Non-Traditional OIG Investigations," October 17, 2003
- Colorado Association of Sex Crimes Investigator's Annual Conference, Snowmass, Colorado, August 20-22, 2003

- 31st Annual Florida Medical Examiner Educational Conference, F.A.M.E. 2003, "The History of Forensic Science from Cain & Abel to O.J. Simpson," Ponte Vedra Beach, Florida, August 6-8, 2003
- Washington County Prosecutors Office, "Dead Man Talking: Forensic Science and Homicide Investigation," May 5 and 6, 2003
- Medicolegal Investigation of Death, Wayne State University, "Adult Sexual Assault & The Asphyxias" and "Child Sexual Assault/Abuse Myths Dearborn, Michigan, April 2-4, 2003
- New York State Trial Lawyer's Association, Wrongful Death Seminar, "Using Medical Science to Prove the Cause of Death and Conscious Pain and Suffering," March 25, 2003
- DNA Symposium, The State College of Pennsylvania, "The Role of the Forensic Pathologist regarding DNA Evidence: From Autopsy to Courtroom," March 2003
- American Academy of Forensic Sciences, "Overview of the Legal Issues Concerning the Discovery and Investigation and Prosecution of the Abuse of Elderly Patients in Healthcare Facilities and the Homicide of All Patients in Various Medical Treatment Facilities," Chicago, Illinois, February 17-22, 2003
- American Academy of Forensic Sciences, "Presentation of Specific Cases through the Initial Contact by Prosecutors Concerning Suspected Criminal Deaths through the Exhumation and the Trial" Chicago, Illinois, February 17-22, 2003
- 1st Eastern Analytical Symposium & Exposition, Somerset, New Jersey, November 18-21, 2002
- Utah County Police Officer's Workshop, November 2002
- 10th Annual Investigation for Identification Educational Conference, "New Concepts in Forensic Pathology," Pensacola, Florida, September 20-21, 2002
- Singapore Government Ministry of Health Services Administration, Centre for Forensic Medicine, August 17-31, 2002
- State of New York, Office of the Attorney General, Medicaid Fraud Control Unit, 2002 Training Conference, June 10-13, 2002, Lake Placid, New York
- Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, International Postblast Investigation Class, May 8, 2002, Brunswick, Georgia
- American Academy of Forensic Sciences, Addressing Social and Legal Issues Associated with Police Involved Shooting Incidents Through Forensic Investigation & Shooting Scene Reconstruction, February 11-15, 2002, Atlanta, Georgia

- American Academy of Forensic Sciences, Bring Your Own Slides, February 11-15, 2002, Atlanta, Georgia
- The UMKC School of Law, The History of Murder Investigation and Forensic Science, University of Missouri, Kansas City, January 24, 2002
- DNA and the Law: Reining in the Revolution, "The Role of the Forensic Pathologist in DNA Use: From Autopsy to Courtroom," Duquesne University, November 30, 2001, Pittsburgh, Pennsylvania
- New Technologies and the Proof of Guilt & Innocence, Court TV, October 25, 2001
- 2001 Ohio Attorney General's Conference on Law Enforcement, Plenary Speaker, October 11, 2001
- The Second European-American Intensive Course in Clinical and Forensic Genetics, September 3-14, 2001, Dubrovnik, Croatia
- Forensic Nursing Clinical Update, "Death Investigation, Adverse Patient Events and Evidence Collection in the Hospital Setting," August 27 and 28, 2001, Phoenix, Arizona
- Harvard Associates In Police Science, Keynote Speaker, August 20-23, 2001, 52nd Annual Conference, Annapolis, Maryland
- The Boston Strangler Case: A High Tech Hearing on the Murder of Mary Sullivan, August 4, 2001, American Bar Association Annual Meeting, Chicago, Illinois
- Emerging Technologies in Forensic Investigation, June 1-3, 2001, Nova Southeastern University, Fort Lauderdale, Florida
- The Forensic Investigation of Child Abuse and Neglect, May 30, 2001, The Family Partnership Center
- Making Communities Safer, May 21-22, 2001, New York State Alliance of Sex Offender Service Providers, Sixth Annual Training Conference, Albany, New York
- Practical Homicide and Medicolegal Death Investigation, April 9-11, 2001, Beaumont, Texas
- Police Liability in New York, May 2, 2001, Albany, New York
- Symposium on Forensic Medicine, Kuwait Institute for Medical Specialization, January 27-29, 2001, Kuwait

- Forensic Science and the Law, October 27-28, 2000, Duquesne University, Pittsburgh, Pennsylvania
- 8th Annual Investigation for Identification Educational Conference, Speaker, September 22-23, 2000, Pensacola Beach, Florida
- Advanced Practical Homicide Investigation, September 11-15, 2000, Southern Law Enforcement Foundation, Irving, Texas
- Vision 2000: Together We Can, Funeral Service Conference of the Northwest, August 27-29, 2000, Coeur d'Alene Resort, Idaho
- Mississippi Attorney General Prosecutor's Annual Training Conference, April 26-28, 2000, Gulfport, Mississippi
- Forensic Crime Scene Analysis Training, April 28, 2000, Union County Police Chief's Association, Cranford, New Jersey
- At the Heart of the Matter: The Medicolegal Aspects of Organ and Tissue Donation, May 4, 2000, New York Organ Donor Network, Poughkeepsie, New York
- NYSBA Criminal Justice Section Spring Meeting, May 19-21, 2000, The Ethics of Scientific Evidence, Chautauqua, New York
- 2000 Dodge Seminar, March 20-23, 2000, Clearwater Beach, Florida
- Medicolegal Investigation of Death, March 16 and 17, 2000, Wayne State University School of Medicine and Michigan State Police

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DR. MICHAEL M. BADEN TESTIMONIES AT TRIAL AND DEPOSITION 2010 TO 2015

2014

Joshua Barber, Esq.
State of Nebraska v. Saylor
Trial, December 2014
Nebraska

Benjamin Crump, Esq.
In re the death of Michael Ferguson
Grand Jury testimony, November 2014
Missouri

Richard Anzalone, Esq.
Estate of Lang v. Granite Construction, et al.
Deposition, November 2014
New York

James Harrington, Esq.
Estate of Kulpa v. Macomb County Sheriff, et al.
Deposition, November 2014
Michigan

Gregory Cannata, Esq.
Estate of Aledena Williams v. NYCTA
Trial, October 2014
New York

Sam Shapiro, Esq.
Collado v. City of New York
Deposition, September 2014
New York

Ven Johnson, Esq.
Illuminado Lopez, deceased v. City of Cleveland
Deposition, August 2014
Ohio

Martin Phipps, Esq.
Hoyt v. Kim, et al.
Deposition, August 2014
Texas

Daniel Clements, Esq.
Cha v. Owens, et al.
Trial, July 2014
Virginia

Julia Arfaa, Esq.
Colenda v. Nemours Foundation
Deposition, June 2014
Delaware

Melinda McGonnigle, Esq.
Leslie Neulander, deceased
Grand Jury, June 2014
New York

David Kenner, Esq.
Alejandro Rendon, deceased
Trial, June 2014
California

Peter Heller, Esq.
State of Florida v. Clifford Friend
Deposition, June 2014
Florida

David Kenner, Esq.
Alejandro Rendon, deceased
Deposition, May 2014
California

Adele Bernhard, Esq.
People v. Rene Bailey
Trial, April 2014
New York

Lewis Rosenberg, Esq.
Rosenblatt (Monzon/Maldonado) v. John's Episcopal Hospital et al.
Deposition, March 2014
New York

John Sullivan, Esq.
Diaz v. New England Linen Supply
Trial, March 2014
New Jersey

Michael David, Esq.
Bornstein v. CCS
Deposition, March 2014
New Jersey

Daniel Clements, Esq.
Cha/Cheng v. Martha Jefferson Hospital
Deposition, March 2014
Maryland

Julia Sherwin, Esq.
Harrison v. Alameda County et al.
Deposition, January 2014
California

2013

Bernard Grimm, Esq.
United States v. Michael Poth
Trial, November 2013
Washington, D.C.

Michael Kavanaugh, Esq.
People v. Gerald Babcock
Trial, November 2013
New York

Ted Williams, Esq.
Meyer v. Baltimore County, et al.
Trial, November 2013
Maryland

Mark Kollar, Investigator
In re the death of Jacob Limberios
Grand Jury, November 2013
Ohio

Michael D'Amico, Esq.
Estate of Victor Kloc vs. San Angelo
Deposition, November 2013
Connecticut

Scott Leemon, Esq.
People v. McElroy
Trial, November 2013
New York

Lesley Risinger, Esq.
State of New Jersey v. Kevin Baker
Trial, November 2013
New Jersey

Floyd Cottrell, Esq.
Scocozza v. Becker
Trial, October 2013
New Jersey

Scott Rynecki, Esq.
Knell v. City of New York
Trial, October 2013
New York

Scott Sandler, Esq.
Masomere v. Penalver, et al.
Trial, September 2013
Florida

Heidi Perlet, Esq.
State of Florida v. Melehan
Trial, August 2013
Florida

Wayne Hammack, Esq.
Certain Underwriters v. AEG Live, et al.
Deposition, July 2013
California

Aub Ward, Esq.
Arshad v. Congemi
De bene esse deposition, May 2013
Louisiana

Thomas Kanwit, AUSA
U.S.A. v. Zolot/Pliner
Daubert hearing, May 2013
Massachusetts

Steven Andrews, Esq.
Estate of Logan McCoy v. TMH
Deposition, May 2013
Florida

JoAnne Palchak, Esq.
State of Florida v. Todd Jenkins
Evidentiary Hearing, April 2013
Florida

Sean Buckley, Esq.
Snyder (Est. of)/Fahey v. Ye, et al.
Deposition, April 2013
New Jersey

Tiffany Alexander, Esq.
Gilmore/Pleskovich v. Ford Motor Company, et al.
Deposition, February 2013
Pennsylvania

Casey Holland, Esq.
Commonwealth v. Anthony Gray
Trial, February 2013
Kentucky

2012

Patricia Bordonaro, Esq.
Estate of Gravelding v. State of New York
Trial, December 2012
New York

David P. Morgan, Esq.
Beasley v. Brown
Deposition, November 2012
Virginia

James Mahoney, Esq.
Medina v. Land Air
Trial, November 2012
Arizona

Joseph Spitzzeri, Esq.
Valadez v. Davis
Trial, September 2012
Illinois

James Glasgow, Esq.
State v. Drew Peterson
Trial, August 2012
Illinois

Joseph Spitzzeri, Esq.
Valadez v. Davis
Deposition, August 2012
Illinois

James Mahoney, Esq.
Medina v. Land Air
Deposition, August 2012
Arizona

Thomas Sclafani, Esq.
State of Florida v. Castronuovo
Grand Jury, July 2012
Florida

William Matthewman, Esq.
State of Florida v. Adam Kaufman
Trial, May 2012
Florida

Nathanial Kuratomi, Esq.
Hackett and Radford v. Ronald Lusk and the City of Huntington
Trial, May 2012
West Virginia

Michael D'Amico, Esq.
Estate of Gloria Baldino
Deposition, May 2012
Connecticut

Fred Zemel, Esq.
Segal v. County of Hudson
Trial, April 2012
New Jersey

William Matthewman, Esq.
State of Florida v. Kaufman
Deposition, March 2012
Florida

Robert Devine, Esq.
Domalewski v. Louisville Slugger et al
Deposition, March 2012
New Jersey

Michael D'Amico, Esq.
Estate of Joseph Funaro
Deposition, February 2012
Connecticut

John Anthony Ward, Esq.
State of Wisconsin v. Gary Saucedo
Trial, January 2012
Wisconsin

2011

Jacob Vos, Esq.
Bates v. IFBO, et al.
Deposition, December 2011

Fred Zemel, Esq.
Segal v. County of Hudson (NJ)
Deposition, November 2011
New Jersey

Patricia Bordonaro, AAG
State v. Gardner
Trial, November 2011
New York

Frances Leddy, Esq.
Park v. Village of Ridgewood
Trial, November 2011
New Jersey

Keith Rutman, Esq.
People of State of California v. Ditto
Trial, October 2011
California

Elizabeth Lorell, Esq.
Leja v. Schmidt Manufacturing, et al.
Trial, October 2011
New Jersey

Peter Stirba, Esq.
U.S. v. MacKay
Trial, September 2011
Utah

Billy-George Hertzke, Esq.
Shoen v. Shoen
Trial, September 2011
Colorado

Christopher Plourd, Esq.
People of California v. Marc Jernigan
Trial, August 2011
California

Carol Powell Lexing, Esq.
Thomas v. City of Winnfield, et al.
Deposition, July 2011
Tennessee

David Hayne, Esq.
(Mr. Hayne was one of four different lawyers)
Ft. Totten Metro Rail Train Crash
Deposition, June 2011
District of Columbia

Alto Watson, Esq.
Petri v. Kestel Oil, et al.
Deposition, May 2011
Texas

Aub Ward, Esq.
Arshad v. Congemi, et al.
Deposition, May 2011
Louisiana

Todd Macaluso, Esq.
Lidle v. Cirrus, et al.
Trial, May 2011
New York

Jeffrey Nunnari, Esq.
Burdine v. Kaiser, et al.
Deposition, May 2011
Michigan

Wayne Mello, Esq.
State of New Jersey v. Scharf
Trial, May 2011
New Jersey

Michael Armienti, Esq.
Simmons v. NYC Transit Authority
Trial, May 2011
New York

Kris Reitz, Esq.
State v. Coleman
Trial, April 2011
Illinois

Thomas Hanlon, Sr. Asst PD
State of Florida v. Jeffrey Spohn
Deposition, April 2011
Florida

Marianne Aho, Esq.
Jenkins v. Key Buick, et al.
Trial, April 2011
Florida

Billy-George Hertzke, Esq.
Eva Shoen, deceased
Deposition, April 2011
Colorado

David Bowers, Esq.
Simons v. Lincoln Park, et al.
Deposition, March 2011
Michigan

Marianne Aho, Esq.
Jenkins v. Key Buick, et al.
Deposition, February 2011
Florida

Kris F. Reitz, State's Attorney
State v. Coleman
Deposition, February 2011
Illinois

2010

Colin Mueller, Esq.
Eutsey v. Morbark
Deposition, December 2010
Ohio

Frances Leddy, Esq.
Park v. Village of Ridgewood, et al.
Deposition, December 2010
New Jersey

Randy Davenport, Esq.
State of New Jersey v. Starks
Trial, December 2010
New Jersey

Michael Munger, Esq.
Martin v. Goodyear
Deposition, December 2010
Pennsylvania

Joseph Messa, Esq.
Akabi-Davis v. RediMix et al.
Deposition, December 2010
South Carolina

Merritt D'Amico, Esq.
State of CT v. Charles Buck
Trial, November 2010
Connecticut

Douglas Saeltzer, Esq.
Brown v. Kaiser
Deposition, November 2010
California

Christine Duey, Esq.
U.S.A. v. Rico Williams
Trial, November 2010
District of Columbia

Exhibit 7

STATE OF MICHIGAN)
) ss
COUNTY OF MACOMB)

I am a medical doctor licensed to practice medicine. I graduated from medical school in 1953 and have undertaken residency in pathology followed by fellowship in forensic pathology. I am certified by the American Board of Pathology in anatomic pathology (1961) and forensic pathology (1965). I have spent my entire professional life (62 years) in the practice of forensic pathology. My curriculum vitae is attached.

- 1**

would have taken at least 4-5 hours to develop. It is impossible that Stites was murdered and left at the scene in the two-hour time frame asserted by the State at trial. I have reviewed the trial transcripts of the pathologist Roberto Bayardo M.D. and the Crime Scene Investigator Karen Blakely. The medico-scientific analysis of the lividity I discuss was never addressed.

4. Dr. Bayardo describes "slight residual" rigor at autopsy conducted at 1:30 p.m. on April 24, 1996, after the body was refrigerated since approximately 11 p.m. on April 23rd. Rigor is seen on the crime scene video, but the arms are easily placed down from above Stites's head as she is put into a body bag before sundown on April 23, 1996. This movement of the arms shows passing rigor. Likewise, "slight residual rigor" after refrigeration at the ME's office is consistent with passing rigor, at the time the body is filmed in the video.

5. Rigor is markedly temperature-dependent. In warm weather rigor mortis progresses faster, in cool weather it progresses more slowly. The average temperature on April 23rd was in the mid-60s. Taking this temperature into consideration, passing rigor, as depicted in the video, is consistent with death of about 20-24 hours prior to the video—a period of 15 hours as estimated by Dr. Bayardo would not allow for such movement, without having broken the rigidity.

6. Very few sperm were found on autopsy smears, and the crime scene investigator found only 3 intact spermatozoa. If the victim was sexually assaulted between 3-5 a.m., there would be more sperm found on slides. A normal sperm count is considered to be 15 million spermatozoa per milliliter. The amount of sperm found on the slides is more consistent with a longer interval between intercourse and the time the sample was collected. As I explain in my book, intact spermatozoa can be found in the vagina up to 72 hours after coitus.

7. My review shows evidence of decomposition that is not consistent with a time of death at 3 a.m. on April 23, 1996. The body is described as having green discoloration, which can be seen in the video. The appearance of the breasts after the bra is removed shows gas formation. The abdomen does not appear flat. There is skin slippage in several places. What is described at autopsy as post mortem burns in the face, breasts, and other areas is also likely skin slippage, in which the top layer of skin has dried. What has been described as petechiae in the scalp are none other than small torn blood vessels in the process of reflection of the scalp. Brown fluid running from the mouth and nose, across the right cheek is decomposition fluid and is not described in the autopsy report. Internal organs also show evidence of decomposition—what Dr. Bayardo describes as congestion in lungs is actually decomposition. The heart is flabby and the blood is liquid after liquefaction which is part of the decomposition process.

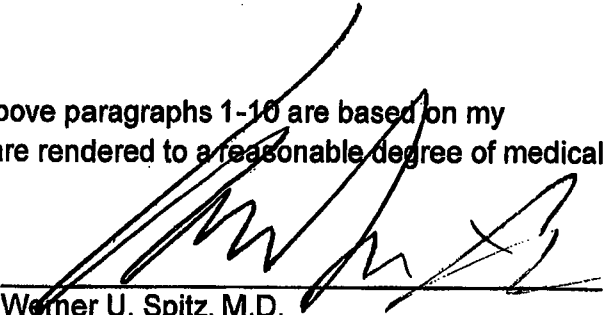
Brain swelling is also part of decomposition. This amount of decomposition supports a post-mortem interval of about 20 to 24 hours before the film and photographs.

