



1       been duly sworn according to law, was examined and  
2       testified as follows:  
3               THE CLERK: You may be seated.  
4               THE WITNESS: Thank you.  
5               THE CLERK: You're welcome. Please keep your  
6       voice up and state your name for the record?  
7               THE WITNESS: I'm Doctor Margarita Korell, K-O-  
8       R-E-L-L.  
9               THE CLERK: And state your business address for  
10      the record?  
11              THE WITNESS: 111 Penn Street, P-E-N-N,  
12      Baltimore, Maryland, 21201.  
13              THE CLERK: Thank you.  
14              THE COURT: You may proceed.  
15              MS. MURPHY: Thank you, Your Honor. Good  
16      afternoon, Doctor Korell.  
17              THE WITNESS: Good afternoon.  
18                      DIRECT EXAMINATION  
19              BY MS. MURPHY:  
20              Q     Could you please state your title for the  
21      ladies and gentlemen of the jury?  
22              A     I'm an Assistant Medical Examiner at the Office  
23      of the Chief Medical Examiner in Baltimore.  
24              Q     What are the duties of the Office of the Chief  
25      Medical Examiner?

1           A     The duties are to determine the cause of death  
2     in people who have died suddenly, unexpectedly,  
3     violently, like in homicides, suicides, accidents, or in  
4     cases in which somebody dies while not under the care of  
5     a physician. That means an unattended death.

6           Q     What are your duties as an Assistant Medical  
7     Examiner?

8           A     My duties are to determine the cause of death  
9     in homicides, suicides, accidents and unattended deaths.

10          Q     And your work includes the performance of  
11     autopsies?

12          A     Yes, ma'am.

13          Q     How long have you been practicing in this  
14     field?

15          A     As an Assistant Medical Examiner, since October  
16     of '78. Before that, I was three years an Associate  
17     Pathologist -- that's a training type job -- at the same  
18     office. Before that, I was an Associate Pathologist also  
19     at the Coroner's Office in Pittsburgh, Pennsylvania.  
20     Then I have been doing forensic pathology all that time.  
21     Then before that, I did training in anatomical and  
22     clinical pathology -- that's hospital type pathology --  
23     at Fordham and Collier (phonetic) Hospitals in the Bronx,  
24     New York.

25          Q     What type of education do you have to be an

1 Assistant Medical Examiner?

2 A Well, I'm a physician, and I became a physician  
3 at the University of Buenos Aires, Argentina. Then I did a  
4 rotating internship at Fordham Hospital in the Bronx, New  
5 York. Rotating means going through the several specialties  
6 available at that hospital. Then I did my forensic  
7 pathology in Pittsburgh, Baltimore and then as an Assistant  
8 Medical Examiner since October of '78. And I'm licensed to  
9 practice medicine in this State.

10 Q During your career in the Office of the Chief  
11 Medical Examiner, how many autopsies, if you can  
12 approximate, have you performed?

13 A By now, thousands.

14 Q Can you explain what the term forensic pathology  
15 means?

16 A Well, forensic pathology is a sub-specialty of  
17 pathology that essentially deals in determining the cause  
18 of death in homicides, suicides, accidents, sudden deaths  
19 and unattended deaths. And this is done by doing an  
20 external examination of the body to determine the general  
21 appearance of the body, any injuries, and then through an  
22 internal examination we know as as an autopsy, we determine  
23 the extent of the injuries or extent of any diseases that  
24 may be present at that moment. We also take body fluids,  
25 blood, bile and/or urine, if available, for toxicological



1 tests. If there is any evidence still in the body, we will  
2 retrieve that. Evidence would be in a gunshot wound the  
3 bullet still in the body.

4 Then we will summarize it in an autopsy report,  
5 and we write out a death certificate with the cause and  
6 manner of death.

7 Q Thank you, Dr. Korell. During your years of  
8 experience with the Office of the Chief Medical Examiner,  
9 have you had occasion to observe many cases in which the  
10 cause of death was strangulation?

11 A Yes.

12 MS. MURPHY: Your Honor, at this time, I would  
13 inquire as to whether the defense will stipulate to Dr.  
14 Korell's testimony as an expert in pathology.

