

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

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STATE OF MARYLAND :
 :
 :
 v. : Criminal No. 102676
 :
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 JOHN ALLEN MUHAMMAD, :
 :
 :
 Defendant. :
 :
 :
-----x

Rockville, Maryland

May 11, 2006

WHEREUPON, the proceedings in the above-entitled
matter commenced

BEFORE: THE HONORABLE JAMES L. RYAN, JUDGE

APPEARANCES:

FOR THE STATE:

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FOR THE DEFENDANT:

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I N D E X

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<u>For the State:</u>					
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Jeff Miller	23	43	--	--	--
Carolyn Revercomb	50	60	--	--	--
Roger Polk, Jr.	65	75	81	82	--
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1 THE COURT: I'll sustain the objection. I'll sustain
2 the objection.

3 THE DEFENDANT: I have no further questions, Your
4 Honor.

5 THE COURT: Okay. Anything else, Mr. Chopra?

6 MR. CHOPRA: None, sir. Thank you.

7 THE COURT: Okay. Thank you for coming. Thank you,
8 sir.

9 THE WITNESS: Thank you.

10 (Witness excused.)

11 MR. CHOPRA: Your Honor, State calls Dr. Revercomb.
12 Carolyn Revercomb.

13 THE COURT: Dr. Revercomb. Good morning. Would you
14 come up here, please, ma'am. Would you come right over here.

15 THE CLERK: Please raise your right hand, ma'am.

16 CAROLYN REVERCOMB

17 called as a witness on behalf of the State, having been first
18 duly sworn, was examined and testified as follows:

19 THE COURT: Okay, sir.

20 MR. CHOPRA: May I proceed?

21 THE COURT: Yes, sir.

22 DIRECT EXAMINATION

23 BY MR. CHOPRA:

24 Q Good morning, Doctor.

25 A Good morning.

1 Q Could you state your first and last name and spell
2 your first and last name for the record, please?

3 A My name is Carolyn Revercomb. That's C-A-R-O-L-Y-N
4 R-E-V-E-R-C-O-M-B.

5 Q Where do you presently live?

6 A New York.

7 Q And what do you do there?

8 A I'm a fellow in neuropathology at New York
9 University.

10 Q And what are your duties as a fellow in
11 neuropathology at NYU?

12 A I examine surgical specimens from neurosurgical
13 procedures. And I also perform the parts of autopsies that
14 involve the brain and the spinal cord.

15 Q And were you employed before your fellowship at NYU?

16 A Yes.

17 Q Okay. And where were you employed before that?

18 A In 2005, prior to the beginning of my fellowship, I
19 worked as a medical examiner for the District of Columbia.

20 Q Okay. Before District of Columbia, were you ever
21 employed in Fairfax County?

22 A Yes.

23 Q Okay. As what?

24 A I was assistant chief medical examiner for the
25 Northern Virginia medical examiner's office in Fairfax from

1 September of 1999 through December of 2004.

2 Q And prior to those five years, were you employed as a
3 medical examiner in other locations in the country?

4 A Yes.

5 Q Okay. Where were you?

6 A I was a medical examiner at Bayer County forensic
7 science center in San Antonio, Texas from 1994 to 1996. From
8 1996 to 1999, I was assistant medical examiner in Philadelphia,
9 Pennsylvania.

10 Q Did you receive any special education to allow you to
11 be a medical examiner?

12 A Yes.

13 Q Could you tell the jury, briefly, what that is.

14 A I'm a physician. I graduated from medical school in
15 1988. After medical school, I did an internship in internal
16 medicine for one year, followed by four years of anatomic and
17 clinical pathology residency training. After my residency, I
18 was a fellow in forensic pathology for one year, and that
19 fellowship was from 1993 to 1994. After that fellowship, I
20 took my first job as a medical examiner in San Antonio, Texas.

21 Q How many autopsies do you think you've performed to
22 date?

23 A It's in the low thousands. More if you count
24 autopsies I've supervised.

25 Q And have you ever been qualified as an expert in

1 forensic pathology in a court of record?

