

EX PARTE ) No. 99-11-06435-CR-2  
 ) IN THE DISTRICT COURT  
LARRY RAY SWEARINGEN ) 9<sup>TH</sup> JUDICIAL DISTRICT  
(WR-53,613-04) ) MONTGOMERY COUNTY, TEXAS

**STATEMENT OF LLOYD WHITE, M.D.**

My name is Dr. Lloyd White. I am a physician licensed to practice medicine in the State of Texas. I am boarded in pathology and specialize in forensic pathology. I was the Chief Medical Examiner for Nueces County, Texas. I am presently a Deputy Medical Examiner for Tarrant County, Texas. I have conducted many hundreds of autopsies, including numerous autopsies on bodies recovered from Texas woods and fields. I have reviewed many hundreds more autopsy findings. I have testified for the defense and for the prosecution in numerous cases.

I have reviewed the report of the autopsy of the body of Melissa Trotter conducted on January 3, 1999, by then Harris County Medical Examiner, Joye M. Carter, M.D. I have reviewed autopsy and crime scene photos depicting the body of Ms. Trotter. These include photos depicting the body as it was found on January 2, 1999, in the Sam Houston National Forest, and depicting the condition in which it was received at the Harris County Medical Examiner's Office. Autopsy photos show the body after dissection and include photos of some individual organs. I have reviewed daily temperature data gathered for the National Oceanographic and Atmospheric Administration at the Conroe, Texas, airport for the period starting December 8, 1998 and ending January 2, 1999. I have also reviewed Ms. Trotter's Medical Records dated November 23, 1998, and the October 1, 2007, addendum report of Dr. Gerald Larkin, as well as the October 31, 2007 affidavit of Dr. Joye M. Carter regarding autopsy findings in Ms. Trotter's case. The following opinion is based on the foregoing information:

1. I concur with the conclusions that Dr. Carter reached in her October 31, 2007 re-evaluation of her autopsy findings. As she indicates throughout her affidavit, findings made pursuant to her internal examination of the body support the forensic conclusion that Melissa Trotter's body was left in the woods within fourteen days of the discovery of the body on January 2, 1999, in the Sam Houston National Forest.

2. I agree, as well, with Dr. Larkin's conclusion that the forensic evidence in this case indicates that the body was in the Sam Houston National Forest for a shorter period than fourteen days. For reasons set forth by Dr. Larkin in his October 1, 2007, addendum, the description of internal organs – the pancreas, liver, spleen, gall bladder and gastro-intestinal tract – indicate that the body was left in the woods at on or about December 23, 1998 at the soonest, and probably left there no sooner than December 27 or 28, 1999.

3. Again, for reasons that Dr. Larkin gives in his October 1, 2007 addendum, the external appearance of the body also supports the conclusion that Ms. Trotter's body was exposed in the wood for several days only, and not for two or three weeks; so does the remarkable fact that Trotter weighed 109 pounds at her doctor's office according to the November 23, 1998 record, while her clothed body weighed 113 pounds at autopsy and the nude weight was 105 pounds.

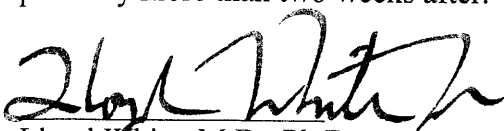
4. In addition to the written findings Dr. Carter made, autopsy photos of several organs deserve attention.

- a. Attached as exhibit 'A' is the photograph of the spleen Dr. Carter removed during autopsy. The spleen is an organ that contains many vascular spaces. The spleen can contract and enlarge, but is a relatively firm, spongy organ when living. It performs the important physiological function of removing red blood cells that are old or damaged and essentially worn out. After death the spleen autolyzes rapidly.

The spleen removed from Trotter has been dissected and there is a longitudinal incision through the spleen's capsular surface and into the parenchyma. The capsular surface is smooth and glistening. The edges of the incision are sharp. Autolysis appears to be minimal. The photograph of the spleen has the appearance of splenic tissue taken from a recently deceased individual. The spleen obviously has not liquefied and disintegrated as is typical in individuals who have been dead for several days.

- b. Photographs of Trotter's heart show that the muscle is still red and relatively fresh looking. (See Exhibit B). There are several long incisions and several shorter ones. The edges of the incisions are sharp. Pericardial fat is seen in the upper left part of the photo surrounding the aorta. It is glistening and intact. The pericardium, except for the incisions, is otherwise intact and the surface is smooth and glistening. Again, the appearance of the heart is what one would expect to find upon autopsy of a recently deceased individual.

5. Autopsy photos of internal organs are consistent with the description of organs and the degree of decomposition found in the autopsy report. The photographic evidence strongly supports the conclusion that Ms. Trotter's body was left in the woods at least one week after Mr. Swearingen was incarcerated on December 11, 1998, and probably more than two weeks after.

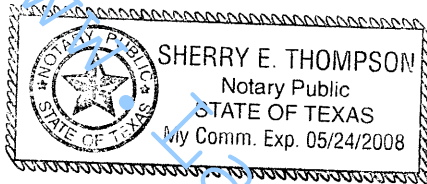
  
Lloyd White, M.D., Ph.D.

Before me on this 12<sup>th</sup> day of December, 2007, appeared Lloyd White, who, being deposed on his oath, stated that the foregoing affidavit testimony was, to the best of his knowledge, true and correct.

*Sherry E. Thompson*

Notary Public

My commission expires: 05/24/2008



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