15 MS. GUTIERREZ: We would certainly stipulate to  
16 Dr. Korell's expertise.

17 THE COURT: Very well. And the expertise is as  
18 an expert in forensic pathology. Is that correct?

19 MS. MURPHY: That's correct, Your Honor.

20 THE COURT: Very well. Let her be accepted as an  
21 expert in forensic pathology.

22 MS. MURPHY: Thank you, Your Honor, and thank  
23 you, Counsel.

24 BY MS. MURPHY:

25 Q Dr. Korell, did you have occasion to perform an

1 autopsy on a M's Hae Min Lee on February 10th, 1999?

2 A Yes. Yes.

3 Q And where did that occur?

4 A At the Medical Examiner's Office in Baltimore,

5 111 Penn Street.

6 MS. MURPHY: May I approach the witness, Your

7 Honor?

8 THE COURT: Yes, you may.

9 MS. MURPHY: Thank you.

10 BY MS. MURPHY:

11 Q Dr. Korell, I'm showing you what's been pre-

12 marked as State's Exhibit 3, and also what's in evidence as

13 State's Exhibit 3-A. Can you please review these documents

14 and tell us if you recognize them?

15 A (Pause while witness reviewed documents). Yes.

16 This is the notarized copy of the autopsy on M's Hae Min

17 Lee. Our Case Number was 99759-510 with attached photos.

18 Q Does that document fairly and accurately depict

19 your findings in that autopsy?

20 A Yes.

21 MS. MURPHY: Your Honor, I would ask that State's

22 Exhibit 3 be admitted into evidence at this time.

23 THE COURT: Any objection?

24 MS. GUTIERREZ: None.

25 THE COURT: Let it be admitted.

1 MS. MURPHY: Thank you, Your Honor.

2 (State's Exhibit Number 3, autopsy protocol,  
3 marked and received in evidence).

4 BY MS. MURPHY:

5 Q And, Doctor, do you have a copy of this with you?

6 A Yes. That's the original.

7 Q Dr. Korell, where was this autopsy performed?

8 A In the Autopsy Room at the Medical Examiner's  
9 Office.

10 Q And based on your findings, to a reasonable  
11 degree of medical certainty, have you formed an expert  
12 opinion concerning the death of M's Lee?

13 A Yes.

14 Q Can you please explain?

15 A Well, the cause of death was strangulation.

16 Q Okay. And the manner of death?

17 A Homicide.

18 Q Can you explain the basis for your finding?

19 A Well, the signs of strangulation consisted in  
20 petechial hemorrhages in the eyes, petechial hemorrhages of  
21 tiny, minute areas of bleeding, smaller than pinpoint, or  
22 pinpoint size. They were located in the conjunctiva of the  
23 eyelids, the lining of the eyelids on the left side of the  
24 left eye, and on the surfaces of the eyeballs on both eyes.  
25 Now, on the surfaces of the eyeballs the bleeding was

1 larger than petechial, and there were hemorrhages there.

2 Then on the neck, she had a bruise on the right  
3 side of the neck, and on dissection of the neck -- now,  
4 dissection of the neck means going, doing an incision on  
5 the upper part of the chest reflecting the skin and muscles  
6 up to the chin, and then examining each and every muscle  
7 and blood vessel in the neck. These are called the strap  
8 muscles. Some of them you can feel them on the neck, and  
9 then examining them. The voice box, and the hyoid bone,  
10 which is a bone in the shape of a small horseshoe that is  
11 part of the back of the tongue. That's what the tongue is  
12 attached to.

13 Now, on dissection of the neck, we found  
14 hemorrhages. That means bleeding on the upper aspects or  
15 segments of the strap muscles of the neck, which are the  
16 muscles that go from the jaw to the sternum, and to the  
17 clavicle, and into the trachea, and the ones that were  
18 affected were the sterno hyoid and sterno thyroid muscles.  
19 Sterno means the breast bone. Hyoid is the hyoid bone.  
20 Sterno thyroid, that's the muscle that goes from the breast  
21 bone to the thyroid cartilage. That's the Adam's Apple in  
22 the male.

23 Then on looking at the hyoid bone, which is in  
24 the shape of a horseshoe, this little horseshoe has a  
25 middle portion that's the body, and then two little horns,

1 one on the right and one on the left, and at the junction  
2 of the left horn with the body, it was dislocated with an  
3 area of hemorrhage, that means bleeding, into the  
4 surrounding tissue.

5 These are all indications of pressure applied to  
6 the skin and on the neck with bleeding. That's not normal  
7 to have bleeding in the strap muscles of the neck, plus  
8 this location in the hyoid bone with bleeding on it.

