

Prosecutor to judge in chambers with Schroeder present:

102

1 BE VERY IMPORTANT IN THE JURY'S VIEW OF THE CASE IN THAT THREE
2 OF THE SHOTS ARE IN THE REAR PORTION OF THE DECEDENT, ONE IN
3 THE BACK OF THE HEAD ALMOST AT THE VCR

4 THE FIFTH SHOT, AS
5 WE KNOW, IS A SHOT THROUGH THE WEBBING OF THE RIGHT HAND.
6 THAT'S NOT REALLY AN ISSUE, NOR ARE THE PEOPLE GOING TO BE
7 SHOWING THAT SHOT WHICH I DON'T BELIEVE IS DISPLAYED IN THE
8 PHOTOGRAPH.

9
10 ABOVE THE RIGHT EYEBROW. THAT IS THE ORBITAL SHOT AS IT
11 RELATES TO THIS SCENARIO. I THINK FOR THOSE REASONS PLUS MANY
12 MORE, THEY ARE PROBATIVE.

13
14 W **ADDED COMMENTARY**

15 PL **PROSECUTOR PRIVATELY ADMITS TO JUDGE THAT HIS**
16 AE **CORONER NEVER PHOTOGRAPHED THIS CRITICAL BULLET**
17 CL **WOUND -- TOO SMALL TO HAVE COME FROM LAZOR'S**
18 DR **GUN. [OR IF PHOTOGRAPHED, WERE DESTROYED ALONG**
WITH CREMATING THE BODY]

19
20 STAY AWAY FROM IS THE CLEARLY GRUESOME NATURE AND, THEREFORE,
21 I THINK INFLAMMATORY NATURE OF HAVING PHOTOGRAPHS OF THE
22 DECEASED SHOWN. I THINK EVERYTHING THAT HE'S TALKING ABOUT
23 WAS VERY WELL ILLUSTRATED BY THE DOCTOR IN SOME DRAWINGS THAT
24 HE DID IN THE PRELIMINARY HEARING, FOR EXAMPLE. I THINK THE
25 SAME THING COULD BE ACCOMPLISHED IN THIS SITUATION, AND I
26 THINK THAT THAT COULD TAKE CARE OF IT WITHOUT HAVING TO HAVE
27 THE PROBLEM OF SHOWING THE DECEASED IN DEATH. SUBMITTED

28 THE COURT: WELL, I HAVE LOOKED AT THE PHOTO

EXHIBIT

M

3 PAGES

State Coroner Dr. Ozoa (expert witness) examined by prosecutor:

ADDED COMMENTARY

699

THE ONLY CORONER WHO ACTUALLY SAW AND EXAMINED
THE GUNSHOT WOUND, INSISTS THIS SHOT COULD
NOT HAVE COME FROM LAZOR'S GUN

GUNSHOT
CATED

1
2
3
4
5 Q WOULD IT BE FAIR TO SAY THAT THE RIM OF ABRASION AS IT
6 RELATES TO THIS FIFTH GUNSHOT WOUND IS SUBSTANTIALLY SMALLER
7 THAN THE RIM OF ABRASIONS THAT YOU HAVE PREVIOUSLY MEASURED?

8 A THAT'S CORRECT.

9 Q AND AS IT RELATES TO THE EXIT DIAMETER OF THIS FIFTH
10 GUNSHOT WOUND, YOU INDICATED THAT THAT WAS .25 INCHES; IS THAT
11 CORRECT?

A YES.

12 Q AND THAT IS SUBSTANTIALLY SMALLER, IS IT NOT, THAN THE
13 ONE THAT YOU MEASURED AS IT RELATES TO THE LEFT SACK AREA; IS
14 THAT CORRECT?

A THAT'S CORRECT.

15 Q AND THAT PARTICULAR EXIT WOUND, AS YOU STATED BEFORE, WAS
16 .6 INCHES; IS THAT CORRECT?

17 A YES. THAT'S THE EXIT ON THE FRONT.

18 Q .6 INCHES?

A YES.

19 Q AND THE EXIT AS RELATES TO THIS WOUND WAS .25; IS THAT
20 CORRECT?

A THAT'S CORRECT.

21 Q NOW, WOULD YOU TELL THE JURY WHETHER OR NOT THIS FIFTH
22 GUNSHOT WOUND TO THE WEBBING BETWEEN THE THUMB AND THE
23 FOREFINGER WAS PRODUCED BY A .45 CALIBER?

24 A IN MY OPINION, IT IS NOT CONSISTENT WITH A .45 CALIBER.
25 THE WOUND IS MUCH SMALLER THAN THAT WHICH WOULD BE PRODUCED BY

26 A .45.

27
28 FIFTH WOUND WAS NOT PRODUCED BY A .45 CALIBER?

1 TH
2 A
3 SC
4 AC
5 BE

730

ADDED COMMENTARY

*CORONER REITERATES HIS INSISTENCE THAT LAZOR'S
.45 GUN COULD NOT HAVE MADE THIS BULLET WOUND
IN ALLRED'S HAND -- AS SCHROEDER ARGUED VOCIF-
EROUSLY AGAINST HIM, COVERING UP IMPLICATIONS
OF SEVERE POLICE MISCONDUCT*

AND
GHT
LET

6
7 HONOR?

OUR

8
9 Q (BY MR. SCHROEDER) I AM SORRY. I AM NOT TRYING TO
10 BELABOR THIS. I JUST WANT TO MAKE SURE I UNDERSTAND YOU.

11 YOU ARE SAYING, AND CORRECT ME IF I AM -- OBVIOUSLY, YOU
12 WILL CORRECT ME IF I AM SAYING IT WRONG. THE DIAMETER OF THE
13 WOUND COULD BE SMALLER THAN THE ACTUAL BULLET; IS THAT WHAT
14 YOU SAID OR NOT?

A THAT IS WHAT I SAID.

15 Q BUT YOU ARE SAYING FROM WHAT YOU SAID EARLIER THAT THERE
16 IS NO WAY THAT A .45 BULLET COULD CAUSE A WOUND OF .2 INCHES?

17 A NO. THERE IS A LIMIT TO THE --

18 Q BUT YOU DON'T KNOW WHAT THAT LIMIT IS?

19 A I DON'T KNOW WHAT THE LIMIT IS. I CAN GIVE YOU A RANGE,
20 BUT I CAN TELL YOU FROM EXPERIENCE THAT A .45 WON'T MAKE A
21 HOLE AS SMALL AS A .2. AT LEAST I HAVEN'T SEEN ANY.

22
23 HAVE YOU?

24 A NO, I CANN
25 THE BODY.

26 Q RIGHT. SO
27 HAVE HAD A LOT

28 EXPERIENCE WITH THAT PARTICULAR QUESTION?

ADDED COMMENTARY

ALSO SEE EXHIBIT FF, AND ITEM #15