

CORRUPTION Exposed in Laurel County Kentucky Federal Court

The Other Side Of Justice

Written by: Terry R. Smith

Not only was I a victim but many of you reading this will discover that You or a friend or family member have been a victim as well.

Such As; Citizens who were wrongfully convicted in London Federal Court: Members of at least (2) former Grand Juries

Trial Jury Members

Newspaper Reporters and their readers

Members of the Courts

HONEST- Law Enforcement

Other victims include:

The families who had loved ones to pass away “Believing” that their death was drug related or death by overdose. But, some of these families are about to realize that their loved ones death could not have been drug related at all.

Discover the proven Scientific facts DISCREDITING these listed overdose deaths. Discover many more secrets that officials don't want you to know. You must read our story to discover the truth.

Please Read Our Story About The Corruption that took place in London, Ky.

**You can also find our story on Facebook:⇒⇒ Corruption Exposed in Laurel County
Kentucky Federal Court...The Other Side of Justice by Terry R. Smith**

THE OTHERSIDE OF JUSTICE

This was a FIRST OF ITS KIND TRIAL in Eastern Ky. It is only now that I can show everyone the truth and why my trial and conviction was fraud on everyone involved.

Our claims are based on documented facts, NOT wild accusations. As a reader, You may ask yourself, What was the actual cause of death for Patty Smallwood? Was her cause of death a drug overdose? Suicide, foul play or did she die of natural causes? Discover why her listed cause of death as a drug overdose was so important to officials in this case. Read how court officials and DEA Agents benefited from the mysterious death of Patty Smallwood. Read “How” and “Why” officials took major illegal steps to rule Patty’s death and other victims deaths as a drug overdose when Forensic Medical Science says NO WAY! Learn why our trial and conviction was only a smokescreen for what was really going on behind the scenes.

(Acknowledgement)

Over the years you may have read articles in our local newspaper or read articles online criticizing the credibility of the evidence used to prosecute this case. I want to thank those brave reporters who compiled these stories by acknowledging the editor and contributing editor of these articles. Mr Robert Mason, contributing editor of the Clay County News, went above and beyond his duties as a reporter and his loyalty as a friend up until the day he lost his battle with cancer. Mr. Jim Wilson Editor of the Manchester Enterprise. I also considered him a friend. He was always ready to assist me in any way possible to make my story known to his readers. His life was also sadly cut short. Both these men are deeply missed by their families, friends and everyone who had any contact with them, including myself. I want the families of these men to know that I truly thank these precious souls for their help and friendship over the years and to know that I will never forget them and I will remain always in their debt. Thank You.....Terry Smith

On January 15, 2015 a Federal Court convicted Terry and Gerry Smith, husband and wife from Manchester Kentucky of conspiring to distribute oxycodone pills, resulting in the death of Patty Smallwood and of being a felon in possession of a firearm. Terry Smith was sentenced to a life sentence with no possibility of parole and Gerry was sentenced to 90 months. The Federal courts

agree that this same medication accused of causing Patties death was prescribed to her by her physician. There was “NO” autopsy performed on the deceased to prove that drugs were the actual cause of death. So how and why was Terry Smith convicted of distribution of drugs causing a death when it was a doctor who prescribed this medication to their patient? ARE YOU CONFUSED? You are not alone. Read our story for these answers and more.

This article will show you the circumstances surrounding our illegal convictions and the corruption used by DEA agents and the courts to obtain these convictions. We will also show you how the courts are upholding these corrupt officials and these illegal convictions by showing you their fabricated testimony from hidden or sealed court records which I possess a copy of. I will also show you statements from witnesses who tell the story of how they were coerced into giving false scripted testimony during our trial or face possible life in prison themselves. By the time everyone reads the information in this story there will be many angry people out there, and rightly so. Including, sitting members of (2) Federal Grand Juries as well as trial jurors will see how they were lied to and deceived by corrupt law enforcement making all these honest citizens victims themselves. Newspapers will see how they were victims by printing Fake news to their readers that was knowingly given to them by law enforcement. Honest police officers will see how they were victims for unknowingly assisting their fellow officers in a scheme to convict innocent people for monetary gain and to further progress their personal careers.

There will be many families out there who, after reading our story will be shocked, relieved and crying for justice when they are shown why a loved ones cause of death was listed as drug related or (overdose), unless those results were confirmed by an autopsy, I will show you why that diagnosis of overdose is probably wrong, or at least in question. You are not being told the truth about how your loved one died. I will provide you with information that officials hoped you would never discover. As some people might say, “this is only the tip of the iceberg.” There is much much more.

This story will be very important to hundreds or even thousands of people once they discover its contents. This story sounds like the opening of a suspense movie that you might see on the big screen, and someday you might, but this story is a true story that will affect many people and their families regardless of the outcome resulting from this story. This story is exposing what could be one of the worst and largest cases of a miscarriage of justice and abuse ever shown to the public. I will let the facts and court records speak for themselves. Then you decide. Please visit Facebook(The Other Side of Justice) for this story in its

entirety and to see exhibits of statements and evidence of the case.

Go to: www.facebook.com [Corruption Exposed in Laurel County Kentucky Federal Court...](#) The Other Side of Justice by Terry R. Smith

Here's Our Story.....

In 2011 my family and I had several mobile homes across the road from our home in Manchester Ky that we rented out for the extra income. One of our tenants was a lifelong friend of ours named Patty Smallwood. She had lived there for years with a couple different boyfriends. Her sister Susie and her husband Randall also rented one of those mobile homes. Patty had been an outgoing person all her life until she became sick. To make matters worse, she was also in an abusive relationship with her boyfriend, Bill Stanley. When he would become drunk or high on drugs he would beat Patty in the face and head until she had to go to the Emergency Room. I remember one time the police and ambulance had to be called because Patty had stabbed Bill with a knife to defend herself from the beating Bill was inflicting upon her. Patty's Medical condition continued to decline as the abuse continued. Sometimes Patty's pain was so severe that she would hold her head and scream in pain. She visited her personal physician in Manchester Ky for her terrible headaches. She told her friends and family that her doctor wanted to send her to Lexington Ky for more extensive testing. Patty visited me and my wife Gerry a few days before her death. She brought our little dogs a treat, petted them on their heads and told them goodbye. She also told me and my wife goodbye with no explanation. She did this same farewell with some of her family, Telling her sister Susie that she would not be alive to see Susie's next birthday, which was September 19th. Patty's predictions held true.

It was the morning of September 10th 2011. I had stopped at the little country store across the road from Pattys mobile home. I was talking to her sister Susie when Bill Stanley came out onto Pattys front porch and yelled across the road to Susie telling her to come check on Patty. He thought she was dead. Bill calmly sat down on the front porch talking on the phone while smoking his morning cigarette. By now, several tenants, including Susie and myself were racing to Patty's house and into the bedroom where she lay. Once we shook her, we could tell she was gone. Someone called 911 who dispatched an ambulance and police. The coroner Jared Becknell was called to the scene. Mr. Becknell later testified at trial that due to Patty's age and obesity that he believed the cause of her death was probably a stroke or heart attack. He stated she died the

night before since Rigor mortis had already begun to set in. Patty was transferred from the scene by ambulance driver James Gill who testified that when he removed Patty's body her legs were off the side of the bed and she had bruising under her eyes. Her body was taken to the EMS building. It was there that the coroner testified that he took a blood sample from her heart to use in a toxicology screen to check for drugs in her system. It was then determined by this discredited heart blood toxicology screen that she had a very high, even fatal level of oxycodone in her system along with several other drugs including marijuana. NO AUTOPSY WAS PERFORMED. Because of these false artificially elevated drug levels from the tainted toxicology drug screen using heart blood to determine those results. The coroner ruled Patty's cause of death as accidental combined drug intoxication. Another way of saying "overdose". Patty and Bill had been to a pain clinic in Atlanta GA the day before. Dr Michael Johnston had written prescriptions to Patty and Bill for oxycodone and other medications which were filled at a local pharmacy. No pills were found at the scene by the coroner or EMS. It wasn't hard to figure out that Bill had hidden Patty's pills before officials arrived because immediately after emergency personnel and law enforcement had left the scene, Bill was selling pills to anyone who would buy them. My complaints to Bill over his drug dealing on the property caused him to finally move on.

The death of Patty Smallwood and the unusual circumstances surrounding her death are the lifeline of this story. No one could ever imagine how the untimely death of Patty Smallwood would affect so many people's lives and help uncover a cruel injustice that is still being placed on a countless number of families. But as you will soon see, It Did.

It wasn't long after Pattys death that Bill's son Brandon Stanley rented from me. He was also problems. His girlfriend lived with him. She had small children. Everytime I threatened to evict him for selling pills he would use the sympathy I had for the children against me and he always promised to stop dealing drugs. At that time it was hard to find a tenant that wasn't a drug dealer or a bad drug addict themselves. So, Brandon managed to stay for a while. In the month of December 2012 Brandon was still living in one of our mobile homes. Bill was visiting with him at the time and he was still selling drugs from the mobile home. That morning several DEA Agents stormed the home and caught Bill with 29 ½ oxycodone pills in his possession. Bill was not taken to jail. Agents told Bill they were going to give him time to consider their offer of an illegal deal that would save Bill from Federal Prison.

One of those agents in that raid was DEA Agent Richard Dalrymple from London, Ky. According to Bill, Agent Dalrymple was the one proposing this illegal

deal. After the agents left, Bill was hysterical. He didn't know what to do. He was faced with a dilemma that no one should have to face. He knew the pills he was caught with were his but agents were going to make his legal situation much worse unless he did as they demanded. Bill sent for me to come to the property. When I arrived a crowd had already formed of a dozen or so people. Bill was telling everyone the story of how the pills he was caught with were actually his. But agent Dalrymple was demanding that he make a false statement saying that those pills belonged to me, "Terry Smith" and that he was selling them for me. There were another dozen or so people in the neighborhood that Bill told this same story. Bill, like so many other people in this case, are victims of a crooked cop. For those former tenants and neighbors who were present that day and who personally heard this story (the truth) from Bills on lips. I ask that you tell everyone the truth about what happened. Because Bill did come to court and testify to a lie just like he was threatened into doing by DEA agent Richard Dalrymple. I know Bill has a conscience. My hopes are that Bill will come forward and tell the truth as to why he lied during trial. Many witnesses have told my family that they would like to come forward but they are scared of this crooked cop. Bill started to tell the truth during trial but agent Dalrymple was sitting right beside the prosecutor Sam Dotson looking Bill straight in the face, Bill was scared. Bill had made a deal with the devil, he knew it would be bad for himself if he let him down, Besides, who could Bill trust when he knew this same prosecutor had visited our trailer park with Agent Dalrymple by his side trying to sway my defense witnesses to falsely testify their way. Later on in this story you will see for yourself that agent Dalrymple didn't care who he had to threaten or who he had to lie on. He was going to get a conviction. I wasn't dealing drugs and everyone knew it. I was the one who was trying to stop the drug dealing in our neighborhood. But I could see what was going on. My wife and I had built a nice large home that took 25 years to build. We had a second home close to a college in Berea Ky that we didn't live at. We bought it for our grandkids to stay at as they attended college there. We had a prosperous recycling business next to our home in Manchester, Ky, several classic cars and new ones. Our home was full of antiques which we had collected over the years. We worked hard for what we had. I knew some of our tenants were dealing drugs from our trailer park, but what trailer park doesn't have that problem? I tried to stop the drug dealing. I couldn't. Dalrymples' plans were to use our tenants' illegal deeds against us in order to take all our real estate, automobiles and personal property to be forfeited to the government and for his personal gain and advancement of his career.

DEA agents always claim everything a person owns whom they arrest was bought with proceeds from the drug trade. They tried to do the same thing in this

case. Several people in our community also told me that Dalrymple has offered them money or dismissal of their charges to make false claims against me that I was a drug dealer. I believe the date was May 2013. I received a call from a former tenant who told me they were sitting outside the DEA office in London Ky. The caller was very upset. They stated Bill and Brandon Stanley were inside the DEA office meeting with agent Richard Dalrymple discussing a deal offered to them to dismiss or reduce their drug trafficking charges in exchange for their false testimony against me, Terry Smith. The caller stated that they were also asked to join in on this scheme but they refused. I told the caller that they knew I was not guilty of the Stanleys' accusations and that someone's word without proof is no good. The caller agreed with me but we were both wrong. This same person who called warning me of this illegal scheme between agent Dalrymple and the Stanleys came to my trial to tell what they knew but were scared away. Either by threats sent to them by certain Government witnesses or when they saw several defense witnesses being appointed attorneys and threatened with false charges and prosecution if they tried to testify for my defense.