8. The distended anus seen in photos and described at autopsy is normal, in consideration of the absence of rigidity. It is a common mistake for death investigators to misinterpret natural relaxation of the sphincter, as evidence of anal penetration. There are no apparent lacerations in the photographs of the anus. If lacerations were present, they would be visible. Abrasions described at autopsy are not evidence of anal assault, and are equally consistent with hard bowel movements. I am aware that there was a weak DNA result consistent with Rodney Reed on the sperm fraction of the rectal swab taken from Stites. The presence of a small amount of sperm in the rectum is not surprising and does not contradict my conclusion that there is no evidence of anal penetration in this case. When semen is present in a body, it can drain from the vagina into the dilated anus. I have seen this happen in a number of cases. Contamination of the rectal swab by vaginal contents is also a concern, especially in cases where vaginal swabs are collected prior to the taking of the rectal specimens.

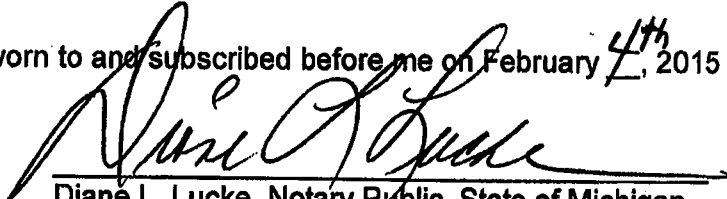
9. The examination of the body at the scene was inappropriate. None of the investigation should have been done by the crime scene investigator. The body should have been placed in a body bag, preserving all trace evidence, and then taken to a controlled environment where it could be examined by a forensic pathologist. But despite these errors, the photographs and video provide enough evidence to estimate the post-mortem interval. These observable factors include: lividity, rigor, amount of residual sperm in the genital tract, and evidence of decomposition. When all of these factors are considered together, it becomes indisputable that the time of death was considerably earlier than 3:00 am on April 23rd as estimated by Dr. Bayardo. All findings point to a post-mortem interval of about 20-24 hours prior to the time the body was filmed.

10. My textbook, *MEDICOLEGAL INVESTIGATION OF DEATH*, 4th edition, published by Charles C. Thomas, Springfield, Illinois, 2006 discusses many of the issues in this affidavit in greater detail.

11. All my opinions expressed in the above paragraphs 1-10 are based on my education, training and experience and are rendered to a reasonable degree of medical certainty.


Werner U. Spitz, M.D.

Sworn to and subscribed before me on February 4th, 2015


Diane L. Lucke, Notary Public, State of Michigan
Monroe County, Acting in Macomb County
My commission expires: October 20, 2017

WERNER U. SPITZ, M.D., FCAP

Forensic Pathology and Toxicology

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St. Clair Shores, Michigan 48080-1996

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Grosse Pointe Shores, MI 48236

Telephone: (313) 884-0501

PERSONAL DATA:

Born: August 22, 1926
Stargard/Pomerania
Germany

Fluent: English, German and French

EDUCATION:

Geneva University Medical School
Geneva, Switzerland 1946-1950

Hebrew University, Hadassah
Medical School - Jerusalem
M.D. from same 1950 - 1953

TRAINING:

Internship and residency in
Pathology and Forensic Pathology
Hadassah Medical School 1953 - 1959

Research Fellow, Forensic Pathology
University of Maryland
Baltimore, Maryland 1959 - 1961

FACULTY APPOINTMENTS:

Assistant, Dept. of Forensic Pathology
Free University of Berlin, West Germany 1961 - 1963

Assistant Professor of Pathology
University of Maryland

School of Medicine 1966 - 1969

Associate Professor, Forensic Pathology
Department of Public Health Administration
Johns Hopkins University
Baltimore, Maryland 1967 - 1972

Clinical Associate Professor of Pathology
University of Maryland
School of Medicine 1969 - 1972

Membership on the Graduate Faculty
University of Maryland
College Park, Maryland 1970 - 1972

Professor, Department of Pathology
Wayne State University
School of Medicine 1973- Present

Adjunct Professor of Toxicology in the Department of Chemistry
University of Windsor
Ontario, Canada 1978- Present

HOSPITAL OR OTHER PROFESSIONAL APPOINTMENTS:

Associate Medical Examiner, Maryland
Medical-Legal Foundation
Baltimore, Maryland 1963 - 1965

Pathologist, Mount Wilson State Hospital
for Chest Diseases, Maryland 1964 - 1972

Assistant Medical Examiner
State of Maryland
Baltimore, Maryland 1965 - 1969

Lecturer in Forensic Pathology
Department of Public Administration
Johns Hopkins University
Baltimore, Maryland 1966 - 1969

Deputy Chief Medical Examiner
State of Maryland
Baltimore, Maryland 1969 - 1972

Director of Research and Training
Maryland Medical-Legal Foundation
Baltimore, Maryland 1967 - 1972

Chief Medical Examiner, County of Wayne Detroit, Michigan	1972 - 1988
Pathologist and Chief Medical Examiner County of Macomb, Michigan	1972 - 2004

MAJOR PROFESSIONAL SOCIETIES:

Michigan Association of Medical Examiners
Member Executive Committee, [1986 - @ 1996]
Wayne County Medical Society

Michigan Society of Pathology,
Chairman, Forensic Pathology Committee

College of American Pathologists, Fellow

American Society of Clinical Pathologists, Fellow

National Association of Medical Examiners, Board of Directors

American Academy of Forensic Sciences, Fellow,
Pathology and Biology Section, Past Chairman, Nominating Committee, 1977; Secretary/Treasurer, 1980, Chairman, 1981

World Congress of Legal Medicine, Vice President, 1986

Detroit Academy of Medicine, Fellow

LICENSURE:

License to practice medicine, member countries of the European Union	1960
Maryland Board of Medical Examiners	1964
Virginia Board of Medical Examiners	1965
Washington, D.C., Commission on Licensure to Practice the Healing Art	1971
Michigan Board of Registration in Medicine	1972

SPECIALTY BOARDS:

Certification by The American Board of Pathology:

Pathologic Anatomy	1961
Forensic Pathology	1965

HONORS/AWARDS:

American Physicians Fellowship Inc., August, 1967

Northern Virginia Arson Seminar - Certificate of Recognition of Attendance, Dec. 2, 1967

National Association of Medical Examiners - Certificate of Membership, 1972

North End Detroit Lions Club - Certificate of Service, March 5, 1974

International Association of Bomb Technicians and Investigators - Certificate of Appreciation, May 24, 1978

The International Reference Organization in Forensic Medicine - for Continuous Support of INFORM and outstanding Contributions to Forensic Medicine, August 1, 1979

The Arizona Department of Public Safety - Certificate of Appreciation, December 7, 1979
University of Detroit - Certificate of Appreciation, February 26, 1981

Kiwanis Club of New Center, Detroit - Certificate of Appreciation, June 17, 1981

Latin American Association of Legal Medicine, May 20, 1982 - Honorary Member

Mid Atlantic Forensic Pathology Association Certificate of Recognition May 2, 1983

The American Academy of Forensic Sciences, February 15, 1983

American Medical Association - Certificate of Member in good Standing, 1984

Crockett Vocational/Technical Center - Certificate of Appreciation, May 15, 1985

Michigan Ontario Identification Association - Certificate of Appreciation, May 17, 1985

British Academy of Forensic Sciences Medicolegal and Odontological Society of Mexico, Honorary Member, 1986

Founder's Award, Michigan Eye Bank and Transplantation Center, June 15, 1986

EL Instituto Politecnico Nacional, 1986

Crockett Vocational/Technical Center - Certificate of Appreciation, June 10, 1987

Resolution for Outstanding Service, handling mass disaster, Northwest Flight 255 plane crash, City of Romulus September, 1987

Award from Wayne County for handling of Northwest Flight 255 Plane Crash, October, 1987

Michigan Police Chaplains Association - Certificate of Appreciation, March 14, 1988

Wayne County Medical Society - Resolution for Outstanding Service, August 24, 1988

New York State Police - Certificate of Appreciation, October 5, 1988

New York State Police - Certificate of Appreciation, November 8, 1990

International Symposium on Forensic Techniques - Certificate of Appreciation, June 6, 1991

New York State Police - Certificate of Appreciation, October 2, 1991

American Board of Forensic Examiners - Recognizes for High Level of Professional Scientific Involvement, December 12, 1994

Special Opportunities for Amputee Rehabilitation - Acknowledgment for Sponsoring an Amputee, 1994

Wayne County Medical Society - Certificate of membership in Good Standing, 1994

New York State Police - Certificate of Appreciation, September 28, 1994

Sterling Heights Citizen's Police Academy - Certificate of Appreciation, March 22, 1995

New York State Police - Certificate of Appreciation, September 20, 1995

American Society of Clinical Pathologists January 11, 1996

New York State Police - Certificate of Appreciation, October 3, 1996

American Medical Association - Certificate of Member in Good Standing, 1996

Medicolegal Investigation of Death - Certificate of Participation, March 6 & 7, 1997

Investigation for Identification - Certificate of Completion, October 31, 1997

National Association of Medical Examiners - Certificate of Membership, 1999

Turning Point SANE Program - Recognition and Appreciation of Outstanding Effort, June 24, 1999

Dean's Award for 24 years of dedicated service to the medicolegal community and Wayne University School of Medicine, March 6, 1997 community and Wayne State

National Association of Medical Examiners - Certificate of Membership, 2000

Indiana Division International Association for Identification - Certificate of Appreciation, 11th Annual Annual Indiana IAI Conference

SERVICE:

Consultant - Johns Hopkins University, Applied Physics Laboratory, Silver Spring, Maryland, 1968-1972

Consultant - Veterans Administration Hospital, Allen Park, Michigan, 1972

Consultant - Rockefeller Commission on CIA activities within the United States, Investigating the circumstances surrounding the assassination of President John F. Kennedy, 1975

Member - Forensic Pathology Panel, Select Committee on Assassinations, U.S. House of Representatives, Washington, D.C., 1978

Consultant - Michigan Department of Labor, Silicosis and Dust Fund, 1977-1980

Consultant - Pan American Health Organization, November, 1978

Consultant, U.S. Borax and Chemical Company, Los Angeles, California, October 1984 - Present

Consultant - NBC News for the OJ Simpson Trial, 1994-1995

Editor - Journal of Legal Medicine, Heidelberg, Germany, New York

Member - Editorial Board, American Journal of Dermatopathology

Member - Editorial Board, Journal of Forensic Sciences

Member - Editorial Board, Excerpta Medica, [Holland], Forensic Sciences

Member - Editorial Board, Forensic Science, Copenhagen Denmark, Biomedical Division, Elsevier Science Publishers, B.V.

Member - Editorial Board, The American Board of Dermatopathology, Masson Publishing USA, Inc.

Member - Test Committee, American Board of Pathology, 1974-1979

Member - Public Health Committee, Claims Review Committee, Wayne County Medical Society, 1979

Member - Probus Award Selection Committee, 1979

Listed - American Men and Women of Science, 12th Edition

Listed - Who's Who in America (Life member, 2000)

Member - Review Board - The American Investigative Society of Cold Cases (AISOCC), 2013

TEACHING:

Professor, Department of Pathology
Wayne State University
School of Medicine 1973 - present

2 years Assistant, Dept. of Forensic Pathology
Free University of Berlin, West Germany 1961 - 1963

3 years Assistant Professor of Pathology
University of Maryland
School of Medicine 1966 - 1969

5 years Associate Professor, Forensic Pathology
Department of Public Health Administration
Johns Hopkins University
Baltimore, Maryland 1967 - 1972

3 years Clinical Associate Professor of Pathology
University of Maryland
School of Medicine

1969 - 1972

2 years Membership on the Graduate Faculty

University of Maryland
College Park, Maryland

1970 - 1972

Adjunct Professor of Chemistry
University of Windsor
Ontario, Canada

1978 - Present

GRANT SUPPORT:

U.S. Government (HEW) Institute of Maternal Health, \$ 800,000 Grant for Research and Counseling of Sudden Infant Death. 1975-1985.

Grant from Eli Lilly for a study of propoxyphen. \$ 2,500. 1985.

State of Michigan, Office of Substance Abuse Services, Designer Drug grant, \$ 3,000. 1986-1987.

Participated in a combined study with Michigan Department of Health, Detroit Health Department to determine the frequency of AIDS in medical examiner cases, approx. \$ 2,000.00 1987.

PUBLICATIONS:

1. A Contribution to Pulmonary Acariasis in Imported Rhesus Monkeys. *Bull. Res. Council of Israel* 6E (2): 119-122, (1957). Spitz, W.U.
2. Mycetoma Pedis. *A.M.A. Arch. Dermat.* 75: 855-863, (1957). Ziprkowski, L., Altmann, G., Dalith, F. and Spitz, W.U.
3. Mechanism of Death in Fresh-Water Drowning. *A.M.A. Arch. Path.*, 71: 661-668, (1961). Spitz, W.U. and Blanke, R.
4. Increase of Body Weight as an Additional Criterion in Establishing the Diagnosis of Fresh Water Drowning. Newsletter - Am. Acad. Forensic Sci., March-April, 1961. Spitz, W.U. and Fisher, R.S.
5. Physical Activity Until Collapse Following Fatal Injury by Firearms and Sharp Pointed Weapons. *J. Forensic Sci.*, 6, (3): 290-300, (1961). Spitz, W.U., Petty, C. and Fisher, R.
6. Subdurale Blutungen aus isolierten Verletzungen von Schlagadern an der Hirnoberfläche durch stumpfe Gewalt. *Virchows Arch. Path. Anat.* 336: 87-98, (1962). Krauland, W., Mallach, H.J., Missoni, L. und Spitz, W.U.
7. Diagnose des Ertrinkungstodes durch den Diatomeen-Nachweis in Organen. *Dtsch. Z. ges. gerichtl. Med.* 54: 42-46, (1963). Spitz, W.U.
8. Recovery from Drowning. *Brit. Med. J.*, 5364, 1678, (1963). Spitz, W.U.
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Publications in preparation:

5th edition of MEDICOLEGAL INVESTIGATION OF DEATH

PRESENTATIONS:

Guest Lecturer - Armed Forces Institute of Pathology Annual course of forensic pathology -	1970 - 1991
Guest Lecturer - Louis Philippe Mousseau Memorial Lecture, Edmonton, Alberta, Canada October 16, 1974	
Guest Lecturer - Israel Association of Forensic Sciences Reconstruction of the events John F. Kennedy as feasible by analysis of his wounds, Tel Aviv, Israel, March, 1980	surrounding the assassination of President
Guest Lecturer - Asociacion Mexicana de Medicina Legal, Quinto Symposium Internacional de August 28-30, 1980	Graduacion en Medicina Legal, Mexico City,
Guest Lecturer - Sixth South African International Conference of Legal Medicine,	Johannesburg, South Africa, March 17-21, 1981
Guest Lecturer - First Pan American Symposium of Legal Medicine, Mexico City, Mexico, May 22-28, 1982	
Guest Lecturer - Sociedad Mexicana de Medicina Forense, Criminologia y Criminalistica, A.C. Estados Unidos de America, Mexico, July 21 - 27, 1985	
Guest Lecturer - Edwin C. Yoder Honor Lecture, Tacoma, Washington, November 15, 1985	
Guest Lecturer - El Instituto Politecnico Nacional, Mexico City, Mexico, October 12-15, 1986	
Guest Lecturer - Primer Curso Internacional De Medicina Legal en La Mitad Del Mundo,	Quito, Ecuador, July 18 - 22, 1988
Guest Lecturer - Michigan Insurance Adjusters, Detroit, February 18, 1985	
Lecturer - University of Windsor, Chemistry Department, March 15, 1985	
Guest Lecturer - Beaumont Hospital, Royal Oak, Michigan, March 29, 1985	
Guest Lecturer - St. Johns Hospital, Detroit, Michigan, April 12, 1985	
Guest Lecturer - Glessner Lee Seminar, Baltimore, Maryland, April 30, 1985	
Chairman and Lecturer - Annual seminar - Wayne State University Continuing Education - May 9 - 11, 1985	Medical Legal Investigation of Death seminar.
Guest Lecturer - Detroit Police Seminar, Detroit, Michigan, May 17, 1985	
Guest Lecturer - Glessner Lee Seminar, Baltimore, Maryland, October 15, 1985	
Lecturer - Wayne County Judges, Detroit, Michigan, November 8, 1985	
Lecturer - University of Windsor Law School, Windsor, Canada, December 4, 1985	
Lecturer - Detroit College of Law School, Detroit, Michigan, Full day - January 15, 1986	
Guest Lecturer - Grace Hospital, Detroit, Michigan, April 12, 1986	
Guest Lecturer - Ontario Coroners Association, Niagara on the Lake, Canada, April 10-11,	1986
Guest Lecturer - Glessner Lee Seminar, Baltimore, Maryland, April 29-30, 1986	
Guest Lecturer - Michigan Prosecutors Coordinating Council, Shanty Creek, MI, May 3, 1986	
Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal 1986	Investigation of Death seminar. May 8 - 10,
Guest Lecturer - Michigan Insurance Adjusters Assn., Southfield, Michigan, May 13, 1986	
Guest Lecturer - Criminal Defense Attorneys, Traverse City, Michigan, November 8, 1986	
Guest Lecturer - Glessner Lee Seminar, Baltimore, Maryland, April 27, 1986	
Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal 1987	Investigation of Death seminar. May 7 - 9,
Guest Lecturer - Michigan/Ontario Identification Assn., Windsor, Canada, June 30, 1987	
Guest Lecturer - Glessner Lee Seminar, Baltimore, Maryland, September 14, 1987	
Chairman - Illinois Coroner's Association Seminar, Mattoon, Illinois October 19-20, 1987	
Lecturer - St. Clair Medical Examiners, Port Huron, Michigan, September 26, 1987	
Guest Lecturer - Insurance Adjusters Assn., Detroit, Michigan November 16, 1987	
Guest Lecturer - America Society of Clinical Pathologists Seminar, Chicago, Illinois Reconstruction and Patterned injuries.	December 1, 1987 - Traffic Accident
Lecturer - Life, Accident and Health Claim Association, Detroit, Michigan January 19, 1988	
Lecturer - Police Department Chaplains Assn., Farmington, Michigan March 14, 1988	
Guest Lecturer - Wayne County Medical Society, Disaster Planning Seminar, Detroit,	Michigan April 7, 1988.
Guest Lecturer - Michigan Trial Lawyers Association Seminar, Southfield, Michigan May 21,	1988.
Guest Lecturer - Wayne County Sheriff's School, Disaster Planning Seminar, Romulus,	Michigan June 28-30, 1988.
Guest Lecturer - Dearborn Elks Lodge 1945, Dearborn, Michigan July 27, 1988	
Guest Lecturer - New York State Police Annual Seminar, Albany, New York October 4, 1988.	
Lecturer - Michigan Association of Medical Examiners, Midland, Michigan Oct. 14-16, 1988	

Guest Lecturer - Dutchess County Seminar, New York, November 12-14, 1988

Guest Lecturer - Michigan Trial Lawyers Assn., Southfield, Michigan November 15, 1988.

