Q. What was filmed in August of 1998?
A. In St. Paul there was the -- We set up some demonstrations in the basement area. This was areas where we were dropping blood on different objects and there was a part that actually -- there's a lot of filming that never makes it in.

There was me getting hit over the head and blood being spattered. There was some general experiments that were filmed.

MR. GILBERT: Do you want to let him finish the whole --

MR. BOLAND: Well, I might be able to make it easier.

Q. (BY MR. BOLAND) Just the stuff that actually got aired in the broadcast, that's the portions I'm interested in. I know there's probably a lot that was filmed that never made it.
A. Yeah. Actually there was -- the final production had portions from all those different days. For instance, Boston, they wanted just to have the sit-down interview parts, where I'm talking, that was all done in Boston.

Q. Where at in Boston?
A. It was in -- I have it in some of the files. It was Powerhouse Productions.
Q. It was not in another scientist's lab?

A. No. It was just a studio. They wanted to do some interviews to fill in. And then, of course, in September when I was here in Cleveland, there was all these -- the shots at the set that was built here, either me doing experiments or sitting around the table, walking through the house, or the apparent house, identifying material. So that was all during that period.

They came back to St. Paul to film some other -- them taking blood from my arm. They wanted some little -- for their production they wanted certain little segments that they needed to fill in, so they arranged to come back to do that.

Q. You just mentioned the experiments that you conducted for the show. Were you using real blood for those experiments?

A. Yes. Let me correct that though. Yes. They weren't -- They were really demonstrations. Okay. They weren't to do anything more than that.

I mean, Nova wanted to demonstrate what can be done. But, yes, I got from War Memorial Center in St. Paul outdated human blood. You know, blood that was taken that is no longer of use can be used for scientific methods. I brought that to Cleveland
with me and used that in all the areas that you saw.

Q. And your blood was used as well?

A. My blood was used -- That was sort of miss -- I have no control over that. How it implied, I believe, in that production that my blood, my personal blood, was used for all of that demonstration. That was not true. I didn't say that.

What was implied, which is true, is in blood spatter interpretation, you must use human blood to make accurate experiments. And in fact, I use my blood a lot when performing specific experiments and specific cases to get active blood and when I only need a small amount. For this purpose, for Nova, there was no need to do that. See, I wanted to use blood and I did use human blood, but it was not all my blood.

Q. Was any of it your blood that was used?

A. That was used on that set, no.

Q. Was any of your blood even drawn in hopes of it being used --

A. No.

Q. -- or planning of it being used?

A. No. It was only to demonstrate that human blood is used. And they did misrepresent that, I believe. They implied, at least, that my blood was used
Q. You're saying the portion of the filming where they have a ligature wrapped around your upper arm and they appear to be ready to draw blood from you, they never actually --

A. No. No. They took blood.

Q. Oh, you --

A. I gave blood. Yeah. I'm actually giving blood right there.

Q. What happened to that blood?

A. Well, I kept it and whatever, but they just wanted to have a picture of them taking blood from me. That's true. I mean, so they didn't misrepresent taking blood. I've done that often.

I thought they were going to use it just to explain that you use human blood to do experiments. I believe they inferred that that was used to then paint the set, if you will, or make the set in Cleveland, which is not true. Do you understand?

Q. Yes. These demonstrations that you did then, were they scientific?

A. Well --

Q. Were they repeatable, I should say?

A. Yes. Now let me explain that. These are --

Experiments in blood spatter are -- In particular if
you do impact spatter experiments, we do these at
every workshop, we have people hit bloody sources,
see where the blood goes, see how much comes back on
the person.

They are reproducible, they aren't going to
reproduce exactly the same number of stains in the
same location every time, the exact same number,
same location every time, but they're going to give
the same pattern, the same general distribution
reproducibly. And is that scientific? Yes, it is.

