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PETITIONER'S EXHIBIT #54
5/15/07 letter to Dr. Perretti

Law Office of Michael Burt
600 Townsend Street, Suite 329-E
San Francisco, California 94103
415-522-1508 phone; 415-522-1506 fax
michael.burt@prodigy.net

May 15, 2007

Dr. Frank Peretti
Medical Examiner
Arkansas State Crime Laboratory
3 Natural Resources Drive
Little Rock, Arkansas 72215



Re: Arkansas v. Echols, Baldwin, and Misskelley; meeting scheduled for May 17, 2007 at 10:30 a.m.

Dear Dr. Peretti,

Initially, we - the lawyers for defendants Echols, Baldwin, and Misskelley - want to thank you for agreeing to meet with a group of forensic experts with whom we have been working in an effort to resolve a number of questions left unanswered by the trials in these cases. In an effort to facilitate a productive exchange of views, we would like to provide you in advance with an overview of the conclusions thus far reached by these experts concerning the nature, timing, and cause of certain injuries sustained by the three victims.

Defense Experts

As a preliminary matter, those attending the meeting on our behalf will be forensic pathologists Vincent Di Maio and Michael Baden and forensic odontologists Richard Souviron and Michael Wood. In addition, the Echols team has consulted with forensic pathologist Werner Spitz. While Dr. Spitz cannot attend on the 17th, his opinions are included among the others described below.

Defense counsel have also consulted, and continue to consult, with Dr. Janice Ophoven, a pediatric pathologist and former Medical Examiner for Hennepin County, Minnesota; Dr. Bruce Hyma, Medical Examiner for Miami-Dade County; and Dr. Michael Tabor, dentist and faculty

member at the University of Tennessee's Forensic Anthropology Center, and Chief Odontologist for the Medical Examiner's Office Davidson County and Tennessee State Odontology Consultant. Drs. Ophoven and Hyma have reviewed your testimony, case photographs and your post mortem examination reports. Finally, we expect that Dr. Tabor will have issued a letter report by the time of our meeting. Due to scheduling difficulties none of the just named experts is available for the meeting.

The chronology of the defense experts' involvement is as follows. It was the Baldwin team that first received a preliminary opinion that the injuries suffered by the victims were caused by animal predation and that the genital wound to Christopher Byers' penis may have been the product of animal "degloving."

Around the same time, the Echols team was seeking an opinion as to whether or not the "lake knife" could have caused the Christopher Byers injuries, which we assumed were the product of some sort of sharp instrument. Quite frankly, we were surprised when we received a second, independent opinion that these injuries resulted from animal predation.

Materials Reviewed

Each expert who will attend the meeting was supplied with (1) a compact disc containing numerous crime scene and autopsy photos relating to the cases; (2) your autopsy reports for all three of the victims; (3) your trial testimony at the Echols-Baldwin trial; and (4) excerpts from the prosecutors' closing arguments at the Echols-Baldwin trial in which prosecutor Fogelman discusses evidence purportedly linking certain victim injuries to a knife (exhibit 27) found in the lake near Jason Baldwin's trailer.

In addition, Drs. Di Maio, Baden, Souviron, and Wood were supplied with the trial testimony of Dr. Duke Jennings, who addressed the issue of time of death; Drs. Souviron and Baden were informed of Dr. Spitz's preliminary conclusions, and provided a CD produced by Dr. Spitz excerpting certain relevant photos; and Drs. Souviron and Wood were given copies of the Arkansas Supreme Court's opinions affirming the defendants' convictions.

Conclusions as to Nature and Cause of Injuries

All of our experts agree that the victims' deaths were homicides, and that they were

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caused by blows to the head, drowning, and/or some combination thereof. In their view, none of the injuries to the victims' heads are consistent with the use of a stick or branch as opposed to a much heavier and harder object.

In addition, and as noted, the general conclusion shared by the attending is that, apart from the blunt force injuries to the head, the injuries to the skin of the victims - i.e., the hundreds of gouges, punctures, lacerations, abrasions, and scratches - were not caused antemortem by the use of a knife, but were instead, in almost all instances, the post-mortem product of animal predation. In addition, our experts have concluded that none of the victims exhibited injuries consistent with sexual abuse such as anal penetration or oral sex.

