

Thereupon, further to maintain the issues on his part to be maintained, the Defendant called as a witness DR. RICHARD E. KOCH, who, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION OF DR. RICHARD E. KOCH

By Mr. Corrigan:

Q Will you tell the Court and jury your name?

A Richard Edwin Koch.

Q And what is your business or profession?

A I am a dentist.

Q Where do you live, Dr. Koch?

A 23044 Clifford Road, North Olmsted.

Q And where is your office located?

A 4352 West 222nd.

Q Of what school are you a graduate?

A Western Reserve University.

Q What year did you graduate from Western Reserve University?

A In 1951.

Q And have you practiced your profession in this community ever since your graduation?

A No, I have not.

Q Where have you been?

A I practiced originally in Norwalk, Ohio, for about eight

months, and then I practiced --

Q And then came to this community?

A That's right.

Q Were you born in this community?

A Yes, I was.

Q Where were you born?

A I was born here in Cleveland, on the west side.

Q On the west side?

A Yes.

Q And attended schools in Cleveland?

A Yes.

Q Are you a married or single man?

A Married.

Q Do you know Dr. Sam Sheppard?

A Yes, I do.

Q Was he a patient of yours?

A Yes, he was.

Q Do you know when you saw him prior to the 4th of July, 1954?

A I saw him prior to that on June 4, 1954.

Q And at that time did you examine his mouth?

A Yes, I did.

Q Had he been a patient of yours for some time before that?

A He had been a patient of mine -- the very first time was 8-26-52.

Q And how many times had you had the -- had you attended him

prior to June, 1954?

A Six times.

Q You were familiar with his mouth?

A Yes.

Q Familiar with his teeth?

A Yes.

Q Did you see him after July 4, 1954?

A Yes, I did.

Q And what was the date that you saw him after July 4, 1954?

A That was July 15, 1954.

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Q Was there any difference in the condition of his mouth and his teeth after July 4, 1954, than there was before that date?

A Yes. And I will read it, if you don't mind.

Q What is that?

A I shall read what I saw in his mouth at that time.

Q Yes.

A "Examination and X-ray of the upper right side of his mouth revealed both the upper right cuspid and upper right first bi-cuspid slightly loose and chipped."

Q Wait a minute, now. Will you tell the jury what the upper right cuspid is?

A The upper right cuspid is the eye tooth, as it is commonly called, the eye tooth. The upper right first cuspid, which is right here, is the tooth back, one back right next to that.

Q That is the sharp tooth here?

A That's right.

Q Sometimes it is called a dog tooth?

A That's right.

Q That was loose?

A Slightly loose, yes.

Q And the one next to it?

A Also slightly loose.

Q Did you see any damage there that had not been there when

you had examined him on June 14th?

A Yes. Both of the teeth were chipped.

Q And did you have the extent of the chipping?

A Only by -- I do have the extent. It is an approximation, because there is no way you can measure, but it is approximately -- they were both chipped approximately an eighth to a quarter of an inch.

Q And there is an outer surface, too, what do you call that?

A Beg pardon?

Q The outer surface of the tooth, what do you call that?

A You mean the enamel?

Q Well, there is something called the dentin?

A Yes.

Q What is the dentin?

A It was chipped. You have the covering of the tooth -- the crown of your tooth with a layer of enamel, which is about an 1/8 of an inch in thickness, and the chip was through it even into the dentin, which is beneath the enamel. It was through in both cases.

Q Did you make any observation about his mouth at that time?

A Only that he was still -- his mouth was still lacerated on the inside alongside the teeth.

MR. CORRIGAN:

Cross examine.

CROSS EXAMINATION OF RICHARD E. KOCH

By Mr. Danaceau:

Q Doctor, you say you examined him on July 15th and you found two teeth slightly loose?

A Yes.

Q Was that behind the place where the swelling was on his face?

A I believe it was approximately in the same location.

Q So that if he received a blow or an impact of some sort, or if his cheek struck something, that would be the -- the looseness of the teeth would be right behind that spot, is that correct?

A Would you repeat that, please?

Q Well, I will withdraw that, sir. I believe you have already answered that.

Have you examined his teeth since July 15th?

A No.

Q Will you step down and examine him at this moment and see whether they are loose or not?

MR. CORRIGAN: Dr. Flick.

MR. DANACEAU: Just a minute.

MR. GARMONE: Are you through with him?

MR. DANACEAU: I don't believe you

heard the question.

MR. GARMONE: I am sorry. Go ahead.

MR. CORRIGAN:

What was the question?

I missed it.

THE COURT:

He asked him to examine
the teeth to see if they are loose now.

(Witness examines defendant's teeth.)

A I would say not.

Q You would say not?

A That's right.

MR. DANACEAU:

Thank you very
much.

(Witness excused.)

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