Here is some vital information that the reader must be made aware of so you can better understand our story and the reason why things happened the way it did.

In 2011 and 2012 was the height of what was known as the pill pipeline. Several pain clinics had opened up in Florida, Georgia, Tennessee and Kentucky. Large numbers of people from Kentucky and other states traveled to these pain clinics because the doctors of those clinics would write large amounts of pain medication to their patients. This caused a number of suspected drug overdoses and deaths. Dozens of these pain clinic doctors had their clinics shut down by Kentucky DEA and other law enforcement agencies and those doctors were arrested. In almost all of those arrests millions of dollars in cash and assets were seized. Once these doctors were convicted by trial or by pleading guilty, then all the assets seized would be forfeited to the government. In all of these cases the departments of the arresting officers who assisted in those raids and arrests almost always financially benefited. Several of these out of town pain clinic doctors were brought to London Ky or Lexington Ky where they faced Kentucky judges and a Kentucky prosecutor named Sam Dotson who determined the manner in which those criminal cases should be prosecuted or resolved.

The arrests conducted on some of those out of state pain clinic doctors were led or assisted by a London, Ky police officer Richard (Dick) Dalrymple, sometimes called Frog. Dalrymple had also made some arrests in Manchester, Ky and surrounding counties on people who were accused of conspiracy to distribute pills or either financing individuals to these pain clinics. When they were

arrested Dalrymple would seize their homes, cars, cash or anything of value. At the same time during some of these arrests and seizures drug addicts and small-time drug dealers were complaining to people in the community that Dalrymple was threatening them with federal prison sentences for their accused crime unless they falsely stated someone's name as a sponsor for sending them to retrieve pills. Not everyone may have had a sponsor, but if they were caught in any type of suspicious or illegal activity then they better say somebody's name or go to federal prison. Sometimes witnesses have stated that Dalrymple would even tell his victims the name of who he wanted them to implicate. With Promises of favors with the court for their illegal false allegations or harsher punishment from the courts and false charges with prosecution and prison if they refused his demands! (See exhibits on website). Once Dalrymple got his statement implicating the person he wanted to arrest. Then he would use those statements to obtain a search warrant for the accused person's property. Seizing their property if possible. Next he would use those same false statements to get that person indicted. If the accused don't plead guilty and give them more false statements, agents arrest innocent family members of the falsely accused person. Then the innocent family member will be tried and sent to prison.

Those are some very serious accusations! But I guarantee you that I have proof of those claims and more. I promised you at the start of this story that there were some very serious constitutional violations and miscarriages of Justice Done in this case to get Gerry and myself falsely convicted and I may have evidence of others that were also falsely convicted. These are not wild accusations. I'm going to show you undeniable proof of my claims using testimony from Grand Jury transcripts, court records, trial transcripts and statements from the governments on Witnesses and others. There are several major parts of this story that will affect many people and their families. This story is not just about Gerry and myself.

Please stay with me. You won't regret the read!!

Our story continues -

It's 2013 August 21st early morning. It's been almost 2 years after the death of Patty Smallwood. Gerry and I plan on leaving Manchester and spending time together at our home in Berea Kentucky, we didn't get our wish. Agents from DEA and several other law enforcement agencies storm our home. I am arrested and placed into custody. I am forced to sit in the backseat of a police cruiser as officers Demolish our home searching for anything illegal, drugs, Guns, Etc. Nothing illegal is found. They are at our home for several hours. Officers send out for pizza. They seem to be having a party. What they don't eat is stomped into the hardwood floor. A couple pieces of our valuable antique furniture is damaged,

one expensive piece had its doors ripped off. It was later discovered that some jewelry was missing and some loose diamonds. Who would you complain to? I was known for buying scrap gold and trading in high-quality jewelry. One set of scales that I used to weigh scrap gold were also confiscated. DEA Agent Dalrymple followed Gerry to the bank and made her open up 2 lock boxes which only contained important papers. For some strange reason they took a Yamaha Rhino ATV from us that we had purchased new in previous years. It was later returned. We had a 1957 Chevrolet in one of the garages that we had owned for years. It had been handed down to my daughter and Grandson. Dalrymple tried to make me say that vehicle was actually mine. He wanted to confiscate that vehicle. Dalrymple thought our property was clear of liens. When he discovered it was all mortgaged he was mad. At the same time of the raid on our Manchester residence, Agent Dalrymple's brother, Ian Dalrymple was with other officers 60 miles away raiding our Berea residence. 10 collector firearms were seized from that Residence. 9 of them were in a gun safe. They were confiscated even though Gerry had a concealed carry license. After hours of searching nothing illegal was found at either residence. Our Manchester residence had been totally wrecked during the raid. I was taken to the Laurel County detention center and charged with conspiracy to distribute oxycodone. Throughout Dalrymple's claims of a year-and-a-half investigation of me and Gerry, agents never produced any real evidence from anyone to prove we were so-called "Drug Dealers". no buys, no recordings of anything illegal, no phone conversations, **NOTHING**. Dalrymple asked me the day of my arrest where we got the money to buy our vehicles and other items. I pointed to the recycling center next door, he had a funny look on his face and said, "that's yours"? that business was leased to someone else at the time, we also received income from our trailer park. If he had really investigated us as he claimed, he would have known that in past years we had spent a small fortune on advertisements from Radio, newspaper and TV commercials for such businesses as a salvage yard, recycling center, antique and import store and other ventures. Now, Dalrymple was looking bad in front of all his colleagues because they never found one single illegal item. But Dalrymple still had a plan. Even though when Dalrymple was on the stand, he was asked, did you find any records of drug amounts, weights, money owed or anything of drug nature in either of those raids? **The answer was always "NO"**, but as you will see from court records, obvious perjury was presented to the Grand Jury by these DEA agents to obtain an illegal indictment. (Trial transcripts page 1439 Line 12). The Dalrymple brothers were asked that same question a total of seven times throughout the trial. The answer was always "NO", but this is not what they stated to the grand jury.

Back to the story, I was sitting in the Laurel County Jail in shock with everything that had happened. I was hoping someone would realize they had made a mistake and let me go home. but what I was calling a mistake had been a well-thought-out plan that had been put in motion. The day after my arrest Dalrymple was in front of a Federal grand jury in London Kentucky With the same false coerced information he had from Bill Stanley and others that he had first used to acquire a search warrant for all of our properties. He was now using these same false statements to obtain a grand jury indictment on me for a drug conspiracy. Convincing all 22 members of that grand jury to be in agreement to indict me.

Several months had passed, and my attorney would not ask for a bond hearing. He kept recommending that I plead guilty but I refused. I demanded a trial. By now it is December. All attempts to encourage me to plead guilty had failed. It was time for Agent Dalrymple to apply pressure to make me plead guilty.**Please Note that I never acquired a copy of my grand jury transcripts until a year or so after my conviction. This is why I know these facts. It is said that about only one inmate in a thousand is lucky enough to acquire their grand jury transcripts.

On December 19th 2013 DEA Agent Richard Dalrymple appeared again in front of a Federal grand jury in London Kentucky. He states that he is there to indict Gerry Smith and to add her to my conspiracy case. According to Dalrymple's testimony, Gerry was the auditor or bookkeeper of the conspiracy. He testified that she kept records in a book of all the money spent for people he claimed that we were sponsoring to pain clinics. Such as, McDonald's receipts, gas receipts, and ect. Grand Juror number 17 asks Agent Dalrymple a (SPECIFIC) direct question concerning the facts of his allegations to determine if there was enough evidence to indict Gerry on criminal charges. Grand Juror number 17 asked Agent Dalrymple, "If Gerry kept written records of all this?" Dalrymple's answer, GJT page 12, Lines 14-15-16. "We have evidence that she did, however, by the time we searched them those records, for the most part, no longer existed" those words in his answer, "for the most part", meant they found "Some kind of records that she kept from people we were accused of sending out of town." Those very critical "facts" in his answer were FALSE and a Deliberate Deception to the Grand Jury that caused Gerry to be illegally indicted and taken to jail. During our trial Dalrymple was specifically asked if during either of the raids on either properties if any gas receipts, Western Union receipts, or receipts pointing to any illegal activity was discovered. Richard Dalrymples answer was always NO (Trial Transcripts pages 1439-1440-1447-1450-1467-Answer was NO). He had just lied to the Grand Jury and he was just getting warmed up Grand

Jury Transcripts pages 6-7-8.

He was still giving testimony in front of the Grand Jury. He kept talking about the death of Patty Smallwood. How I financed her trip to a doctor and how she took a portion of the pills that the Doctor prescribed to her and she overdosed and died. He stated that he knew she never died of anything else because her boyfriend Bill Stanley was with her the entire time until her death. He also stated that the Toxicology report supports their assertion that Patty died of an Oxycodone overdose. Stating that a doctor looked at her medical records from the past 2 years where she had visited Manchester Memorial Hospital. Stating, this is where she went when she needed treatment and there was nothing in those records to indicate she died of anything else. Had someone produced the medical records from her personal physician, those records may have changed this entire situation.

Then Dalrymple was asked, "And the **AUTOPSY** or cause of death on the death certificate is, his answer was, I believe it says, Poly drug overdose. Meaning there is more than one drug than oxycodone". Dalrymples misleading answer was very prejudicial to me because, we all know an autopsy was NOT performed in this case, but Dalrymple just gave a specific expert medical finding from the results of an autopsy report, never correcting or clarifying the grand jury's question or informing the grand jury that an autopsy had never been performed. This left the grand jury with the false and misleading presumption that an autopsy had been performed by professional medical experts who determined a cause of death for Patty Smallwood was a drug overdose

This next conversation is on page 9 of the grand jury transcripts. This testimony will prove to be very important to a lot of people. I will explain later in this story. In this conversation the grand jury talks about a forensic toxicologist that had gone over the details with them explaining why Patty Smallwoods death was an overdose. This conversation happened sometime in October and this toxicologist had testified about 3 overdose deaths. Patty Smallwood was one of those persons which the toxicologist listed a cause of death as an overdose. This forensic toxicologist was also the same Government expert witness who testified at our trial which claimed Patty died of a drug overdose. The Grand Jury members had no idea that a scam had just been pulled on them by this expert Dr. Ward. Later on in this story you will be amazed when you learn the plan that was really in the works for many innocent people and their families. The unsuspecting Grand Jury members were unknowingly helping officials pull off this very deviant and well thought out illegal plan which would enhance several officials careers and at the same time enlarge their bank accounts. Now back to our story. It's now April 3rd, 2014. I'm still in jail waiting on a trial. Iain Dalrymple, Richard

Dalrymple's brother, has his turn now. He was the leading officer who conducted the raid on our Berea home. He had traveled to Lexington, Ky to appear before a federal grand jury. While he is there, he has two more people indicted and added to our case, of course, he talked to the grand jury about Patty Smallwood and how she went to a doctor and was prescribed pills then filled them and overdoses and dies. He testifies Patty's death is my fault, never blaming her doctor who prescribed her the pills.