Lecturer - Bon Secours Hospital Staff, Grosse Pointe, Michigan February 27, 1989

Guest Lecturer - Defense Attorneys Seminar, Lansing, Michigan April 21, 1989

Guest Lecturer - Seminar in Homicide Investigation, Baltimore, Maryland May 2, 1989

Guest Lecturer - Kiwanis Lecture, Westland, Michigan, May 15, 1989

Guest Lecturer - Macomb County Community College, June 14, 1989

Guest Lecturer - Pathology Review Course, Lisle, Illinois, September 17-18, 1989

Guest Lecturer - New York State Police Academy, Albany, New York September 20-22, 1989

Lecturer - Traffic Accident Reconstruction and Patterned Injuries, Michigan Association of Medical Examiners, Midland, MI, Sept. 29 to Oct. 1, 1989

Guest Lecturer - Illinois State University, Accident Investigation and Reconstruction, Normal, IL, Oct. 5-7, 1989

Guest Lecturer - American Society of Clinical Pathologist, December 4, 1989

Lecturer - St. John Hospital Emergency Room Staff, Detroit, Michigan February 28, 1990

Lecturer - University of Windsor, Chemistry Students, Windsor, Canada March 9, 1990

Guest Lecturer - Dutchess County Seminar, New York, April 9-10, 1990

Guest Lecturer - Traffic Accident Reconstruction, driver, passenger and pedestrian injuries, University of North Florida, Accident Investigators, Jacksonville, FL, April 17, 1990

Sole Lecturer - Topics Included: Gunshot/Shotgun wounds, Stab wounds, Traffic Accident Reconstruction and Injury Patterns, Postmortem changes, Asphyxia, etc.: Colorado Institute of Criminal Justice, Medical Legal Investigation of Death Seminar, Denver, Colorado April 19-20, 1990

Guest Lecturer - Michigan State Police Arson Investigation, Tuskin, Michigan April 23, 1990

Guest Lecturer - Federal Bureau of Investigation, Detroit, Michigan April 25, 1990

Guest Lecturer - Ohio Academy of Trial Lawyers, Toledo, Ohio, April 28, 1990

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar. May 17 - 19, 1990

Guest Lecturer - University of Michigan, Pathology Course, Ann Arbor, MI Sept. 11, 1990

Guest Lecturer - Accident Reconstruction and Traffic Injuries, Institute of Police Technology and Management, Freehold, New Jersey, Sept. 14-15, 1990

Guest Lecturer - Michigan State Police Arson Investigation for Prosecutors, Tuskin, Michigan October 15, 1990

Guest Lecturer - Traffic Accident Reconstruction, driver, passenger and pedestrian injuries, University of North Florida, Accident Reconstruction, Jacksonville, Florida October 22-23, 1990

Guest Lecturer - Criminal Defense Attorneys, Traverse City, Michigan November 3, 1990

Lecturer - St. John Hospital Staff, Detroit, Michigan, November 29-30, 1990

Guest Lecturer - 9th Annual Advanced Homicide Investigators Seminar, Toronto, Canada, February 12, 1991

Guest Lecturer - Macomb Bar Association, February 21, 1991

Guest Lecturer - 6th Medicolegal Investigation of Death Seminar, Morgantown, West Virginia, April 6, 1991

Lecturer - Federal Bureau of Investigation's Third Annual Violent Crime Seminar, Ann Arbor, Michigan, April 24, 1991

Lecturer - Macomb Emergency Response Group, St. Clair Shores, Michigan, April 25, 1991

Lecturer - Michigan State Police's Third Annual Prosecutors School (Fatal Fire Investigation), Tustin, Michigan, April 29, 1991

Guest Lecturer - Grosse Pointe Jewish Council, Grosse Pointe, Michigan, April 30, 1991

Guest Lecturer - Michigan Probation Officers, Frankenmuth, Michigan, May 23, 1991

Lecturer - Accident Reconstruction and Traffic Injuries, Institute of Police Technology and Management, Meriden, Connecticut, June 11, 1991

Lecturer - Pathology Review Course, Columbus, Ohio, May 27, 1991

Lecturer - St. John Hospital Emergency Room Physicians, Detroit, Michigan, May 29, 1991

Lecturer - Spectrum 91 International Symposium on Forensic Techniques, Detroit, Michigan, June 3, 1991

Lecturer - Accident Reconstruction and Traffic Injuries, Institute of Police Technology and Management, Hartford, Connecticut, June 11, 1991

Guest Lecturer - University of Michigan Pathology Residents, Ann Arbor, Michigan, September 24, 1991

Lecturer - 1991 NYPD Colonel Henry F. Williams Homicide Seminar, Albany, New York, September 29, 1991

Guest Lecturer - Michigan Corrections Association 59th Annual Conference, Mackinac Island, Michigan, October 2, 1991

Lecturer - Accident Reconstruction, Patterned Injuries: Driver, Passenger and Pedestrian; Illinois State University, Traffic Accident Reconstruction Conference, Bloomington, Illinois, October 10, 1991

Lecturer - Accident Reconstruction and Traffic Injuries, Institute of Police Technology and Management, Baltimore, Maryland, October 14, 1991

Guest Lecturer - Traffic Accident Reconstruction and Patterned injuries, America Society of Clinical Pathologists Seminar, Chicago, Illinois, October 23, 1991

Guest Lecturer - 8th Israel Medical Week, Jerusalem, Israel, November 5, 1991

Lecturer - University of Windsor, Chemistry Students, Windsor, Canada, November 22, 1991

Guest Lecturer - Pontiac General Hospital Surgical Grand Rounds, Pontiac, Michigan, December 9, 1991

Lecturer - St. John Hospital Staff, Detroit, Michigan, January, 31, 1992

Lecturer - Federal Bureau of Investigation's Fourth Annual Violent Crime Seminar, Ann Arbor, Michigan, April 15, 1992

Guest Lecturer - Wayne County Medical Society, Detroit, Michigan, May 5, 1992

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar, Romulus, Michigan, May 13 and 14, 1992

Lecturer - 1992 NYPD Colonel Henry F. Williams Homicide Seminar, Albany, New York, September 20, 1992

Lecturer - Traffic Accident Reconstruction and Patterned Injuries; Forensic Cases; 1er Congreso Nacional De Ciencias Periciales En El Estado De Mexico, Mexico, September 21 to 23, 1992

Guest Lecturer - Macomb Emergency Response Group, St. Clair Shores, Michigan, October 8, 1992

Lecturer - Michigan Association of Medical Examiners, Midland, Michigan, October 17, 1992

Lecturer - Simposium Internacional De Medicina Legal 92, Guayaquil, Ecuador, October 30, 1992

Lecturer - Harper Hospital Pathology Residents, Detroit, Michigan, November 11 & 18, 1992

Guest Lecturer - Traffic Accident Reconstruction and Patterned Injuries, General Motors Research Chapter of Sigma Xi, Warren, Michigan, December 8, 1992

Lecturer - University of Windsor, Chemistry Students, Windsor, Canada, February 12, 1993

Lecturer - CACJ/CPDA Death Penalty Defense Seminar, Monterey, California, February 13, 1993

Lecturer - St. John Hospital Staff, Detroit, Michigan, March 29, 1993

Lecturer - Federal Bureau of Investigation's Fourth Annual Violent Crime Seminar, Ann Arbor, Michigan, April 20, 1993

Guest Lecturer - Wayne County Medical Society, Detroit, Michigan, April 21, 1993

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar, Dearborn, Michigan, April 22 and 23, 1993

Guest Lecturer - Criminal Defense Attorneys, Southfield, Michigan April 24, 1993

Guest Lecturer - New York Society of Forensic Sciences, Lehman College, Bronx, New York, April 28, 1993

Lecturer - Grace Hospital Staff, Detroit, Michigan, May 18, 1993

Lecturer - Forensic Cases: Gunshot/Shotgun injuries, Stab Wounds, Asphyxia, Blunt Force injuries, Traffic Accident Reconstruction and Patterned Injuries, etc., Pathology Review Course, Chicago, IL, May 24, 1993

Lecturer - Traffic Accident Reconstruction and Patterned Injuries, Traffic Crime Seminar, Toronto, Canada, June 1, 1993

Lecturer - Traffic Accident Reconstruction and Patterned injuries, Medicolegal Investigation of Death Seminar, Grand Junction, Colorado, August 26 to 28, 1993

Lecturer - 1993 NYPD Colonel Henry F. Williams Homicide Seminar, Albany, New York, September 18, 1993

Lecturer - CACJ/CPDA Death Penalty Defense Seminar, Monterey, California, Feb. 19, 1994

Lecturer - Detroit Academy of Medicine, March 8, 1994

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar, Dearborn, Michigan, March 24 and 25, 1994

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt and Traffic injuries, Harper Hospital Staff, Detroit, Michigan, March 31, 1994

Lecturer - Detroit Riverview Hospital, Detroit, Michigan, April 15, 1994

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt and Traffic injuries, Pathology Review Course, Cincinnati, Ohio, May 24, 1994

Guest - CNN, Larry King Live, O.J. Simpson, June 29, 1994

Guest - David Newman Show, WHY?, Detroit, Michigan July 6, 1994

Lecturer - CPDA Homicide Seminar, Napa Valley, California, August 27, 1994

Guest Lecturer - City of Southfield, Emergency Management Director, Southfield, Michigan, September 8, 1994

Lecturer - 1994 NYPD Colonel Henry F. Williams Homicide Seminar, Albany, New York, September 27, 1994

Lecturer - 1994 New York Police Department, Poughkeepsie, New York, October 6 and 7, 1994

Lecturer - Michigan Association of Medical Examiners, Midland, Michigan, October 29, 1994

Lecturer - St. John Hospital Staff, Detroit, Michigan, December 8, 1994

Lecturer - Macomb County Prosecutors and Police, Mt. Clemens, Michigan, January 19, 1995

Lecturer - CACJ/CPDA Death Penalty Defense Seminar, Monterey, California, Feb. 19, 1995

Lecturer - Medical Transcriptionists Assn., Bloomfield Hills, Michigan, March 11, 1995

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar, Dearborn, Michigan, March 23 and 24, 1995

Lecturer - Pathology Review Course, Baltimore, Maryland, April 2, 1995

Lecturer - Federal Bureau of Investigation's Sixth Annual Violent Crime Seminar, Ann Arbor, Michigan, April 11, 1995

Lecturer - Pathology Review Course, Chicago, Illinois, May 7, 1995

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt Force injuries and Traffic Accident Reconstruction and Patterned injuries, American Society of Clinical Pathologists, Williamsburg, Virginia, June 21, 1995

Lecturer - 1995 NYPD Colonel Henry F. Williams Homicide Seminar, Albany, New York, September 17, 1995

Lecturer - Sterling Heights Citizens Police Academy, Sterling Heights, Michigan, Oct. 5, 1995

Lecturer - Wayne County Judges, Detroit, Michigan, October 8, 1995

Guest Lecturer - Criminal Defense Attorneys, Traverse City, Michigan, November 3, 1995

Lecturer - Medical Examiner's staff, Big Rapids, Michigan, November 4, 1995

Lecturer - Detroit College of Law, Detroit, Michigan, November 15, 1995

Member - Organ Donation Panel, Lansing, Michigan, November 19, 1995

Lecturer - Grand Rapids Airport Personnel, Grand Rapids, Michigan, December 4, 1995

Lecturer - Beaumont Hospital Staff, Royal Oak, Michigan January 24, 1996

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar, Dearborn, Michigan, March 21 and 22, 1996

Lecturer - Forensic Cases: Gunshot wounds, Stab Wounds, Blunt Force injuries and Traffic Accident Reconstruction and Patterned injuries, Flight Nurses Assn., Midland, Michigan, March 29, 1996

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt and Traffic injuries, Pathology Review Course, Chicago, Illinois, May 13, 1996

Lecturer - Carteret County Medical Society, North Carolina, May 16, 1996

Lecturer - St. Clair County Medical Examiner's staff, Port Huron, Michigan, May 28, 1996

Lecturer - Criminal Defense Attorneys, Lima, Ohio, September 20, 1996

Lecturer - 1996 NYPD Colonel Henry F. Williams Homicide Seminar, Albany, New York, September 29, 1996

Guest Lecturer - Forensic '96, International Congress, Sao Paulo, Brazil, Oct. 6-12, 1996

Lecturer - Death Investigation Seminar, Springfield, Illinois, October 15-16, 1996

Lecturer - St. Clair County Medical Examiner's staff, Port Huron, Michigan, November 5, 1996

Lecturer - St. Clair County Medical Examiner's staff, Port Huron, Michigan, February 25, 1997

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar, Dearborn, Michigan, March 6 and 7, 1997

Guest Lecturer - Rush Presbyterian - St. Luke's Medical Center, Department of Pathology, March 24, 1997

Guest Lecturer - Criminal Defense Attorneys, Novi, Michigan, April 4, 1997

Lecturer - Grosse Pointe Woods Counsel, May 15, 1997

Lecturer - Oakland ANA ER Nurses, May 8, 1997

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt and Traffic Accident Reconstruction and Patterned injuries; City of Grosse Pointe Woods Department of Public Safety, June 19, 1997

Lecturer - Oakland County Emergency Nurses Association, October 8, 1997

Lecturer - Wayne State University Health Center - ER Residents, November 20, 1997

Lecturer - Sex, Science and Criminal Defense: A Medical-Legal Seminar - Ohio Association of Criminal Defense Lawyers, March 27, 1998

Lecturer - Evaluation and Reconstruction of Traffic Accidents, Medicolegal Investigation of Death Seminar - Robert C. Byrd Health Sciences Center of West Virginia, April 25, 1998

Lecturer - Death Penalty Seminar, Ohio, May 14, 1998

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt and Traffic injuries Pathology Review Course, Osler, Toledo, May 16, 1998

Lecturer - Wolfreiser, June 18, 1998

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt and Traffic Accident Reconstruction and Patterned injuries, Illinois Coroners Assn., Collinsville, Illinois, August 24-26, 1998

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt Force and Identification of Traffic Crash injuries, University of Michigan Department of Pathology, September 22, 1998

Lecturer - Evaluation and Reconstruction of Traffic Accidents, Patterned Injuries: Drivers, Passengers and Pedestrian, Macomb County - Traffic Evidence, October 6, 1998

Lecturer - Michigan State Police Forensic Science Laboratory, October 21, 1998

Lecturer - Michigan Association of Medical Examiners Annual Conference, Oct. 23-25, 1998

Lecturer - Pattern Injury - Nurse Examiner Conference, June 28, 1999

Lecturer - Criminal Advocacy Program, September 10, 1999

Lecturer - New York State Police - Colonel Henry F. Williams Homicide Seminar, September 18, 1999

Lecturer - Pathology Review Course, Osler, Chicago, September 26, 1999

Lecturer - Annual Investigation for Identification Educational Conference - Pensacola, Florida, September 30, 1999.

Lecturer - Forensic Investigation: Blueprint for Failure - Techniques & Strategies in Forensic Investigation - 27th Annual Florida Medical Examiners & 7th Annual Investigation for Identification Combined Educational Conference, October 1, 1999

Lecturer - Evaluation and Reconstruction of Traffic Accidents, Patterned Injuries: Drivers, Passengers and Pedestrian, Port Huron, Michigan, October 19, 1999

Lecturer - Advocates Polish American Bar Association, October 21, 1999

Lecturer - Grosse Pointe Jewish Council, Adult Cultural October Doubleheader, October 27, 1999

Lecturer - Erie County Bar Association, Sandusky, Ohio, December 10, 1999

Lecturer - American Academy of Forensic Science - Odontology Section, February 25, 2000

Lecturer - 17th Annual Emergency & Critical Care Conference - Survival Flight - University of Michigan Flight Nurses, March 10, 2000

Lecturer - Life in the Balance 2000: Defending Death Penalty Cases, March 25-28, 2000

Lecturer - Cases & O.J. Simpson, Port Huron, Michigan, May 16, 2000

Lecturer - St. John Hospital, November 1, 2000

Lecturer - National Seminar on Forensic Evidence and the Criminal Law - Philadelphia, Pennsylvania, November 2-5, 2000

Lecturer - University of Michigan - Department of Pathology, December 5, 2000

Lecturer - Ballistics & Trauma - St. John Surgical & ER Physicians, January 18, 2001

Lecturer - Criminal Defense Attorneys of Michigan, Novi, Michigan March 1-3, 2001

Lecturer - Life in the Balance 2001: Defending Death Penalty Cases - National Legal Aid & Defender Association, March 3-6, 2001

Lecturer - Expert of All Sorts seminar - Ohio Association of Criminal Defense Lawyers, May 4, 2001

Lecturer - Famous Medical Mysteries - The Mamonides Society, February 28, 2002

Lecturer - Michigan Funeral Directors - Frankenmuth, Michigan, March 7, 2002

Lecturer - 18th Annual Emergency & Critical Care Conference - Survival Flight - University of Michigan Flight Nurses, March 8, 2002

Lecturer - National Legal Aid & Defender Association - Kansas City, March 12, 2002

Lecturer - Federal HAT Counsel - New Orleans, April 12, 2002

Lecturer - SANE Nurses - Macomb Community College, May 8, 2002

Lecturer - MESI Class - West Branch, Michigan, May 10, 2002

Lecturer - Bluewaterland Emergency Care Conference - Sarnia, Ontario, Canada, May 31, 2002

Lecturer - 16th International Association of Forensic Science, Montpelier, France, September 2 - 7, 2002

Lecturer - Henry F. Williams Homicide Seminar - Albany, New York, September 22, 2002.

Lecturer - Jahrestagung Deutsche Gesellschaft fur Rechtsmedizin - Ronstock, Germany, September 24 - 25, 2002.

Lecturer - Advocates, Polish American Bar Association - Hamtramck, Michigan, February 13, 2003.

Lecturer - 19th Annual Emergency & Critical Care Conference - University of Michigan Survival Flight, March 21, 2003.

Lecturer - Medical Examiners Investigators Training - Genesee & Lapeer County, Michigan, April 14, 2003.

