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PETITIONER'S EXHIBIT #46  
11/7/06 letter

**003980**



**WERNER U. SPITZ, M.D.**

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Administrative Assistant/Office Manager

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November 27, 2006

Dennis P. Riordan, Esq.  
Riordan & Horgan  
523 Octavia Street  
San Francisco, CA 94102

**Re: Arkansas v Echols, Baldwin, and Misskelley**  
**Our File No: 5515**

Dear Mr. Riordan:

I have reviewed the Arkansas Crime Laboratory records including the autopsy reports of Christopher Byers, Michael Moore and Steven Branch, West Memphis Police records, scene, body, x-ray and autopsy photographs, photograph of a knife, testimony of Dr. Frank Peretti, excerpts of closing arguments at trial, as well as, literature regarding wildlife in the area, including snapping turtles.

The following is my opinion:

1. The 3 boys, Christopher Byers (331-93), Michael Moore (329-93) and Steven Branch (330-93), died of drowning while bound at the ankles and wrists. All 3 victims were alive when placed in the water as shown by large amounts and sometimes bloody foam emanating from the airway as shown on photographs [00106 001 and 00570 001]. Additionally, the autopsy reports for all 3 boys describes vomitus and frothy material in the lungs.

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2. The remaining injuries, including emasculation of Christopher Byers (331-03), [photographs, 00003 001 and 00072 001] were due to anthropophagy, i.e., inflicted postmortem by large and small animals, including marine life.
3. The water was shallow in the area where the bodies were retrieved:
4. The location of skull fractures at the base of the skull, [Christopher Byers (331-93) and Steven Branch (330-93)], is inconsistent with blows.
5. None of the injuries were caused by a knife, specially the serrated hunting knife depicted in photograph P5211548. Wound characteristics of those injuries suspected as have been caused by a knife are compatible with animal claws and teeth and inconsistent with the dimensions and configuration of the knife [00004 001, 00067 001, 00071 001, 00072 001, all crime and scene & evidence 1396 and 1398].
6. The large area with scattered irregular lacerations on Steven Branch's (330-93) left cheek was the result of bites by large animals and claw marks on a background of abrasion from licking off of emanating blood and tissue fluids [00012 001, 01169 001, steviesideface, ear2] .
7. Christopher Byers (331-93), obvious claw marks are noted on both sides of the anus, predominately on the left side, with straight, parallel scratches [00004 001, 00071 001]. The anus does not appear distended, dilated, traumatized or in any way abnormal. The penis and scrotum were ripped and chewed off postmortem [00003 001, 00072 001]. The edges are irregular, ragged, without evidence of bruising, not cut or skinned by a knife.

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Dennis P. Riordan, D.O.

Re: Arkansas v Echols, Baldwin, and Misskelley

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8. Injuries on Michael Moore's (329-93) scalp resemble stab wounds [01163 001, 00084 001], yet widely abraded without underlying fracture are inconsistent with knife wounds and similar injuries on Christopher Byers' (331-93) scalp are unabraded resembling stab wounds [00083 001], but also without underlying bone damage. Further, what appear to be four circular paw marks, arranged in a semicircle are noted below the inferior edge of the laceration and two superficial scratches are noted in the same area against the upper edge of the wound.
9. Michael Moore (329-93) has obvious claw marks on the right side of the chest [all crime scene & evidence 1396, 1398].
10. Clawing injuries are irregularly spaced [00004 001, 00071 001, all crime scene & evidence 1396, 1398].

It is evident and logical that one cannot attribute a causation and mechanism to each and every injury, however, it is my opinion, that the large number of injuries inflicted by animals supports the conclusion that all the injuries were caused by animals. This is also supported by the fact, that those injuries which are suggestive of animal mutilation, do not represent typical wounds inflicted in an assault. The small amount of hemorrhage under the skin does not contradict my above stated opinions.

After consideration of all the injuries, it is my conclusion based on my education, training and experience and also having previously seen these kinds of injuries, that these 3 boys were mutilated by animals postmortem, when in the water and that none of these cases resulted from satanic ritualistic activity.

My textbook, *MEDICOLEGAL INVESTIGATION OF DEATH*, 4<sup>th</sup> edition, published by Charles C. Thomas, Springfield, Illinois, 2005 discusses many of the issues in this letter in greater detail.

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Dennis P. Riordan,

Re: **Arkansas v Echois, Baldwin, and Misskelley**

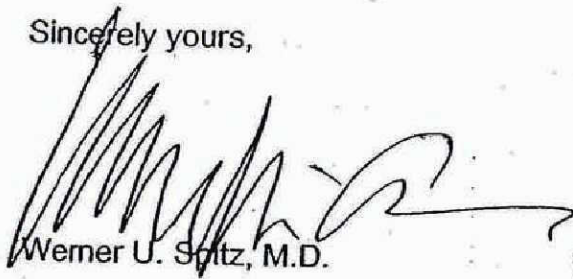
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Other forensic works also discuss and illustrate postmortem mutilation by animals, including:

1. Forensic Pathology, by Bernard Knight, Oxford Press, 1991, pps. 68-70.
2. David Dolinak, Forensic Pathology, Elsevier, 2005, pps. 248-550.
3. Cyril Polson, The Essentials of Forensic Medicine, 2<sup>nd</sup> edition, Thomas, 1965, p. 25.
4. Forensic Medicine, Tedeschi, Eckert, et al, Saunders, 1977, pp. 1067-1069.

Sincerely yours,



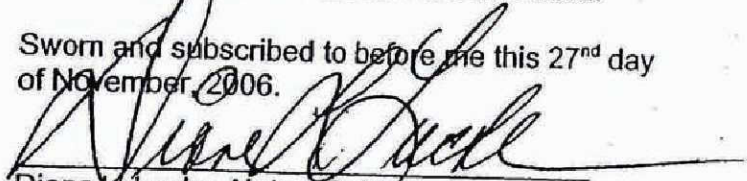
Werner U. Spitz, M.D.

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On this 27<sup>nd</sup> day of November, 2006 before me personally appeared **Werner U. Spitz, M.D.** To me known to be the person who executed the forgoing instrument, and acknowledged that he executed the same as his free act and deed.

Sworn and subscribed to before me this 27<sup>nd</sup> day of November, 2006.



Diane E. Lucke, Notary Public  
County of Monroe, State of Michigan  
Acting in Macomb County  
My Commission Expires: October 20, 2011

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