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PETITIONER'S EXHIBIT #17
Memo re: 12/28/93 meeting

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JNN _____
CJS _____
FILE _____

PRIVILEGED AND CONFIDENTIAL - ATTORNEY WORK PRODUCT

MEMORANDUM

TO: MICHAEL ECHOLS FILE (CASE #1700-00-30182)
FROM: RONALD L. LAX
RE: MEETING WITH DAN STIDHAM
DATE: DECEMBER 28, 1993



Early today, Scott Davidson and I met with Dan Stidham at his office in Paragould, Arkansas to discuss information Stidham received from Joe and Bruce of Creative Thinking.

Stidham informed us he had agreed to allow Jessie to be filmed by the HBO film crew, but he was present when this took place. The questions were limited to Jessie's family, his girlfriend and other issues unrelated to the alleged crime.

During the time Stidham dealt with the Creative Thinking/HBO crew, they became relaxed with him and provided him with some information. A few of the items are listed below:

1. **Mark Byers** allegedly told them he was raped and sodomized at the age of 19 during a drug deal.
2. The crew spent approximately 40 hours with Byers and found him to be "scary".
3. During one filming episode, Byers took the crew to the scene of the crime, sat down in the creek bed and began reciting Biblical verses. He then pointed out the spot where his son had lain and where his son's manhood had been taken away.
4. The crew stated Byers was behaving so strangely at the crime scene, they became frightened and cut the session short. One of the crew members informed Stidham that, upon their return to New York, they immediately had this film developed and showed it to their wives and girlfriends, who became frightened and upset after approximately a minute and a half and left the room.
5. Byers expressed to the crew he believes Damien has his son's testicles in a jar.
6. The first time the crew met with Byers, Byers' friend and house guest, **Andy Taylor**, walked out to the car and asked, "Who the hell are you?" When they explained, he made the comment he would, "kill anyone who messes with Mark."
7. Jessie Misskelley, Sr. allegedly received a call from Chris Byers' paternal grandmother, who is believed to live in Kentucky. This lady expressed her condolences to Jessie, Sr., telling him she knew his son was not guilty and she and others in the family believed Mark Byers was the guilty party.

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8. The Chief of Police in Corning, Arkansas has also allegedly stated he received a call from Texas regarding Byers' guilt.

Dan Stidham stated he had retained Richard Ofshe and Ofshe had examined Jessie's statement and met with Jessie. It was Ofshe's belief the statement was coerced and Jessie was not guilty of the crime. Ofshe suggested Stidham submit Jessie's polygraph chart to an expert for analysis. Stidham expressed his reluctance to do so and Ofshe informed him to proceed anyway as it would not reveal anything harmful to him.

Stidham contacted Warren Holmes, retired polygraph expert, who resides in Miami, Florida, and sent Jessie's chart to him. Holmes' verbal report was the chart was not indicative of deception except regarding the question of drug usage. Holmes also stated the individual conducting the test skewed the results of the test by asking improper questions. Holmes stated he should not have asked questions regarding drug use when investigating a murder.

Stidham has requested we attempt to find and interview the following individuals:

1. The former manager of Bojangle's Restaurant in West Memphis.
2. A black female attorney who spoke with Jessie Misskelley the day after his statement.
3. Buddy Lee Lucas, whose last known address was Route 1, Box 581, Earle, Arkansas, and who was working for Beck Farms.
4. Ricky Climer.
5. Bill Cox.
6. Johnny Hamilton.
7. Rex Heath.
8. Alvis Bly.

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