Lecturer - Evaluation and Reconstruction of Traffic Accidents, Patterned Injuries: Drivers, Passengers and Pedestrian, Indiana State Coroner's Association - Clarksville, Indiana, June 23, 2003.

Lecturer - Accident Reconstruction, Michigan Traffic Accident Investigators, Sterling Heights, Michigan, October 3, 2003.

Lecturer - Forensic Cases: Gunshot wounds, Stab wounds, Blunt Force and Identification of Traffic Crash injuries, Pathology Review Course, Osler - Chicago Lecture, November 2, 2003.

Lecturer - Turning Point's Forensic Nurse Examiner Program, - Macomb County Community College, January 20, 2004.

Lecturer - Funeral Directors Meeting, Frankenmuth, Michigan, March 11, 2004.

Chairman - Annual Seminar 28th year - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar. April 21-23, 2004.

Lecturer - Colonel Henry F. Williams Homicide Seminar - Albany, New York, October 4, 2004.

Lecturer - Medical Examiners Investigators Training - Port Huron, Michigan, October 6, 2004.

Lecturer - Indiana Division of the International Association for Identification - Fort Wayne, Indiana, October 19, 2004

Lecturer - Saint Mary's Emergency Trauma Conference - Saginaw, Michigan, Oct. 22, 2004.

Lecturer - Turning Point's SANE nurses seminar, Macomb County Community College, November 12, 2004.

Lecturer - Survival Flight - 21 Annual Emergency and Critical Care Conference, University of Michigan, March 17, 2005.

Lecturer - Evaluation and Reconstruction of Traffic Accidents, Patterned Injuries: Drivers, Passengers and Pedestrian, Interpretation of injuries - 19th Medicolegal Investigation of Death Seminar, University of West Virginia in Morgantown, West Virginia, April 2, 2005.

Lecturer - Wayne State Wayne State University Continuing Education - Medicolegal Investigation of Death seminar, Dearborn, Michigan, April 20-22, 2005.

Lecturer - Wisconsin Coroner and Medical Examiner Association, Wisconsin - key note speaker for Medical Examiner and Coroners in significance of Forensic Pathology. June 6-7, 2005

Lecturer - New York State Police HFV Seminar - 18th Annual Colonel Henry F. Williams Homicide Seminar, Albany, New York, September 18, 2005

Lecturer - 11th Annual Investigation for Identification Educational Conference - Patterned Injuries, Tall Tales - Pensacola, Florida, September 30, 2005

Lecturer - Turning Point's SANE nurses seminar, Macomb County Community College, November 4, 2005

Lecturer - Survival Flight - 22nd Annual Emergency and Critical Care Conference, University of Michigan, March 26, 2006.

Director and Lecturer - Wayne State, Wayne State University Continuing Education - Medicolegal Investigation of Death seminar, Dearborn, Michigan, April 26-28, 2006.

Lecturer - Henry Ford Academy, Introduction to Forensic Investigation, October 30, 2006.

Director and Lecturer - Wayne State Wayne State University Continuing Education - Medicolegal Investigation of Death seminar, Las Vegas, Nevada, November 29-December 1, 2006.

Lecturer - Survival Flight - 23rd Annual Emergency and Critical Care Conference, University of Michigan, March 22, 2007.

Director and Lecturer - Wayne State, Wayne State University Continuing Education - Medicolegal Investigation of Death seminar, Dearborn, Michigan, April 25-27, 2007.

Lecturer - St. John Hospital, ER Department, September 5, 2007.

Lecturer - XVIII Simposium Internacional De Medicina Legal, Guayaquil, Ecuador, November 13-16, 2007

Director and Lecturer - Wayne State Wayne State University Continuing Education, Medicolegal Investigation of Death seminar, 2nd annual, Las Vegas, Nevada, December 5, 6 and 7, 2007.

Lecturer - Survival Flight - 24th Annual Emergency and Critical Care Conference, University of Michigan, April 2, 2008.

Director and Lecturer - Wayne State, Wayne State University Continuing Education, Medicolegal Investigation of Death seminar, Dearborn, Michigan, April 23-25, 2008.

Guest Lecturer - XVIV Simposium Internacional De Medicina Legal, Guayaquil Ecuador, December 3, 4 and 5, 2008.

Lecturer - Survival Flight - 25th Annual Emergency and Critical Care Conference, University of Michigan, March 18, 2009.

Guest Lecturer - New York State Association of County Coroners and Medical Examiners, "Murder, Mystery and Mayhem," Lewiston, New York, March 20-22, 2009.

Director and Lecturer - Wayne State, Wayne State University Continuing Education, 33rd Annual Medicolegal Investigation of Death seminar, Dearborn, Michigan, April 22-24, 2009.

Lecturer - Wayne State University, School of Medicine, Department of Industrial Hygiene, Forensic Issues at the Workplace, October 6, 2009.

Keynote Lecturer - Historical Review of Mortality, University of Michigan Survival Flight, Ann Arbor, Michigan, March 17, 2010

Director and Lecturer - Wayne State, Wayne State University Continuing Education, 34th Annual Medicolegal Investigation of Death seminar, Dearborn, Michigan, April 21-23, 2010.

Guest Lecturer - Michigan EMS Expo, Grand Rapids, Michigan, April 24, 2010.

Guest Lecturer and Chairman of the Pathology Division - VII Congress Latinamerican Association of Medical Law, Santiago, Chile, November 10-12, 2010.

Guest Lecturer - XVIV Simposium Internacional De Medicina Legal, Guayaquil, Ecuador, December 1-3, 2010

Guest Lecturer - Simposium Internacional De Medicina Legal, Guayaquil, Ecuador, November, 2012

Lecturer - Survival Flight - Annual Emergency and Critical Care Conference, University of Michigan, 2011, 2012, 2013

Guest Lecturer - Michigan EMS Expo, Grand Rapids, Michigan, 2011, 2012

Guest Lecturer - Michigan EMS Expo, Detroit, Michigan, 2013

COURSES TAUGHT FOR WAYNE STATE (1988 to PRESENT)

Chairman - Annual seminar - Wayne State University Continuing Education - Medical Legal Investigation of Death seminar (Dearborn, Michigan) 2013 is the 37th year.

Lecture Topics have included:
 Gunshot and Shotgun wounds
 Sharp Force Injury and Stab wounds

Traffic Accident Reconstruction; Injuries to Drivers, Passengers and Pedestrians, and Motorcyclists
 Deaths in Children
 Asphyxiation and Hanging
 Postmortem changes

Chairman - Annual seminar - Wayne State University Continuing

Education - Medical Legal Investigation of Death
seminar. (Las Vegas) 2008 is the 2nd year.

- 1988 October 5, 12, 19 and 26
November 2, 9, 16, 23, and 30
December 7 and 14
Forensic Pathology course for Pathology Residents
- 1988 November 4 and 7
Forensic Pathology course for Sophomore Medical
Students
- 1988 November 3
Forensic Pathology course for Sophomore Medical
Students
- 1990 October 26
Forensic Pathology Course for Sophomore Medical
Students
- 1991 October 9
Forensic Pathology course for Pathology Residents
- 1991 October 16
Forensic Pathology course for Pathology Residents
- 1991 October 23
Forensic Pathology course for Pathology Residents
- 1991 October 25
Forensic Pathology Course for Sophomore Medical
Students
- 1992 October 23
Forensic Pathology Course for Sophomore Medical
Students
- 1993 March 31
Forensic Anthropology
- 1994 April 21
Forensic Anthropology
- 2009 October 6
Department of Industrial Hygiene, Forensic Issues at the Workplace
- 2012 October - November
Forensic Pathology course for Pathology Residents
- 2013 June - December
Forensic Pathology course for Pathology Residents
- | | |
|---------|----------------------------------------------|
| June 14 | Fire |
| Aug 9 | Gunshot wounds |
| Sept 13 | Stab wounds - Cutting and Sharp Force Injury |
| Oct 4 | Blunt trauma |
| Nov 1 | Drowning & Traffic |
| Nov 22 | Asphyxia |
| Dec 6 | Head Injuries |

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23001 Greater Mack
St. Clair Shores, Michigan 48080-1996

Phone: (586) 776-2060 • Fax: (586) 776-8722

Diane L. Lucke, B.S.
Administrative Assistant

Email: wuspitz@aol.com

Trial and deposition testimony:

January 16, 2009 - Deposition

Madeline Murphy

January 20, 2009 - Deposition

Bray

January 28, 2009 - Deposition

Benevides
Chicago, Illinois

February 8 and 9, 2009 - Trial Testimony

People of the State of California v Phillip Spector
Superior Court of the State of California
California, Los Angeles

February 11, 2009 - Deposition

People of the State of Florida v. Juntanan

February 23, 2009 - Trial Testimony

Shirley Nagel, Individually and as Representative of the Estate of Joel Don Casey v City of Houston, Harold Hurtt, Raymond Herrera, Harris County, Texas, Jack Abercia, J.C. Mosier, G. Young, D. Gehring, D. Thomas, J. Cavitt, C. Roig and H. Cunningham
District Court of Harris County, Texas
Houston, Texas
Case No: 2007-08301

February 25, 2009 - Trial Testimony

People of the State of Michigan v Tucker
35th District Court
Plymouth, Michigan

February 27, 2009 - Deposition

Troy Pirolozzi, Administrator of the Estate of Shawn C. Pirolozzi, Sr., v Officer Eric Stanbro, Officer William Guthrie, Officer Jerry Fuelling, Officer Shawn Overdorf, City of Canton
U.S. District Court, Northern District of Ohio, Eastern Division
Cleveland, Ohio
Case No: 5:07-798

March 5, 2009 - Deposition

Eskridge
Illinois

March 5, 2009 - Trial Testimony

People of the State of Illinois v Matuszewski
Chicago, Illinois

March 23, 2009 - Deposition

Deborah Harrison, Personal Representative for the Estate of Charles Kevin Jones v Macomb County; Correctional Medical Services Inc., a foreign corporation, Jeannene Goodwin, RN; Julie Munro, RN, Tracy Kirk, RN; MedStar Inc., a Michigan Corporation; D. Swisher; and EMT hengehold
Circuit Court for the County of Macomb
Mt. Clemens, Michigan
Case No: 08-2085 NH

March 24, 2009 - Deposition

Russell Barnett, Surviving Spouse of Sabrina Barnett, deceased v St. Francis Health System, Inc. d/b/a St. Francis Hospital and St. Francis Hospital at Broken Arrow; Patient Care Services of St. Francis, Inc. d/b/a St. Francis Hospital at Broken Arrow; St. Francis Hospital Inc., Nathan G. Reusser, DO, Brian K. Hall, MD; Brian K. Hall, MD, Inc.; and Eastern Oklahoma Center for Women, Inc.
District Court of Tulsa County, State of Oklahoma
Oklahoma
Case No: CJ 2007-6149

April 2, 2009 - Deposition

Erin Shenkowsky

April 6, 2009 - Deposition

Suzanne Valarie, as Personal Representative for the Estate of Anthony McManus, deceased v H. Tim Ansell, Robert Carlson, Antonio Cerroni, Clara Chosa, Jeremy Coppler, Donald Deforge, William Delene, James Dingeldey, Darlene Edlund, Douglas Etelamaki, Fernando Frontera, MD, Gloria Hill, Robert Hockings, Michael Holmgren, Kathleen Hornick, Nancy Hulkoff, Carrie Hyrkas, Diane Johnson, Richard Johnson, Betty Kotila, James Lachance, Christine Lafave, Thomas Latendresse, Dan Lesatz, William Leutzow, Timothy Luoma, Michael Marinich, Gary Marquardt, Shawn Minerick, Anne Morin, Dawn Mullen, Michael Pellow, John Perry, Thomas Recker, Robert Reynolds, Glenn Richards, Terri Smith, William Sterbenz, Robert Warr, Sandra Whaley, Paul Wiese, PhD and Cathy Williams
United States District Court, Western District of Michigan
Michigan
Case No: 2:07-CV-5

April 13 and 14, 2009 - Trial Testimony

Gretchen R. Young, individually and as Successor in Interest to the Estate of Johnny Fitzgerald Young v Robert J. Hernandez, Richard Ramirez, Eduardo Cortez, Michael Hammond, Edwin Fontan, Robert Craid, Edward Wamil, Abraham Sanchez, Jose Rodriguez, and Does 1 through 50, inclusive
US District Court, Southern District of California
San Diego, California
Case No: 05 CV 2375 W (CAB)

April 16, 2009 - Deposition

People of the State of Ohio v Jennifer King

April 28, 2009 - Deposition

Mattie Johnson

April 30, 2009 - Trial Testimony

The People of the State of Illinois v Reinaldo Ayala
Circuit Court of Cook County
Chicago, Illinois
Case No: 07CR-21335

May 4, 2009 - Deposition

Donna L. Plunkett, Special Administrator of the Estate of Jeffrey R. Holappa, deceased v Centegra Health System, an Illinois corporation, Memorial Medical Center Woodstock, a Illinois not-for-profit corporation, Stanley Smith Security, Inc., d/b/a Initial Security, a Texas corporation, Penny L. Hazan, James Turuc, Paul Neveitt and James Surma
Circuit Court of Cook County, Chicago, Illinois, Case No: 04 L 3381
22nd Judicial Circuit Court, McHenry County, Illinois, Case No: 05 LA 11

May 7, 2009 - Deposition

Olstyne

May 11, 2009 - Trial Testimony

Troy Pirolozzi, Administrator of the Estate of Shawn C. Pirolozzi, Sr., v Officer Eric Stanbro, Officer William Guthrie, Officer Jerry Fuelling, Officer Shawn Overdorf, City of Canton
U.S. District Court, Northern District of Ohio, Eastern Division
Cleveland, Ohio
Case No: 5:07-798

May 13 and 14, 2009 - Trial Testimony

Penny Plass, an individual, for herself and on behalf of the Estate of Dorothy Glass; Timothy Glass, an individual, Ruth Michael, an individual; and Elizabeth Miller, an individual v Steven L. Evans, P.L.C., an Arizona professional corporation; Steven L. Evans, an individual, Jane Doe Evans, an individual; John and Jane Does I-X and ABC Entities I-X
Superior Court of the State of Arizona in and for the County of Maricopa
Phoenix, Arizona
Case No: CV 2006-019533

May 19, 2009 - Trial Testimony

People of the State of Ohio v Thomas Ray
Cleveland, Ohio

May 22, 2009 - Deposition

Suzanne F. Dixon and James Dixon v Charles T. Lucas, M.D., Charles T. Lucas, M.D., P.A. Tenet South Carolina Inc., d/b/a Hilton Head Regional Medical Center

State of South Carolina in the Court of Common Pleas County of Beaufort
Case No: 07- CP-07-01538 and 01540

May 27, 2009 - Deposition

Helen Wathan, James F. Wathan, and as surviving heirs of James Wathan, Jr., deceased v Merced County Sheriff, Mark N. Pazin, Merced County Deputy Sheriff William Blake, Deputy John McKnight and Deputy Russ Sharrock and Does 6-100
U.S. District Court, Eastern District of California
Fresno, California
Case No: 1:05-CV-01609

June 3, 2009 - Trial Testimony

Helen Wathan, James F. Wathan, and as surviving heirs of James Wathan, Jr., deceased v Merced County Sheriff, Mark N. Pazin, Merced County Deputy Sheriff William Blake, Deputy John McKnight and Deputy Russ Sharrock and Does 6-100
U.S. District Court, Eastern District of California
Fresno, California
Case No: 1:05-CV-01609

June 15, 2009 - Deposition

Lawrence Floer, as Personal Representative of the Estate of Emilee Louise Floer, deceased v Michael Jonathan Bulger, individually and Timberwood Golf Club
Circuit Court for the County of Macomb
Mt. Clemens, Michigan
Case No: 08-2432 NI

June 23 and 24, 2009 - Trial Testimony

Arliss L. Hiler, as Personal Representative of the Estate of David Paul Florey, deceased v Mid Michigan Regional Medical Center-Midland
Circuit Court for the County of Midland
Midland, Michigan
Case No: 08-3046-NH-L

June 25 and 26, 2009 - Trial Testimony

Karan Palmatier, PR of the Estate of James Palmatier, deceased v Bell Warehousing & Manufacturing Services, Inc., Universal Production Farms, Inc., John Lee, Ragland, and BBK, LTD

Michigan, Flint
Circuit Court for the County of Genesee
Case No: 06-85292 NO

July 1, 2009 - Deposition

Samantha Green, Individually and as Conservator of the Estate of Addison Elizabeth Green v Brent Simonsson, Robert Pottroff, Kat Tracker Promo's, LLC, Larry McBee, et al
Christian D. Orr v Brent Simonsson, Robert Pottroff, Kat Tracker Promo's, Larry McBee, and John Doe Fabricators, John Doe Joint Ventures
District Court of Douglas County, Kansas, Division One
Kansas
Case No: 2007CV346
Case No: 2007CV365
July 2, 2009 - Deposition

Nicole S. Knox v Bahjat Investments, Inc., d/b/a Metro Inn
Circuit Court for the County of Wayne
Detroit, Michigan
Case No: 08-119195 NO

July 15, 2009 - Trial Testimony

Ron Korte, Personal Representative of the Estate of Jerome F. Korte v Westborn Flower Market, Inc.
Circuit Court for the County of Wayne
Detroit, Michigan
Case No: 07-732917 NO

July 20, 2009 - Deposition

Cheryl Ann Vargo, individually and as Special Administratrix of the Estate of Cory A. Fortin v J&T Steakhouse, LLC dba The Falls Steakhouse, Christopher Brown, Palm Canyon Resort and Spa, Patricia Brown, and Does 1 through 150
Superior Court of the State of California for the County of San Diego, East County
California, San Diego
Case No: 37-2008-00062971 CU-PA-EC

August 10, 2009 - Trial Testimony

People v Echols - Memphis 3

August 14, 2009 - Trial Testimony

People v Maria Lazo
Third District Municipal Court
Rolling Meadows, Illinois
Case No: 07CR10449

August 18, 2009 - Trial Testimony

People of the State of Texas v Che K Wan

August 25, 2009 - Deposition

Pelch
Michigan

August 27, 2009 - Deposition

Melvin Colindres and Alma Colindres, as Personal Representatives of the Estate of Kevin Colindres, deceased v City of Miami
Florida, Miami
Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County
Case No: 07-13294 CA 03

