

Agent Deaver's report and the photographs included with it. It was our understanding that Agent Deaver had arranged and performed a bizarre experiment in an attempt to corroborate Mr. McNeil's version of the homicide. McNeil claimed that Johnny Ray Braswell had beaten Scott Sosebee to death with a 2 X 4 size piece of wood. McNeil claimed he had 'struck **no** blows' and was merely present. The problem was McNeil had bloodstains on his clothes. I remember his Fila Tennis Shoes in particular. Agent Deaver apparently went to a gymnasium of sort and with helpers hung and placed a number of white sheets. He then took pumpkins and struck them with a 2 X 4 size piece of wood. Based upon this 'reenactment' or experiment or whatever it might be called, Agent Deaver was prepared to testify that based upon his bloodstain analysis that McNeil was merely present and Braswell did all the beating.

Mr. Hulbert and I could not locate any information about bloodstain analysis anywhere locally. The only place we could get help anywhere was the North Carolina Justice Academy. They faxed us twenty-three (23) pages from a Chapter in a Forensic Science Text, that I still have. As I recall, Judge Stephens conducted a voir dire hearing. Judge Stephens allowed our motion and did not allow Agent Deaver to testify about 'busting' the pumpkins. I understood this marked the first occasion that the State attempted to offer Agent Deaver to testify as an expert in bloodstain or blood spatter analysis.

The State still proceeded with calling Mr. McNeil. During my length cross examination of Mr. McNeil, Judge Stephens called for a conference with all Counsel. Judge Stephens informed us at the conference that everyone in the courtroom except perhaps the District Attorney knew that both men participated in the killing. Shortly later, Mr. Braswell was allowed to plead to second degree murder. Johnny Ray still received a more severe sentence and remains

in prison today. I am informed that McNeil was released, but continues to have difficulty with the law.

I am attaching the fax we got from the Justice Academy, a page from my time sheets regarding attempts to locate literature about bloodstain or blood splatter analysis and an index from the court file. I tried to locate the photographs and the report but the Court records show that the original exhibits were all returned to law enforcement and neither I, nor Mr. Hulbert, can locate our old files.

This _____ day of July, 2010.

William W. Gerrans

Sworn to and subscribed before me this _____ day of July, 2010. Witness my hand and notarial seal.

Notary Public

My Commission Expires: _____