This testimony is located in the Grand Jury transcripts pages 19 thru 24. The Grand Jury members told Agent Dalrymple that they were confused with his testimony. There was a Government attorney present with the Grand Jurors to answer any questions they may have Grand Juror number 46 ask that Government attorney, Mr. West, if the Government is trying to establish a precedent case with their confusing reasoning as to why Terry Smith was the one who was being held accountable for the death of Patty Smallwood? The Government attorney replied, "No", this is something that has been done before. The attorney did admit this is not a common charge and he stated that he had done one of these cases before. Grand Jury member number 46 started to respond to the attorney's comments when they stated, "**(I feel this is an interesting way of looking...)**". That Grand Jurors concerns and comments were deliberately and abruptly cut short by the government attorney, and for good reason. The attorney did not want this Grand Jurors comments or thoughts to be on the record or to cause the other Grand Juror members to raise doubts or question whether or not to indict on this confusing and illegal charge. The attorney's hasty reply was, "IT IS, IT'S A LITTLE DIFFERENT AND THAT STATUTE IS NOT USED VERY OFTEN IN THAT WAY AND IT'S GOT A BROAD APPLICATION." Note; I challenge that statement made by the Government attorney to the Grand Jury as "NOT" being accurate. Nowhere in any statute or court case can it be found that any person who sponsored or financed someone to their personal physician and that physician prescribed medication to them that may have caused that person physical harm or death, that it is the sponsor who is held legally responsible for any possible medical malpractice or illegal actions of the prescribing physician. The legality of this statute as it was applied in this case and used to indict and convict me was challenged on appeal. As of today, the courts have ignored and totally refused to address this issue. It is obvious, that once again, this is just one more instance where the Grand Jury was misinformed by officials concerning facts (or) as in this case, the unconstitutional application of this statute to obtain an illegal indictment. Dalrymple also wanted the grand jury to forfeit Gerrys Valuable collector guns, insinuating they were purchased with proceeds from the drug trade. He was asked if we had any income and from what

source. Dalrymple claimed to be one of the agents who had been investigating me and Gerry for the past 2 years but he never had an answer to the Grand Jurors question as to our income. The grand jury then asked him if records were found with these guns during the raid of our home. **You already know that no illegal records were found anywhere in either raid**, but he said, “**YES**, records were found with the guns.” Now, not only were the grand jurors confused about why Dalrymple was trying to indict me because of Pattys death. They had just been lied to as well. The government kept the guns because of his testimony. Some of those guns had been in our family for over 40 years. Lying to the grand jury became a common occurrence. That was the only way agents could get us indicted, was to present false evidence and to give false testimony because they had no real evidence of any wrong doings. Just like other grand jury members. They didn't think the police and other officials would lie to them or try to deceive them. But they did. Whenever I filed motions back to the court contesting the perjury and deceptive claims used to indict and convict us, the prosecutor Sam Dotson replied, with his explanation of faulty excuses. He stated that when Richard Dalrymple was replying back to the grand jury as to the results from the autopsy report, that he had only “Misspoke”, and then he immediately caught his mistake and changed it to cause of death.

The prosecutor's explanation for this incident was not correct. NO corrections were stated in agent Dalrymples testimony. Next, prosecutor Dotson's explanation as to why Ian Dalrymple told the grand jury from Lexington Kentucky that records were found with the collectors guns that were seized from our Berea residence, was that Mr. Dalrymple could have simply “Misunderstood” the question. He also lectured me in his reply saying that I have not and cannot show that Dalrymple's statement prejudiced me in any way. (As stated on Docket #362 page 14). This next excuse for using fraud in front of the grand jury should be a classic. The courts answer for when I accused DEA agent Richard Dalrymple of falsely telling the grand jury that some of Gerrys, so called Auditor drug dealing records were found from the raid of our Manchester residence was that; “there were no records found and that's what he told the grand jury, so there was nothing false about his testimony. But the prosecutor never addressed the first part of Dalrymples answer, when he stated, **“for the most part,”** no records were found. His answer is sort of like a woman saying that she is a little bit pregnant. You either are or you are not, you can't have it both ways. Dalrymples answer was alleging that “something” illegal was found. This false statement was deceiving and serious enough to snowball the grand jury. That false statement got Gerry indicted and taken to jail which was his intention (This reply is at Docket 362 page 16). With all my efforts that I had put forward throughout the

years trying to receive justice, in the end it all proved to have been useless. When all my motions and appeals had finally made it back to the District Court Judge Karen K. Caldwell. She disregarded my court documented proof of perjury made by DEA agents to the Federal Grand Jury as not affecting the outcome of our case. In her response she upheld the DEA Agents illegal acts of perjury which prejudice us causing the grand jury to use false information to indict the innocent. Her reply stated, (in docket #425 page 21) "As long as there is some competent evidence to sustain the charge issued by the Grand Jury, an indictment will not be dismissed solely on the basis that other evidence presented to the grand jury may have been FALSE or misleading". Labbous, 82F.3d at 419 (Quoting United States v. Adamo, 742 F. 2d 927, 939 6th Cir 1994). The judge also Ruled that there were no constitutional violations in my case, upholding our convictions.

If I lie or misrepresent evidence to a legal matter in front of a grand jury then I could go to prison for that Injustice and so could you.

If you look at the facts pertaining to the above listed case, it is obvious that this listed case law does not in any way apply to my claims of official misconduct and perjury that were used in this case. The facts listed in the above listed case were misrepresented and misapplied by the judge to disregard the illegal acts used by DEA agents in this case. The above listed case law refers to a blue shoe, red shoe "Misquote" by a police officer in front of a grand jury. That "Misquote" would not in any way have affected the outcome of an indictment in that case. Not as in this case, where police officers deliberately fabricated very prejudicial "non-existent" and "Material" facts and evidence to secure an indictment. If this illegal evidence which I presented to the trial judge were to be viewed by any other court that honors our Constitutional rights, then that court would wholeheartedly agree that the police officers in this case committed perjury and fraud to the court in this case to obtain an illegal indictment.

The judge's misinterpretation to the facts of law in her response to my claims of perjury and fraud used by DEA agents to illegally indict and convict Gerry and myself is a very serious example of (abuse of discretion) by the court. The judge's response to my (proof) of claims of perjury used by police officers were never denied by the court as being untrue. Instead, this court is twisting the facts by allowing, upholding and encouraging police officers, that it is okay to fabricate evidence and to falsely state facts before a grand jury to secure an indictment in all cases where perjury and fraud is required to secure an (illegal) indictment.

For all you honest citizens out there who sit on grand juries and take that position very serious, you may want to reconsider why you are wasting your

precious time. I Just read to you the reply sent to me from a United States federal district court judge that informed me that Police officers are knowingly allowed to lie or give false or misleading information in front of a Federal grand jury to obtain an indictment. In this case, members of the grand jury were not the only people being lied to by officials. The courts are also guilty of doing us the same way. I will explain. Over the years, several inmates have tried to help me Fight This legal battle by searching the law computer trying to find constitutional violations in other court cases that were similar to those committed at our trial to convict us. Whenever I would tell my helper facts of my case, they would pull my case up on the law computer, then they would always return to me questioning the accuracy of all the information I had given them to research. The facts listed on the law computer almost always contradicted the actual facts of the case. Then I would have to show them the trial transcripts and actual facts of the case and how courts are misleading everyone who might look at our case on the computer. Evidence will show that the court has filled our legal record and appeal record with false and misleading information. They have also misstated testimony of several government witnesses to make it fit their purpose. Here is an example of some of this fraud used in our case. This court brief is from the prosecutor Sam Dotson to our trial Judge Karen K. Caldwell. Dotson is opposing my appeal to the court. He is arguing to the judge why our convictions should be upheld and why my claim should be dismissed. The following information is in the prosecutor's brief located at (Docket # 362 page 15). To show strong evidence supporting our guilt, the prosecutor is falsely stating to the judge that a "drug ledger" Had been recovered from the raid of our Manchester residence. The court has already determined that no "drug ledger" or illegal drug records were recovered from Anywhere. (Trial transcripts page 1439 line 12). Yet on the very next page (16) of this same brief, the prosecutor is defending agent Dalrymple against my claims that he falsely stated to the grand jury that illegal records were found during the raid of our Manchester residence. In defending agent Dalrymples false claims. The prosecutor stated Dalrymple never made false claims to the grand jury because No illegal records were found. So, while the prosecutor is defending Dalrymple for his illegal acts, at the same time the prosecutor is contradicting his false claims that he made in his brief to the judge when he admits and agrees that no illegal records were recovered (See page 16 of his brief). The truth is only one way, not both ways. The prosecutor's statements in his brief are false, misleading, and highly prejudicial causing me to not be able to receive fair and unbiased Justice. I will present a couple more instances of miscarriages of Justice used in this case then we will move on. These claims are from the last government brief going to the 6th Circuit Court of Appeals used as evidence for

appeals court judges to read and decide if we had a fair trial and if our rights had been violated. Prepared by Charles P. Wisdom Jr. Appellate Chief Lexington, Ky. Page 10 of this brief states that I, Terry Smith carried a gun in my vehicle on a trip we (Nantz) supposedly made to a pain clinic. When you look at the actual testimony, the court leaves out the part of Nantz's answer that kills all his testimony. (T.T. Pages 1582-1583 lines 15-25). Q. Have you ever seen Terry Smith with a gun? A. Not right on him. Q. Ok not right on him. What do you mean by that? A. I believe there was one in the car one time. Q. was that on one of the trips you made with him? A. Yes. Q. What kind of gun was that? A. I can't remember. Like I said, my memory ain't right. Q. Have you ever seen him with any other types of firearms? Any long guns? A. I really can't remember. I'm trying to. I can't. I've got memory loss right now because I was on life support back in May. Q. What was that related to. A. Alcohol overdose. Another government witness testified they had also been in a coma, and another witness claimed they had been knocked in the head several times. The court still used their testimony to be creditable. In this same brief, page 27. This page falsely states that Gerry admitted giving Hydrocodone pills to Chris Gregory to sell for her. Gerry has never admitted to any wrong or illegal acts. This was totally false. This prosecutor's brief is full of misleading and false information. The court of appeals affirmed both our convictions using these and other false claims. Maybe those prosecutors just "Misspoke" as prosecutor Sam Dotson claims the Dalrymples did when they knowingly committed perjury to the Grand Juries.

In this article I have shown you how DEA Agents used coerced false statements from drug dealers and addicts to obtain a search warrant. I have shown you grand jury testimony of how these same DEA agents falsely testified in front of a federal grand jury and then gave more false testimony to indict innocent family members, then with threats of sending that innocent family member to prison, used that illegal indictment as leverage to try and force the accused to enter a guilty plea on false charges.

There are many more things that I would like to tell you that happened in this case, but I am going to skip those things and speed this story up to a few days before our trial. We had been offered plea deals up until a few days before trial that would have allowed Gerry to go home. We refused those offers. In order to force me to plead guilty the prosecutor was also adding more charges on me. He did this up until a couple days before trial. Because of these enhancements he added at the last moment, if I went to trial and was found guilty, the only sentence the court was allowed to give me was life in prison with no possibility of parole. With the court's offer to let us plead guilty we had to testify for the government in other cases. We didn't know anything to tell even if we wanted to,

and we sure weren't going to lie on people as they had done to us. We had no choice but to insist on a trial. Once we get into the testimony of the trial, I can show everyone what I promised I would reveal.

The court appointed attorney Eric Edwards from London Kentucky to represent me during trial. Gerry hired attorney Stephan Charles from Manchester, Ky to represent her.

It's January 20th 2015, Tuesday 1:00 pm. We are picking the jury for our trial. When the court was questioning the potential jurors, they were told at least one government witness had been paid or given immunity from the government for their testimony. Then, the judge asked the jury pool if any of them thought that would affect the truthfulness of that witness's testimony. One man spoke up and said, "I would not believe them." That man was excused from the jury pool and the court made the comment that this man was trying to taint the jury pool. (Doc # 286. Page 65). That man must have had dealings with the federal courts before. He knew what was really going on with these types of witnesses. By the end of the day our jury had been picked and they were seated, ready to hear the evidence of our trial. The first witness called is Agent Richard Dalrymple. Explaining to the jury his method of how he investigates drug traffickers. He stated that he uses someone who gets caught with a little bit of drugs and they want to tell where they got their drugs at. (Doc #286, TT-1366). He was setting the jury up for what was coming. If you don't already know what to expect from these kinds of people, read this story and see how they did us. These people will lie on their mama or tell any story that needs told to keep themselves out of jail. They will do anything to keep from being pill sick. Agent Dalrymple also knows that a drug addict's testimony works just fine in federal court, even if they can't keep their story straight. Day 2, the government puts 5 different drug addicts or small-time drug dealers on the witness stand to testify against us. One of those witness's was Bill Stanley. We are sitting in the courtroom anxiously waiting to put on our defense to show the jury how these drug addicts were lying. But as we would soon learn, the prosecutor was not going to allow that to happen. He had a plan that would stop us from putting on any kind of Defense. The Manchester coroner Jared Becknell also testified. He gave details about the day when he was called to the scene of Patty Smallwood's death. He stated rigor mortis had already set in and that she died the night before. He stated that his first impression was that Patty died of a stroke or a heart attack. He stated that he took a blood sample from her heart and sent it for a toxicology screen. Those results showed an extremely high level of drugs in her system, because of these tainted results, the coroner ruled her death as drug-related. He did not order an autopsy.

Next, the government put their expert witness on the stand, Dr. Michael Ward, a forensic toxicologist. He argued to the jury that the heart is an accepted area to obtain a blood sample to be used in a toxicology drug screen test and he further argued that those extremely high drug amount results from Patty's toxicology screen using heart blood are accurate, (Doc #287, P 142 line 15). He also stated to the jury that "Post Mortem Drug Redistribution" does not apply in every case. He stated that this was one of those cases. Dr. Ward testified against all the PROVEN and ACCEPTED findings of Modern Forensic Science which have proven you CANNOT use blood from the heart of the deceased to produce accurate drug levels on a toxicology drug screen. We will come back to Dr Ward.