9 Q So, the hyoid bone that you've described, Doctor,  
10 is it fair to say that that bone was actually broken?

11 A Yes.

12 Q Dr. Korell, are you able to pinpoint in this case  
13 a specific time of death?

14 A No.

15 Q Are your observations consistent in this case  
16 with the victim being murdered and buried on January 13th  
17 of that year?

18 A Well, I did the autopsy, that was February 10th.  
19 Yes. Yes, I don't see anything inconsistent of having  
20 occurred around that time, yes.

21 Q What observations did you make in this case that  
22 would be consistent with the victim having been dead for  
23 several weeks?

24 A First of all, she had fixed livor. That means --  
25 l-i-v-o-r, is the settling of the blood after somebody

1 dies, and it settles on the part in which the person lies  
2 on the longest. It's bluish discoloration, and it's due to  
3 the settling of the blood in the blood vessels after a  
4 certain amount of time, that varies. The blood vessels  
5 break, and you have blood in the surrounding tissues.

6 So, you have livor mortis, m-o-r-t-i-s. The  
7 first couple of hours it's unfixed because the blood is  
8 still in the blood vessels, and when you apply pressure on  
9 the skin, the area where you apply the pressure blanches.  
10 Now, several hours later it starts, no matter how much  
11 pressure you apply, the area stays blue-grey in color.

12 Then there was also decomposition by, you know  
13 evidence of decomposition on the body in the form of skin  
14 slippage and losing of skin. The body was cold. The rigor  
15 mortis was easily broken in this case. Rigor mortis is the  
16 stiffness that occurs after death. Easily broken means  
17 that at the first couple of hours the body is flaccid.  
18 After a few more hours they start, the joints start  
19 getting, begin to become stiff. Then after a certain  
20 amount of hours, the stiffness disappears also. But there  
21 was evidence of decomposition, and so --

22 Q Thank you, Doctor.

23 A But I cannot approximate the time of death, no.

24 Q Based on your experience, how long approximately  
25 would it take for someone to die of strangulation?



1           A     Well, it depends on how long the pressure is  
2     applied. Now, if somebody applies pressure on the neck for  
3     ten seconds or so, and then the person becomes unconscious,  
4     then unconsciousness leads into death a couple of minutes  
5     later.

6                 Now, if I may say, somebody dies of strangulation  
7     because of the pressure applied to the blood vessels of the  
8     neck, not really applying pressure on the voice box or on  
9     the trachea, just the pressure applied to the arteries that  
10    you can feel here in the neck and the adjacent vein,  
11    together or separate, that's what kills a person.

12           Q     Is it fair to say, Doctor, then that ten to  
13    fifteen seconds would suffice to bring about the death of a  
14    person by strangulation?

15           A     Ten seconds would be unconsciousness. Then it  
16    takes several more seconds to continue unconsciousness, and  
17    then into death.

18           Q     Do you have an opinion, Dr. Korell, as to whether  
19    strangulation in this case occurred manually, by hand, or  
20    by some other means?

21           A     I don't have any indication that a cord or any  
22    other implement was used. There is only a bruise on the  
23    front of the neck. It doesn't have any particular shape or  
24    anything like that. So, in my opinion, it's manual  
25    strangulation.

1           Q     Dr. Korell, in your findings in this case, did  
2     you observe any cuts, lacerations, any other visible signs  
3     of bleeding on the victim's body?

4           A     No. I only saw something under the skin on the  
5     head.

6           Q     Okay. We'll get to that in a moment. Can you  
7     define the term pulmonary edema, please?

8           A     Pulmonary edema is non-specific, but it's fluid  
9     that accumulates in the lungs essentially, and it's made  
10    out of watery fluids mixed with red cells.

11          Q     Is this fluid, does this fluid escape the body at  
12    or around the time of death?

13          A     It may, yes.

14          Q     And how would it do so?

15          A     Well, it would come up, sort of bubbling up  
16    through the trachea -- that's the windpipe -- through the  
17    voice box, and then into the mouth.

18          Q     Is it possible, Dr. Korell, in a case of  
19    strangulation that this bloody fluid would come from the  
20    mouth or nose?

21          A     Then you also, with the pressure applied to the  
22    neck, the same way you get petechial hemorrhages in the  
23    eyes due to the lack of oxygen, other little blood vessels  
24    break in the nose and on the mouth, and you may get fluid,  
25    bloody fluid coming from there also.



1           Q     Now, does this occur -- when did this occur in  
2     relation to the time of death? Is it something that  
3     happens right away or much later? Do you have an opinion  
4     as to that?

