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PETITIONER'S EXHIBIT #36
2/22/98 e-mail attachment

To: mallett@worldnet.att.net
From: slf@CSWNET.COM (Dan Stidham)
Subject: ECHOLS, BALDWIN & MISSKELLEY
Cc:
Bcc:
X-Attachments:



Dear Ed:

As we discussed, I feel my trip to San Francisco was quite fruitful. The meeting I had with Turvey, Baden and David went real well. Dr. Baden seems to have a genuine interest in the case and I feel his input will be quite valuable. I find it interesting that both Dr. David and Dr. Baden's initial assessment after looking at the photographs with me was that these homicides don't get pulled off by three teenagers, especially one who is mentally handicapped. They both said this is an "adult crime." This was also Turvey's initial assessment back in September. They (Baden & David) also said that these were the worst (horrific) photographs that they had ever seen, and they were shocked when they learned that they were exhibited to the jury at the trials. Like me, they feel the juries convicted out of rage from the photographs!

Another interesting thing is that at the group meeting in my hotel room, and again later when I met with Dr. Neil Haskell, the entomologist, each of them mentioned that they thought the deep wounds to the face of victim Branch were most likely caused post mortem. They seem to think that the deep gouges were probably caused by crawfish, racoons or predacious diving beetles. Also they mentioned that the lividity surrounding these wounds appeared to indicate that they were post mortem. Again, interestingly, Turvey told me the same things in his initial assessment of the photographs. As we discussed, the issue which came to my mind as they told me these things was mitigation in the death penalty phase of Echols trial. These facts, had they been known earlier could have been argued in mitigation, i.e. animals caused this, not the defendants. This could have been the difference in whether Damien got the death penalty.

Dr. Haskins is a wonderful fellow who greatly impressed me as well. He has asked for specific information re: weather conditions, temperatures, and insect confirmation which I have almost completely compiled. I am waiting for info from the Weather Service Archives before I mail his package to him. He mentioned the possibility of doing some experiments with a "pig" at the crime scene this May, i.e. place a dead pig in the water and see if anything preys upon it's body.

Dr. David told me that he is prepared to testify that within a reasonable degree of scientific certainty, he believes that the mark

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on the victim Branch is a human bite mark. He and Dr. Baden were going to show other experts the photographs of the "bitemark" including Dr. Lowell Levine, the pioneer scientist in this field of forensic odontology. Dr. David needs the other autopsy photographs to hopefully see the bitemark in different and perhaps better angles.

Thursday I phoned the Medical Examiners office in Little Rock and requested copies of all autopsy photographs. The secretary stated that I would have to talk to Dr. Peretti. He called me the next morning and seemed very nervous about the "bitemark." He said he heard about the bitemark and has reviewed the photos and didn't find anything. He wanted to know specifics and I played dumb. I told him our expert wanted to review all the photos, not just the ones that were entered into evidence. Peretti then told me that I would have to get permission from Prosecutor Brent Davis before I could obtain the photographs at a cost of \$6.00 a per photo. I find it both interesting and appalling that I must get permission from the prosecutor before getting access to this information.

I feel that I, or you, or both of us should request copies of these photographs from the prosecutor and/or the Court and that we not have to pay \$6.00 as our clients are indigent. We certainly should be entitled to this information. My feel for the conversation with Peretti is that he is shook up about this bitemark thing, he seemed real concerned, and that he has been told to discourage me/us from getting these photos. I feel we should make a big deal out of this, and go public if our efforts are further thwarted by the State.

Should I write a letter to Brent Davis? Do we show them our bitemark? What do you think?

I am sending a copy of this memo to John Wesley Hall, I am asking him to call me. Hopefully, John's schedule is such that we can get Misskelley's Amended Rule 37 Petition filed real soon. Also, he has my trial transcript which I need to get back so I can get Dr. Baden, a copy of Peretti's testimony at Misskelley's trial. Do you have a copy of Peretti's testimony at the echols/baldwin trial so I can get it Dr. Baden. I don't have a full transcript of his testimony in Jonesboro.

Let me know your thoughts on these issues.

Also, Turvey is looking for a "footwear impression" expert so that we can track down that lead.

I remain

Very truly yours,

Dan Stidham

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cc: Al Shay
John Wesley Hall

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