



Forensic Analytical Sciences, Inc.

Interim Report

Case: FSD 20090103
Client: Ted Coran
Case Name: People v. Kevin Driscoll

Materials Submitted

Materials reviewed regarding injuries sustained by Melissa Leahy included nine pages of Redmond Police Department reports (authored by Officer Prince and Detective Wick) and 17 color copies of photographs of injuries.

Summary of Materials

Briefly, per the police reports, the alleged victim had been to at least two lounges late on the evening of January 22 and early in the morning of January 23, 2009. She indicated that she had drunk "to the point of intoxication." She and a number of other individuals went to a house for the purpose of "hot tubbing." After being in the hot tub she reportedly went to lie down on a bed in one of the bedrooms and some time later the defendant joined her in the bed. Reportedly the defendant then sexually (vaginally and anally) and physically assaulted her, including biting. She reported two separate sexual assaults by the defendant with him standing at the foot of the bed after the first assault, in some fashion, to keep her from leaving. During the first assault she reportedly struck the defendant; however during the second assault she did not attempt to resist. The defendant subsequently gave her a ride to her car and provided her his name and phone number.

Detective Wick described bruising of her forearms and arms, a large bite mark on her upper right shoulder "in which tooth marks are clearly visible," bruising on the arms consistent with fingers, bruising on her legs and shins and bruising on her breasts and buttocks. In Detective Wick's report he indicates that the sexual assault nurse examiner stated that the alleged victim had bruises on her arms, legs, breasts and buttocks and a bruise at the 7 o'clock position near the hymen and labia minora. The nurse also stated that there was a large bite mark on the right shoulder. It is reported that the nurse examiner indicated that the injuries and emotions were consistent with someone who had been through a violent sexual attack.

The statement by the defendant confirmed the events at the lounges, return to his residence and hot tubbing. He, however, indicated that the sexual contact was consensual. Detective Wick's report indicated that he saw no injuries on the defendant.

Opinions

A review of the provided photographs demonstrates:

1. A series of three contusions on the posterior surface of the right mid-arm which are in a roughly linear array. The contusions are red-brown in the photograph and are not in focus.
2. A large number of contusions on many surfaces of both legs which all have a relatively uniform appearance, notably faint borders and a prominent yellow discoloration.
3. An oval contusion on the medial aspect of the right buttock which appears bluish in color. There is also another area of ill-defined discoloration, possibly representing a fading contusion, on the left buttock.
4. A series of contusions on the right upper chest and right arm. The contusions around and near the right breast appear brownish with ill-defined borders. A faint, out-of-focus contusion is also present on the anterior right mid-arm. A series of at least four purple contusions is located on the anterior aspect of the right shoulder which is in a slightly curvilinear array. These contusions are also out-of-focus and only photographed with a single ruler oriented at an angle to the contusions.
5. A series of about four contusions are located on the left mid-arm. However due to the poor lighting and focus, the color of the contusions cannot be discerned with certainty.
6. A single faint red contusion is located on the lateral aspect of the left proximal forearm.
7. The photographs of the external genitalia show no obvious injuries. No photographic documentation of the anal examination is provided.

A large percentage of the contusions demonstrated in pictures, both located on the legs and trunk, appear to be healing and in the range of at least a couple days old and were not sustained within 12 hours or so of their photographic documentation. Many of the other injuries are so poorly documented as to preclude interpretation.

The mechanism to produce the alleged bite mark on the right upper chest is difficult to imagine. The slight curvature of the array of contusions appears to be oriented with the concave surface medially (towards the midline of the body). This area of the body is not protuberant and I think it would be difficult, if not altogether impossible, to create a bite mark in this region without a corresponding lower jaw impression.

The actual medical reports of the nurse examiner have not yet been received. Assuming the results are accurately stated in the police report, the absence of significant injury to the genitalia does not preclude non-consensual intercourse. Curiously there is no comment included about the presence or absence of anal injuries. There is also no photographic documentation provided as yet of the anal examination.

Terri L. Haddix 23 April 2009
Terri L. Haddix, MD
Forensic Pathologist

TERRI L. HADDIX, M.D.
Forensic Pathologist

PROFESSIONAL EXPERIENCE

Dr. Haddix has worked in the area of forensic pathology for over 10 years. She received forensic pathology training in Seattle, WA and neuropathology training at Stanford. She is board certified in anatomic, forensic and neuropathology. She has performed forensic autopsies in several counties throughout California and has testified as an expert in forensic pathology in both criminal and civil cases.