5           A     Well, it should happen almost right away, you  
6     know.

7           Q     Now, you mentioned bruises, Dr. Korell, on M's  
8     Lee's head and neck.

9           A     Yes.

10          Q     Can you describe those for the jury, please?

11          A     Yes. The one on the head was in the part of the  
12     head that we call the subgaleal. Subgaleal hemorrhages or  
13     bleeding is bleeding right on the surfaces of the skull  
14     bone, and that was in the right occipital area. Occipital  
15     is in the back of the head, and right temporalis muscle  
16     hemorrhage.

17                Now, on the right temple, and on the left temple,  
18     underneath the skin, we have a muscle called the temporalis  
19     muscle, and there was bleeding in that area. This was all  
20     under the skin.

21          Q     And this bruising you've described was on the  
22     right side of the victim's head?

23          A     Yes. Yes.

24          Q     This type of bruising, does it occur when the  
25     heart is pumping or not?

1           A     Oh, yes. To become a contusion, a contusion is a  
2 bruise, the heart has to be pumping, yes.

3           MS. MURPHY: May I approach the witness, Your  
4 Honor?

5           THE COURT: Yes, you may.

6           BY MS. MURPHY:

7           Q     Dr. Korell, I'll show you what's in evidence as  
8 State's Exhibit 13, which depicts a blood stained tee  
9 shirt.

10          A     Yes.

11          Q     The stain depicted in this photograph, in your  
12 opinion, is that consistent with the type of fluid you've  
13 described in pulmonary edema?

14          MS. GUTIERREZ: Objection.

15          THE WITNESS: Yes, it's --

16          THE COURT: Overruled. Well, sustained as to the  
17 question at this point. If you would lay a foundation of  
18 her knowledge of what that may look like, and then you can  
19 ask her the question.

20          BY MS. MURPHY:

21          Q     Thank you, Your Honor. Dr. Korell, can you  
22 describe the fluid as it would appear?

23          A     You know, pulmonary edema fluid is sort of light  
24 pink in color, and if some little blood vessels in the nose  
25 break up because of the lack of oxygen to the blood

1 vessels, the capillaries break, there may be small, a  
2 little bit darker type of bloody fluid.

3 Q Now, can I ask you, Dr. Korell, the fluid you  
4 have just described, is it consistent with what is depicted  
5 here in these photos?

6 MS. GUTIERREZ: Objection.

7 THE COURT: Overruled.

8 THE WITNESS: Yes. It's like what we see in the  
9 photos. It's light pink in color. That's more consistent  
10 with being pulmonary edema.

11 MS. MURPHY: Thank you, Dr. Korell. Court's  
12 indulgence, please.

13 THE COURT: Yes.

14 (Brief pause).

15 MS. MURPHY: No other questions, Your Honor.

16 THE COURT: Thank you. Witness with you.

17 MS. GUTIERREZ: Thank you.

18 CROSS EXAMINATION

19 BY MS. GUTIERREZ:

20 Q Dr. Korell, the pulmonary edema that you spoke of  
21 is actually a fluid. Is that correct?

22 A Yes.

23 Q Now, during your autopsy that you performed on  
24 February 10th, did you determine whether or not there was  
25 pulmonary edema visible, either to the naked eye or through

1 your analysis, that appeared on the body of Hae Min Lee  
2 that you conducted a pathological examination on?

3 A Yes. Both lungs, especially. The right lung  
4 weighed 540 grams, the left 380. That means that they were  
5 heavy, and the cut section, you know, on the cut -- cut  
6 section means when we cut with a knife through --

7 Q That's after you open up the body?

8 A Right.

9 Q Okay.

10 A After we take the whole body, the body organs  
11 out. There was a type of bloody fluid on the cut section.

12 Q And there's nothing unusual about the appearance  
13 of pulmonary edema on somebody who has been strangled, is  
14 there?

15 A No.

16 Q Okay. Now, you, of course, can only tell us what  
17 your examination reveals, and that is the evidence of  
18 injuries that you saw on her body underneath her skin.

19 A Yes, and then she had that bruise on the right  
20 side of the neck.

21 Q She had the bruise on the right side of her neck.

22 A Yeah. That measured one and a quarter by a  
23 quarter, yes.

24 Q Okay. And that was consistent with what the  
25 findings from inside her body --

1           A     Yes.

2           Q     -- appeared to you, correct?

3           A     Yes. Yes.

4           Q     All right. And you, of course, looked for that

5     once you saw the petechial, the petechial, because that's

6     sort of the classic indicator of the strangulation.