August 31, 2009 - Deposition

Aarion Toney and Marvin Saunders, Co-Administrators of the Estate of Asia Toney, deceased; and Aarion Toney, Individually; and Marvin Saunders, Individually, v Gierczyk, Inc., Gierczyk Development, Inc., Gierczyk Constrictors, Inc., Gierczyk Investment & Realty, Inc, Gierczyk Media, LLC and Gierczyk Mortgage Builders and Rupen Shah
Illinois, Chicago
Cook County Circuit Court

Case No: 06 L 000010

September 15, 2009 - Trial Testimony

Garcia v City of Stanislaus
Fresno, California

September 25, 2009 - Deposition

Sherill Turner
Michigan

September 25, 2009 - Deposition

Warren
Chicago, Illinois

October 13, 2009 - Testimony

City of Warren Commission
Warren, Michigan

October 14, 2009 - Trial Testimony

Irene Jones, Administrator of the Estate of Terenisha Jones, deceased v Mt Sinai Hospital Medical Center, Dr. Akiigke, Dr. Thakker, and Mark Kuzycz, MD
Illinois, Chicago
Circuit Court of Cook County, County Department - Law Division
Case No: 05 L 11683

October 19, 2009 - Deposition

Mary Elizabeth Prewitt, PR of the Estate of Donna Russell, deceased v Detroit Receiving Hospital and University Health Center and Ramesh Jasti, MD
Case No: 08-112644 NH
Wayne County Circuit Court
Detroit, Michigan

October 24, 2009 - Deposition

Shafaghi v Mercedes Benz
San Francisco, California

October 27, 2009 - Deposition

Brett Horn and Jenny Horn v Kansas City Bedding Co., Inc., Babyland & Kids' Rooms, LLC and Tradewins, LLC
Circuit Court of Clay County Missouri
Kansas City, Missouri
Case No: 09 CY-CV00138

October 28, 2009 - Trial Testimony

People of the State of Michigan v Richardson-Powell
Battle Creek, Michigan

December 15, 2009 - Trial Testimony

Aarion Toney and Marvin Saunders, Co-Administrators of the Estate of Asia Toney, deceased; and Aarion Toney, Individually; and Marvin Saunders, Individually, v Gierczyk, Inc., Gierczyk Development, Inc., Gierczyk Constrictors, Inc., Gierczyk Investment & Realty, Inc, Gierczyk Media, LLC and Gierczyk Mortgage Builders and Rupen Shah
Illinois, Chicago
Cook County Circuit Court
Case No: 06 L 000010

December 23, 2009 - Deposition

Tanya Martin, PR for the Estate of William Parker Martin
Ohio

January 14, 2010 - Deposition

Shelley Pasche, as the administrator of the Estate of James Pasche, deceased v Bruce A. Clark and Old Dominion Freight Lines, Inc.
Case No: 08-14860
United States District Court, Eastern District of Michigan, Southern Division
Michigan, Ann Arbor

January 19, 2010 - Deposition

Keith Dyer v Donald Blankenship

January 28, 2010 - Attendance at Trial

People of the State of Ohio v George Dibble
Cincinnati, Ohio

January 29, 2010 - Deposition

Bushong-Hamilton
Michigan

February 11, 2010 - Trial Testimony

Kimberly Rickrode v Club Canton, Inc., and William Sturm
Wayne County Circuit Court
Detroit, Michigan
Case No: 08-111922 NO

February 15, 2010 - Deposition continued

Darrell Wayne Dyer and Keith Dyer v Donald Blankenship in his capacity as Phelps County Sheriff, William Scott Jones, City of Doolittle, Greg Curtis and Michael Kirn
Case No: 4:07cv02105TIA
US District Court, Eastern District of Missouri, Eastern Division
St. Louis, Missouri

February 19, 2010 - Trial Testimony

Willie Knight, PR of the Estate of Jacqueline Knight, deceased v William Beaumont Hospital and James M. Robbins, MD
Michigan, Pontiac
Oakland County Circuit Court
Case No: 07-082054 NH

February 22, 2010 - Deposition continued ?

Tanya Martin, PR for the Estate of William Parker Martin
Ohio

March 1, 2010 - Deposition

Jessie Gibson Eldridge, PR of the Estate of Henry J. Gibson, Sr., deceased v Willie Hubert Manns, Jessie John-Ray Chisolm, and Concord EMS and assumed name of Metropolitan Health Care, Inc.
Case No: 08-019667 NI
Wayne County Circuit Court
Detroit, Michigan

March 4 and 5, 2010 - Attendance at Daubert Hearing

Wiegel v Wyoming Highway Patrol
Cheyenne, Wyoming

April 1, 2010 - Deposition continued

Tanya Martin, PR for the Estate of William Parker Martin
Ohio

April 14, 2010 - Deposition

Alfred Bediako, individually and as PR of the Estate of Jennifer Bediako, a minor deceased v Fernando Jimenez, M.D., Thomas Sebastian, M.D., Ramon Ramirez, M.D., and Tenet Healthsystems North Shore, Inc., d/b/a Florida Medical Center
Circuit Court of the 17th Judicial Circuit
Broward County, Florida

Case No: 06-3147(19)

April 16, 2010 - Deposition

Kimberly L. Moxie and John W. Hess, Co-Personal Representative of the Estate of John Hess, deceased v Richard Mark Stober, MD, Mufid Bahnan Al-Najjar, MD and Kingswood Hospital
Oakland County Circuit Court
Michigan, Pontiac
Case No: 08-089352 NH

April 26, 2010 - Trial Testimony

Kimberly L. Moxie and John W. Hess, Co-Personal Representative of the Estate of John Hess, deceased v Richard Mark Stober, MD, Mufid Bahnan Al-Najjar, MD and Kingswood Hospital
Oakland County Circuit Court
Michigan, Pontiac
Case No: 08-089352 NH

April 28, 2010 - Trial Testimony

Reva Clayton, PR of the Estate of Virgil Sneed, deceased and Omar Johnson, a minor v Trooper Phillip E. Duplessis, and Trooper Jonathon Henry
United State District Court, Eastern District of Michigan, Southern Division
Michigan, Ann Arbor
Case No: 01 CV 73636 DT

April 30, 2010 - Deposition

Elmer Stephen Wereb and Betty Jean Wereb v County of Maui, et al
Case No: CV 09-00198 JMS LEK
US District Court for the District of Hawaii
Honolulu, Hawaii

May 4, 2010 - Deposition

Dewey Patrick, Person Representative of the Estate of Dewey Joseph Patrick, deceased v Capitol Transport, LLC, Yellow Cab Company, an assumed name for Yanks, Inc., and Spartan Cab Co.
Circuit Court for the County of Ingham
Michigan
Case No: 08-001096 NH C30

May 10, 2010 - Deposition

Volkers
Illinois

May 11, 2010 - Trial Testimony

People of the State of Ohio v Snyder
Ohio, New Philadelphia

May 18, 2010 - Deposition

Pamela Jarmon, PR of the Estate of Stephen Jarmon, deceased v Safeway Transportation, Inc. and Julia Davis Warren
Wayne County Circuit Court
Michigan, Detroit
Case No: 09-001333 NI

May 24, 2010 - Trial Testimony

People of the State of Ohio v Widmer
Ohio, Lebanon

May 26, 2010 - Deposition

Calvin A. Gousman, Jr. as Special Administrator of the Estate of Karen Gousman, deceased, et al v Rush University d/b/a Rush Presbyterian St. Luke's Medical Center, et al
Case No: 07 L 2906
Cook County Circuit Court
County Department Law Division
Chicago, Illinois

July 7, 2010 - Trial Testimony

Samantha Green, Individually and as Conservator of the Estate of Addison Elizabeth Green v Brent Simonsson, Robert Pottroff, Kat Tracker Promo's, LLC, Larry McBee, et al
Christian D. Orr v Brent Simonsson, Robert Pottroff, Kat Tracker Promo's, Larry McBee, and John Doe Fabricators, John Doe Joint Ventures
District Court of Douglas County, Kansas, Division One
Kansas
Case No: 2007CV346
Case No: 2007CV365

August 18, 2010 - Deposition

Colleen R. Horn, as PR of the Estate of Richard Todd Horn, deceased v Amy Eleanor Stevens, Holiday Inn, individually and GMAC Direct Insurance Company
Circuit Court for the County of Alpena
Michigan, Alpena
Case No: 07-1803 NI

August 24, 2010 - Deposition

Brian Servello, as Personal Representative of the Estate of Linda Servello, deceased v Huron Valley Sinai Hospital; and Diana Guerrero Betoncourt, MD
Oakland County Circuit Court
Michigan, Pontiac
Case No: 09-099615 NH

September 14, 2010 - Deposition

Valentina Arce, Edward Arce, Doroteo Arce, Jr., as Successors in Interest to Alan Arce v City of Richmond, Police Chief Chris Magnus, Police Officers Patrick Davis and Estaban Barragan and Does 1 through 20
US District Court, Northern District of California
Case No: C09-01168 JCS
California

October 7, 2010 - Deposition

Barbara Lynn Salt, PR for the Estate of Alysha Lynn Salt, deceased and
Joseph Bolanowski PR for the estate of Robert M. Bolanowski, deceased and Terrance D. Hall v Andrew Gillespie, Geraldine Lynn Irvine, The Pixie Inc d/b/a Bennigan's and Quality Dairy Company
Case Nos: 05-60 NS and 05-161 NI
Ingham County Circuit Court
Michigan

October 14, 2010 - Trial Testimony

Reva Clayton, PR of the Estate of Virgil Sneed, deceased and Omar Johnson, a minor v Trooper Phillip E. Duplessis, and Trooper Jonathon Henry
United State District Court, Eastern District of Michigan, Southern Division
Michigan, Ann Arbor
Case No: 05-60157

October 22, 2010 - Deposition

Remedios Reites

October 28, 2010 - Deposition

Scott Urbiha

November 1, 2010 - Trial Deposition

Elizabeth Goldner

November 16, 2010 - Trial Testimony

United States v Swistowicz

November 22, 2010 - Trial Testimony

People v Ploof

November 23, 2010 - Deposition

Madrid

December 16, 2010 - Deposition

Prencelle Nelson, PR of the Estate of Prentis Thornton, deceased v Tim Blanchard Fitzpatrick and Thicks Trucking

Case No: 10-92842

Genesee County Circuit Court

Flint, Michigan

December 20, 2010 - Trial Testimony

Remedios Reites

December 22, 2010 - Deposition

Jordan v Resurrection Health Care

Case No: 05 L 002720

March 4, 2011 - Deposition

Bidwell

March 16, 2011 - Deposition

Myrtle Taylor, Administrator for the Estate of June Griffin and Travis Griffin v Norton Hospitals, Inc., d/b/a Norton Hospital, et al

Case No: 08-CI-007009

Jefferson Circuit Court Division Two

Kentucky, Louisville

March 28, 2011 - Deposition

Harvey Steward

March 29, 2011 - Deposition

Mary A. Irby, PR of the Estate of Kesha Irby v Henry Ford Health System, et al

Case No: 10-003317 NH

Wayne County Circuit Court

Detroit, Michigan

April 7, 2011 - Deposition

Herndon v Shands

Florida

April 13, 2011 - Trial Testimony

Ppl v Gary West

Ohio, Cincinnati

April 20, 2011 - Deposition

Donita Valerio v Provena Hospitals d/b/a Provena St. Joseph Hospital, et al

Case No: 08 L 312

Twelfth Judicial Circuit Court, Will County Illinois

Illinois

April 21, 2011 - Deposition

Kassab

April 27, 2011 - Deposition

Araceli Gutierrez, Mother and Administrator of the Estate of Jasmine Gutierrez, deceased v Children's Memorial Hospital, Pediatric Faculty Foundation, et al
Case No: 06-L-008142
Cook County Circuit Court, County Department, Law Division
Illinois, Chicago

April 28, 2011 - Trial Testimony

Ppl v DeAngelis

May 16, 2011 - Trial Testimony

Ppl v Sanders

May 23, 2011 - Deposition

Clay

June 7, 2011 - Trial Testimony

People v. Gregory Nicholas Mozariwskyj
Case No: 11-001073
Michigan, Shelby Township

June 18, 2011 - Trial Testimony

Ppl v Casey Anthony
Florida, Orlando

June 29, 2011 - Deposition

Kathleen Riley, PR of the Estate of Kristopher Riley, deceased v Foot Hospital and Dr. Susan Lessner-Boesler
Jackson County Circuit Court
Jackson, Michigan

July 7, 2011 - Deposition

Purcell
Michigan

July 14, 2011 - Trial Testimony

State of Ohio v Ronald Lewis
Case No: CR 517400
Cleveland, Ohio

July 18, 2011 - Deposition

Donna Field, Individually and as Special Administrator of the Estate of Doris Kern, deceased v Provena St. Joseph Medical Center, Will County Medical , the Joliet Medical Group and Allan David Anderson, MD
Twelfth Judicial Circuit Court
Will County Illinois
Illinois

July 21, 2011 - Trial Testimony

Volker
Freeport, Illinois

July 28, 2011 - Deposition

Trina Goetz v N&D Enterprises, Inc., Ocean Horizon, Inc, Horizon Charter, Summit Divers and Watersports, et al
Case No: 37-2009-00096946CU PO CTL
Superior Court of the State of California
County of San Diego

San Diego, California

August 3, 2011 - Deposition

Michael Milkie and Bobbie Milkie, Individually and as PR for the Estate of Alex Milkie, a deceased minor v
Susan F. Engert, MD, MPH and Katherine E. Kormanik, MD and the Regents of the University of Michigan dba
University of Michigan Health Systems
Case Nos: 09-830 NH & 09-93 MH
Washtenaw County Circuit Court
Ann Arbor, Michigan

August 3, 2011 - Deposition

Knight
Chicago, Illinois

August 29, 2011 - Deposition

Tera M. Bruner-McMahon, as Administrator of the Estate of Terry Albert Bruner, deceased and Tera M.
Bruner-McMahon and Jesse A. Bruner, as Heirs v County of Sedgwick
US District Court for the District of Kansas
Case No: 10-1064 GLR
Wichita, Kansas

August 31, 2011 - Deposition

Rhonda Collins, Ind. And as PR for the Estate of Edward Collins, deceased v DMC Hospital Partnership,
Huron Valley Sinai Hospital, et al
US District Court for the Eastern District of Michigan, Southern Division
Case No: 2:09-cv-11326
Detroit, Michigan

September 19, 2011 - Deposition

Linda Nichols, PR of the Estate of Otto Mark Stutson v James LaFriniere and Universal Macomb Ambulance
Service, Inc.
Case No: 2010-109100 NI
6th Judicial Circuit Court
Pontiac, Michigan

September 20, 2011 - Trial Testimony

Ppl v George
Mt. Clemens, Michigan

September 22, 2011 - Deposition

Cheryl Nykiel, individually and as Administratrix of the Estate of Gregory T. Nykiel, deceased v Leo Rudzki,
Thomas Duffy and Chad Mitchell
US District Court for the Western District of Pennsylvania
Case No: 08-813
Pittsburgh, Pennsylvania

September 23, 2011 - Deposition

Gorski v Rush
Chicago, Illinois

September 28, 2011 - Deposition

Winisky
Michigan

October 19, 2011 - Trial Testimony

Michael Milkie and Bobbie Milkie, Individually and as PR for the Estate of Alex Milkie, a deceased minor v
Susan F. Engert, MD, MPH and Katherine E. Kormanik, MD and the Regents of the University of Michigan dba
University of Michigan Health Systems
Case Nos: 09-830 NH & 09-93 MH
Washtenaw County Circuit Court

Ann Arbor, Michigan

October 21, 2011 - Trial Testimony (Daubert)

Kassem
Detroit, Michigan

November 3, 2011 - Deposition

Randall Thomas
Michigan

November 22, 2011 - Deposition

Wendell Williams
Michigan

December 2, 2011 - Trial Testimony

Glaspie
Detroit, Michigan

December 9, 2011 - Trial Testimony

Elmer Stephen Wereb and Betty Jean Wereb v County of Maui, et al
Case No: CV 09-00198 JMS LEK
US District Court for the District of Hawaii
Honolulu, Hawaii

January 12, 2012 - Trial Testimony

Ppl v Primeau
Cleveland, Ohio

January 18, 2012 - Deposition

Alvin J. Carriere, Jr., Ilene Carriere Catoiore and Rosalyn Ann Carriere Hughes, Indiv and on Behalf of the deceased, Frances Carriere Weysham v Kia Motors American, Inc., The City of New Orleans and Robert G. Torres
Civil District Court for the Parish of Orleans
Case No: 2005-3986
New Orleans, Louisiana

January 20, 2012 - Deposition

Rachel Prescott, individually and as Guardian Ad Litem for minor plaintiffs AP, CP, RP, TP, YP and MP and Marilyn Prescott v County of Stanislaus, Sheriff Adam Christianson, California Forensic Medical Group, Sgt. Chad Blake, et al
Case No: 1:10-CV-00592-OWW-JLT
US District Court, Eastern District of California
Sacramento, California

February 23, 2012 - Trial Testimony

Tera M. Bruner-McMahon, as Administrator of the Estate of Terry Albert Bruner, deceased and Tera M. Bruner-McMahon and Jesse A. Bruner, as Heirs v County of Sedgwick
US District Court for the District of Kansas
Case No: 10-1064 GLR
Wichita, Kansas

February 24, 2012 - Deposition

Mills v Quickway
Michigan

February 27, 2012 - Trial Testimony

Ppl v Ali
San Mateo, California

March 5, 2012 - Trial Testimony

People v Larry Ray Swearingen
Case No: 99-11-06435 CR (6)
Montgomery County, 9th District Court
Conroe, Texas

March 13, 2012 - Deposition

Rodriguez
Chicago, Illinois

March 19, 2012 - Trial Testimony

Lyons
Wayne County Circuit Court
Detroit, Michigan

March 28, 2012 - Deposition

Theresa Beals, PR of the Estate of William T. Beals, deceased v State of Michigan and William J. Harmon
Case No: 11-45-NO
Barry County Circuit Court for the 5th Judicial Circuit
Michigan

April 2, 2012 - Deposition

Terra Fay Potter, as PR of the Estate of Izaiah Casillas, deceased v Colette L. Volkema-De Nooyer and
Robert De Nooyer Chevrolet, Inc

Case No: 11-02209 NI
Circuit Court for the County of Ottawa
Grand Haven, Michigan

April 23-24, 2012 - Testimony - Coroner's Inquest

Manon
Toronto, Canada

May 21, 2012 - Deposition

Hackney
Michigan

May 23, 2012 - Trial Testimony

Terra Fay Potter, as PR of the Estate of Izaiah Casillas, deceased v Colette L. Volkema-De Nooyer and
Robert De Nooyer Chevrolet, Inc
Case No: 11-02209 NI
Circuit Court for the County of Ottawa
Grand Haven, Michigan