Q. Did you photograph the various stages of these
demonstrations that you were doing?
A. No.

Q. Is it your opinion that what you were doing was
science then, even though it was a demonstration?
I'm trying to understand your understanding of --
you said these are not experiments, they were
demonstrations?
A. Yeah.

Q. Are they still scientific in your opinion?
A. Sure. What I was trying to do and why they're
scientific -- What Nova wanted, what you want, what
everyone wants is to understand what happened in
particular in this particular scene in the Sheppard
case, but also in general what happens in blood
spatter.

And demonstrating the size and shape of stains is -- you can do that by showing how that's done scientifically. I mean, you put blood down and you hit it. I mean, that's a scientific experiment.

Now, if you're trying to reproduce everything, you have to try to get things more in control, more exact, and you can always be criticized for that.

For instance, if you're hitting a head, how do you hit a head unless I get you or someone else to volunteer to put blood on them, you have to try, which it's very difficult to get volunteers like that. You need to get as close as you can to do that. Can that be criticized, is that exactly the same as hitting a human being, you can always question that. However, you get as close as you can to do that. Is that scientific? I believe it is.

Yes.

Q. Have you done things that you would call experiments in preparation for your testimony in other cases?

A. Yes.

Q. But it's fair to say that you didn't do any experiments in the preparation of Defendant's Exhibit 1, your report?

A. That's correct. No additional experiments. No.
Q. Well --
A. Yes.
Q. No experiments at all for that report?
A. Yes.
Q. What you did in your participation on Nova there, were no experiments done during Nova? You're calling them demonstrations, and that's different than experiments, is that an accurate way to say it or not?
A. Yeah. For instance, I was -- other people have commented on me putting stains on the wall. For instance, I'm looking at pictures from the crime scene, my purpose in doing that was not to put these stains in exactly the exact position that they were in those photographs. They were to demonstrate the general pattern and size of the stain. That's how I'm trying to distinguish it.
Q. Do you recall in the Nova broadcast re-reenacting the killing of Marilyn Sheppard by striking a mannequin with a flashlight?
A. Yes.
Q. Can you describe the mannequin that you were hitting? What was it made of?
A. Not in detail. It was a mannequin.
Q. Was it wood?
A. No, it wasn't wood. It was sort of like a hard plastic material and I believe there was some sponge-type material that was on top of it.

Q. Was it a hollow mannequin?

A. I can't recall.

Q. Do you know where -- who obtained that mannequin for your use?

A. Marion Marzinski, the producer.

Q. Do you know where he got it from?

A. No.

Q. Are you familiar with crash test dummies?

MR. GILBERT: That's the name of a band.

Q. (BY MR. BOLAND) Are you familiar with those? Have you used one in your experiments?

A. No.

Q. Okay. Is it your opinion that striking that particular mannequin that was used in Nova is close to striking a human head?

A. For the purposes of Nova, yes.

Q. And can you describe the position that mannequin was in during the striking for that particular portion of the Nova show?

A. It was on a bed -- Actually it was on a bed in a similar position that Marilyn Sheppard was found.
Q. Is it your opinion that Marilyn Sheppard was in that position throughout the entire series of blows that she received in her death?

A. Not necessarily. She could have been -- She was in that position when blood was spattered from her head.

In other words, she was hit down in that position where she is found exactly. Now, could she have been hit before in a different position and no blood, that's possible. And I guess there's, also, the possibility that she could have been hit in a slightly different position, but it's clear that the radiating stain that comes from that position at least at that part of her beating, she was down in that position.

Q. Is it possible she was struck even one time not in the bed, but sitting next to the bed, for example?

MR. GILBERT: Objection. Is that based on blood pattern analysis?

Q. (BY MR. BOLAND) I'm asking based on your analysis, can you conclude that -- Let me restate my question. Is it possible that she was struck in addition to being on the bed -- Is it possible she was struck, prior to the last blows, sitting next to the bed?

MR. GILBERT: I'm going to object to
that question because it's outside the scope of any blood spatter analysis expert, but go ahead.