7           A     Right.

8           Q     Is that correct?

9           A     Yes.

10          Q     And that's because of the pressure that the cut-

11     off -- is it the cut-off of the blood flow?

12          A     Yes.

13          Q     That causes death, not necessarily the cut-off of

14     the air flow?

15          A     No. That was --

16          Q     Although cut-off of the air flow may also happen

17     at the same time?

18          A     No. It's just the pressure on the blood vessels,

19     because you really can't cut off the air at the windpipe --

20          Q     There from the outside --

21          A     -- because it's very, very firm.

22          Q     Okay. Now, Dr. Korell, one doesn't need a

23     specific training in order to prepare to strangle another

24     human being, do they?

25          A     Training?

1 Q Yes. Does one need to be trained to strangle  
2 another human being, if you know?

3 A May I say I don't think that you need training  
4 for that.

5 Q Okay. And, in fact, as you've described it, if  
6 somebody applies sufficient pressure for as little time as  
7 ten seconds, that is in the right place --

8 A Uh-huh.

9 Q -- that that is sufficient to cause  
10 unconsciousness.

11 A Yes.

12 Q That if that person is not then revived, would  
13 within a matter, a short time then become dead.

14 A Right.

15 Q Is that correct?

16 A Yes, ma'am.

17 Q All right. And so by ten seconds you really mean  
18 ten seconds.

19 A Yes.

20 Q Okay. And that if now, for instance, if in ten  
21 seconds one cuts off the blood flow and it causes  
22 unconsciousness, unless there is revival, that  
23 unconsciousness would remain.

24 A Correct, yes.

25 Q And if that unconsciousness --

1           A     I mean, if you would stop at ten seconds, the  
2     person may come back.

3           Q     Well, if you pause?

4           A     Yes.

5           Q     But --

6           THE COURT: Wait a minute. I'm not sure I  
7     understand. Your answer was, if you pause?

8           THE WITNESS: I think at ten seconds a person  
9     becomes unconscious, or may become unconscious.

10          BY MS. GUTIERREZ:

11          Q     Let me for my question assume that ten seconds is  
12     enough, and it causes unconsciousness.

13          A     Yes.

14          Q     Unconsciousness in a human body to somebody  
15     untrained might appear to be death, might it not?

16          A     Yes.

17          Q     If someone is unconscious, there doesn't appear  
18     to be visible signs of life, right?

19          A     Right. Correct.

20          Q     And so for somebody untrained, they might assume  
21     that they have already caused death.

22          A     Yes.

23          Q     Okay. And if there --

24          A     Now, if the person doesn't know how to check  
25     respirations or blood, you know --



1 Q Right.

2 A -- pulse or something like that.

3 Q Or to do anything to cause the person to revive?

4 A Right.

5 Q Like CPR.

6 A Right.

7 Q Or manipulating that person in some way, correct?

8 A Right.

9 Q Then the unconsciousness, because if you've cut

10 off the blood supply, ends up being death.

11 A Uh-huh.

12 Q That's part of a process.

13 A Right.

14 Q That if there isn't any intervention or something

15 else doesn't occur, will automatically lead to death.

16 A Yes.

17 Q All right. Now, you, of course, once you see

18 those particular hemorrhages, you look very carefully on

19 the skin for evidence that there was some tool that helped

20 cause the strangulation, do you not?

21 A Right.

22 Q Because the skin would bear marks if there was a

23 rope or a line or something else that might help apply

24 equal pressure around the neck, correct?

25 A Correct.



1 Q That would assist in cutting off the blood  
2 supply.  
3 A Yes.  
4 Q Correct?  
5 A Correct.  
6 Q And in your careful examination, you found  
7 nothing?  
8 A Right.  
9 Q Now, before you opened up the body to look  
10 inside, you examined fully the body itself?  
11 A Yes.  
12 Q Completely?  
13 A Yes.  
14 Q Both your carefully observing it overall, and  
15 then observing each portion of the body, correct?  
16 A Correct.  
17 Q And you notated all of your findings, correct?  
18 A Yes.  
19 Q There was no breakage of skin, was there?  
20 A No. I mean, except for the decompositional  
21 changes.  
22 Q And by the decompositional changes you were  
23 talking about, there are some loss of skin because what  
24 happens to the skin as a result of death itself.  
25 A Yes.