May 31, 2012 - Trial Testimony

Jeffery Robinson v Karel DeGraaf, David Kellam, Jason Crowley, Michael Ducharme, Jeffrey Mailloux, Edward
Parent, Todd Pearce, David Tennent, John Doe and Windsor Police Services Board
Ontario Superior Court of Justice
Citation: Robinson v DeGraaf, 2012 ONSC3678
Court File No: 07-CV-10083CM
Windsor, Canada

June 12, 2012 - Trial Testimony

Ppl v Hyttinen
Marquette Circuit Court
Marquette, Michigan

June 25, 2012 - Deposition

Santana
Michigan

July 10, 2012 - Deposition

Oostdyk
Kalamazoo, Michigan

July 23, 2012 - Deposition

Jason Glenn, Sr., and Delisha Glenn for the Estate of Jason Lamont Glenn, Jr., deceased v. Dionne Dickerson, MD, et al
Wayne County Circuit Court
Case No: 11-015313 NH
Detroit, Michigan

July 25, 2012 - Deposition

Private Bank for Freddie Wilson v City of Chicago
Chicago, Illinois

July 31, 2012 - Deposition

Estate of Marvin L. Booker, et al v City and County of Denver, et al
USDC for the District of Colorado, Civil Action No. 11-cv-00645-RBJ-KMT
Denver, Colorado

August 1, 2012 - Trial Testimony

Oostdyk
Kalamazoo Circuit Court
Kalamazoo, Michigan

August 9, 2012 - Deposition

Loarraine Kenny, et al v BNSF Railway Company, et al Consolidated with: Loehr v BNSF Railway Company, et al
U.S. District Court, Western District of Washington at Tacoma
Case Nos: 2:11-cv-00624-RBL and 2:11-cv-00729-RBL
Tacoma, Washington

August 13, 2012 - Deposition

Robert McDonald
Michigan

August 27, 2012 - Deposition

Jason Glenn, Sr. and Delisha Glenn as co-Personal Representatives for the Estate of Jason Lamont Glenn, Jr., deceased v Dionne Dickerson, MD, Stacy Manley, MD, Marcos I. Cordoba, MD, Annalisa Slater, RN, Tasha Scott, RN, Catherine Pierceall, RN, Physicians for Women and Harper Hutzel Hospital
Case No: 11-015313 NH
Wayne County Circuit Court
Detroit, Michigan

October 3-5, 2012 - Daubert Hearing and Testimony

People v Frederick Mueller
Gunnison, Colorado

October 11, 2012 - Trial Testimony

People v Bryan Emrath
Case No: 12CR0276
Ohio, Mansfield

October 12, 2012 - Trial Testimony

Myrtle Taylor, Administrator for the Estate of June Griffin and Travis Griffin v Norton Hospitals, Inc., d/b/a Norton Hospital, et al

Case No: 08-CI-007009
Jefferson Circuit Court Division Two

Louisville, Kentucky

October 22, 2012 - Deposition

Alan A. May, PR of the Estate of Jesus Winston Gillard, deceased v Township of Bloomfield, Police Officers of Bloomfield Township, City of Troy, and Troy Police Officers
Case No: 11-14453
U.S. District Court, Eastern District of Michigan, Southern Division
Detroit, Michigan

October 29, 2012 - Deposition

Temperance Roberts, individually and on behalf of the Estate of Sandra Lynn Roberts, deceased v Dr. Daniel Gadzinski, MD and Oakwood Healthcare, Inc., d/b/a Oakwood Heritage Hospital
Case No: 11-010725-NI
Circuit Court for the County of Livingston
Detroit, Michigan

November 5, 2012 - Deposition

Lois Jean Green, et al v City of Riverside
Case No: RIC 523816
Superior Court of the State of California
County of Riverside, Riverside Judicial District
Riverside, California

January 7, 2013 - Deposition

Pontoni

January 10, 2013 - Deposition

Harrington

January 18, 2013 - Trial Testimony

People v Simons
Houghton County Circuit Court
Eagle River, Michigan

January 22, 2013 - Trial Testimony

People v Kowalski
Howell, Michigan

January 29, 2013 - Trial Testimony

People v Frederick Mueller
Gunnison, Colorado

February 13, 2013

Angel Dobbins, individually and as PR of the Estate of Mark Dobbins, et al v Providence Alaska Medical Center and Janet I. Smalley, MD
Superior Court for the State of Alaska
Third Judicial District
Anchorage, Alaska

February 26, 2013 - Deposition

Dorsey/Mills/Payne v Duke University
North Carolina

March 11, 2013 - Deposition

State v Jessical Jenkins regarding Draydon Johnson, Alleged Dependant, Neglected and Abused Child
Allen County
Lima, Ohio

March 12, 2013 - Deposition

Bowser

March 25, 2013 - Deposition

Milano, Ken
Hodeck

April 16, 2013 - Trial Testimony

Temperance Roberts, individually and on behalf of the Estate of Sandra Lynn Roberts, deceased v Dr. Daniel Gadzinski, MD and Oakwood Healthcare, Inc., d/b/a Oakwood Heritage Hospital
Case No: 11-010725-NI
Circuit Court for the County of Livingston
Detroit, Michigan

April 23, 2013 - Trial Testimony

People v Wayne Weinke
Chicago, Illinois

May 7, 2013 - Daubert Trial Testimony

USA v John Charles McCluskey
Case No: CR 10-2734 JCH
United States District Court for the District of New Mexico
Albuquerque, New Mexico

May 30, 2013 - Deposition

Salam Rammal and Hayat Bazzi v Charles Nathan Ross and Yolam Inc., d/b/a Johnny Golich's Bar
Case No: 08-017008 NI
Wayne County Circuit Court
Detroit, Michigan

June 5, 2013 - Deposition

People v Michel Escoto
Case No: FO5-25794
Miami, Florida

June 10, 2013 - Deposition

Juanita Pitts, deceased
Autopsy performed 2011
Michigan

June 13, 2013 - Trial Testimony

Ppl v Montes
Illinois, Chicago

June 19, 2013 - Deposition

Katie Kindl
Michigan

June 20, 2013 - Deposition

Lyons
Michigan

July 23, 2013 - Trial Testimony

Purcell/Green
Riverside, California

August 14, 2013 - Deposition

Ppl v Michel Escoto
Florida, Miami

August 23, 2013 - Deposition

Groulx
Michigan, Bay City

September 12, 2013 - Deposition

Adkins
West Virginia

October 1, 2013 - Trial Testimony

Groulx
Michigan, Bay City

November 6-7, 2013 - Trial Testimony

Kaufman
Washington DC

November 19, 2013 - Deposition

Weaver
Michigan

November 25, 2013 - Deposition continued

Weaver
Michigan

December 4, 2013 - Deposition

Costner
Michigan

December 5, 2013 - Trial Testimony

Donna Harrington
Wayne County Circuit Court
Michigan, Detroit

December 9, 2013 - Trial Testimony

Ppl. v DeAngeles
Michigan, Detroit

February 3, 2014 - Deposition

Abston
California, Fresno

February 5, 2014 - Deposition

Storrison
Autopsy 2011

February 11, 2014 - Deposition

Earl Brown
California, San Francisco

February 19-20, 2014 - Trial Testimony

Abston
California, Fresno

February 26, 2014 - Trial Testimony

Ppl v Byron Williams
California, Oakland

March 6, 2014 - Trial Testimony

Christopher Aparico
New Mexico, Las Cruces
April 3, 2014 - Deposition

Coleman

April 11, 2014 - Trial Testimony

Ppl v Michel Escoto
Florida, Miami

April 15, 2014 - Trial Testimony

Ppl v Amanda Bacon
Ohio, Toledo

Exhibit 8

County of Mobile)

)

State of Alabama)

Affidavit of LeRoy Riddick

LeRoy Riddick, M.D., being duly sworn, deposes and says upon penalty of perjury thereof:

1. My name is LeRoy Riddick and I am a medical doctor licensed to practice in the State of Alabama. I am board certified in anatomic and forensic pathology. I served as an adjunct professor in the pathology department at the University of South Alabama College of Medicine until I retired from that position in 2013. I retired from employment with the State of Alabama in 2006. Before my retirement, I was employed as a State Medical Examiner by the Alabama Department of Forensic Services, an agency of the State of Alabama. In addition, I served as the County Medical Examiner for the County of Mobile, Alabama and Laboratory Director for the Region IV Full Service Forensic Science Laboratory for the Alabama Department of Forensic Sciences. I was employed both as a State Medical Examiner and as County Medical Examiner for over 25 years. I currently consult privately on issues of forensic pathology. I was deputy medical examiner in Washington D.C. from 1974 until I moved to Alabama in 1979.
2. Over my career with the State of Alabama, my responsibilities extended to virtually every aspect of forensic investigation. I have attended over 75 homicide scenes and conducted thousands of autopsies. In my capacity as the administrative director of the Region IV Full Service Forensic Laboratory in the State of Alabama, I also worked with scientists and analysts in drug chemistry, firearms and toolmarks, forensic biology (DNA), toxicology, and latent fingerprint examination.
3. I have testified as a qualified expert witness in more than 500 court appearances in a number of jurisdictions including the federal courts in Alabama, the District of Columbia and Louisiana, and in state courts in Alabama and Mississippi. I have testified for the prosecution and the defense. In most of the cases in which I have testified as an expert witness, I have done so on behalf of the prosecution in state court and the federal government in federal court. My curriculum vitae is attached to this Affidavit as Exhibit 1.

4. I examined the following items from *State of Texas v. Rodney Reed*:
- a. Medical Examiner's Report of the autopsy of Stacey Stites performed by Robert J. Bayardo, M.D.;
 - b. Photographs of: Ms. Stites' body at the scene where it was recovered; Ms. Stites' clothing; and Ms. Stites' body at the autopsy;
 - c. The videotape showing where Ms. Stites' body was recovered and evidence collection;
 - d. The trial testimony of Robert J. Bayardo, M.D., Meghan Clement, and Elizabeth Johnson and the trial and state habeas corpus hearing testimony of Karen Blakely;
 - e. Reports from the Texas Department of Public Safety Crime Laboratory;
 - f. Crime scene reports from various law enforcement agencies; and
 - g. Police reports of witness interviews and the Affidavit of Rodney Reed.

I have also conferred with other experts regarding this case and reviewed written statements by Ronald Singer, M.S., Roberto Bayardo, M.D., and Joseph Warren, Ph.D. Based upon my review of the documents listed above, and based upon my knowledge, training, experience and education, I have reached several conclusions and opinions which are expressed in this affidavit. These conclusions and opinions are based upon a reasonable degree of medical certainty.

5. I was initially retained over 10 years ago to assist attorneys representing Rodney Reed in evaluating the forensic evidence in the case. I have previously provided written opinions in 2003, 2006, and in 2010. I was contacted again in the fall of 2014 to re-examine the case and to supplement the opinions that I have previously offered in this case if I discovered anything new in this re-examination. I was asked specifically to look at the crime scene video, crime scene and autopsy photographs, and other documents to see if they contained evidence that would assist in determining the post mortem interval. As part of my re-evaluation of the case, I have also conferred with other experts in

forensic investigation. In conducting this re-evaluation of the case, I have noticed additional forensic evidence which has allowed me to address the post-mortem interval with greater accuracy than I have in my prior statements.

Post Mortem Interval

6. The post mortem interval (the time between the victim's death and the time when the body is discovered) is one of the most difficult tasks of the death investigator with the most experienced and qualified forensic investigator being the medical examiner, forensic pathologist. Currently in forensic practice, there is no scientific means of determining that interval with precision. The investigator is left with making an estimation based on the circumstances surrounding the body and the post mortem changes in the body, which generally progress in a regular manner. These changes are rigor mortis (stiffening of the muscles to chemical alterations in the cells), livor mortis (pink to red discoloration of the skin due to blood settling in the vessels and later seeping into the skin), and algor mortis (cooling of the body.) Examination of the chemical composition of the vitreous humor, the fluid in the eye can also be employed. All of the modalities with the exception of analysis of the vitreous humor need to be systematically determined at the scene by the medical examiner, the scientist with the most experience in making these determinations. In this case, the medical examiner did not attend the scene and none of the investigators, including the law enforcement officers and forensic technicians, systematically examined the body for rigor, livor, and temperature. The vitreous was never analyzed.

7. Despite the absence of a systematic investigation of these key elements, much can be derived from a review of the existing record, especially the videotape of the crime scene investigation, which is attached as Exhibit 2 to this Affidavit. The first officers at the scene from the Bastrop Police Department made no scene report. Lt. David Campos Jr. from the Bastrop Sheriff's Office, who arrived at the scene some time (not specified) after 3:11 p.m. on April 23, 1996, made the recorded observation in a typewritten report that "The body had marked lividity and rigor mortis had set in." He did not specify any muscle groups or the intensity of the stiffness, which would have indicated whether the rigor was beginning, reached its peak, or waning. He did not test the lividity to ascertain if it blanched, that is, whether the color dissipated with pressure and did not return, indicating in general that the body has been in that position for several hours. The relevant portion of Lt. Campos's report is attached as Exhibit 3. Texas Ranger L.R. Wardlow, who entered the scene at 5:43 p.m. made observations about the position and clothing on the body but nothing about livor, rigor, or temperature. However, Wardlow

observed a "greenish discoloration" in parts of the body, including under each breast. The relevant portion of Ranger Wardlow's report is attached as Exhibit 4.

8. A time stamp on the video reads 16:19, which would indicate filming began at 4:19 p.m. However, a report by Texas Ranger Rocky Wardlow states that the filming began at 5:16 p.m. The video is not continuous and ends some time after dark. A time stamp at the end of the video shows 20:22 (8:22 p.m.) A note from DPS crime scene investigator Karen Blakely to the Medical Examiner's Office discussing the completed collection of evidence gives the time of 8:15 p.m. A copy of this note is attached as Exhibit 5. Ranger Wardlow indicates that the scene was released at 8:55 p.m. The Travis County Medical Examiner's Office records indicate that the body was received at 10:00 p.m. Based on this information, it appears that the video documents the condition of the body over a 3-4 hour period.

9. Dr. Bayardo, the medical examiner, at the time of the autopsy at 1:50 p.m. on April 24, 1996 and after the body had been examined at the scene, transported to the morgue, and refrigerated observed "slight residual rigor mortis" and "post mortem dependent lividity." Such observations made many hours after the body was found and subjected to movement and stored in a cooler at the morgue are open to critique and of little relevance to the determination of the post-mortem interval. In his trial testimony, Dr. Bayardo, without specifying anything other than "Based on the changes that occur after death in the body" opined that "an estimation of the time of death being around 3:00 a.m. on April 23, 1996," "Give or take one or two hours", making it between 1:00 and 5:00 a.m. An excerpt of the relevant portions of Dr. Bayardo's testimony is attached as Exhibit 6. It is impossible to evaluate Dr. Bayardo's conclusion because he was not asked and did not offer the basis for his time of death estimate. This testimony conformed to the State's theory of the case that the victim left home for work around 3:30 a.m. and was murdered between 3:30 a.m. and the time the truck she was driving was seen in a parking lot in Bastrop at 5:23 a.m. Assuming the victim left her home in Giddings according to her usual schedule at 3:30 a.m. and was abducted 30 miles away in Bastrop as alleged at trial, the post mortem interval from when the victim was first described and filmed around 5:15 p.m. would have been around thirteen (13) hours.

Rigor Mortis

10. If the post mortem interval had been roughly thirteen hours as estimated by Dr. Bayardo at the trial, rigor should have been intense and progressing to completion. The crime scene video contradicts this finding and indicates a much longer post-mortem interval. A body in complete rigor (which is generally achieved at roughly 12 hours

under normal conditions and will be essentially unchanged at 13 hours) is stiff. Manipulation of an arm, a leg, or the head is difficult and will also result in moving the torso. The manipulation of the body demonstrated in the crime scene video, however, indicates that the limbs can be moved independently, thus indicating that rigor was no longer at its height and was passing. For example, a crime scene investigator can be seen lifting the left arm easily without the left side of the torso being lifted as it would have been with completed rigor. See Exhibit 2 at 19:10-19:20. The arm also flops back down when released. At frame 21:00 of the crime scene video, the left leg is moved without the body turning as it would have in advance rigor. In a subsequent frame, 23:26, the examiner easily turns the head to the left without having to move the stiff body and then allows the head to easily roll back to the right. At frame 23:46 to 23:50 of the video, the head, when moved by investigators, returns easily to its original position in a manner that is not consistent with the level of rigor I would expect if the victim had been killed at around 4:00 a.m. that morning. When the funeral directors move the body to a bag, they easily position the arms across the chest; a manipulation difficult to complete in a body stiff with complete rigor. This is depicted in Exhibit 2 at 27:15-27:50. In short, during the examination of the body between 5:15 p.m. and around 8:22 p.m. when the crime scene video ends, the body appears in many instances to be easily manipulated and at times the arms appear limp indicating that rigor has waned. Based on the lessening of rigor demonstrated in the crime scene video, I estimate that the post mortem interval is significantly longer than the 13 hours estimated at trial. The level of rigor demonstrated in the crime scene video is more consistent with a post-mortem interval of 16-20 hours from the first documentation of the body at 5:15 p.m.

11. My estimate of the post-mortem interval takes into account environmental factors that can affect the speed at which rigor develops. According to the National Weather Service, the temperature in the neighboring city of Elgin ranged from a low of 50 to a high of 75 degrees Fahrenheit on April 23, 1996. Although the National Weather Service indicated sixteen hundredths (.16) of an inch of precipitation on that day in Elgin, the videotape shows dry conditions at the crime scene.¹ Further, the body appears to be shaded by small trees and brush. These are normal conditions, which would not affect the routine progress of rigor. It is an accepted fact, proven through my career investigating death in southern Alabama, that the progress of rigor is accelerated in hot

¹ A note written by Karen Blakely to the Medical Examiner's Office, attached as Exhibit 5, indicates that the victim's underwear and pants were wet. However, none of the other evidence such as the victim's bra and socks were described as wet, and it is common that a deceased person's pants and underwear become wet due to the post-mortem release of urine. This would not affect the development of rigor.

and humid conditions. Although there is evidence in the video of post mortem superficial burns on the left side of the victim's face, the lower portions of the breasts, the right leg, and the left forearm, the heat source that caused these superficial burns would not have been enough to affect temperature of the body as to accelerate the development and passing of rigor in the victim. I would expect to see significantly larger or more severe burns if the victim had come in contact with a source of heat sufficient to affect the progress of rigor.