LICENSURE

- Washington, No. 26810
- California, No. G82165

BOARD CERTIFICATION

- Diplomate, American Board of Pathology
- Anatomic and Forensic Pathology, 9/1997
- Neuropathology, 9/2005

FACULTY POSITIONS

- 2006 - present: Clinical Assistant Professor, Department of Pathology, Stanford University Medical Center, Stanford, CA
- 2005 - 06: Clinical Instructor, Department of Pathology, Stanford University Medical Center, Stanford, CA
- 1999 - present: Assistant Clinical Professor, Department of Pathology, University of California, San Francisco, CA
- 1996 - 1997: Assistant Clinical Professor, Department of Pathology, University of California, San Diego, CA
- 1989 - 1990: Teaching Associate, Division of Cardiothoracic Surgery, University of Washington, Seattle, WA

EDUCATION

- 1979 - 1982: Major: Molecular, Cellular and Developmental Biology University of Colorado, Boulder, CO
- 1982 - 1983: BS, Biology, University of New Mexico, Albuquerque, NM
- 1983 - 1987: MD, graduation with honors, University of Colorado School of Medicine, Denver, CO

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POSTGRADUATE TRAINING

- 1987 - 1989: General Surgery Resident, University of Washington, Seattle, WA
- 1992 - 1994: Pathology Resident, University of Washington, Seattle, WA
- 1994 - 1995: Assistant Medical Examiner (Fellowship), King County Medical Examiner's Office, Seattle, WA
- 07/1995 - 12/1995: Washington State Forensic Pathology Specialist, University of Washington, Seattle, WA
- 2003 - 2005: Neuropathology Fellow, Stanford University, Stanford, CA

OTHER PROFESSIONAL EXPERIENCE

- 12/2005 - : Forensic Pathologist, Forensic Analytical Specialties, Inc., Hayward.
- 10/1998 - 05/2003: Forensic Pathologist, San Mateo County Coroner's Office, San Mateo, CA
- 11/1997 - 09/1998: Assistant Medical Examiner, San Francisco Medical Examiner's Office, San Francisco, CA
- 01/1996 - 10/1997: Deputy Medical Examiner, San Diego Medical Examiner's Office, San Diego, CA

LOCUM TENENS

- 1999 - 2005: Monterey County Sheriff-Coroner's Office, Salinas, CA
- 2000 - : San Luis Obispo County Sheriff-Coroner's Office, San Luis Obispo, CA
- 2000 - 2003: Santa Barbara County Sheriff Coroner's Office, Santa Barbara, CA
- 2001 - 2002: San Joaquin County Sheriff-Coroner's Office, French Camp, CA
- 2002 - 2003: Western Laboratories Medical Group, Contracted with Alameda County Sheriff-Coroner's Office, Oakland, CA
- 2003 - : Santa Cruz County Sheriff-Coroner's Office, Santa Cruz, CA

PROFESSIONAL ACTIVITIES

- **Memberships:**
 - 1995 - 2003: National Association of Medical Examiners
 - 1995 - : American Academy of Forensic Sciences
 - 2001 - 2003: South Bay Pathology Society
- **Committees:**
 - 1999 - 2003: San Mateo County Child Death Review Team

RESEARCH EXPERIENCE

- 1990 - 1992: Research Fellow, Division of Cardiothoracic Surgery, University of Washington, Seattle, WA

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Publications:

Journal Articles

1. Haddix T, Chang S, Vogel H. A Thirty-five year old with a Dural-based Mass. *Brain Pathol* 17(3): 331-2, 2007
2. Morgan T, Zhao S, Chang K, Haddix T, Domanay E, Cornbleet P, Arber D, Natkunam Y. Low CD27 expression in plasma cell dyscrasias correlates with high risk disease: An immunohistochemical analysis. *Am J Clin Path* 126(4): 545-51, 2006.
3. Lim M, Haddix T, Harsh G, Vogel H, Steinberg GK, Guccione S. Characterization of the Integrin $\alpha v \beta 3$ in Arteriovenous Malformations and Cavemous Malformations. *Cerebrovasc Dis* 20: 23-27, 2005.
4. Lim M, Guccione S, Haddix T, Sims L, Cheshier S, Chu P, Vogel H, Harsh GH. Avb3 Integin in Central Nervous System Tumors. *Hum Pathol* 36(6): 665-9, 2005.
5. Reed W, Walker P, Haddix T, Perkins HL. Acute anemic events in sickle cell disease. *Transfusion* 40: 267-73, 2000.
6. Sato TT, Kovacich JC, Boyle EM Jr, Haddix TL, Weintraub A, Pohlman TH. CD14-dependent activation of human endothelial cells by *Bacteroides fragilis* outer membrane. *J Surg Res* 74(2): 103-11, 1998.
7. Logan BK, Fligner CL, Haddix TL. Cause and manner of death in fatalities involving methamphetamine. *J Forensic Sci* 43(1): 28-34, 1998.
8. Haddix TL, Harruff RC, Reay DT, Haglund WD. Asphyxial suicides utilizing plastic bags. *Am J Forensic Med Pathol* 17(4): 308-11, 1996.
9. Haddix TL, Pohlman TH, Noel RF, Sato TT, Boyle EM Jr., Verrier ED. Hypothermia inhibits human E-selectin transcription. *J Surg Res* 64(2): 176-83, 1996.
10. Johnson M, Haddix T, Pohlman T, Verrier E. Hypothermia reversibly inhibits endothelial cell expression of E-selectin and tissue factor. *J Card Surg* 10 (Suppl): 428-35, 1995.
11. Deisher TA, Haddix TL, Montgomery KF, Pohlman TH, Kaushanski K, Harlan JM. Role of protein kinase C in the induction of VCAM-1 expression on human umbilical vein endothelial cells. *FEBS Lett* 331(3): 285-90, 1993.
12. Peterson VM, Moore EE, Jones TN, Rundus C, Emmett M, Moore FA, McCroskey BL, Haddix T, Parson PE. Total enteral nutrition versus total parenteral nutrition after major torso injury: attenuation of hepatic protein reprioritization. *Surgery* 104(2): 199-207, 1988.

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13. Peterson VM, Murphy JR, Haddix TL, et al. Identification of novel prognostic indicators in burned patients. *J Trauma* 28(5): 632-7, 1988

Book Chapters

1. J-S Koh, U-K Chang and T. Haddix, "Extradural Benign Tumors," Chap. 1 in *Tumors of the Spine*, (Kim, Chang, Kim and Bilsky, Eds.), Saunders Elsevier, Philadelphia, 2008.
2. J-S Koh, U-K Chang and T. Haddix, "Cysts and Other Benign Lesions," Chap. 2 in *Tumors of the Spine*, (Kim, Chang, Kim and Bilsky, Eds.), Saunders Elsevier, Philadelphia, 2008.
3. J-S Koh, U-K Chang and T. Haddix, "Epidural Malignant Tumors," Chap. 3 in *Tumors of the Spine*, (Kim, Chang, Kim and Bilsky, Eds.), Saunders Elsevier, Philadelphia, 2008.
4. J-S Koh, U-K Chang and T. Haddix, "Intradural Extramedullary Benign Tumors," Chap. 4 in *Tumors of the Spine*, (Kim, Chang, Kim and Bilsky, Eds.), Saunders Elsevier, Philadelphia, 2008.
5. J-S Koh, U-K Chang and T. Haddix, "Intradural Extramedullary Cystic Lesions," Chap. 5 in *Tumors of the Spine*, (Kim, Chang, Kim and Bilsky, Eds.), Saunders Elsevier, Philadelphia, 2008.
6. J-S Koh, U-K Chang and T. Haddix, "Intradural Extramedullary Malignant Tumors," Chap. 6 in *Tumors of the Spine*, (Kim, Chang, Kim and Bilsky, Eds.), Saunders Elsevier, Philadelphia, 2008.
7. J S Koh, U-K Chang and T. Haddix, "Intramedullary Tumors," Chap. 7 in *Tumors of the Spine*, (Kim, Chang, Kim and Bilsky, Eds.). Saunders Elsevier, Philadelphia, 2008.

Abstracts:

1. Amato, M, Kim, A, Peak S, Cullen S, Lando M, Haddix T. Fibrosing intraorbital nerve process masking intracranial malignant peripheral nerve sheath tumor (MPNST). To be presented at 2008 (November) American Society of Ophthalmic Plastic and Reconstructive Surgery, Atlanta, GA.
2. Miller CR, Haddix T, Dunham CP, Perry A. Clinical significance of prospective molecular genetic analysis of glial neoplasms: the Washington University FISH laboratory experience. Presented at 2007 (April) American Association of Neuropathology meeting, Washington, DC.