A. As implied from blood spatter, I can tell certain things. Can I tell if she was hit in other places in that bedroom or anywhere else that didn't produce blood, that's always possible I guess.

Q. (BY MR. BOLAND) When you were striking that mannequin, what object were you hitting it with?

A. For their purposes, they gave me a flashlight.

Q. Was there blood placed on the mannequin prior to you striking it with the flashlight?

A. Yes.

Q. Who put the blood on?

A. I put it on.

Q. How was that applied? Can you describe how that blood was sitting on the mannequin before you began to strike it?

A. Well, I had a beaker, like a cup, and I had probably about as much blood -- 50 to 100 milliliters, and I poured it on the sponge area and tapped it in and made sure it was soaked and then said I'm ready to perform this experiment.

Q. Was that a scientific experiment?

A. Experiment or demonstration. You know, without
getting into semantics here, and I think that's where you're at, if you want to say -- when is something an experiment and what's a demonstration, my -- I use experiment right there because it was -- using this set of criteria, I performed this test, experiment, demonstration. And experiment is usually a series of -- can be a series of controlled episodes, if you will. This was only done, you know, a few times there, and that's why I think demonstrates what happens when you hit. It wasn't then done again and again and again to see the reproducibility of it right there at that particular site. I've hit many items with blood on it before. So this was to demonstrate that whole activity.

Q. Do you recall how many times you actually struck the mannequin during that demonstration?

A. Not exactly. It was a number of times, three, four, five times.

Q. Now, is it your opinion that the blood spatter that resulted from your demonstration fairly approximates the blood spatter that resulted from Marilyn Sheppard's beating?

A. Yes. It demonstrates the general pattern that would be produced.

Q. Did you photograph the spatter stains after each
blow with the flashlight?

A. No.

Q. In your expert opinion does the amount of hair on a victim's head affect flight characteristics of blood?

A. Absolutely.

Q. Do you recall a portion of the Nova show that was actually broadcast which shows you dipping a flashlight in blood?

A. Yes. And then walking with it?

Q. That's what I was just about to ask. What did you do with the flashlight after you dipped it in the blood?

A. You know, actually the demonstration shows me with a screwdriver on the stairs walking with that.

Q. I'm asking about a different scene where there's just a brief shot of you dipping a flashlight in blood, and then throughout the rest of the Nova broadcast it's not shown what's done with that. I'm asking you do you know what you did with that flashlight dipped in blood?

A. No.

Q. Let's talk about the blood trail for a moment. Do you recall re-reenacting the possibility of a murder weapon dripping blood down the stairs?
A. Yes.

Q. And in your mind was that an experiment or a demonstration?

A. A demonstration.

Q. Okay. Can you tell me the measurement of the -- Let's back up a minute. How many blood drops did you get from that object that you were using to drip blood off of down the stairs?

A. I stopped, as you recall, and there was about seven or eight blood drops. I did not carry on. Could there have been a few more if I would have walked on? Yes, but -- so that's why it was only a demonstration. I did not continue to finish that, mainly because our filming sort of stopped right there.

Q. Because of the camera crew --

A. Yes. I stopped -- Right.

Q. Did you go back and measure those stains?

A. No.

Q. The diameter of those stains?

A. No. Although, they were fairly large.

Q. What object were you using to drip blood off for that demonstration?

A. It was the base of a screwdriver.

Q. Is it your opinion that a screwdriver was the weapon
that killed Marilyn Sheppard?

A. No.

Q. Do you have any opinion as to what the murder weapon was?

A. No. Except that it's probably, from my reading, a blunt instrument, but I have no specific -- and that's from reading autopsy reports and other medical examiners, but personally, I have no opinion.