1 Q After death, is that correct?

2 A Right.

3 Q But there was nothing that you observed that

4 indicated that there was any injuries to the body that

5 broke the skin prior to death.

6 A Correct.

7 Q There was no blood producing injury anywhere on

8 that body.

9 A Correct.

10 Q Was there?

11 A Correct.

12 Q And no blood producing injury occurring before

13 death, up until the moment of death.

14 A Correct.

15 Q Or occurring at the time the strangulation took

16 place on that young girl's body.

17 A Correct.

18 Q No place on the face.

19 A Right.

20 Q Or the head, anywhere, anywhere at all on the

21 body, no injury at all.

22 A Correct.

23 Q No breakage of skin other than that which you

24 attributed, based on your expertise, that was due to the

25 decomposition of the skin that had occurred after death.

1           A     Correct.

2           Q     Correct?

3           A     Correct.

4           Q     The hemorrhages that you -- and lay people, we  
5     talk about hemorrhages, essentially means bleeding.

6           A     Bleeding, yes.

7           Q     Does it not?

8           A     Yes.

9           Q     All the hemorrhages that you've described  
10    occurred under the skin, did they not?

11          A     Correct.

12          Q     Okay. And that included the, I guess it's on the  
13    right side, on the back of the head?

14          A     Yeah. Yes.

15          Q     Okay.

16          A     Back and side.

17          Q     That bruising appeared under the skin, correct?

18          A     Correct.

19          Q     And that bruising, because it produced blood, you  
20    know occurred before death, correct?

21          A     Correct.

22          Q     You don't know when it occurred?

23          A     Well, it was fresh. You know, it was -- you  
24    know, it was bright bleeding, so it was fresh, yes.

25          Q     Okay. And by fresh could include how much time

1 before death?

2 A A couple of minutes.

3 Q A couple of minutes?

4 A Yes.

5 Q Okay. But you have no opinion as to the bruising  
6 occurred at the time of death, do you?

7 A No.

8 Q No. And that also includes the bruise above,  
9 the right --

10 A Temporal, temple, in the right temporal.

11 Q -- temporal, and would that be sort of at the  
12 edge of the eyebrow, back?

13 A You see the temple is up here, and the temporalis  
14 muscle occupies all of this, this whole side there.

15 Q Okay. And that evidence of injury also, you only  
16 observed once you peeled back the skin, and you looked  
17 underneath.

18 A Correct.

19 Q Is that correct?

20 A Correct.

21 Q That injury did not produce any breakage of the  
22 skin.

23 A No.

24 Q Okay. And there was no evidence of blood outside  
25 of the body related to that injury.

1           A     Correct.

2           Q     And there was no evidence of any blood producing  
3     injury anywhere from that point to any part of the frontal  
4     lobe of the face.

5           A     Correct.

6           Q     Correct? And if there was, you certainly would  
7     have notated it in your report, would you have not?

8           A     Yes.

9           Q     The pulmonary edema that you've described, you  
10    said it contains red blood cells?

11          A     Yes.

12          Q     And as containing red blood cells, it would  
13    contain a DNA of the person whose pulmonary edema it was,  
14    would it not?

15          A     Yes.

16          Q     All right. And like any other bodily fluid, you  
17    are aware that bodily fluids can be subjected to DNA  
18    analysis to type and identify them. Is that correct?

19          A     Uh-huh. Yes.

20          Q     You don't do that --

21          A     No.

22          Q     -- but you're often privy to that being done on  
23    biological fluids retrieved from bodies you autopsy.

24          A     Yes.

25          Q     All right. And, Dr. Korell, when you examined

1 the body, again, you examined all the cavities, did you  
2 not?

3 A Yes.

4 Q And one of the things you look for anytime you  
5 have a female victim is recent sexual activity. Isn't that  
6 correct?

7 A Yes.

8 Q Especially when a body is brought to you under  
9 circumstances that in and of themselves don't reveal what  
10 happened to the body, correct?

11 A Um --

12 Q Readily. If it's a female victim.

13 A Oh, yes. Yes.

14 Q Okay. You would always look to see if there had  
15 been recent sexual activity.

16 A Oh, certainly. Yes.

17 Q Is that correct?

18 A Right. Yes. Yes.

19 Q And one of the things that you look for is the  
20 presence in, anywhere in the body, including its cavities,  
21 of semen or spermatozoa. Is that correct?