Livor Mortis

12. Another significant factor in my opinion as to the post-mortem interval is my observation of the location and level of livor in the body. As discussed above, livor mortis (or lividity) is the pooling of the blood to the lowest part of the body, described by clinicians as a dependant area. Lividity that exceeds faint patches of discoloration generally develops after at least 2 hours, and takes several more hours to become fixed. Lividity is fixed when the blood congeals in the capillaries or diffuses into the extravascular tissues. Once lividity is fixed, it will not be displaced by compression and will not shift if the body is moved. If lividity is not fixed, the blood that has pooled in one area will shift to a new area once the body has been moved. The figure attached as Exhibit 7 describes this phenomena with an approximation of the time required.² Observation of lividity is a key tool in determining whether a body has been moved after death and for how long the body was in a certain position. Lividity found on a non-dependant area of a body is evidence that the body was moved. A photograph from a forensic pathology text attached as Exhibit 8 shows fixed lividity in a non-dependent area, which is evidence that the body had been moved after having been in a different position for several hours.³

13. Photographs and the crime scene video show lividity on the back and other dependant areas in the position in which the victim was found. This lividity is depicted in the photograph attached as Exhibit 9. Absent documentation of blanching, however, I cannot state with precision how long the body was in the position in which it was discovered other than that it would take at least 4-6 hours for such complete lividity to form.

² Burkhard Madea, *Handbook of Forensic Medicine* 80, figure 7.8 (Wiley 2014) (complete shifting of lividity expected if body turned within 6 hours of death) (Exhibit 7).

³ J. Prahlow, R.W. Bayard, *Atlas of Forensic Pathology* 153 figure 8.13 ("After several hours, lividity becomes fixed," such that movement of a body from one position to another may become evident because the lividity pattern is inappropriate for the current body position) (Exhibit 8).

14. There is also lividity in the non-dependent areas of the victim's right shoulder and right arm. This lividity can be seen as the red coloration of the arm and portions of the shoulder in the photos attached as Exhibit 10. Just as is shown in the textbook photograph in Exhibit 8, this discoloration in the victim is identified as lividity based on the presence of white areas on the fingertips and near the elbow which show blanching through compression of the skin at the time the lividity developed. These blanched areas are circled in Exhibit 11. Because the lividity remains complete in the non-dependant areas of the right arm and shoulder and did not shift to the dependant areas of the body, this indicates that the victim's body was in a different position in which the right arm and shoulder were dependent for at least 4-6 hours.

15. In summary the observable evidence of rigor mortis and livor mortis discussed above do not support the conclusion offered at Reed's trial that the time of death was at 3:00 a.m. on April 23, 1996, even with a standard of error of two hours. Rather, the available forensic evidence indicates a post mortem interval of 16-20 hours from the time the body was first documented in the video with the body having been in a different position for a period of 4-6 hours.

Time Since Intercourse

16. At trial, Dr. Bayardo testified that he found intact sperm in his examination of a sample collected at autopsy and that the sperm he found was placed in the victim's vagina "quite recently." I have also reviewed similar trial testimony by crime scene investigator Karen Blakely and DNA analyst Meghan Clement. Ms. Blakely testified that spermatozoa will remain intact no longer than 26 hours in the female vaginal tract, and Ms. Clement testified that an intact spermatozoa would not be found on a rape kit more than 24 hours after a sexual encounter.

17. Both Ms. Blakely and Ms. Clement are incorrect regarding the length of time a morphologically intact sperm survives in the vagina. As a forensic pathologist, I am familiar with a host of medical literature that, simply put, absolutely refutes those witnesses' conclusions that a sperm cannot remain intact beyond 24 or 26 hours, and even refutes Dr. Bayardo's conclusion that the semen was introduced into the vagina a day or two before his autopsy exam. Reliable scientific studies, many of which I understand have been cited by Mr. Reed in his pleadings in this case, have found morphologically intact sperm in the human vagina after two, four, five, six, seven, and even 10 days. As a general rule, morphologically intact sperm can be expected to be seen up to 72 hours after intercourse.

No Reliable Evidence of Anal Rape

18. The evidence of forced anal intercourse – whether pre- or post-mortem – is not conclusive in this case. Dr. Bayardo testified that he believed that the victim was raped anally. He based this conclusion on his testimony that he found lacerations on the anus, that that anus was dilated, and that he observed what may have been sperm heads in a rectal smear. Dr. Bayardo's opinion offered at trial is not supported by the available evidence.

19. First, no sperm was actually visualized on the rectal smears.⁴ The small amount of sperm which was detected through DNA testing could have come from post-mortem cross contamination. The body was left at the scene on its back and remained in this position during the crime scene investigation, transportation to the morgue, and while stored at the morgue. Especially where the anus was dilated as depicted in the autopsy photo, sperm could have leaked from the vagina unto the anus. The videotape of the scene where the body was recovered also shows Karen Blakely taking pubic hair tape lifts in a manner that would transfer semen from the labia to the rectum. Additionally, the videotape shows that Ms. Blakely and others at the scene rolled Ms. Stites' body from its right side over onto its left side. This rolling was sufficient to cause sperm to be expelled from the vagina and to leak into the anus. The body was moved into a body bag, then moved onto a stretcher and then loaded for transport to the Office of the Travis County Medical Examiner, where it was moved to a refrigerated unit and then moved to an autopsy table. Thus, there were several opportunities for leakage by the time that Dr. Bayardo took the rectal swabs. It is also possible that the small amount of sperm detected by DNA testing was transferred through an error in collection such as touching the swab against an external area of the body that may have had sperm on it.

20. Second, the observation of dilation of the anus at the time of Dr. Bayardo's autopsy does not indicate anal sexual assault. The anus was not examined at the time that Ms. Stites' body was recovered. By the time Dr. Bayardo examined the body at 1:50 p.m. on April 24, 1996, Ms. Stites had been dead for more than 36 hours. Rigor mortis would be passing at this time, as reflected by Dr. Bayardo's observation of only "slight residual rigor mortis." With passing rigor mortis, sphincters, including the anus, dilate, and with manipulation from swabs can expand even more. The misinterpretation of postmortem dilation of the anus as sexual assault or sodomy is listed as one of the most

⁴ The Medical Examiner's Report submitted by Dr. Bayardo states, "[r]ectal smears are negative for spermatozoa."

common errors by forensic pathologists in the forensic pathology text *Spitz and Fisher's Medicolegal Investigation of Death*.⁵

21. Third, it cannot be concluded with any degree of scientific certainty that Ms. Stites' anus was lacerated and that those lacerations occurred around the time of death. The autopsy report describes "longitudinal linear abrasions." Abrasions are scrapes which are not necessarily associated with anal intercourse and can be caused by a hard bowel movement. Lacerations, by contrast, are tears in the skin. A trained forensic pathologist should not confuse these two terms. The photograph taken at the autopsy does not show breaks in the skin, a sign of a laceration. Blood would also be expected if the tear to the anus was sustained while the victim was alive. By contrast, it is possible that minor abrasions would be present that would not be seen on the photograph. To determine whether these were in fact lacerations, a microscopic section of this area should have been performed.

22. Additionally, Dr. Bayardo very clearly stated in both his testimony and the autopsy report that Ms. Stites' rectum was "intact and free of injury." The rectum is the lower 10-15 centimeters of the gastrointestinal tract. It is highly improbable that sperm heads could be found in the rectum as a result of forced anal intercourse without the existence of some noticeable trauma to the rectum. The fact that the rectum was intact and free of injury indicates that no forced anal intercourse occurred.

Further affiant sayeth naught.

LeRoy Riddick

LeRoy Riddick

Sworn and subscribed to before me, this 10 day of January, 2015.

Heptel Vurn Giles

NOTARY PUBLIC

My commission expires: September 16/2015

⁵ *Spitz and Fisher's Medicolegal Investigation of Death* at 120.

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E-mail Roy.Riddick@gmail.com

CURRICULUM VITAE

I. Personal Data

Date of Birth: March 16, 1936
Place of Birth: Memphis, Tennessee
Marital Status: Married
Citizenship: U.S.A.

II. Employment - Retired

Former Positions

July 1, 2006 to June 2013	Adjunct Professor of Pathology, Dept. Pathology, The University of South Alabama College of Medicine, retired
August 1987 to July 2006	Mobile County Medical Examiner following passage of Model Medical Examiner's Law, Act 87-525, retired
December 1985 to April 2005	Laboratory Director for Full Service Region IV Forensic Laboratory of Alabama Department of Forensic Sciences (Drug Chemistry, Firearms, Serology, Toxicology, Trace Evidence including Laser Fingerprint Examiner)
June 1984 to July 1, 2006	State Medical Examiner, State of Alabama, retired
June 1982 to 1987	Coroner of Mobile County, Alabama
April 1979 to 1984	Forensic Pathologist, Alabama Department of Forensic Sciences, Mobile Division (ADFS-IV)
July 1974 to March 1979	Deputy Medical Examiner, Washington, D.C.

III. Education

Residency, 1970-1974 Anatomic Pathology, Cornell University, New York

Education cont.

- | | |
|----------------------------|-------------------------------------------------------------------------------------|
| Internship, 1969-1970 | Straight Medical Internship, The New Jersey College of Medicine, Newark, New Jersey |
| Medical School, 1965-1969 | New Jersey College of Medicine, Newark, New Jersey, Doctor of Medicine |
| Graduate School, 1965 | Columbia University, New York, New York, Master of Arts |
| Undergraduate School, 1958 | Princeton University, Princeton, New Jersey, Bachelor of Arts |
| High School, 1954 | Messick High School, Memphis, Tennessee |

IV. Honor Societies

Alpha Omega Alpha, 1992
Phi Beta Kappa, 1958

V. Awards

Woodrow Wilson Fellowship, 1958
Medical Alumni Distinguished Service Award, The University of South Alabama College of Medicine, 2005
The American Academy of Forensic Sciences Milton Helpren Award for Contributions to Forensic Pathology, Presented at the Annual Meeting, February 2006
The National Association of Medical Examiners Distinguished Service Award for Contribution to the Improvement of Death Investigation

VI. Faculty Positions and Academic Affiliations

1990 to June 2013	Adjunct Professor of Pathology and Director of Autopsy Services, The University of South Alabama College of Medicine, Mobile, Alabama
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Courses in which instruction given:

- a. Pathology and Laboratory Medicine, Course 211, COM II
- b. Forensic Pathology, Course 424, COM IV.

Faculty Positions, continued

- | | |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 1983-1990 | Clinical Associate Professor of Pathology, The University of South Alabama College of Medicine, Mobile, Alabama |
| 1979-1983 | Clinical Assistant Professor of Pathology, The University of South Alabama College of Medicine, Mobile, Alabama |
| 1974-1979 | Clinical Assistant Professor of Pathology, The George Washington School of Medicine, Washington, D.C. |
| 1973-1974 | Research Associate, Department of Forensic Medicine, New York University, New York, New York |
| 1960-1965 | Teacher of European History and English, The Pingry School, Elizabeth, New Jersey |
|
VII. Military Service | |
| 1959-1965 | United States Army Medical Corps Reserves
Honorable Discharge |
|
VIII. Specialty Boards | |
| 1998 | Recertified in Forensic Pathology by the American Board of Pathology |
| 1976 | Certified by the American Board of Pathology
In Forensic Pathology |
| 1974 | Certified by the American Board of Pathology
in Anatomical Pathology |
|
IX. National and International Appointments | |
| 2002 | Appointed to the Scientific Review Board for the Armed Services Institute of Pathology. |
| 1996-2002 | Member of Broad of Directors for the National Association Medical Examiners |

Appointments continued

1998

The sole forensic scientist on the Constitution Project, a group of citizens formed to investigate the fairness of the death penalty.

1995

One of three forensic pathologists selected by the Philippine and Singapore Governments to review the death of Delia Maga. The three forensic pathologists were picked from a group of seven selected by the American Board of Pathology

X. Medical License

Alabama

XI. Autopsies

Approximately 7500

XII. Qualified Expert Witness

500 Court Appearances

United States District Court, Mobile, Alabama

United States District Court, Washington, D.C.

United States District Court, New Orleans, Louisiana

The Circuit Court of Northern Virginia, Fairfax, Virginia

The First, Twelfth, Thirteenth, Twenty-first, Twenty-eighth, Thirty-fifth Judicial Circuit Courts of Alabama

The Second, Fourth, Tenth, and Nineteenth Judicial Circuit Courts of Mississippi

XIII. Publications

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3. Riddick L, Luke JL. Alcohol-Associated Deaths in The District of Columbia: A Postmortem Study. Journal of Forensic Sciences. 1976; 23: 493-502.

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5. Oyemade OA, Riddick L. Retroperitoneal Chondrosarcoma Presenting With Pleural Effusion: A Case Report. Journal of National Medical Association. 1979: 1181-1183.
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7. Riddick L, Brogdon BG, Laswell-Hoff J, Delmas B. Radiographic Identification of Charred Human Remains Through the Use of the Dorsal Defect of the Patella. Journal of Forensic Sciences. 1983; 28: 263-267.
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14. Virmani R, Chun PKC, Rogan K, Riddick L. Anomalous Origin of Four Coronary Ostia from Right Sinus of Valsalva. Case Reports. American Journal of Cardiology. 1988; 63: 760-761.
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11. Riddick L. Gunshot Injuries in Mobile, Alabama, 1985-1987. The 36th Annual Lectures in Forensic Pathology in Honor of Dr. Krstova Sudnolekaska, Bratislava, Slovakia, June 5, 1992.
12. Riddick L. Quincy, The Crime Lab and Capital Murder. Presentation at the NAACP

Abstracts and Presentations Continued.

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June 5, 1992.

13. Riddick L. Wound or Weapon Analysis of 109 Gunshot Injuries to the Chest to Ascertain Determinants of Lethality. 13th Annual Meeting of The International Association of Forensic Sciences, Dusseldorf, Germany, August 22-28, 1993.
14. Riddick L. Capital Punishment: Ethical Problems for the Forensic Scientist. 13th Meeting of The International Association of Forensic Sciences, Dusseldorf, Germany August 22-28, 1993.
15. Riddick L. Penetrating Gunshot Wound: Determinants of Lethality. American Academy of Forensic Sciences Annual Meeting, Seattle, Washington, February 13-18, 1995.
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17. Riddick L, Wanger P, Brogdon, GB, and Shriner J. Fatal Child Abuse in the Deep South - A Fifteen Year Study. American Academy of Forensic Science Annual Meeting, New York, New York, February 14-20, 1997.
18. Riddick L, Mazzia, V. Investigating Anesthesia Associated Deaths - The Helpern Approach. American Academy of Forensic Science Annual Meeting. New York, New York, February 14-20, 1997.
19. Riddick LR. Forensic Sciences in Capital Murder Case. The Louisiana Crisis Center, New Orleans, Louisiana. (1999).
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Abstracts and Presentations Continued.

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23. Brodgon BG, Riddick LR. Fatal Air Embolism During Hemodialysis. The Annual Meeting of the American Academy of Forensic Sciences. Denver, Colorado, February 2009.
24. Brodgon BG, Riddick LR. Delayed Deployment of Airbag. The Annual Meeting of the American Academy of Forensic Sciences. Denver, Colorado, February 2009.
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XVI. Professional Societies

The American Academy of Forensic Sciences
The National Association of Medical Examiners

XV. References

Carlos Rabren, M.S.
Former Director of the Alabama Department of Forensic Sciences
2349 County Road 37
Notasalga, Alabama 36866

Curriculum Vitae

**Chris Galanos, Esquire
Attorney at Law
Former District Attorney and Circuit Court Judge
Thirteenth Judicial Circuit of Alabama
Suite 1106
63 South Royal Street
Mobile, Alabama 36602**

Revised January 13, 2015

Exhibit 9

County of Alameda)

)

State of California)

AFFIDAVIT OF ALICIA SLATER

Alicia Slater, of lawful age, being duly deposed and sworn states that:

1. My name is Alicia Slater, I am a resident of Alameda County, California, I am over the age of 18 and otherwise competent to give this affidavit. I am originally from Cedar Creek, Texas and my maiden name is Alicia Griesemer.
2. In 1995 and 1996, I was employed part-time at the HEB in Bastrop while I went to high school. I worked as a bagger and would collect shopping carts from the parking lot. I worked at the HEB until I graduated Bastrop High School May of 1996. I moved to Austin almost immediately after I graduated and never returned to Bastrop County to live. I moved to California permanently in 2003 and had lived there for a year in the late 1990's.
3. In the summer of 1995, I was working in the HEB parking lot collecting shopping carts. I was approached by a man in his thirties who asked me for my phone number. When I refused, he grabbed my arm and tried to pull me towards his blue Chevy Suburban. I knocked his hand away, screamed and ran to the front of the parking lot. A co-worker named Chuck heard me scream and ran after the truck. The truck ran the red light at the intersection and drove off. No one was able to get the license plate because it was blacked out. I reported the incident to the store manager, and I eventually was interviewed by the Bastrop Police. Sometime after Stacey's murder, but before I left Bastrop, I was interviewed again about the incident in the parking lot. I don't remember who interviewed me, but I understood it to be related to the investigation of the murder of Stacey Stites. Since that time, I have seen photographs of Rodney Reed on the internet. I am certain that the man who tried to abduct me was not Rodney Reed. I have been provided with a copy of the police report from this incident which is attached to this Affidavit. The attached report contains my statement given to the police at the time and accurately describes the incident.

4. I met Stacey Stites when she came to work at the Bastrop HEB. She was very friendly and close to my age. Sometimes, when we were working at the same time, we would eat lunch together in the break room.
5. On one occasion when Stacey and I were eating together in the break room, she talked to me about her relationship with her fiancé. She was talking about her engagement ring and that she was not excited about getting married. She told me that she was sleeping with a black guy named Rodney and that she didn't know what her fiancé would do if he found out. She commented that she had to be careful. I was taken aback by this because I didn't know Stacey that well and was surprised that she would confide in me. I cannot remember when this conversation took place, but it was within a few months of Stacey's murder and could have been only a few weeks before. I did not know Jimmy Fennell or Rodney Reed at the time, and have never met either of them since.
6. I remember that some people at the HEB thought that Stacey's fiancé Jimmy Fennell committed the murder. I didn't tell the police what Stacey had told me because I did not want to get involved. I knew Jimmy Fennell was a cop and didn't trust the police in Bastrop. After I graduated high school, I wanted to get out of town. If I said something to accuse a police officer, I was afraid there would be repercussions for my family.
7. Although I had heard that Rodney Reed was convicted of the murder, I didn't really follow the case. I don't remember telling anyone about the information that Stacey shared with me. However, I recently mentioned this to my childhood friend Velma Gonzalez who remembered me telling her about it soon after Stacey murder. She recalled that I told her that Stacey informed me that she was having an affair with a black dude. I thought that the relationship between Rodney Reed and Stacey was common knowledge, that everyone knew. I remember that in 2003, a friend from Bastrop brought up the case and said that she heard I knew Stacey. I did not tell her anything about what I knew. I kept this to myself because, at the time, I had just moved to California, had just gotten married, and had started a new job. I thought that if I said something, that I would have to come back to testify in Bastrop.