Q. And can you tell me what the purpose was of the demonstration of taking an object and dripping blood down the stairs?

A. The purpose was, and is by a number of people that have been involved, Dr. Kirk initially, is to indicate that blood that is on a weapon, and here it's dramatically dipping a weapon into a container of blood, so it's soaked in it, which is -- I must emphasize that, which is way more blood than you would get when you are beating somebody, but it would show the maximum amount of blood.

It would -- or possibly be able to be carried away from a murder scene out by the perpetrator if they were holding that and walking away. And it shows that there's only a certain amount of blood that would adhere and then fall off of a weapon and
that's going to stop because it's not being replenished. The number of stains will be limited. And that's what that was to demonstrate.

Q. What object were you using in that demonstration as the murder weapon?
A. Well, as I indicated, it was only a convenient tool that was there on the set, was the base of a screwdriver.

Q. You had stated before it's not your opinion that that's the murder weapon?
A. No.

Q. Why did you use it for that demonstration then?
A. As I just indicated, because it was a weapon or a possible thing that can be used as a weapon. It was a surface that I could dip easily into blood and walk with. It could have been any other item. It was arbitrary. It wasn't selected for any other purpose than it was easy to work with at that time.

Q. Did you try that demonstration with a flashlight?
A. No.

Q. Did you try that demonstration with a metal bar?
A. No.

Q. Did you try that demonstration with a wrench?
A. No.

Q. In your experience with blood and the properties,
physical properties of blood, all other things being
equal, does the surface area of an object affect
its ability to retain blood?

A. There will be a variation on the surface
characteristics of an item, what it's composed of on
how long blood will be retained on it.

Q. My question is, if you have two objects, let's say,
the surface, et cetera, of the composition of the
object is identical, they're both equally clean, et
cetera, but one has a much larger surface area than
the other, is it the case that the one with the
larger surface area is going to be able to retain
more blood if they're both equally dumped in blood,
for example?

MR. GILBERT: Objection.

A. It may or may not. I don't know if I understand
your question. If you had a three-inch diameter
pipe and a one-inch area diameter pipe and you stuck
them both in the blood and lifted them out, there's
more surface area, so more blood will adhere to
that, but you may -- it may, depending on the
surface characteristic, if it was very smooth, it
could -- all of them -- I mean, the blood would come
off -- there may be more quantity, but the space
between where it's coming off to begin with or the
time it takes for it to come off, could be the same.

But, yes. I mean, more surface area obviously
that has blood on it, all things being equal, the
more blood it will contain, but it's complex, the
amount of stains you might get when leaving a scene.

Q. (BY MR. BOLAND) And does the surface area of the
screwdriver you used for this demonstration, is it
your opinion that that fairly approximates the
surface area of the murder weapon in this case?

A. Like I said, it was only for demonstration purposes.
I can't tell you exactly the dimensions of the
weapon that was used here.

MR. GILBERT: Now let the record
reflect that it's been established that he
did not rely on any of those demonstrations
that he did in connection with the Nova
project to prepare his opinions in this
case.

Your questions seem to imply that he
did even though his answer was that he
didn't. So I would object to your
implication that somehow it was connected
to his opinion.

MR. BOLAND: I'll ask it directly.

Q. (BY MR. BOLAND) Were any of the demonstrations you
performed for Nova in any way part of your report, Defendant's Exhibit 1?

A. No.

Q. They were strictly for the show?

A. Yes.

Q. Okay.

A. In fact, as I indicated, just as a -- I didn't even know I was going to be involved in this case until much later. I just wanted to demonstrate blood spatter to Nova.

Q. Do you recall in general the size of the blood stains that were on the stairway of the Sheppard home from the second floor down to the first floor?

A. They are, as you know, detailed in Mary Cowan's report, and most of those stains are an eighth-inch to a quarter-inch size, some of them are tear-dropped, not very many, but show elongation. That's a general size. Most of them are a quarter-inch or smaller.

Q. How do they compare to the size of the drops that you created in your demonstration with the screwdriver going down the stairs?