22 A Right.

23 Q And you conducted all those tests on this body,  
24 did you not?

25 A Yes.

1 Q And you found no evidence of spermatozoa,  
2 correct?  
3 A Correct?  
4 Q Anywhere?  
5 A Anywhere.  
6 Q Under any condition.  
7 A Right.  
8 Q Because if you had, you would have collected and  
9 then sent it off for identification, would you have not?  
10 MS. MURPHY: Objection.  
11 THE WITNESS: When we --  
12 THE COURT: Overruled.  
13 THE WITNESS: We do --  
14 BY MS. GUTIERREZ:  
15 Q You do a quick test?  
16 A -- smears. No, it's not that quick, but smears,  
17 and then they have to be stained, and then we look at them  
18 under the microscope to see if there is any sperm cells.  
19 Q Okay. And that's a normal part of an autopsy, is  
20 it not?  
21 A Yes.  
22 Q So, you didn't do anything different in this  
23 case?  
24 A Right.  
25 Q Is that correct?

1           A     Uh-huh.

2           Q     Now, when you autopsy a body, it is naked,  
3     correct?

4           A     Yes.

5           Q     All right. And you were aware that this body was  
6     found clothed.

7           A     Yes.

8           Q     Do you examine that clothing?

9           A     Yes. We describe it and then give it over to  
10    police evidence.

11          Q     Okay. And that, again, is your normal procedure,  
12    is it not?

13          A     Certainly, yes.

14          Q     If you had noticed blood or any fluid on this  
15    clothing during your examination, would you have checked to  
16    see if it corresponded to any specific portion of the body?

17          A     Yes. If she had had any cuts or bullet holes or  
18    something like that, then we would look at the clothing to  
19    see if they corresponded the same way.

20          Q     And if there was something on the body that  
21    matched that, correct?

22          A     Right. Yes.

23          Q     And you found no such correspondence, correct?

24          A     Correct.

25          Q     And your report notes no such correspondence.



1           A     Correct.

2           Q     Correct? And she appeared to be, in the autopsy  
3 photos taken by your office when she was brought to your  
4 office, to be fully clothed. Is that correct?

5           A     Yes.

6           Q     There appeared to be some evidence on her body,  
7 particularly around her knees, that there were scratches or  
8 holes in the stockings?

9           A     In the pantyhose. Yeah, in the stockings.

10          Q     In the pantyhose. She had full pantyhose on her  
11 body, did she not?

12          A     Yes.

13          Q     And that meant pulled up through the crotch, up  
14 to the waist.

15          A     Yes.

16          Q     All right.

17          A     The normal location.

18          Q     All right. And your report notes that, does it  
19 not?

20          A     Yes.

21          Q     Dr. Korell, the shirt that you examined, the  
22 picture of which you examined, the one that you were asked  
23 about, I think it's State's Exhibit 13.

24          A     Yes.

25          Q     Were you ever given that shirt to examine?

1           A     I saw the photos.

2           Q     Just the photos?

3           A     Yeah, yeah, yeah.

4           Q     Were you ever brought the shirt?

5           A     No.

6           Q     Were you ever asked to compare the shirt with

7 anything recovered from the body?

8           A     No.

9           Q     Did you take any samples from the body that

10 indicated that there was nasal fluid that came out of the

11 body as a result or related to the strangulation that

12 caused death?

13          A     No.

14          Q     At any time were you ever asked to do that?

15          A     No.

16          Q     And at any time were you ever asked to examine

17 the shirt for the presence of any nasal fluid?

18          A     No.

19          Q     Could you recognize nasal fluid as distinguished

20 from any other biological fluid by observation alone?

21          A     Well, nasal fluid, if it is mixed with mucous,

22 you may say, well, it's consistent with.

23          Q     It has a certain consistency --

24          A     Yes.

25          Q     -- because of the mucous --

1           A     Right.

2           Q     -- quality of it.

3           A     Yes.  Yes.

4           Q     Is that correct?

5           A     Yes.

6           Q     And you've examined nasal fluid in the course of

7     your expert pathological experience, have you not?

8           A     Yes.

9           Q     And you know what it looks like and what it's

10   supposed to look like.

11          A     Yes.

12          Q     And you would have been able to render an opinion

13   as to whether or not something shown to you resembled nasal

14   fluid, would you have not?

15          A     Yes.

16          Q     And you have examined and observed and seen the

17   biological fluid called pulmonary edema in your previous

18   experience, have you not?

19          A     Yes.

20          Q     Both from the pathology of examining bodies and

21   in your hospital clinical pathology, correct?