2 A Yes.

3 Q How many times, would you say?

4 A Over 50. I don't have an exact number.

5 Q How many states would you say you've been qualified
6 as an expert in forensic pathology?

7 A Several.

8 MR. CHOPRA: Your Honor, at this juncture, State
9 would move Dr. Revercomb in as an expert in forensic pathology.

10 THE COURT: Mr. Muhammad?

11 THE DEFENDANT: I have no questions, Your Honor.

12 THE COURT: I'll receive Dr. Revercomb as an expert
13 in forensic pathology.

14 BY MR. CHOPRA:

15 Q Doctor, I want to talk to you about October of 2002.
16 Did there come a time that you performed an autopsy on the
17 remains of a Linda Franklin?

18 A Yes.

19 Q Okay. Do you remember when and where that was?

20 A No.

21 Q Okay.

22 A It was in 2002, but I don't have that information.

23 Q Okay. Do you have your report with you?

24 A No.

25 Q Okay.

1 MR. CHOPRA: May I approach the witness?

2 THE COURT: Yes.

3 BY MR. CHOPRA:

4 Q I'm going to show you what's been marked as State's
5 208. Do you recognize it?

6 A Yes.

7 Q Okay. Could you take a moment to familiarize
8 yourself with it, and can you identify State's 208 for the
9 jury?

10 A Yeah.

11 Q Do you recognize that report?

12 A State's 208 is a copy of an autopsy report. An
13 autopsy I performed on Linda Franklin. A copy of the
14 toxicology report performed by the division of forensic science
15 for Virginia, and a copy of the report of an investigation from
16 the office of medical examiner in Virginia.

17 Q Using State's 208, can you refresh your recollection
18 as to the place and time that you performed the autopsy on
19 Linda Franklin?

20 A Yes.

21 Q Okay. When was that?

22 A I performed the autopsy on October 15, 2002.

23 Q And what did your examination reveal, Doctor?

24 A My examination revealed that Linda Franklin had a
25 gunshot wound of the head.

1 Q And Doctor, in the course of your examination of Ms.
2 Franklin, did you determine or locate an entrance wound?

3 A Yes.

4 Q And where was that located?

5 A The entrance was located on the left side of the
6 front of the head. Approximately where I'm pointing on myself,
7 in what's called the left frontal scalp.

8 Q And do you know the approximate size of that entrance
9 wound?

10 A It was 5 to 6 millimeters.

11 MR. CHOPRA: May I approach the witness, Your Honor?

12 THE COURT: Yes.

13 BY MR. CHOPRA:

14 Q I'm showing you a picture that's been marked as
15 State's 206. Do you recognize it?

16 A Yes. This photograph is of the entrance wound in the
17 left side of Linda Franklin's head.

18 Q Okay. Was that picture taken during the course of
19 your investigation?

20 A Yes.

21 Q Okay. And is that an accurate picture?

22 A Yes.

23 MR. CHOPRA: Your Honor, I'd move State's 206 into
24 evidence.

25 THE COURT: I'll receive it.

1 (The photograph marked for
2 identification as State's Exhibit No.
3 206 was received in evidence.)

4 BY MR. CHOPRA:

5 Q Doctor, there is a laser pointer on your table.
6 Could you identify for the jury, on State's 206, the entrance
7 wound that you found on the head of Linda Franklin?

8 A The entrance wound is this defect here.

9 Q Okay. And Doctor, could you describe the path that
10 the bullet took?

11 A Yes. The wound, after entering the left side of the
12 head, passed from Mrs. Franklin's left to right, slightly
13 forward. Well, very slightly forward, and very slightly
14 downward, through the skin, the skull, and the brain.

15 Q Did the bullet fragment after entering Ms. Franklin's
16 head?

17 A Yes.

18 Q And did you observe those fragments within her skull
19 and brain?

20 A I recovered two fragments.

21 Q Okay. And, Dr. Revercomb, what effect did the bullet
22 have on Ms. Franklin's brain?

23 A It extensively disrupted the brain, tore the brain.
24 There was hemorrhage or bleeding in and around the brain. And
25 there were also, in addition to these brain injuries, there

1 were fractures of the skull and of the face.

2 Q And was there evidence that the bullet, or part of
3 the bullet, actually exited Ms. Franklin's head?

4 A Yes. There was an exit wound on the right side of
5 the head.

6 Q Okay.

7 MR. CHOPRA: May I approach the witness, Your Honor?

8 THE COURT: Yes.

9 BY MR. CHOPRA:

10 Q I'm showing you what's been marked as State's 207.
11 Do you recognize that picture?

12 A Yes.

13 Q And is that an accurate picture of the exit wound on
14 Ms. Franklin's head?

15 A Yes.

16 MR. CHOPRA: Your Honor, at this juncture, I'd move
17 State's 207 into evidence.

18 THE COURT: I'll receive it.

19 (The photograph marked for
20 identification as State's Exhibit No.
21 207 was received in evidence.)