A. Christopher Byers

At trial, you testified concerning the genital mutilation of Christopher Byers. You stated that the skin of the penis had been removed or "carved off," that the groin area displayed a serrated pattern; and that while any serrated knife could have made that pattern, it was consistent with the knife recovered from the lake. (See Echols-Baldwin ("EB") RT 1062-68, 1074; state exh. 69C, 72C, 73C) So too were the gouging and "cutting" wounds appearing on Christopher's buttocks. (EB RT 1066-67, 1074) Hemorrhaging of the latter wounds indicated that Christopher was alive when they occurred. (EB RT 1067; exh. 71C)

None of the foregoing wounds were among the post-mortem injuries you described for Christopher. (EB RT 1065) Your testimony also stated that Christopher had essentially bled to death. (EB RT 1114-15)

Based on their review of the relevant autopsy photos depicting these injuries, the attending experts believe that the above wounds were due to anthropophagy, i.e., postmortem injuries inflicted by large and small animals. In their view, none of Chris's injuries were caused by a knife, much less the knife recovered from the lake; the wound characteristics of Byers' injuries are compatible with animal claws and teeth and inconsistent with the dimensions and configuration of the lake knife. Claw marks appear on both sides of the anus, predominantly on the left side, with straight, parallel scratches. The penis and scrotum were ripped and chewed off postmortem. The edges of the wound are irregular, ragged, without evidence of bruising, and were not cut or skinned by a knife. The small amount of hemorrhage under the skin in certain

locations does not alter the experts' views on these points.

Our attending experts have also concluded that rather than being carved, Christopher's scrotum and the skin covering the penis were removed by an animal in a "degloving" process. As to injuries surrounding Christopher's groin, use of a large knife, particularly a dull one, would have caused incisions far deeper and more extensive than the "irregular punctuate gouging type injuries measuring from 1/8 inch to 3/4 inch and [with] a depth of penetration 1/4 inch to 1/2 inch" as described in Christopher's autopsy report (at p. 4).

Our experts have compiled an extensive array of articles in support of their conclusions concerning "degloving" and other aspects of animal predation. We will provide such articles to you at the time of the meeting.

B. Steven Branch

As to Steven Branch, the relevant forensic testimony at trial, like the autopsy report, noted the presence of abrasions or cuts overlying the facial area on the right side, "a confluent area of abrasion, scraping involving the face. Also overlying this area, [there are] multiple, irregular, gouging type cutting wounds." Such wounds, the testimony continued, was consistent with the use of a sharp object such as a serrated knife. (EB RT at 1054-55, 1061, 1074; see also exh. 70B, 72B) As to the "irregular type gouge marks," such wounds were deemed the type of injuries caused when a knife or other sharp object is put into the person and twisted and pulled, combined perhaps with the movement of the victim. (EB RT at 1055)

Here again, it is our experts' view that none of the injuries to Steven Branch, including those described above, were the product of a knife, serrated or otherwise. The large area with scattered irregular lacerations on Steven's left cheek was caused by large animals and claw marks on a background of abrasion from licking off emanating blood and tissue fluids. One expert believes some of the marks to Steven's face may have been caused by dragging.

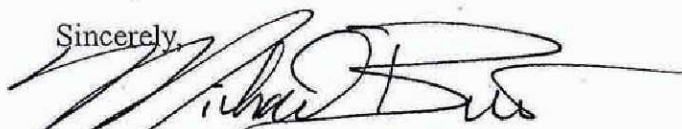
C. James Michael Moore

The trial testimony adduced as to the injuries suffered by Michael Moore again described certain serrations and abrasions (EB RT at 1044, 1048; see also exh. 60A, 65A, 68A), including some on the chest and the hands, which were again deemed consistent with the use of a serrated

knife such as the lake knife, i.e., exhibit 77(ER RT at 1174). Again, all of the defense experts view such injuries (apart from those appearing on the head) as the product of post-mortem animal predation. The "serrated" injuries on the right side of Michael's chest are claw marks, as depicted in autopsy photographs from the relevant literature which we will supply you at the meeting.

Again, we want to express our gratitude for your willingness to consider the views of our experts in this complex and important case.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael N. Burt", with a long horizontal flourish extending to the right.

Michael N. Burt

Attorney for Jesse Misskelley

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