A. They generally are a lot smaller.

Q. And in your experience if an individual has an open wound that is actively bleeding, what size drops do
you generally get if that person were to walk down a flight of stairs?

A. Generally it will depend on the surface that they hit, but if it's a smooth surface, wood surface, linoleum surface, generally they are going to be in that one-half-inch size or even larger depending on how far the drop.

And if it's on carpet, like in this office, they will be smaller stained because the carpet absorbs that. They could be very small. But the stains are generally larger if it's a free-flowing drop.

If a drop comes down and hits some other intervening object, like clothing, and breaks up, or if it hits a shoe and then breaks up, but generally if it just drips flowing, let's say, from a cut straight down, drops of blood will be a half-inch or slightly larger.

Q. Do you recall if Mary Cowan measured any of the blood stains on the stairs as being a half-inch or larger?

A. None that I saw that she measured were that size.

Q. When you were re-reenacting the blood dripping from a wound with a --

A. Pipette.
Q. -- pipette, what kind of tubes were you storing that blood in? Were they purple-topped tubes that you were using?

A. Again, this was -- I used outdated human blood from War Memorial Blood Center. They, in essence, were the equivalent -- were actually in a pint bag that had anticoagulant in it. It would be the equivalent of a purple-topped tube. So it was not fresh blood right from my arm or anywhere else. It had an anticoagulant in them.

Q. So the chemical properties of the blood you used are not exactly identical to human blood because of the added anticoagulant?

A. Well, let me --

Q. Is that accurate or is that not accurate?

MR. GILBERT: I'm going to object to your question.

A. It's not like blood coming right out of a finger, it has some preservative in it. But in a practical sense, we've done this in blood spat workshops where I've taken blood directly from my arm and we've also taken blood from preserved blood. The spattering effect, the dropping effect, are minimal, if any, when using preserved blood. But your point here is will these stains be --
is it the exact same thing as coming from a bleeding
source, no, I was using preserved blood.

Q. (BY MR. BOLAND) The blood stains on the stairs in
the Sheppard home coming from the second floor down
to the first floor, your review of all the
information about them, is it your opinion that
those blood spots on the stairs are connected with
this homicide?

A. As indicated in my report, I have stated
specifically that I cannot tell specifically when or
how these were deposited. And my opinion is they
may have nothing to do with this murder, absolutely
nothing extemporaneously. However, if all of them
are human blood from the same source, then it would
be consistent with a bleeding active source.

Q. Is it your opinion that the spots of blood that were
identified on the basement stairs of the Sheppard
home are connected with the homicide?

A. **They may or may not have been.**

Q. How about the spots in the living room that were
identified by law enforcement, et cetera, and looked
at later, are those spots connected with the
homicide? What's your opinion on that?

A. As I indicated in my report, only five of these
stains were determined to be human blood. No
grouping was ever done at the time. So there's no
way of saying that they were connected or not
connected.

Q. Are there any blood spots outside the murder room
that you can say conclusively are connected with the
homicide?

A. That I can?

Q. Yes.

A. No.

Q. Is it accurate to say that you cannot -- you cannot
state an opinion as to when any of those blood
stains were actually deposited outside the murder
room?

A. Yes. Outside the murder room, that is correct. I
cannot tell when they were deposited.

Q. Would it be inconsistent with the stains outside the
murder room had there been evidence presented that
someone else prior to the murder had gotten a cut
and bled inside the house? Would that be consistent
with those stains?

MR. GILBERT: Objection. Calls for
speculation.

A. As I've stated, I cannot tell when or whose blood
was there. Could it be from -- it could be from any
of those as you've suggested. It could have come
from that evening as well.

Q. (BY MR. BOLAND) Okay. Showing you what's been marked Defendant's Exhibit 3, can you describe what that is for the record, please?

A. Yes. Defendant's Exhibit 3 shows a photograph. It's a photograph of Marilyn Sheppard's abdomen and left hand slightly covered by a sheet.