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3. Haddix T, Recht L, Myles T, Leung L, Vogel H. Overexpression of osteopontin (OPN) in glioblastoma multiforme (GBM). Presented at 2005 (June) American Association of Neuropathology meeting, Arlington, VA.
4. Pate L, Haddix T, Vogel H. Glioblastoma with remote subcutaneous metastases. Presented at 2005 (June) American Association of Neuropathology meeting, Arlington, VA.
5. Lim M, Guccione S, Haddix T, Chu P, Vogel H, Steinberg G, Harsh G. Characterization of the integrin $\alpha\beta3$ expression in arteriovenous malformations and cavernous malformations. Presented at 2005 (February) American Association of Neurological Surgeons meeting (vascular section), New Orleans, LA.
6. Lim M, Guccione S, Haddix T, Chu P, Vogel H, Steinberg G, Harsh G. Characterization of the integrin $\alpha\beta3$ expression in arteriovenous malformations and cavernous malformations. Presented at 2005 Stroke meeting, New Orleans, LA.
7. Lim M, Guccione S, Haddix T, Chu P, Vogel H, Steinberg G, Harsh G. Characterization of the integrin $\alpha\beta3$ expression in arteriovenous malformations and cavernous malformations. Presented at 2005 (April) American Association of Neurological Surgeons meeting, New Orleans, LA.
8. Lim M, Guccione S, Haddix T, Chu P, Vogel H, Harsh G. Role of the $\alpha\beta3$ Integrins in Angiogenesis of CNS Tumors. Presented at 2004 Congress of Neurological Surgeons meeting, San Francisco, CA.
9. Haddix T, Prichard J, Warnke R, Vogel H. Primary Hodgkin's Disease in the brain of a HIV-positive adult. Presented at 2004 American Association of Neuropathologists annual meeting, Cleveland, OH.
10. Lim M, Guccione S, Haddix T, Homer R, Atlas S, Harsh G. Expression of $\alpha\beta3$ integrin in Human Glioblastoma Multiforme. Presented at 2004 American Association of Neurological Surgeons, Orlando, FL.
11. Haddix TL, Symes SA. Atypical decomposition and power saw dismemberment. Presented at 2003 National Association of Medical Examiners annual meeting, San Jose, CA.
12. Haddix TL. Death associated with a portable infusion device. Presented at 2001 National Association of Medical Examiners annual meeting, Richmond, VA.
13. Logan BK, Fligner CL, Haddix TL. Cause and manner of death in fatalities involving methamphetamine. Presented at 1998 American Academy of Forensic Sciences annual meeting, San Francisco.

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14. Logan BK, Fligner CL, Haddix TL. Methamphetamine fatalities in Washington state, 1993-1995: Interpretation of methamphetamine concentrations. Presented at 1997 American Academy of Forensic Sciences annual meeting, New York.
15. Haddix TL, Harruff RC, Reay DT, Haglund WD. Asphyxial suicides utilizing plastic bags. Presented at 1995 National Association of Medical Examiners annual meeting, San Diego.
16. Harruff RC, Reay DT, Haddix TL, Miller SR, Webster JN, Haglund WD. Correlation of collision dynamics with injuries in traffic fatalities. Presented at 1995 National Association of Medical Examiners annual meeting, San Diego.
17. Sato TT, Martin S, Haddix TL, Neil D, Weintraub A, Pohlman TH. Activation of endothelial leukocyte adhesion by *B. fragilis* outer membrane. Presented at the Scientific Session of the 71st Annual Meeting of the American College of Surgeons Committee on Trauma, San Diego, 1993.
18. Haddix TL, Montgomery KF, Pohlman TH, Verrier ED. Reversible inhibition of Endothelial Leukocyte Adhesion Molecule 1 (ELAM 1) expression in hypothermic endothelial cells. Presented at Clinical Congress of the American College of Surgeons, Chicago, 1991.
19. Peterson VM, Rundus C, Haddix T, Cherry D. Topical cerium nitrate enhances myelopoiesis in a mouse model of thermal injury. Presented at 1988 American Burn Association Meeting, Seattle.
20. Peterson VM, Emmett M, Murphy J, Gunther P, Ford P, Haddix T, Bartle E, Mancusi-Ungaro H. Serum group-specific component protein levels predict patient outcome following major thermal injuries. Presented at 1988 American Burn Association Meeting, Seattle.
21. Peterson VM, Moore EE, Jones TN, Rundus C, Moore F, McCroskey BL, Haddix TL, Emmett M, Parson PE. Total enteral nutrition versus total parenteral nutrition following major torso injury: Attenuation of hepatic protein reprioritization. Presented at 1988 Society of University Surgeons.