22 MR. CHOPRA: May I publish it to the jury, Your
23 Honor?

24 THE COURT: Yes.

25 BY MR. CHOPRA:

1 Q Dr. Revercomb, is State's 207 an accurate picture of
2 the exit wound on Ms. Franklin's head?

3 A Yes.

4 Q Could you describe the injuries that Ms. Franklin
5 sustained that evening as a result of the shot to the head?

6 A There were the entrance wound on the left side of the
7 head, the exit wound from the right side of the head. The
8 injury to the brain and skull and face that I described. In
9 addition, there was a scrape with some bleeding under it in the
10 back of the right side of the head. What's called the right
11 occipital scalp. There were bruises, what are called
12 contusions in my report, on the left buttock and on the right
13 and left legs. Those are the injuries that were present at her
14 autopsy.

15 Q Did you determine a cause of death to Ms. Franklin?

16 A Yes.

17 Q What was that?

18 A It's a gunshot wound of the head.

19 Q During the course of your exam, did you view any x-
20 rays of the injuries sustained by Ms. Franklin?

21 A Yes.

22 Q And what did you observe on those x-rays?

23 A I observed that there was some fragmentation of a
24 bullet.

25 Q Okay. Are you familiar with the term of art called

1 lead snowstorm?

2 A Yes.

3 Q Would that term of art apply to the view of the
4 fragments that (unintelligible) on the x-ray of Ms. Franklins'
5 head?

6 A Yes.

7 Q Okay. Could you find, from your examination of Ms.
8 Franklin, any evidence of close-range firing?

9 A No.

10 Q What would you typically find if you were to find
11 evidence of close-range firing?

12 A Close-range firing evidence is typically soot. That
13 is, dark combustion gases that deposit on the skin around a
14 wound and in a wound, and powder tattooing, which are abrasions
15 from partly-burned and burning, partly-burned and unburned
16 gunpowder. These are things that emerge from the muzzle of a
17 gun, as well as the bullet. These were not found at Linda
18 Franklin's autopsy.

19 Q Based on your findings and your experience and your
20 education, and the injuries you witnessed to Ms. Franklin, do
21 you have an opinion as to the type of weapon used to inflict
22 those injuries upon Ms. Franklin?

23 A Yes.

24 Q What is it?

25 A The injuries are consistent with a high-velocity

1 rifle wound.

2 MR. CHOPRA: If I haven't already, Your Honor, I'd
3 like to move State's 208 into evidence, which is Dr.
4 Revercomb's report.

5 THE COURT: I'll receive it.

6 (The document marked for identification
7 as State's Exhibit No. 208 was received
8 in evidence.)

9 MR. CHOPRA: I have no other questions for the
10 Doctor.

11 THE COURT: Mr. Muhammad?

12 THE DEFENDANT: Yes, Your Honor.

13 CROSS-EXAMINATION

14 BY THE DEFENDANT:

15 Q How you doing, ma'am?

16 A Fine.

17 Q Ma'am, you say it was consistent with a high-velocity
18 rifle round? Did I use your terminology correctly?

19 A My words were high-velocity rifle wound.

20 Q Wound. Okay. Thank you, ma'am. Now, and you say
21 there was no soot evidence of close range?

22 A There was no evidence of close range firing.

23 Q Okay. And you're saying because there was no soot on
24 the body itself.

25 A There was no soot or what's called powder tattooing.

1 Q Okay.

2 A In or around the wound.

3 Q Let me ask you something, ma'am. Would you have soot
4 or powder residue around the wound if she was shot, say, within
5 30 feet of her body?

6 A Within 30 feet includes the range at which there can
7 be evidence of close range firing. But generally, beyond a few
8 feet, beyond 2 to 4 feet, depending on the weapon, there is no
9 evidence of close range firing. So 30 feet also includes a
10 range at which there would not be close range.