Q. Can you please describe the stain that is on her abdomen, an area that's approximately about an inch from the bottom of the middle of the photo there, how that stain, in your opinion, was created?

A. Yes. Let me precede this by saying, as I have in the report, that dealing with photographs, you're always limited because of the photography at the time or what areas you can and can't see.

All that said, what I observe on her abdomen area is some blood smearing. There's slight heavier deposits inline, if you will, circular-type deposits. And we can probably assume that that's blood. There's also a smear further down on her right side. There may be also more smears on her actual stomach area, and I can't tell, that's the limitation of the photo. There can be smears that may go up to her right breast area, but again, that's hard to tell without, you know, being there.
Q. Do you have an opinion as to how those smears were created?

A. Yes. Some bloody source smeared across that area. Could that be her own hand that appears to have a lot of blood on it? It could be blood from her own hand. It could be blood that was on fabric that came across there. It could be blood from the perpetrator.

There's nothing magic that says, I was produced in a certain way. But it was a bloody source that came across there, and seeing her bloody hand, that's a consideration.

Q. Showing you what's been marked Defendant's Exhibit 6, if you could just identify that generally for the record.

A. Yes. Defendant's Exhibit 6 appears to be -- it's a photograph of what's called the hall door and the wardrobe door, which is the east wall of the bedroom, across the mattress after material has been removed from the mattress.

It appears that this is a photograph after the door had been probably dusted for fingerprints. I'm not sure, maybe you know if this is from the crime scene people or from Dr. Kirk. But it matters not, I guess.
Q. Can you describe in your opinion the source of the stains on those two doors?

A. Yes. Virtually all the stains on the two doors are random size stains and have a random distribution. They're a characteristic of, what we call, impact spatter stains that have -- blood has been broken up by impact and disbursed on the two doors.

There is indication that some of these stains came from a low area. In other words, point back to where Marilyn Sheppard's head is, there are stains that have hit the bottom of some of the woodworking area. That would have come from a lower area.

As I indicated, a random distribution as opposed to -- and I mention in my report, there may be some castoff spatter, meaning blood from a weapon or a hand or something that's bloody, that has thrown blood. But if it is, it's not distinct. That usually shows a distinct line of stains that would come across, and I don't see any distinct pattern.

There is, as many observers have seen, one especially large stain that is on the lower portion of the wardrobe door that is circular to oval, that's approximately one inch in diameter. Another stain that was observed is below it, which is a
smaller stain. And there are various other size
stains that are observed on the door.

Q. In your work on this case, were you able to
calculate the size of the stains on that door other
than the two that you mentioned, actually the one
that you mentioned that was an inch in diameter?

A. I could estimate that a number of the stains --
there was a photograph taken by Dr. Kirk with a
ruler that indicates that that's about an inch. And
using that as a guide and my experience, I can say
that some of these larger stains outside of the one
large one were maybe a quarter or so in diameter,
but other stains are in the neighborhood of two to
three millimeters in size and some even smaller. So
it's by visual observation.

Q. Are there any stains that you can see on that door
that, in your opinion, were caused by smearing?

A. Not that I could observe.

Q. Did you calculate the number of stains on those two
doors?

A. No.

MR. GILBERT: When you go on to a new
area, we'll take a few minutes to break.

MR. BOLAND: Okay.

Q. (BY MR. BOLAND) Showing you what's been marked
Defendant's Exhibit 5, could you just generally describe that for the record.

A. Yes. State's Exhibit No. 5 shows the bedroom that Marilyn Sheppard was found in and her bed after her body is removed with the sheet still on it with a large soaking stain and other blood stains and spatters on her bed, as well as spatters of blood on the bed said to have been used by Sam Sheppard, not that night, but...

Q. That other bed that's next to the one that Marilyn Sheppard was found in, did you have the opportunity, maybe not necessarily with that photograph, but with other photographs, to observe those stains and examine them?