8. On November 22, 2014, I read a Facebook post about the Reed case from KXAN and found out that he was scheduled to be executed. The first thing I did was called KXAN and other news media that covered the case to find out who I could talk to provide the information I knew. I also called the Bastrop County DA's office but don't recall leaving a message. I also sent an email to a person named Gayle Wilhelm at Bastrop County explaining what Stacey told me and providing additional information about the case that I had since read on the internet. I got no response to my e-mail. Ultimately, my friend Heather Pritchard, who has been following the case, gave me the name of Bryce Benjet, Rodney Reed's lawyer at the Innocence Project and a filmmaker Ryan Polonski, who did a film about the case. I contacted both of them and told them what I knew.
9. When I saw in the Facebook post that Rodney Reed had an execution date, I realized that it was now or never. I didn't track the case before and didn't realize the importance of what Stacey had told me. When I read about the case on the internet, I learned that an important issue has been whether Stacey and Rodney were in a consensual relationship. Based on this, it became clear that what Stacey told me in the break room at the HEB needed to be made public. I felt morally compelled to tell someone that Stacey herself told me that she was sleeping with Rodney. I felt that it would be terrible if the wrong person was executed for Stacey's murder and I had never come forward with this information.
10. I declare under penalty of perjury that my statements in the above numbered paragraphs 1-9 are true and correct.

Further affiant sayeth naught.



Alicia Slater

Dated: December 15, 2014

Subscribed and sworn to, before me, a Notary Public, this __ day of December 2014, by Alicia Slater who is personally known to me or has shown adequate identification:

Henry Public

PROOF OF EXECUTION BY A SUBSCRIBING WITNESS

State of California)
)
County of San Francisco)

On December 15, 2014, before me, the undersigned, a notary public for the
Date

State of California, personally appeared Hannah Gilson, personally
credible witness's name

known to me and providing satisfactory evidence, who is known to be the person whose
name is subscribed to the within instrument, as a witness thereto, who, being by me duly
sworn, deposed and said that he/she was present and saw/heard acknowledged

Alicia Slater, the same person described in and whose name
name of principal

is subscribed to the within and annexed instrument in his authorized capacity as a party
thereto, execute the same, and that said affiant subscribed his/her name to the within

instrument as a witness at the request of Alicia Slater.
name of principal

WITNESS my hand and official seal.

[Signature]
NOTARY PUBLIC SIGNATURE

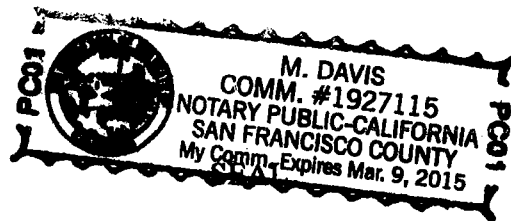


Exhibit 10

STATE OF TEXAS

COUNTY OF BASTROP

AFFIDAVIT

LEE ROY YBARRA, being first duly sworn, appeared before the undersigned authority duly designated to administer oaths and states as follows:

1. My name is Lee Roy Ybarra. I am a resident of Bastrop, Texas. I am over the age of 18 years and do hereby declare that I am competent to give this affidavit. No promises or agreements have been made to me in exchange for this statement, and I do not expect any in the future. This affidavit is based on my personal knowledge and the following facts are true and correct to the best of my knowledge:
2. I was employed at the HEB grocery store located at 104 N. Hasler in Bastrop, Texas in 1996. During the course of my employment I met Stacey Stites, a nice personable young lady who also worked at the store as a checker and then moved to the fruits and vegetables department.
3. There were several times that I would see Stacey talking with a young black man inside the store. I did not know his name but I would notice that her demeanor changed whenever he came around. She seemed happy to see him and would be in a good mood.
4. I remember this man because some times they were close enough that I got a very good look at him. I remember him because I used to think that this was not a very attractive black man and she on the other hand was a very pretty young lady with a good personality. I couldn't understand what she saw in him but I guessed that if he made her happy, nothing else mattered.
5. I knew that Stacey was engaged to a police officer at the same time that she was seeing this same black man and I recall that the few times that Stacy's fiancée entered the store to visit her, she would become a nervous wreck. I know that there were times that Stacey would deliberately hide so that she didn't have to talk to him. I just thought that it was a strange relationship.
6. I left my employment with HEB about two weeks before the murder of Stacey Stites. I took a short vacation and when I returned I found out about Stacey's death. Much later I read a newspaper article about Stacey's death and saw the photograph of the black man who was accused of her murder. I quickly said to myself that this is the same black man who used to visit her at the store. It was then that I found out that the man's name was Rodney Reed.
7. I did not read anymore news articles about the death of Stacey Stites because I have rarely taken the time to read newspapers or to watch the news. I don't know what happened

between the two of them but I thought that it was a sad thing because they looked pretty happy when they were together. I just thought that it was a terrible tragedy.

8. At the time of Rodney Reed's trial or prior to his trial no one from the prosecution or defense team contacted me. If anyone had asked, I would have gladly told them what I knew about Stacey Stites and Rodney Reed. I was recently interviewed by a television crew about my knowledge of Stacey Stites and Rodney Reed. As in this affidavit, everything that I told the television crew is true to the best of my recollection.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and ability.

Veeray yBana
Signature

COUNTY OF BASTROP
STATE OF TEXAS

Subscribed and SWORN before me in the jurisdiction aforesaid, this 15TH day of JANUARY 2015

Richard Reyna
Notary Public's Signature

My commission expires: August 22, 2018

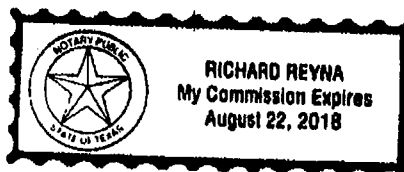


Exhibit 11

AFFIDAVIT OF CALVIN "BUDDY" HORTON

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Calvin "Buddy" Horton, known to me to be the person whose name is subscribed to this Affidavit, and who, being duly sworn on his oath, deposed and said:

1. My name is Calvin "Buddy" Horton. I am over twenty-one years of age and am fully competent to make this Affidavit. I have personal knowledge of the facts set forth in this Affidavit, and they are true and correct. Currently, I live in Red Rock, Texas.

2. When my cousin Stacey Stites ("Stacey") was 16 years old, she and her mother moved in with my parents, Janice and Ray Horton, in Rosanky, Texas—less than a mile from where I lived with my wife Camille Horton and our three young children, Jaymi, Whitford and Steven, at the time. I traveled to Corpus Christi around this time to help Stacey and her mother Carol move their belongings into a storage facility in the Bastrop area.

3. I understood from speaking with my parents that Stacey's mother was concerned that Stacey had begun dating and associating with men at an early age—including black men—that Stacey had gotten pregnant, and that her mother decided to move after Stacey's pregnancy. My father told me that Carol was concerned about the influences in Stacey's environment in Corpus Christi and wanted to leave.

4. Stacey and Carol lived with my parents for approximately two months, but within that time, my mom and father informed me that some of Stacey's traits from Corpus Christi resurfaced. According to them, she would continue to see men, was disobedient and would leave the house at-will. Because of this, my dad asked my mom and wife to seek out more suitable housing for them. Eventually, my wife and my mother found a home in Smithville for Carol and Stacey to live. As I had done before, I helped Stacey and her mother move. This time I moved their belongings from the storage facility to the Smithville home, where they stayed until they moved to Bastrop.

5. One Sunday evening, around five, or six o'clock in 1995, two of my young children, Jaymi and Whitford, and I went to the Dairy Queen in Bastrop to get some ice cream. I remember they were young at the time—both were under the age of ten. I also remember it was a warm day, but the weather was not hot or humid as is typical in Texas summers. I believe it was sometime between October and November. At that time in my life I worked as a carpenter and did not get Saturdays off. The only day I would have been able to take them for ice cream would have been on a Sunday.

6. As I pulled into the Dairy Queen in the Ford pickup I was driving at the time, with my children inside, I remember seeing Stacey coming out of the Dairy Queen

with a black man. I hollered her name to get her attention as I drove in, but she did not respond. I know they heard me because both Stacey and the black man looked directly at me, but neither came toward me. I have a rather loud voice; I easily project and rarely have a difficult time being heard.

7. Seeing Stacey with a black man did not surprise me because I remembered what my parents told me about her dating and associating with black men. Stacey, however, was shocked; she seemed embarrassed when she saw us and she quickly left with the black man without introducing me. Stacey and the black man got into a darker colored car that Stacey was driving, and they drove off without speaking to me or my children. I told my father of this incident, but to me it was not a big deal at the time because I had been told that Stacey associated with black men.

8. Sometime after Stacey's death I remember seeing pictures of Rodney Reed on the news and in the newspaper after he became a suspect in the death of my cousin. Rodney Reed is the same man I saw with Stacey at the Dairy Queen in 1995. I understand that the appeals courts have previously said that there were no credible witnesses that would testify as to having seen Rodney and Stacey together. I would have testified to my experience at the Dairy Queen in 1995 at trial, but no one ever approached me to do so. Since then, I have told other members of my family and would have told law enforcement and prosecutors the same had they interviewed me or shown any interest.

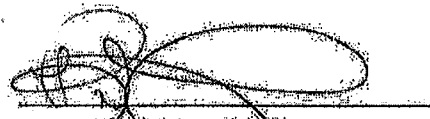
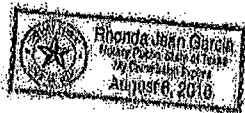
9. Because of this information, and Stacey's behavior at this time in her life, I have always believed Mr. Reed's story that he had a relationship with my cousin Stacey—despite the unfortunate pain it brings upon my aunt Carol. I do not wish to cause her, or my family, any more pain. I simply want to bring this truth to light.

Further Affiant sayeth not.



Calvin "Buddy" Horton

Subscribed and sworn to before me this ___ day of March, 2015, to certify which witness my hand and official seal.



Notary Public in and for
the State of Texas

Exhibit 12

County of Snohomish

State of Washington

AFFIDAVIT OF KEVIN GANNON

My name is Kevin Gannon, I am over the age of 18 and otherwise competent to give this affidavit.

1. I am a founder of Nationwide Investigations, an agency that provides pro bono consulting and investigative services in missing persons and homicide cases. I retired from the New York City police department (NYPD) in 2001 after 20 years of service. Since my retirement, I have provided pro bono service evaluating suspicious deaths for families who have lost loved ones and I have also written a forensics textbook ("Case Studies in Drowning Forensics") with my partners Dr. D. Lee Gilbertson and NYPD Detective Anthony Duarte. In addition to my work with Nationwide Investigations, I have consulted and appeared on television programs dealing with criminal investigation.
2. I retired from the NYPD at the rank of Sergeant in the Detective Bureau. At the time of my retirement, I worked as a supervisor in the Homicide Taskforce/Nightwatch. Prior to my work on the Homicide Taskforce, I was a supervisor in the Rape Taskforce and the Missing Persons Squad. I have been awarded numerous commendations over my career including two medals for valor.
3. In my work on television, I recently participated in a Dick Wolf (Executive Producer of "Law and Order" and other television shows) true crime television show called "Dead Again" for the A&E network. In "Dead Again", myself and two other experienced police officers (Ret. Miami P.D. Det. Sgt. Joe Schillaci and active Chicago P.D. Det. Michelle Wood) were asked to re-investigate old criminal cases without prior knowledge of the ultimate outcome of the case. In conducting reinvestigations on the show, we have sometimes agreed with the outcome of the trial and other times we disagreed with the conclusions of the law enforcement investigation and the outcome of the trial.
4. While working on "Dead Again", I was given the autopsy and toxicology reports, crime scene photographs, and police reports relating to the investigation of the murder of Stacey Lee Stites. I was also provided with the Texas Department of Public Safety video that was recorded while they processed the body at the crime scene on April 23, 1996. I was given these materials on Tuesday, October 21, 2014. Upon review of these materials, I found that the evidence pointed to a murder that happened much earlier in the evening than what was described in the

police reports. This was apparent from the color of the body in the photographs. I also noticed lividity on the arm, shoulder and face that indicated that the body had been left in another position for several hours before she was left at the scene where she was found. When I reviewed the crime scene video, my conclusions regarding an earlier time of death were confirmed through the observable passing of rigor mortis. These forensic findings will be discussed in greater detail later in this affidavit.

5. I immediately contacted my partners Dr. D. Lee Gilbertson and NYPD Detective Anthony Duarte, who concurred with my assessment. I also discussed this evidence with Det. Schillaci and Det. Wood who also agreed that Stites could not have been murdered between 3 and 5 a.m. as reflected in the law enforcement documents. I then brought this information to the producer of the A&E show (Michael Sheridan), and we subsequently contacted Bryce Benjet, the Innocence Project attorney, and scheduled a meeting. At the office of attorney Bryce Benjet in New York City, I presented my analysis to him. This information was subsequently forwarded to Forensic Pathologist Dr. LeRoy Riddick who also concurred with our assessment. We (Benjet, Gilbertson, Duarte, and Gannon) had a telephone conference call with Dr. Riddick (November 5, 2014) and discussed all the specifics of the postmortem artifact evidence that we uncovered.

6. The forensic pathologist who testified at Reed's trial estimated the time of death to be about 3:00 a.m. The State's argument at trial was that Stacey Stites was abducted on her way to work, sexually assaulted, and murdered between 3:00 a.m. and 05:00 a.m. on April 23, 1996. In my professional opinion based on years of homicide investigation and law enforcement forensic training, as well as the consultation with other forensic experts including a forensic pathologist, the physical evidence at the crime scene and as described in written reports clearly demonstrate that the postmortem interval--relative to Stacey's time of death--is not consistent with the State's assertions regarding the timeline of events.

7. The factors relating to my conclusion were the presence of livor mortis, rigor mortis, and compositional changes to the color of Stacey's body as viewed in the video and as described in the written reports. Livor Mortis (lividity) was observed both on the anterior and posterior portions of Stacey's body, which means that she was lying face down for a period exceeding 4 hours before being moved to the site where her body was eventually discovered. Rigor Mortis (rigidity): was starting to relent (leaving the body.) If Stacey was murdered at 3 a.m., she would be at the peak of rigor when the crime scene video was taken. Instead, the video shows some rigor, but that her head and arms are easily manipulated. Where the average temperature on April 23, 1996 was in the 60s (ranging from the low 50s to the high 70s), rigor would not be relenting at the time of the video tape unless

Stacey was killed well before midnight on April 22, 1996. Color changes on the body related to the decomposition process were evident in the video and described by Texas DPS reports as being green in color on Stacey's body. The color green first develops in the abdomen's Right Lower Quadrant within approximately 12 hours after death and spreads to the entire body within approximately 24 hours. Green coloration was evident on Stacey's upper torso her face as well as her lower extremities. This further supports my conclusion that she had been deceased longer than the timeframe proposed at Reed's trial and in the police reports. It is my professional opinion that she was murdered hours earlier--sometime between 7:00 p.m. and 11:00 p.m. on April 22, 1996.

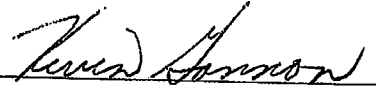
8. When investigating a murder, the last place the victim was seen should always be searched. This was not done here. The failure of law enforcement officers to take this basic step in the investigation of missing persons was especially devastating because the forensic evidence now indicates that the murder took place not long after Jimmy and Stacey were seen going up to their apartment.

9. In addition to the forensic evidence which indicates that the murder took place while Jimmy and Stacey were at home together, a number of other factors raise suspicion that Jimmy Fennell was the murderer:

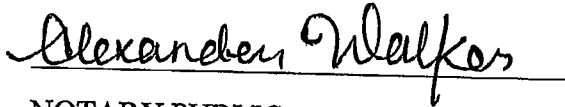
- The seatbelt of the truck was fastened as if the last driver had been sitting on top of the seat belt. It is common for police officers to sit on top of a fastened seat belt in their vehicle. Officers do this because they are often called upon to quickly exit their vehicles in an emergency. A seatbelt can impede a fast exit, so it is buckled to keep it out of the way and stop warning signal in the car. My experience is confirmed by statistics released by the California Commission on Police Officer Standards and Training indicating that roughly half of all police officers do not wear seatbelts.
- Stacey's fingernails are closely cut in a manner that I would not expect from a nineteen year old woman only a few weeks before her wedding. Strangulation involves a close struggle that provides the victim an opportunity to scratch her attacker and leave his DNA under her fingernails. In 1996, a police officer would be familiar with the fact that fingernail scrapings are taken during autopsy, and it is unlikely that a lay person would know to cut the fingernails of a victim to avoid detection.
- Certain aspects of the crime scene appear to have been staged in a manner that does not conform to a kidnapping/murder by a stranger. First, the placement of Stacey's name tag between her legs is direct evidence of a staged crime scene. The location of the two halves of Stacey's belt also

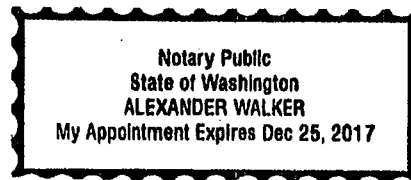
does not comport with a kidnapping murder by a stranger seeking to evade detection. It is unlikely if not impossible that Stacey's woven leather belt broke while it was used as a ligature. The force necessary to break a leather belt would have caused greater injury to her neck than was reported at autopsy. It is far more likely in my opinion that the belt was separated after the murder. One half of the belt was left at the side of the road in a position pointing towards the body. Especially where it was alleged that the murderer used the victim's shirt to wipe fingerprints from the truck at the scene, it is not plausible that the same person would have left the belt in this location unless he wanted the body to be quickly found. The same is true for the portion of the belt left outside the truck at the Bastrop High School. A murderer who had the forethought to wipe his fingerprints and lock the door of the truck would not leave such obvious evidence in plain view accidentally.

Further affiant sayeth naught.


Kevin Gannon

Sworn and subscribed to before me, this 11th day of February, 2015.


NOTARY PUBLIC



My commission expires: December, 2017.