11 Q Okay. There would not be close range.

12 A At 30 feet, there would not be.

13 Q Okay. So there would be no evidence of any close
14 range on her body.

15 A If a weapon is fired from 30 feet, there will not be
16 evidence of close range firing.

17 Q Thank you, ma'am. I would like to ask you some
18 questions about your statement, if it please the Court. Yeah.

19 THE COURT: You want to ask her questions about
20 Exhibit 208?

21 THE DEFENDANT: Thank you, Your Honor. Exhibit 208.

22 THE CLERK: Do you want to see it?

23 THE DEFENDANT: Yes.

24 THE CLERK: May I, Your Honor?

25 THE DEFENDANT: (Unintelligible).

1 BY THE DEFENDANT:

2 Q Returning to the witness what's been marked as
3 State's Exhibit No. 208. No, no, no. Leave it on the page.
4 I'm going to leave it on the page. Thank you. I'll let you
5 say what it is. Report of investigation by medical examiner.

6 MR. CHOPRA: What page, counsel?

7 THE DEFENDANT: I don't know. It's an unnamed --
8 it's not paginated, I don't believe.

9 MR. CHOPRA: Could you describe (unintelligible)?

10 THE COURT: Okay, Mr. Muhammad.

11 THE DEFENDANT: (Unintelligible).

12 THE COURT: Well, just call the witness's attention
13 to what you're going to ask her about, and then Mr. Chopra can
14 find it.

15 BY THE DEFENDANT:

16 Q Ma'am, can you go down the right side, and you
17 have what is called (unintelligible). If you come down.

18 THE COURT: Ma'am? First, starting at the front,
19 first page, how many pages into your report is the question?

20 UNIDENTIFIED SPEAKER: He's on the right page right
21 now.

22 THE WITNESS: This is the ninth page.

23 THE COURT: Okay. Thank you.

24 BY THE DEFENDANT:

25 Q The left side, ma'am. And he as (unintelligible).

1 What do you have for (unintelligible)?

2 A This document is the first page of the report of
3 investigation by the medical examination. Under fatal wounds,
4 it says gunshot.

5 Q Okay. Does it say anything about high-velocity
6 round?

7 A No.

8 Q High-velocity weapon?

9 A No.

10 Q Okay. Ma'am, you said the entrance wound was 5/6 of
11 an inch? The entrance wound?

12 A No. The entrance was 5 to 6 millimeters.

13 Q 5 to 6 millimeters? Okay. Is 5 to 6 millimeters
14 larger than an eighth of an inch?

15 A I would have to look at a ruler to answer you.

16 Q Okay. So you're not sure if it's smaller or larger?

17 A It's very likely larger, but I'd -- again, I'd want
18 to look at a ruler before I replied.

19 Q I understand.

20 A It's too different types of units.

21 Q Yes.

22 THE DEFENDANT: Court's indulgence, Your Honor.

23 BY THE DEFENDANT:

24 Q Doctor, in your report, do they have anything about
25 high-velocity round? In your report?

1 A No.

2 Q Okay. Do they have in there about high-velocity
3 rifle in your report?

4 A No.

5 Q Okay. Thank you.

6 THE DEFENDANT: I have no further question, Your
7 Honor.

8 THE COURT: Anything else?

9 MR. CHOPRA: None, Your Honor. Thank you.

10 THE COURT: Doctor, thank you very much for coming.

11 May I have that exhibit, please? Thank you.

12 (Witness excused.)

13 MR. CHOPRA: Your Honor, at this juncture, State has
14 completed the factual testimony regarding --

15 THE COURT: Okay. Just a second. I wonder if you'd
16 let the Doctor leave the courtroom, please. Would you all step
17 aside, please? Thank you, Doctor. Thank you.

18 Why don't we wait until everybody leaves, and then --

19 MR. CHOPRA: Excuse me, Your Honor. Yes.

20 THE COURT: Okay, Mr. Chopra.

21 MR. CHOPRA: Your Honor, at this juncture, the State
22 has completed the factual and medical testimony regarding the
23 murder of Linda Franklin.

24 THE COURT: Okay, sir.

25 MS. WINFREE: May I have a seat, Your Honor?

phm

√ Digitally signed by Linda High

DIGITALLY SIGNED CERTIFICATE

DEPOSITION SERVICES, INC. hereby certifies that the foregoing pages represent an accurate transcript of the duplicated electronic sound recording of the proceedings in the Circuit Court for Montgomery County in the matter of:

Criminal No. 102676

STATE OF MARYLAND

v.

JOHN ALLEN MUHAMMAD

By:

Linda High

Linda High
Transcriber