A. Yes.

Q. And did you identify any stains on that bed that, in your opinion, were deposited by smearing?

A. All the stains that I could observe, and I must say for this I was not given photographs of this quality, but all that I saw were indicated spatters on that bed and coming across the bed and pillow. I didn't see any indication of smearing.

Q. Would it be fair to describe the stains on that bed -- or that bed as being liberally spattered with blood?
Well, it depends on what you say liberally, but there's a lot of stains there.

Q. Fair enough.

A. But, yes, there was more than a few.

Q. In your experience is it possible to smear blood in a symmetrical pattern into circles or ovals?

A. To smear blood?

Q. Yes. Can one object smear blood on to another and result in a stain which is roughly a circle?

A. Without showing that it was smeared? I mean, I don't know where you're --

Q. Have you concluded in your testimony in your entire career that the origin of a stain in any case, which was roughly a circle, the origin of that stain was a smear that caused that stain, have you ever been able to do that?

MR. GILBERT: Objection.

A. I guess you need to give me a specific. I may have. Now, if you're -- I don't know what you're referring to.

MR. GILBERT: I'm going to object. I think your question is a trick question, unless there's more -- a hypothetical has to be laid out more.

A. Could a certain stain be caused by smearing? That's
something else. I don't know.

Q. (BY MR. BOLAND) When blood impacts a surface roughly perpendicular to that surface, generally speaking, what is the result and shape of that blood stain?

A. A circle.

Q. That shape that you just described as a circle, have you ever seen that shape created by a method that you concluded was not the dropping of blood, but actually the smearing of blood from an object on to that surface?

A. I've seen and we have reported cases where you can see some small inline stains, circular, small meaning millimeter size or less, that have been deposited by bloody hair, that looks like it could be confused with impact spatter being -- So they're small circular, by, if you will, smearing or dragging of hair across a surface. Now, I don't know if that's what you're referring to at all.

Q. How are you able to distinguish between a true impact spatter stain and one that was smeared on by the mechanism you just described?

A. Well, I'm talking about only small size stains. If there is a -- by one or two stains, you cannot determine any mechanism. Most people in blood
spatter will tell you you can't say -- but if you have a whole pattern, a significant number of stains, then there's a pattern that is present.

A smearing pattern will be distinct if you have a large enough pattern. It will show smears around the edge with something bloody and then something else comes in contact and smears it. You should be able to observe that.

Q. Have you ever seen a stain in your work which you knew was smeared on to a surface and the stain was roughly a circle?

A. I don't know.

Q. (BY MR. BOLAND) If you can recall.

A. Well, I don't know. Like I said, a single stain --.

Q. Or a pattern of stains, if that's more accurate to the science. Have you ever seen a pattern of stains where the stains were roughly a circle and you knew they were created by smearing?

A. I'd have to see the stains. I don't know if --.

MR. GILBERT: I don't think he can answer that question based on your -- the data that you're giving.

A. If you have something in mind here, if you can show me, I'll be glad to comment.
Q. (BY MR. BOLAND) Okay. Let's look at Defendant's Exhibit 6 again. The two doors with what you described as virtually all the stains are impact spatter, do you recall saying that?

A. Yes.

Q. Are there any stains on that door, and maybe other photographs you might have looked at of those doors, that in your opinion is possible they were caused by smearing?

A. From what I observed, they all appear to be impact spatter. Could there be some stains on here that were smeared after? From what I was given, I couldn't examine every stain in detail, but it appears these stains are all impact spatter. I did not enhance, magnify the quality of the photographs I was given, or reproductions of these photographs. If that's the question, could one or two of these stains have been smeared, it doesn't appear that way. I don't see any smearing around them. But, you know, I cannot eliminate that there was or was not any smearing. I don't observe any. I did not observe any.

Q. You mentioned, still referring to this same Exhibit, that there was a large stain on there that you had seen a photograph with a scale or a ruler in