Day 3, starts off with testimony from a technician who had worked at a local pharmacy. That pharmacy had been shut down by the DEA. This pharmacy tech testified how the owners of that pharmacy had changed the codes for the types of medicines they filled in order to fill oxycodone pills for their customers. The prescriptions in question were from a pain clinic in Georgia. The doctor who had written all these prescriptions was Dr. Michael Johnston. This was the same doctor who had written Patty Smallwoods prescriptions for oxycodone pills just before she died. I complained to my attorney because all the evidence presented to the jury was all about different pain clinic doctors and illegal pharmacists. I was being tried with evidence that should be used to convict a doctor from an illegal pain clinic or a pharmacist filling their prescriptions. I didn't know it at the time, but the prosecutor had planned it that way for a million different reasons. Next, we had Iain Dalrymple to testify, Richard's brother. Iain Dalrymple is the agent who led the raid on our Berea residence. When ask if he found any records at that residence, whether computerized or otherwise indicating drug activity, he answered NO, at (Doc# 288, page 90 line 3-5). As you read earlier, this is not what he told the Lexington grand jury in order to have Gerry's guns forfeited. The next government witness to testify was Betty Tipton. I was told that DEA agents had placed her in jail for safe keeping the night before she was to testify. Betty gave testimony similar to the other witnesses but she didn't do as good as she was supposed to. After our trial she contacted me and told me that she had been threatened by DEA agents Richard and Iain Dalrymple into giving false testimony during our trial. She stated that during trial while she was testifying that she was nervous and forgot to tell the main story that agents wanted her to falsely testify to. She was supposed to tell the jury that she had seen Gerry with large sums of cash and guns. Betty gave an affidavit of this account. Her statement and others claiming illegal acts against the Dalrymples were filed in court before our sentencing and argued all throughout our appeals.(see exhibits). Only to be ignored by the court. By this time in our trial the jury had heard enough false

evidence to convict me but because Betty had forgotten her scripted lines that she was supposed to tell the jury, there was not yet enough evidence to convict Gerry. So, the prosecutor had Brandon Stanley, Bill's son, transported from the Clay County jail where he was being held on unrelated drug trafficking charges. The prosecutor put Brandon on the witness stand. He falsely testified that he had sold drugs for me and brought the money to Gerry. Even though he had been questioned many times before and had never mentioned Gerry this was all the false evidence the jury needed to hear to convict Gerry. When Attorney Stephen Charles asked Stanley why he was just now making that accusation, he stated, "It just came to my mind I guess". The attorney said, "Excuse me", Brandon repeated himself. "It just come to my mind, I guess". Anyone could see what was going on. It had just come to his mind because he was just now told to make that false accusation. Attorney Charles was getting upset. I remember somewhere in all this mess he told the court that the only reason Gerry was even on trial was because she was married to Terry Smith. He was totally correct.

For our defense we had planned on putting Susie and Randall Grubb on the witness stand. Both attorneys had notarized statements from the Grubbs to what their purposed testimony was going to be. The attorneys had also told the prosecutor what that testimony was going to be. Susie was going to tell the jury about the comments her sister Pat had made just before her death, saying she knew she was going to die. Patty made that statement to her sister just 9 days before she was found deceased at her home (see exhibits-Susie Grubbs statement of this fact). Susie was also going to tell the jury about an incident that happened a few days before her sister's death when Patty was treated at the Manchester Memorial Hospital emergency room for injuries she sustained when she had been beaten in the face and head by her boyfriend Bill Stanley. Patty stated he used a metal picture frame to inflict those injuries. Hospital records confirm that Patty listed her boyfriend as her assailant (see exhibits of Patty's Hospital records). Susie would have also told the jury about Linda Stanley. She was Bill Stanley's ex-wife. She had also been a longtime victim of Bill's violent abuse. Linda was also found deceased at her residence in October 2009. There was no way the prosecutor was going to allow Susie to give that damaging information to the trial jury. That information would have put doubt and suspicion in the minds of the jurors as to the true cause of Patty's death and might have caused an investigation to be launched into the violent and abusive conduct he inflicted upon the 2 women at the time of their death. Especially, since Patty was positive that she was going to be deceased in a short few days. Patty had even put an expiration date on her life's end. Why did Patty make such a devastating comment to her friends and family? Was Patty's death a deliberate drug

overdose or was it the results from a pre-existing terminal medical condition? What was her mental state at the time of her death? Maybe her death was from natural causes. Even the coroner testified during trial that his first impression when he arrived on the scene was that Patty died of a stroke or heart attack. Maybe Patty knew that she was destined to be a victim of foul play in the last days of her life, no one can say for sure what was on her mind. These issues raise many unanswered questions that need answered. Unfortunately, we may never know the correct answers to these questions because no autopsy or investigation was conducted in either of these women's deaths.

Could these 2 suspicious deaths be a major factor as to why Bill Stanley was so cooperative in assisting federal agents when he used scripted perjured testimony during our trial in an illegal scheme with federal agents to convict me in the death of Patty Smallwood? Do either of these women's deaths conceal secrets that some people want to remain hidden? I think that answer is obvious to everyone as you continue this story you will see for yourself. The next witness scheduled to testify was Randall Grubb. Randall was going to expose Bill's false testimony which he had just presented to the jury and also expose the deal that Bill claimed agent Dalrymple had made with him to commit that perjury during this trial against me. Instead of being allowed to freely Testify, the Grubbs were appointed attorneys by the court. Susie had a pending drug trafficking charge in State Court that supposedly occurred a year-and-a-half before my trial. The prosecutor had told the judge that if Susie or Randall testified in our defense that his intentions were to insinuate that the drugs Susie was charged with distributing came from me. This false allegation would cause the Grubbs to be added to my conspiracy case. They would go to jail and possibly prison. Or, they were offered the option to remain silent and not testify and they both could go back home and not face any charges, which is what they did. This left Bill's false testimony to go uncontested before the jury. The Grubbs were blackmailed into remaining silent. This is in open court and part of the court records at (Doc # 289 pages 4-7). This incident was very prejudicial and unfair Bias to our case.

The Grubbs were released from our witness list and allowed to go home. Our other witnesses had also been told if they tried to testify in our defense that they would be appointed attorneys and face possible charges as well. These defense witnesses were also allowed to leave. We didn't know it yet but no matter what defense witness we would have had, our conviction had already been predetermined by this court.

This is where our story gets really serious. This is also where our story splits. It will have (2) major parts with (2) totally different endings. I will lead you to the end of one half of this story which I know will have a great effect on many

people and their families, bringing them a much needed relief and piece of mind. Then I will return to the other side of this story that is filled with lies, deceit and greed. Now for the first part of our story. This is the good side of our story that starts with our next witness. An expert who testified in my defense. He is a medical expert, a doctor who explained to the jury why you cannot use a blood sample from the heart of a deceased to confirm someone's death was drug-related. This is what happened in the death of Patty Smallwood in this case. The doctor gave a long list of his achievements and credentials. I will show you a few of those to prove that he is not a quack. His name is George Nichols II MD. He lives in Louisville, Kentucky. Since his retirement as chief medical examiner for the state of Kentucky from 1977 to 1997, he now operates a business called Commonwealth Medical Legal Services. He stated that he has been the director of several clinical Laboratories. These labs are where doctors send blood samples to be tested. He has also taught medical students from their first year to their 5th Year. He has been a coroner. He helped to write the Coroner Reform Law book during Governor Brown's Administration. This next piece of information is very important. He testified that he had worked on a daily basis with the government expert witness in this case. Dr. Michael Ward, Dr. Nichols also stated that he had interpreted hundreds or even thousands of toxicology reports. This doctor stated many more achievements but it is not necessary to list all of them. The point I was trying to make is that this doctor's testimony should be credible.

During trial Dr. Nichols told a story that happened years ago of how he misdiagnosed a cause of death using blood from the heart for results and how his misdiagnosis affected the family. This happened before everyone knew about this phenomenon called post-mortem drug redistribution. In this story he tells how he interpreted a toxicology report of a 14 year old girl who died in her bed at her mother's house. This girl had an abnormality of one of her heart valves. He stated, if he didn't have anything else, this medical condition was going to be listed as her cause of death. But instead, he got a sky high level of tricyclic antidepressant that this girl was on. It was well in the reported lethal level. The mother was driven crazy because she is the person who administered her daughter the medication. Because of the false drug levels in her daughter's system and her conversation with Dr. Nichols, the mother was led to believe that she had unintentionally overdosed and killed her daughter. As soon as Dr Nichols found out about post mortem drug redistribution he contacted that lady, they had a long talk and they cried together. He stated, just because drug levels are elevated doesn't mean it's real. (Doc # 289 page 62).

Dr Nichols testified that to determine the actual cause of Patty Smallwoods

death that she should have had an autopsy. He also stated that she could have died from a stroke or heart attack. He also stated that you can't take a blood sample from the heart to obtain an accurate reading on a toxicology drug screen. If you do, then those drug amounts will be artificially elevated. Because, when you die, all the drugs you have taken over any period of time will concentrate to the heart or chest area and falsely show that the person's death was drug related. This is what happened in the case of Patty Smallwood. Since no autopsy was performed, the coroner relied on a faulty blood test and an artificially elevated toxicology drug reading to determine the cause of her death was an overdose.

The Manchester coroner Jared Becknell falsely testified in Federal Court that the heart was the accepted location to obtain blood to be used in a toxicology drug screen test to determine if a death is drug related. Mr. Becknell has been shown that he was wrong. How many deaths other than Patty Smallwoods has he mistakenly ruled a cause of death as drug-related when their cause of death could have been caused from any number of reasons. When Dr. Nichols realized that he had made a mistake in determining a cause of death, he contacted the deceased family and corrected his mistake. I ask that you (Jared Becknell) also do the same for the family of Patty Smallwood and all the other victims whom you misdiagnosed as drug related deaths. If you don't want to accept the findings from forensic medical science that your diagnosis was wrong by using blood from the heart to determine a cause of death, there are five pages of several different federal court cases as exhibited on our website that also state you were wrong. Anyone reading this article who had a family member or friend whose cause of death was listed as drug related by using blood from the heart or chest area in a drug screen toxicology report, please GOOGLE, "Postmortem Drug Redistribution" and "Heart". You will discover that some of these reports show that "heart blood" used in a toxicology screen will show drug amounts that are artificially elevated up to 5 times or more than the actual amount of drugs that were in that person's system at the time of their death. Leading the interpreter of the toxicology report to believe those false lethal drug levels and to mistakenly rule the cause of death as drug related.

I hope this information helps to relieve some of the burden from a few grieving families by knowing your loved ones cause of death may not have been drug related as first thought. If this information helps you in any way, please contact me. I would love to know that it helped.

Now, please stay with me as we go to the other part of this story. You are going to be amazed when I show you how and why I got a life sentence in London Federal Court, because of this same faulty heart blood test that other

federal courts have ruled to show unreliable results.

This part of the story is full of lies, deceit and greed, with no regard for justice or morals. Showing human nature at its worst. We go back now to the government's expert witness, Dr Michael Ward. Before testifying he gave a long list of his achievements so the jury would be confident and believe his expert medical testimony. He told the jury that he had retired from the Kentucky medical examiners toxicology office in 2008 after 33 years of service. It was at this job that he was responsible for the analysis of biological samples including blood to determine a cause of death. He also stated that he had a masters and bachelors degree of science in drug chemistry. He stated that when his services are needed that he would participate in court proceedings to explain results and interpret those drug levels and what those levels meant and the effects they have on the body (Doc # 287-P 136-138). He also stated to the jury that he was familiar with a scientific phenomenon called Post Mortem Drug Redistribution and the effects this would have on a blood sample drawn from the heart to be used in a toxicology drug screen. I personally have no doubt in Dr. Ward's claim that he knew all about P.D.R., one sure reason is because of our defense expert witness testimony from Dr. George Nichols. He testified that when he was chief medical examiner for the state of Kentucky that he worked on almost a daily basis with Dr. Mike Ward in the toxicology laboratory at the Central laboratory facility in Frankfort, Kentucky. Dr Nichols also stated that he had interpreted hundreds or thousands of toxicology reports (Doc # 289- P. 39). With this testimony "BOTH " experts have established that the Government expert witness Dr. Michael Ward is well trained and knowledgeable of the false and artificially elevated drug levels from a toxicology screen that used a blood sample from the deceased heart several hours after death. So, "Now", We Have A Major Problem!! We must ask ourselves "Why", Why did Dr. Ward, who admittedly knows all about the scientifically proven facts concerning this type of blood sample, deliberately deceive and lie to a Federal Grand Jury in October 2013. He lead that grand jury to believe those elevated drug levels in Patty's toxicology report were accurate and that they supported the fact that she died of a drug overdose, when, the truth is that by his on admission, Dr. Ward undoubtedly knew that forensic science has proven his statements to that grand jury were totally FALSE. Dr. Ward's intentional False testimony and Misdiagnosed analogy of this situation greatly tarnished his reputation as a credible expert witness. His actions before the grand jury and trial jury were immoral and criminal. His false testimony opens the door for possible lawsuits. Perjury and fraud charges and possible loss of his medical license.

Dr. Ward may try to argue that his testimony to the grand jury and the trial

jury was factual but millions of legitimate toxicologist, medical doctors and forensic medical scientists will discredit his foolish out dated claims. It was the trial judge Karen K Caldwell who allowed the toxicologists false claims to be presented to the trial jury as factual when his False claims had been discredited years ago. The American National Standards Institute/Academy Standards Board (ASB) Governing expert toxicology opinions and testimony, states in paragraph 5.3 © that, “ **A toxicologist should not opine as to a specific individual's degree of impairment based solely on quantitative results**”. We will also refer to the National Association of Medical Examiners (NAME) which takes a position discussing (drug overdoses). Stating that, Post Mortem Drug concentrations can **NOT** be used for a reliable calculation of the quantity of drugs consumed. The (10th Circuit District Court) agrees that these standards are **Authoritative and Relevant** when addressing (PMR) and blood samples drawn from the chest cavity (heart). Reference, see: U.S. District Court Lexis 20886 (10th Circuit) 2022. Under Rule 702 Governing testimony of expert witnesses, the Supreme Court of the United States under the ruling of Daubert has ruled that the trial judge in a Federal trial is the “Gatekeeper”. That trial judge is supposed to make sure that when Any expert witness testimony purports to apply principles and methods in accordance with professional standards and yet reaches a conclusion that other experts in the field would not reach, the trial court may fairly suspect that the principles and methods have not been faithfully applied. See, *Lust v. Merrell Dow Pharmaceuticals, Inc.* 89 f. 3d 594, 598 (9th Cir 1996). The judge failed in her legal obligation during my trial. If the trial judge had spent 2 minutes on the law computer or the internet to check the accuracy of Dr. Ward's testimony she would have discovered that the factual claims in Dr. Ward's testimony had been discredited years ago, back to a time when 8 track tape players were popular. Judge Caldwell would have also discovered that this was not the first time that our expert witness Dr. Nichols had to testify in federal court to correct this same outdated False overdose theory. Dr. Nichols first documented court testimony to correct this false overdose theory was back in 2007 when he testified in Federal court to Senior District Judge, Joseph M. Hood, in the Birchum case. For years, doctors have known to NOT use a blood sample from the heart for reliable results on a toxicology screen. But, in my case the trial judge discredited Dr. Nichols' proven expert testimony and allowed the known false testimony and false evidence of their expert, Dr. Ward to be ruled creditable and factual. This faulty evidence was also sent to the 6th Circuit Court of Appeals in the government's briefs which caused that court to uphold our convictions. This is just one more instance of official abuse and miscarriage of justice used in our case to convict us.

Please don't get this confused. I am not trying to say that Dr. Ward made an honest mistake in his claims concerning the drug levels of Smallwoods toxicology report. It would be impossible for him to have made such a misdiagnosis on this very publicized scientific medical discovery such as Post Mortem Drug Redistribution. This scientific discovery totally changed the way doctors interpreted high or fatal drug levels in a toxicology drug screen. Which at one time, these unknown false readings caused doctors to falsely state a cause of death was drug related when it may not have been. Dr. Ward had also worked alongside our expert witness Dr. Nichols during the same time that Dr. Nichols was explaining these scientific findings to the federal courts in other cases. So, there can be NO DOUBT that Dr. Ward knew exactly what he was doing when making his **unreliable and scientifically discredited** claims of overdose to the Grand Jury and Trial Jury. This was not an honest mistake. THIS WAS FRAUD. Ask yourself why a court would go to such great measures to FAKE someone's cause of death as a drug overdose when forensic science proves their accusations are WRONG? Why were DEA agents going to such lengths to falsify evidence in front of a grand jury to indict me for distributing drugs causing a death when it was a pain clinic doctor who prescribed the drugs? Why did DEA agents have drug addicts and drug dealers to falsify testimony during our trial. Then, the prosecutor would not allow defense witnesses to expose these illegal acts of the DEA agents to the court? Then, threaten these witnesses with false charges and imprisonment unless they remain silent. These accusations are fact and they are part of the courts records, then, after our conviction the prosecutor states false evidence to the trial judge and appeals court to assure our convictions are upheld. I keep waiting for someone to speak up and say, "what in the world are these courts doing?" If the trial judge in this case didn't know all the illegal acts that were going on back then at the time of our trial, then, she knows now and she needs to correct this injustice. Our story isn't over yet. I still haven't told you why all this happened the way it did. But I will.

Our trial ended in a guilty verdict on January 26th, 2015. The news media had plenty to report on every T.V. station. They didn't know it was all fake news. WYMT-TV reported on February 10th, 2015, stating that Patty Smallwood overdosed on four times her therapeutic level of prescription oxycodone which she obtained from a Georgia pain clinic. Also, in that news report United States Attorney Kerry Harvey said, "We're committed to holding drug dealers accountable when their criminal conduct results in a death and we will aggressively pursue those death cases. What we would really like to see is an autopsy performed in these cases, so the proof is a little easier." I guarantee you

that United States Attorney Kerry Harvey didn't know the prosecutor Sam Dotson used false testimony and an outdated faulty medical test to get this conviction. Maybe Mr. Harvey would like to comment to the news media on those facts and to also explain to the media ``WHY" not one pain clinic doctor was ever charged with Pattys death or anyone else's death in Eastern Kentucky since the courts All agree that it was the doctors who were the ones who prescribed Patty (HER) pills that the courts are saying she overdosed and died on. Yet, I was the person who received a life sentence for her death because I was accused of financing her trip to the doctor.

We were sentenced July 23rd, 2015 at Lexington Kentucky. The courtroom was packed full of people. Several reporters were there. The prosecutor was Sam Dotson and DEA agent Richard Dalrymple was by his side. The prosecutor presented a lot of false evidence to the judge such as, saying that (WE) the court heard testimony from people telling us that Terry Smith assaulted them with firearms over drug debts. NO ONE testified to anything during the trial that came close to those statements. The prosecutor had put those false accounts on the record and they weren't objected to, so now those false accounts were presumed by everyone to be true, and that false statement would go to the Appeals court to be used against me as more false evidence of my guilt. There were many more false allegations. I won't go into all that.

The court had appointed Willis Coffee from Mt. Vernon, Ky to sit in during my sentencing. Attorney Coffee brought it to the court's attention that it was a physician who issued the prescription to Patty Smallwood and a pharmacist who filled them. (Doc # 281- page 35). He was voicing his concern because of how I was singled out and charged with this crime and no one else had been charged. There was no reply from the court to his comments. The prosecutor continued on with his performance to the courtroom audience and the media as to why I should receive a life sentence for Patty's death. He gave a speech stating that in 2011 the same year Patty died that 1058 people died in Kentucky from drug overdoses and at least 560 of them died of Opiate abuse. "I do want to ask, "Since the prosecutor had all these facts, Why weren't those doctors on trial for prescribing those pills that caused all those people to overdose and die? Those statistics had nothing to do with me. I did not prescribe or sell pills to anyone to cause anyone's death. At this sentencing hearing when I was allowed to address the court, I told the judge that me and Gerry were getting accused of a lot of things that were not true. I complained to the judge over the way our witnesses had been treated, we had no defense, Government witnesses could tell any story they wanted to tell and walk away with their false testimony going uncontested. I said much more to the judge however, my comments fell on deaf ears. The judge never replied to my

complaints. She knew exactly what I was talking about because 2 weeks before our sentencing, several statements had been filed with the court from our defense witnesses and the governments on testifying witnesses that had complained and were accusing DEA agent Richard Dalrymple of coercing and threatening them into lying on the witness stand, and other statements exposing a deal between agent Dalrymple and Bill Stanley to knowingly commit perjury in order to convict me (see exhibits statements). The judge knew all these facts because this is why attorney Willis Coffee had to be appointed during my sentencing. When those statements were filed with the court my trial attorney Eric Edwards quit.

All throughout this case we have asked for an FBI investigation for official misconduct and fraud used in our case to convict us. The judge has always denied that request. After I voiced my complaints in court, the judge went ahead and sentenced us. Gerry was sent to prison for 90 months and I received 360 months for conspiracy, 120 months for constructive possession over Gerry's guns and a life sentence with no possibility of parole over the death of our friend Patty, and let's not forget the \$10,000 fine which added insult to injury. The prosecutor had originally asked for a \$25,000 fine.

Starting that night and continuing days after our sentencing our convictions were breaking news on every television station. That night WKYT-TV stated, this marks the first time in Kentucky that a life sentence was imposed in an overdose death case involving prescription drugs and this case also marked the first time in the Eastern District of Kentucky that a conviction was obtained in an overdose death case without an autopsy report being used as evidence. First Assistant US Attorney Carlton Shier stated in this interview that "We intend to do everything we can to hold people responsible for giving people drugs that they know are going to take them and perhaps die from them". The media coverage of this case was intense. This was part of the prosecutors plan. He wanted everyone to see the circumstances surrounding our convictions, but not the truth, just his version of the truth.

Everything had played out the way it was intended. Dr. Ward, Agent Dalrymple and the prosecutor Sam Dotson had fooled everyone involved in our prosecution and conviction. They had fooled the media, the grand jurors, trial jurors, and even the court of appeals had false evidence sent to them from our case. The attorney general didnt even know what these officials had done when he made his claim of justice to the media that would prove to be false.

These corrupt officials were getting praises and glory for pulling off this scam. Not to mention the bonuses in their paychecks. The trial judge had even given them Gerry's valuable collector guns that they worked so hard to take. My

illegal conviction was only a stepping stone to get these officials in the position where they really wanted to be, and NOW they were there. They say the love of money is the root of all evil. These officials were about to get a bunch of it because of their evil deeds.

It had been just a little over a month after my conviction that the news frenzie had stopped. It was time to collect. Dr Michael Johnston was a Georgia pain clinic doctor. He is the person that the toxicologist (Dr. Ward) was talking about in front of the grand jury. He is also the doctor who prescribed Patty Smallwood her pills. This doctor was the main topic during my trial. Dr. Johnston operated a pain clinic in Georgia until agent Dalrymple shut it down and he was charged and arrested on conspiracy charges. The toxocologist had already laid the foundation in front of the grand jury to use the same false evidence against Dr. Johnston as they used to indict and convict me. I am not upholding any possible illegal actions of any person. I am just showing you what the court was going to do to these doctors if they did not plead guilty and forfeit their money.

During my trial the prosecutor had already established that Patty received her pills from Dr. Johnston. This new law that I was just convicted of involving Patty Smallwoods false overdose death claim made it impossible for Dr Johnston or anyone else involved in his case to escape a life sentence if they were to go to trial and be found guilty. This is one reason why the prosecutor needed all this major publicity in my case, so to prepare the doctors for all the millions of dollars in cash that they thought they must forfeit in order to escape a guaranteed life sentence should they go to trial. My illegal conviction had already sealed their fate should they ask for a trial for operating an illegal pain clinic and possibly causing hundreds of deaths that could be proven by actual autopsy results or legitimate toxicology results from blood not taken from the deceased heart. Now, it was a proven fact that the Government could get a conviction on anyone for causing a death without the use of an autopsy report to prove the actual cause of death. Just as the Government had predicted would happen, their illegal actions were beginning to pay off. On October 8th, 2015, Dr Johnston pleaded guilty to 10 years in prison and forfeited (\$8,000,000) eight million dollars in cash. Joel Shumrak pleaded guilty to 14 years in prison and forfeited (\$7,000,000) seven million dollars in cash. There were other doctors and individuals who also plead guilty or went to trial in the above listed cases. I don't know the amount of money they paid as fines or how much cash or property the court took from them. I suspect it was also a substantial amount. No doctor was ever charged in the death of Patty Smallwood. As you can see, there are several million reasons why these pain clinic doctors escaped prosecution from causing the death of any of their former patients and you can see why they received a light prison sentence

for their charge of conspiracy. Almost all of the parties in the above mentioned cases have already been released from custody.

The law I was convicted of is unfair to everyone, even the deceased and their families. No one should be allowed to determine someone's cause of death based on an ASSUMPTION or theory (or) as in this case, when that false claim of an overdose serves some other sinister purpose. Everyone must have an autopsy or a VALID blood test to determine an accurate cause of death, not just an accusation of a cause of death but Scientific Medical FACTS to prove the cause of death. Because of the illegal acts of the London, Ky Federal Court, this new unjust law used to convict me is now used all over the United States to pressure people into pleading guilty to federal charges that they may not be guilty of. Our case: **United States v. Smith 656 Fed. Appx. 70 2016 WL 3974117 at *2 (6th Cir 2016)**, states that the existence of a toxicology report makes an autopsy unnecessary to determine a cause of death. Our case is being used today as precedent case law to prosecute unsuspecting defendants and to uphold many other defendants convictions which were denied on appeal. If the attorneys who fought for their clients rights knew the true facts of our case and how the government knowingly used the results from an **unreliable and scientifically discredited** toxicology drug screen (using a blood sample from the heart) to prove a cause of death, then these facts would change the convictions and outcomes in several court cases and void this new illegal case law created by officials at London Ky. I know the court at London Ky doesn't want these facts made known to any defense attorneys or the public, but here are the true facts of this faulty case law for everyone to see. Court records prove this entire case was based on lies and deceit which officials used with self fulfilling and criminal intent creating a huge miscarriage of justice. Now, you can understand why it was so important for officials to falsely convict me on a scientifically proven FALSE overdose death claim even when those officials had to use organized criminal fraud to achieve that conviction.

All throughout this case my claims of official misconduct, fraud and (or) a conspiracy involving police officers, a federal prosecutor and others. The judge has very quickly dismissed those claims as not having any merit, always upholding the illegal acts of the accused officials. In this case, those illegal claims should not have been dismissed. Because, not only have I shown everyone court records to prove my fraudulent claims and their official misconduct that was used to acquire an illegal conviction of Gerry and myself. I have also shown you court records of at least one more case where the prosecutor Sam Dotson, DEA agent Richard Dalrymple, and a toxicologist Michael Ward, had planned to use this same fraud used to obtain my conviction, to illegally prosecute at least one doctor

and several other individuals involved in that case, should they decide to go to trial. Would any of these doctors or other individuals in the cases mentioned have voluntarily plead guilty and forfeited millions of dollars in cash had they known that the prosecutor and toxicologist were using fabricated false evidence to force a guilty plea and rob them of millions of dollars? Probably Not! I'm sure some attorneys and the individuals they represented will be highly upset when they discover how the prosecution deceived, then forced their clients into pleading guilty to federal charges and then forfeiting millions of dollars in cash and assets with their false evidence of an overdose death that forensic science discredited years ago. I suspect there could be and should be legal repercussions from these individuals who plead guilty. Wrong is wrong no matter who commits the act. It is a guarantee that after my conviction the court presented defense attorneys of several individuals with those known fraudulent results from Pattys(heart blood) toxicology report to force some of those individuals to plead guilty and gladly forfeit millions of dollars in cash to escape a guaranteed life sentence should they go to trial. My claims of official misconduct, fraud and conspiracy used to obtain our illegal convictions have merit and should not be dismissed or disregarded until the proper criminal action is taken against the guilty parties involved in the conspiracy. The courts in London, Ky have proven BY IT'S OWN RECORDS that they are more corrupt than anyone they put on trial. The courts must correct this issue which I have shown to them and the world. Please show us that no one is above the law.

I know the people of London Kentucky don't approve of the criminal acts which I have shown to them. It is especially troubling for citizens of London Ky to know these criminal acts are happening in a Federal Court building within their home town, and to know that these injustices are also happening to their local citizens who sit as members on that same courts Federal Grand Jury and trial juries. It's also troubling when my undeniable allegations involve a Federal prosecutor at that courthouse and involves local DEA agents that are also employed at the Laurel County Sheriff's office. There are some very outstanding law abiding citizens in London Ky that I know will address these injustices which I have shown to everyone. The prosecutor and the corrupt DEA agent (Dalrymple) thought these criminal acts would never be brought to anyone's attention, BUT HERE THEY ARE and these claims must be addressed. These illegal claims are factual and are part of the federal court records. As you read in this story my claims are widespread and not just about an injustice against me and my wife. There is documented proof of the same widespread abuse of fabricated evidence used in our case that was also presented in other court cases to unfairly change or influence its possible outcome. I have shown you undeniable evidence of an

illegal conspiracy between several government testifying witnesses, DEA agents, a toxicologist and a federal prosecutor. All the court records are there to prove their guilt.

I ask that my claims of injustice be addressed before a federal grand jury, with the hope that these grand jury members will request an FBI investigation into these claims. If this were to happen, I have no doubt that this would result in Federal indictments followed by prosecution of those criminal charges. Court officials nor anyone else can dispute the contents of Federal Court Records which I used to support my claims of injustice. I ask that justice be served for the unlawful and illegal convictions placed on my wife Gerry and myself. I also ask the courts to correct this injustice. The officials and all parties involved in these criminal acts are not above the law.

I want to thank everyone who read our story. Without your concern and support our story could fade away and no one would ever know the injustices that are taking place in London Ky Federal Court. With your support Gerry and I can receive justice and so can all the other victims caused by the actions from these corrupt officials. Patty Smallwood and her family were victims. There were also many other families that were victims because their loved ones' death was misdiagnosed as drug related. Members of ALL grand jury and trial juries in London Ky were victims of FRAUD. I'm sure there are many unknown victims who were falsely convicted or felt they had to plead guilty to charges they were innocent of committing. The list of victims is too long to list all of them. I ask that you send this story to all your friends and family or anyone whom you have ever known to sit on a grand jury or trial jury. Please send this story to all media, attorneys and law makers or anyone else that you can think of that can help bring light and justice to this case. What would be very important to us is if our readers would contact the United States Attorney General Merrick B. Garland and ask them to investigate our claims of illegal actions and misconduct of officials in London Ky.

Attorney General Merrick B. Garland contact information:

phone (202-353-1555) or by mail @

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

For years, all across this nation police officers and officials have not been held accountable for their actions. There is no difference in shooting and killing a defenseless unarmed person taking their life or placing false evidence on someone sending them to prison for life. Both these instances take a life and destroy families. Both these instances are MURDER. It is time for Americans to

take action by speaking up, stopping this madness by holding these corrupt police officers accountable for their Illegal Actions.

If the illegal actions taking place by officials in London Ky Federal Court are not properly addressed then we must assume these illegal acts will only get worse. We showed you some of the injustices officials did to us. I'm sure you also know people or you yourself have been wronged by this corrupt system. Please tell us your story or better yet, tell everyone. It's never too late to report official misconduct to the attorney general and the media. Make your claims of injustice known. WE are not alone. Whenever I researched other court cases on the law computer I discovered that I am not the only person who has reported official misconduct against agent Richard Dalrymple. Those other defendants' complaints were also discredited by this same court. This is one reason why your complaints of injustice must be documented with the department of justice and reported to the local and mainstream media as well as several social media networks in order to help protect possible future victims from this same type of abuse from these corrupt officials.

What does the information in this article PROVE as to the convictions of Terry and Gerry Smith? **It's obvious they are both actually INNOCENT of charges they were convicted of committing.**

In these troubling times, it is a common occurrence to read news headlines exposing police corruption or official misconduct in our court system. These official abuse cases had usually doomed an innocent person to prison for several years or decades until that false evidence placed against them was exposed to the media by an attorney or investigative reporter. That exposure is usually followed by the release of the innocent party.. **This is one such case.** Today we have Facebook and other social media outlets to expose these injustices and to seek legal representation. So, with this being said, I ask **YOU** the reader, How can our convictions stand when this evidence of fraud and corruption is presented in front of an unbiased judge who does honor our Constitutional Rights and Freedoms?... What Gerry and I need NOW is a diligent attorney who is willing to fight for justice and our rights and someone who is not afraid to go up against a corrupt court system. We need an attorney who will expose these injustices to an honorable court then demand justice for the illegal acts that the Laurel County Federal Court inflicted upon us to obtain our illegal convictions. If you are that Special Attorney, then **we desperately need your help.** We are not seeking sympathy from the court. We are Demanding Justice and Freedom from its Abuse of Discretion and Misuse of Power.

If you know someone we can contact to help us fight this monster please contact us. Send comments to (Facebook: Corruption Exposed in Laurel County

Kentucky Federal Court) if you want to contact Terry directly, follow these directions. If he doesn't answer your letter that means he never received it. He will answer all letters.

Send mail to: Terry R. Smith 16714-032
United States Penitentiary
PO Box 2000 Hazelton
Bruceton Mills, WV 26525

NOTE**** No Postcards, White envelopes and white paper only, Only write on the Front side of paper, Letters must have a return address.

Facebook: Corruption Exposed in Laurel County Kentucky Federal Court...
The Other Side of Justice by Terry R. Smith

Exhibits

1. Breaking News article where Dr Plead Guilty
2. Statement of Betty Tipton
3. Steven Robert's concerning Brandon Stanley
4. Randall Grubb statement (Bill tried to extort \$1500)
5. Randall Grubb statement saying he knew Patty was sick
6. Susie Grubb statement saying she knew her sister Patty was sick
7. Teresa Bowman (Downey) statement
8. Case Law Exhibits (5 pages): 5(a), 5(b), 5(c), 5(d), 5(e)
9. Final Comments from the closing testimony of the Government's Expert Witness Toxicologist Mike Ward
10. Page from trial transcript that states Patty could have died from a stroke or heart attack.
11. Patty Smallwood medical records

KENTUCKY CERTIFICATE OF DEATH

116

To Be Completed By: Funeral Director (Must Be Typed)

To Be Completed By: Medical Certifier

1a. DECEDENT'S LEGAL NAME (First, Middle, Last) (Include AKA's if any)
Patty Lynn Smallwood

1b. IF FEMALE, DECEDENT'S LAST NAME PRIOR TO FIRST MARRIAGE
Napier

2. SEX
Female

3. ACTUAL OR PRESUMED DATE OF DEATH (Mo/DaY/Yr) (Spell Month)
September 10, 2011

4. SOCIAL SECURITY NUMBER
401-08-2203

5a. AGE-LAST BIRTHDAY (Years) **42** 5b. Under 1 Year **Months** 5c. Under 1 Day **Hours** **Minutes**

6. DATE OF BIRTH (Mo/DaY/Yr)
08/24/1969

7. COUNTY OF DEATH
Clay

8. PLACE OF DEATH (Check only one)
HOSPITAL: Inpatient ER/Outpatient Dead on Arrival OTHER: Hospice Facility Nursing Home/Long Term Care Facility Residence Other (Specify)

8. FACILITY NAME (If not institution, give street and number)
2214 Highway 80

10. CITY OR TOWN, STATE AND ZIP CODE
Manchester, Kentucky 40962

11. BIRTHPLACE (City and State or Foreign Country)
Leslie County, Kentucky

12. MARITAL STATUS
 Married Married but Separated Widowed Never Married Divorced Unknown

13. SURVIVING SPOUSE (If wife, give name prior to first marriage)

14. DECEDENT'S USUAL OCCUPATION (Kind of work done during most of working life.) (Do not use retired)
Homemaker

15. KIND OF BUSINESS/INDUSTRY
Own Home

16. WAS DECEDENT EVER IN U.S. ARMED FORCES?
 Yes No

17a. RESIDENCE- State **KENTUCKY** 17b. COUNTY **Clay** 17c. CITY OR TOWN **Manchester** 17d. STREET AND NUMBER **2214 Highway 80** 17e. ZIP CODE **40962** 17f. INSIDE CITY LIMITS? Yes No

18. DECEDENT'S EDUCATION (Check the box that best describes the highest degree or level of school completed at the time of death.)
 9th Grade or Less
 10th-12th Grade, No Diploma
 High School Graduate or GED Completed
 Some College Credit but No Degree
 Associates Degree (e.g., AA, AS)
 Bachelor's Degree (e.g., BA, BS)
 Master's Degree (e.g., MA, MS, MEng, MEd, MSW, MBA)
 Doctorate (e.g., PhD, EdD) or Professional Degree (e.g., MD, DDS, DVM, LLB, JD)

19. DECEDENT OF HISPANIC ORIGIN? (Check the box that best describes whether the decedent is Spanish/Hispanic/Latino. Check the "No" box if the decedent is not Spanish/Hispanic/Latino.)
 No, not Spanish/Hispanic/Latino
 Yes, Mexican, Mexican American, Chicano
 Yes, Puerto Rican
 Yes, Cuban
 Yes, other Spanish/Hispanic/Latino (Specify)

20. DECEDENT'S RACE (Check one or more boxes to indicate what the decedent considered himself or herself to be)
 White
 Black or African American
 Native Hawaiian
 Asian Indian
 Chinese
 Filipino
 Japanese
 Guamanian or Chamorro
 Korean
 Vietnamese
 Samoan
 Other Asian (Specify)
 Other Pacific Islander (Specify)
 American Indian or Alaska Native (Name of the enrolled or principal tribe)
 Other (Specify)

21. FATHER'S NAME (First, Middle, Last)
Sherman Napier

22. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (First, Middle, Last)
Claudia Wombles

23a. INFORMANT'S NAME
Leslie Napier 23b. RELATIONSHIP TO DECEDENT
Daughter 23c. MAILING ADDRESS (Street and Number, City, State, Zip Code)
8289 Highway 687, Manchester, Kentucky 40962

24. METHOD OF DISPOSITION (Check only one):
 Burial Cremation Donation Entombment Removal from State Other (Specify)

25. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)
Downey Cemetery 26. LOCATION - City, Town and State
Clay County, Kentucky

27. SIGNATURE OF FUNERAL SERVICE LICENSEE (Or person acting as such) DATE SIGNED (Mo/DaY/Yr) 28. KY LICENSE NUMBER (of licensee)
5706 29. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY
**ROMINGER FUNERAL HOME
402 Richmond Road, Manchester, KY 40962**

30. DATE PRONOUNCED DEAD (Mo/DaY/Yr)
09/10/11 31. ACTUAL OR PRESUMED TIME OF DEATH
11:44 A.M. 32. WAS MEDICAL EXAMINER OR CORONER CONTACTED?
 Yes No

33. PART I. Enter the chain of events, diseases, injuries, or complications that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventilator malfunction without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on each line.
IMMEDIATE CAUSE: (First disease or condition resulting in death) ->
a. **Combined Drug Intoxication [Alprazolam, Oxycodone, THC]**
b. **Hydrocodone]**
c. **Obesity**
d. **Obesity**

34. MANNER OF DEATH
 Natural Accident
 Homicide Pending Investigation
 Suicide Could not be Determined

35. WAS AN AUTOPSY PERFORMED?
 Yes No

36. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH?
 Yes No

37. DID TOBACCO USE CONTRIBUTE TO DEATH?
 Yes Probably No Unknown

38. IF FEMALE:
 Not pregnant within past year
 Not pregnant, but pregnant within 42 days of death
 Not pregnant, but pregnant 43 days to 1 year before death
 Pregnant at time of death
 Unknown if pregnant within past year

39. DATE OF INJURY (Mo/DaY/Yr) (Spell Month)
September 10, 2011 40. TIME OF INJURY
11:20 AM 41. INJURY AT WORK? Yes No 42. PLACE OF INJURY (e.g., Decedent's home; construction site; restaurant; wooded area)
Decedent's Home 43. IF TRANSPORTATION INJURY, SPECIFY:
 Driver/Operator Pedestrian
 Passenger Other (Specify)

44. DESCRIBE HOW INJURY OCCURRED:
Self-Ingestion 45. LOCATION OF INJURY (Street and Number, City or Town, State, Zip Code)
2214 Hwy 80 Manchester, KY 40962

46. TO BE COMPLETED BY CERTIFIER:
To the best of my knowledge, death occurred at the time, date, and place, and due to cause(s) and manner stated.
SIGNATURE **Jarrod Becknell** 47. DATE CERTIFIED (Mo/DaY/Yr)
10/06/11 48. LICENSE NUMBER
1211 49. TITLE OF CERTIFIER
Deputy Coroner

50. NAME, ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH (ITEM 33)
Jarrod L. Becknell 122 Town Square Manchester, KY 40962 52. DATE FILED (Mo/DaY/Yr)

51. REGISTRAR'S SIGNATURE

11/17/2014 12:17 PM

TRULINCS ~~XXXXXXXXXX~~ - ~~XXXXXXXXXX~~, ~~XXXXXXXXXX~~ - ~~XXXXXXXXXX~~

① ②

FROM: ~~XXXXXXXXXX~~
TO: ~~XXXXXXXXXX~~
SUBJECT: ??????
DATE: 05/25/2018 06:06:27 PM

~~XXXXXX~~

FOR IMMEDIATE RELEASE

Friday, October 9, 2015

Former Georgia Doctor Admits to Unlawfully Prescribing Pain Medication to Thousands of Kentuckians

LONDON A former Georgia physician has admitted in federal court that he conspired with the owner of a Georgia pain clinic, and others, to unlawfully distribute thousands of prescription pills to Kentuckians.

On Thursday, Michael Johnston, 58, pleaded guilty, before U.S. District Judge Amul Thapar, to conspiring to unlawfully distribute oxycodone. Pursuant to his plea agreement, which is still awaiting the Court's approval, Johnston agreed to serve 10 years in prison, beginning on the date of his formal sentencing, January 12, 2016. Under federal law, he must serve at least 85 percent of his sentence.

Johnston admitted that, from May 2011 until November 2011, he conspired with Joel Shumrak, the owner of a Tucker, Ga., pain clinic, and others, to illegally distribute large quantities of oxycodone and Xanax to residents of numerous Kentucky counties, including Clay, Laurel, Rockcastle, Pulaski, Floyd, Knox, Bell, Pike, Jefferson, Whitley, Madison, Montgomery, Fayette, and Magoffin counties. Johnston further admitted that he ignored the fact that these Kentuckians were addicts and were likely selling the drugs for profit upon their return to Kentucky.

Johnston, who had previously practiced as a pediatrician, acknowledged that he had no formal training or experience in prescribing adult pain medication, prior to being hired by Shumrak. According to Johnston's plea agreement, many of the patients were seen by non-physicians, who then recommended prescriptions, allowing the clinic to increase the number of patients that could be seen in a day.

Johnston also admitted that he provided little or no physical examination to many of these patients, before providing the prescriptions; he made no referrals for surgery or other medical exams; and he was encouraged to see as many patients, per day, as possible.

Court records also show that Shumrak's clinic did not even accept medical insurance, operating on a cash-only basis. Shumrak has also pleaded guilty and was sentenced to 14 years imprisonment earlier this year.

Kerry B. Harvey, United States Attorney for the Eastern District of Kentucky; Joseph Reagan, Special Agent in Charge, DEA, Detroit Field Division; A.D. Wright, Acting Special Agent in Charge, DEA, Miami Field Division; and Daniel Salter, Special Agent in Charge, DEA, Atlanta Field Division, jointly made the announcement.

The investigation was conducted by the DEA in Kentucky, Georgia, Florida and Ohio. Assistant U.S. Attorney Sam Dotson prosecuted this case on behalf of the federal government.

AFFIDAVIT

3
~~30~~

My name is Randall Grubb. I was approached by Bill Stanley and ask to give a phone number to Gerry Smith. Stanley wanted Gerry Smith to call him so he could try and extort \$1500 from her. I delivered the phone number to her. He wanted the money to not appear in court against her and her husband Terry Smith. Bill Stanley was caught with 29 1/2 oxycodone pills which he claimed the DEA agents told him to blame on Terry Smith and he would not be arrested. He did blame the pills were furnished by Terry Smith. He also made statements against his wife Gerry Smith. He claimed DEA agents told him to say this but he claimed to tell the truth and tell who the pills really belonged to for \$1500. He also stated that for this one he would not lie on Gerry Smith. At the time of the raid on Bill Stanley I also (along with other renters), heard Bill Stanley say that he would get even with Terry Smith for telling him he must move and he thought that Smith was the one who was the cause of him being raided.

Randall Grubb

12-9-14

Subscribed and sworn to before me by Randall Grubb, KY DL #G93-461-448, on this 9th day of December, 2014.

Beverly Craft

Notary Public, State of KY
My commission expires 01/21/2015



ATTACHMENT 3

(4)
18

AFFIDAVIT

My name is Randall Grubb. I am married to Susie Grubb. Patty Smallwood was my sister-in-law. I know Patty was very sick and had many medical problems. She always complained of severe headaches. She told myself and other friends and family that she knew her life was short. She told e and others her goodbyes just a few days before her death. I think it is wrong to charge someone for contributing to her death. Patty knew her time was short. I know that Terry Smith was charged in contributing to her death and that is wrong. He had nothing to do with her death. Anyone who knew Patty would know that she would not want this. Please let her rest in peace and not blame someone else for her unfortunate death. There is no one to blame for her untimely death. Please let Patty and her family be in peace.

Being duly sworn, I swear the foregoing statement is true.

Randall Grubb 12-9-14

Subscribed and sworn to before me by Randall Grubb, KY DL #G93-461-448, on this 9th day of December, 2014.

Beverly Craft 134451
Notary Public, State of KY
My commission expires 01/21/2015



ATTACHMENT 2
ATTACHMENT

5

AFFIDAVIT

My name is Susie Grubb. I am the sister to Patty Smallwood (Big Pat). I was always around her and we spent a lot of time together. She was my best friend. I was across the road from her residence the morning that Bill Stanley found her passed away. Bill yelled across the road to me and he was on the phone with someone and said " I think I found your fucking sister dead and you need to get over here". My sister had a lot of medical problems and was at the hospital often. a couple of days before her death she told myself and others that she was very sick and that she was going to die before my birthday, which is September 19th. She explained that she only had a few days left on this earth. Almost two years later the police charged Terry Smith with contributing to her death. Terry Smith never in any way contributed to or helped her get medicine in any way. I think this is crazy and wrong. Terry and Patty were friends and he would never do anything to harm her. She would roll over in her grave if she knew what the courts were trying to do to him. I wish people would leave Terry Smith be and let my sister rest in peace. Our family has suffered enough. What the courts and newspapers are doing to us is terrible. For whatever reason, Patty knew she was going to die and Terry Smith did not help her get medicine in any way.

Susie Grubb

12-9-14

Subscribed and sworn to before me on this 9th Day of December, 2014 by Susie Grubb, KY DL# S97-956-731.

Beverly G. Craft
 Notary Public, State of KY
 My commission expires 01/21/2015

2/3/15



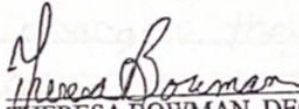
ATTACHMENT 2

(18)
(6/18)

VERIFIED STATEMENT OF THERESA BOWMAN

I, Theresa Bowman, Declarant, do hereby declare under penalty of perjury, that the following facts are true and correct to the best of my knowledge, information and belief:

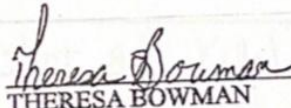
1. That on the day before Patty Smallwood died, I saw her at Carl Sibert's store, and she had been badly beaten.
 2. That Patty stated that her boyfriend, Bill Stanley, had hit her in the head with a marble picture frame.
 3. That I told Patty that she needed to go to the hospital.
 4. That she told me that she had been to the Manchester Hospital, but they told her that she needed to go to Lexington, because she was bleeding inside her head.
 5. That I asked Patty if she was going to Lexington, and she told me that she was going to go home and lie down; she said that she might go to Lexington later.
 6. That the next day, I received a phone call and learned that Patty had died.
- Further the Declarant Sayeth Naught.



THERESA BOWMAN, DECLARANT

VERIFICATION

I declare under penalty of perjury, pursuant to 28 U.S.C., Section 1746, that the foregoing facts are true and correct to the best of my knowledge, information and belief. This the 18th day of July, 2015.



THERESA BOWMAN
1963 Curry Branch Road
Manchester, KY 40962
Phone: (606) 598-5927

06
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To All Concerned:

My name is Stephen Roberts. I was at the Clay Co. Detention Ctr. in the same cell with Brandon Stanley. Brandon Stanley was bragging to me how he lied on the stand on Terry & Gerry Smith at a recent Federal Trial. He told me that D.E.A. agents told him what to say & how to say it. He admitted to me he lied. He told me the D.E.A. agents told him what to say about the Smith's. If he did so he would not be prosecuted on other charges they had on him. I will come to court to testify to this.

Stephen Roberts
4-20-15

Brandon Stanley was shot and killed in London Ky
That officer Received one year in Jail.

Case Law References

(1). United States Supreme Court

Williams v. Illinois Dec 6 2011

Discussing how autopsy reports do not embody the qualities of a testimonial statement - in general such a holding could also increase the risk of convicting the innocent.

(2). United States District Court

Hahn v. Woods Lexis 104272 Jan 18, 2019

The lead investigator and medical examiner determined the cause of death was suicide. (no autopsy) was performed. Several months later new evidence was discovered, cause of death was changed to murder.

(3). Bailey v. United States. 115 f.supp.3d 882 (6th cir.) District Court July 15, 2015. Without an autopsy it is impossible to make a definitive diagnosis ruling for cause of death.

(4). United States Court of Appeals (10th cir.)

Mann ex rel. Mann v. Turner Bros August 9, 2019. Case summary:

The court denied the widows survivorship benefits, (without an autopsy) and medical evidence: The Administrative law judge found a doctors opinion did not constitute a reasoned medical opinion which to base a finding for death from Black Lung Disease.

(5). United States District Court (6th cir.) 2008 Lexis 90859

AM General Life and Accident Insurance Co. v. Birchum

The coroner ruled cause of death as overdose by using a tainted toxicology drug test with blood taken from the chest area. Forensic Science explains the process of Postmortem Redistribution which proved the blood test was artificially elevated and unreliable. This court agreed with the findings then ruled the cause of death as "undetermined".

(6). United States Court of Appeals 2019

Martinez v. Cate 903 f.3d 982 Feb 7, 2018

Autopsy was proven wrong (case reversed)

(7). Cruz-Vargas v RJ Reynolds Tobacco Co. 348 f.3d 271 Oct 28, 2003 (1st)

(no autopsy) was performed and thus the cause of death can not be percisely ascertained.

(8). United States Court of Appeals 2019

United States v. Torrez 869 f.3d 291 May 9th 2017

A Naval Criminal Investigator investigated a death, an autopsy was performed and the examiner listed the cause of death as undetermined. The Government later retained a second Medical Examiner. Based on the circumstances at the scene, the second examiner concluded that the cause of death was "Asphyxia" which can occur without any visible injury DNA from the scene was placed in a National network. Years later thanks to Forensic Science and DNA testing the guilty was arrested and convicted of several rapes and murders.

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(9). In Questech, Inc v Hart Ford Acc and Indem. Co.

713 f. supp. 956 (ED.VA. 1989)(4th). Conflicting causes of death. (no autopsy) was performed, accidental claim denied because plaintiff failed to prove decendant died solely of accidental means.

(10). Court of Appeals (6th) 2013 733 f.3d. 633

Amburgy v. United States (6th) June 19, 2013

Jerry Amburgy visited a doctor for a procedure. He became ill during that procedure and was taken to the emergency room at Whitesburg Ky where he died. Jerry's physician told the family that he died of natural causes and that no (autopsy) would be necessary. That same day the coroner received 'conflicting' information concerning Amburgy's death. The coroner ordered an autopsy which determined Jerry died from an allergic reaction to intravenous contrast dye which had been administered to him by his physician. Amburgy's medical charts had been flagged to show that he was allergic to that dye. NOTE: Judge Karen K. Caldwell presided over the Amburgy case. She was the same Judge over the death case of Patty Smallwood.

(11). Court of Appeals (6th) Jan 17, 2012

Titlow v. Burt 680 f.3d 577 (no autopsy) was performed, cause of death was initially ruled as a heart attack. The death certificate was changed to list "asphyxia" by smothering. It was discovered that when the victim was passed out drunk someone poured vodka down the victim's throat while holding his nose shut.

(12). Court of Appeals (6th) 1999

Emph v. Sudimack Lexis 12022

A body was discovered in a mobile home fire in 1978 (no autopsy) was performed. The case was reopened in 1993. An autopsy showed that the victim had been stabbed to death. The cause of death was changed to homicide.

(13). United States Court of Appeals (4th) 2012

Westmoreland Coal Co. v. Sharpe 692 f.3d.317

The court ruled there were (no autopsy) to determine the actual cause of death.

(14). Court of Appeals (4th) 2007 fed appx 842

Island Creek Coal Co. v. Groves (no autopsy) was performed to determine the actual cause of death.

(15). Court of Appeals (4th) 2006 f 3d. 213

Collins v. Pond Creek Mining Co.

(no autopsy) to determine the cause of death.

(16). United States District Court (6th) 2014 Lexis 188333

Guthrie v Ball Oct 10, 2014. An Expert must be qualified to opinion on Postmortem Drug Redistribution with the necessary expertise in Toxicology with factual and scientific basis to offer his opinion under Federal Rule 702 Governing Expert witnesses. Plaintiffs motion was granted in thier favor when the court ruled that the Expert did not qualify to testify.

(17). United States District Court (6th) Lexis 78763 May 10, 2018

Amalu v. Stevens Transport, Inc

In this case there is a dispute as to whether Scientific data exist as to what ranges of illicit drugs lead to death, versus intoxication, versus toxicity, versus functioning correctly. An expert testifies that Postmortem (heart) blood is more susceptible to Postmortem Drug redistribution than femoral blood.

(18). United States District Court (6th) 2009 Dist 141128

Munroe v. Bar Labs, Inc

Experts agree drug concentrations are higher when the blood sample is drawn from the heart.

There are too many court cases to list where the courts have ruled, that to determine the actual cause of death an autopsy must be performed. Every circuit in the Federal Court system agrees that you must have an autopsy to determine the actual cause of death. Also, every circuit in the Federal system has had to deal with Postmortem Redistribution when trying to determine the amount of drugs in the deceased. All testifying experts in those cases do agree that when a blood sample is taken from the deceased heart, that the amount of drugs listed on their toxicology report will be artificially elevated to a point of an unreliable determination. Postmortem Drug Redistribution is also universally accepted with Forensic Scientist everywhere. These universal scientist also report that a blood sample taken from the deceased heart will show elevated amounts of drugs. (unreliable) results.



AFFIDAVIT

My name is Terry Smith, I state the following to be true to the best of my knowledge. Attorney Eric Edwards was appointed to represent me as my trial attorney in 2013. The attorney was made aware BEFORE trial that government witness Bill and Brandon Stanley had planned to use perjured testimony against myself and my wife Gerry Smith. The attorney was also informed of a plot by Bill Stanley to extort money from my wife Gerry Smith in order to NOT present perjured testimony against us at trial. Months before my arrest Bill Stanley had informed myself and others that detective Richard Dalrymple had ordered perjured testimony to be presented by him against myself and my wife in exchange for a lesser charge from HIS drug distribution charges which were not connected in any way to myself or my wife Gerry Smith. After my arrest an extortion attempt was presented to my wife Gerry Smith. She immediately informed her attorney, Stephen Charles of that attempt. Her attorney, Charles, stated to her that he would contact the prosecutor (Sam Dotson) and make him aware of this situation. I personally informed my attorney Eric Edwards of this situation in person and by phone. See (Affidavit of Gerry Smith). Attorney Eric Edwards knew "BEFORE TRIAL", that perjury was going to be used during trial by Bill and Brandon Stanley. Attorney Edwards also knew that Bill Stanley had tried to extort money from my wife Gerry Smith in order to NOT lie during trial. Attorney Edwards was also aware that my wife's attorney Stephen Charles had been informed of this incident. He was also told that Stephen Charles reply to my wife was that he had contacted the prosecutor (Sam Dotson) and advised him of this situation. During trial attorney Edwards ask Bill Stanley if detective Richard Dalrymple had made a deal with him to lie. Stanley denied this deal, however the attorney Eric Edwards never ask Bill Stanley about the extortion plot presented to Gerry Smith. The attorney was ineffective for not asking for a hearing on the extortion plot, not attempting to impeach Bill and Brandon Stanley for their illegal activities or asking for a mistrial. Nevertheless, this extortion plot and known use of perjury was never mentioned during trial. Both Terry and Gerry Smith were found guilty during trial. The Stanley's were key witnesses for the government. After trial a statement of Randall Grubb was filed in court on January 9, 2015 in a desperate attempt to make the court aware of the perjured testimony used by the Stanley's and the plot to extort money from Gerry Smith. Attorneys had this statement of Randall Grubb one month

BEFORE our trial. Whenever this statement was filed in court it was 4 months before final sentencing. The courts and attorneys knew perjured testimony was being used at trial. Attorney was ineffective for not exposing this to the trial judge. Attorney Edwards withdrew as counsel IMMEDIATELY after those statements and some motions were filed in court by a family associate. No action has ever been taken on this issue.

I declare (or certify, verify or state) under penalty of perjury that the foregoing statements herein are true and correct. 28 U.S.C. 1746

11-1-2017 Date

Terry Smith 16714-032
United States Penitentiary
Po Box 2000
Bruceton Mills, WV 26525

WARD - Cross

147

1 A. I don't know, but I don't think so.

2 Q. Can you say within a medical certainty that if these
3 other things were not there, that she would be alive?

4 A. I would say that that level of oxycodone would still be
5 consistent with being a lethal level for an individual.

6 Q. It can be a lethal level for an individual. But a
7 habitual user, you said, has some tolerance. My question to
8 you is can you state to this jury, within a medical certainty,
9 if the only thing present in Miss Smallwood's system was the
10 opiates that it would have caused her death?

11 A. No.

12 Q. Second, the actual cause of death being this drug
13 intoxication, without an autopsy, can you really even say that
14 that's the cause of death?

15 A. In looking at those levels, I think that that's not an
16 arbitrary or out of the question cause of death.

17 Q. I understand that it's probable or may be possible that
18 that's what it is. But there are other causes. She could
19 have had a heart attack?

20 A. Yes, sir.

21 Q. Okay. Can't rule that out as a cause of her death?

22 A. No, sir.

23 Q. Can't rule out she might have had a stroke?

24 A. No, sir.

25 MR. EDWARDS: No further questions.

WARD - Cross

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25 MR. EDWARDS: No further questions.

Final Comments From the Closing Testimony of the Government's Expert Witness Toxicologist Mike Ward:

The trial jury had listened to 5 days of confusing medical testimony from the Government's expert Dr. Ward. He had been arguing to the jury trying to convince them that the drug level results from the toxicology report using a blood sample from the heart was accurate and correct which proved that Patty Smallwood died from a drug overdose. The Government has continuously upheld my conviction based on this faulty testimony of their expert witness toxicologist Mike Ward. Ward stated in early trial testimony that Pattys death was definitely a drug overdose. He also argued to the jury that the drug levels in a blood sample taken from the heart hours after death was accurate and **reliable** evidence to prove his claim.

Then, in his closing testimony Dr. Ward expressed uncertainty as to Pattys true cause of death. This confused the trial jury even further. In that confusing closing testimony (Doc 287 Page 147), Dr Ward was ask, "Can you state to this jury within certainty, if the only thing in Miss Smallwoods system was the opiates that it would of caused her death? His answer was **NO**. then he was asked, could Patty of died from a stroke or heart attack? His answer was **YES**. This confusing testimony raises reasonable doubt as to the cause of Patty Smallwoods death. Experts agree in countless court cases that without an Autopsy or reliable medical evidence to prove a cause of death that one must only speculate or assume a cause of death which is not accepted medical practice or case law. This miscarriage of justice is also shown during closing testimony of the Governements Expert Mike Ward (Doc 287 Page 147 enclosed).

Without any reliable medical evidence or autopsy report, the Government is holding firm to a drug overdose theory as a cause of Patty Smallwoods death even with their Experts confusing and controversial testimony.

The Legal Standard

In **Daubert V. Merrell Dow Pharm., Inc** The Supreme Court instructed that district courts are to perform a “**gatekeeping**” role concerning the admission of expert Scientific testimony, “ensuring that an expert’s testimony rests on a reliable foundation. “ Trial courts are required to act as “**gatekeepers**” to prevent speculative, unreliable expert testimony from reaching the jury. Federal Rules of Evidence 702. The judge failed the role as gatekeeper in this case. Records show there was no autopsy or any other “**Reliable**” Biopsy evidence presented in this case. Records also show that the cause of death for Patty Smallwood was based on speculation and “**Discredited Medical Evidence and Testimony**” within the government's expert witness testimony which is not accepted within the scientific community. Also, all federal circuits have ruled that a reasoned medical opinion cannot be based on “**Discredited Medical Evidence**”. See case law “**Sahara Coal Co. V. Fitts 39f.3d 781, 783 (7th cir 1994).**”