22          A     Right.  I've seen patients with it, yes.

23          Q     And you would be able to recognize what it is on

24   a body, would you not?

25          A     Yes.

1           Q     And pulmonary edema is a biological fluid not  
2 necessarily caused by death. Isn't that correct?  
3           A     Yes. It's non-specific. It occurs in multiple  
4 other circumstances.  
5           Q     Okay. In living lungs, is that correct?  
6           A     Oh, yes. I've seen that, yes, in people with  
7 heart attacks or something.  
8           Q     It doesn't just appear in dead lungs.  
9           A     No.  
10          Q     Is that correct?  
11          A     Right. Yes.  
12          Q     Depending on the condition of the body.  
13          A     Yes, yes.  
14          Q     Okay. Now, the other, all the questions that you  
15 were asked, did you render any opinion in your report that  
16 there was pulmonary edema on this body?  
17          A     Under the respiratory system, I described a  
18 pulmonary parenchyma. That's the pulmonary tissue.  
19          Q     Which means the tissue from the lungs?  
20          A     Yes.  
21          Q     Okay.  
22          A     I said, extreme amount of bloody fluid; no focal  
23 lesions were noted. By focal lesions we mean a tumor or  
24 pneumonia, that sort of thing.  
25          Q     Okay. But nowhere under that particular portion

1 of the autopsy protocol that's entitled Respiratory System  
2 or, in fact, anywhere else do you note the existence or  
3 presence of pulmonary edema?

4 A Now, if I may say so, when we describe, we  
5 don't -- we say bloody fluid or bloody, foamy fluid. We  
6 describe --

7 Q Okay.

8 A We don't say pulmonary edema.

9 Q Edema. Well, do you describe bloody, foamy  
10 fluid?

11 A I described it as bloody fluid.

12 Q Okay. And as you're describing the appearance of  
13 the respiratory system, is that correct?

14 A Yes.

15 Q Now, when you were asked, you said that that  
16 fluid if it existed, may escape at the time of death.

17 A Yes.

18 Q It doesn't necessarily have to.

19 A It may, because, you know, the pulmonary edema  
20 starts foaming up --

21 MS. MURPHY: Objection.

22 A -- and changing in the body, and comes out.

23 Q Okay. And it can come out --

24 THE COURT: One moment. One moment. Counsel, I  
25 need you to allow the witness to finish her answer before

1     you ask the next question because, as I said, the  
2     stenographer has to get it down, and I also would like to  
3     hear the answer. And what is happening is that I'm hearing  
4     the end of, or the beginning of your next question before  
5     the answer is completed. So, I would ask that you allow  
6     the witness to finish.

7             MS. GUTIERREZ: I'm sorry, Dr. Korell.

8             THE COURT: You were just saying about the foamy  
9     fluid in the lungs.

10            THE WITNESS: Yes.

11            THE COURT: If you would finish your answer.

12            THE WITNESS: Yes. It may come up naturally.  
13     I've seen it in live patients. It comes through the mouth  
14     and nose, the light pink fluid, and also it comes out when  
15     the body is moved, when the body also starts -- you know,  
16     it's not uncommon that it comes out through the nose and  
17     mouth, yes.

18            BY MS. GUTIERREZ:

19            Q     My question, though, is you chose the word --

20            MS. MURPHY: Objection.

21            Q     -- may, did you not?

22            THE COURT: Sustained. And I'm going to ask  
23     again if you will allow the witness to finish her answer  
24     before you ask the question. And she was, I think,  
25     finishing a few words, and I would ask that you do that.

1                   BY MS. GUTIERREZ:

2           Q     Did you have anything else to add to your answer,

3     Dr. Korell?

4           A     No.

5           Q     Okay. Dr. Korell, twice now you've chosen to use

6     the word "may."

7           A     Uh-huh.

8           Q     Have you not?

9           A     Yes.

10          Q     And may, the use of it, implies that something

11     may happen but it not necessarily does.

12          A     Correct.

13          Q     Does it not?

14          A     Yes.

15          Q     And is that how you utilized the word may?

16          A     Yes.

17          Q     Do you have any opinion as to whether or not

18     pulmonary edema in amounts of any type whatsoever escaped

19     from this body that you examined on February 10th at or

20     near the time of death?

21          A     Well, I don't know a hundred percent. Of course,

22     I don't know a hundred percent, but now the shirt that was,

23     or the implement that was shown to me has very light pink

24     color. That's consistent with pulmonary edema.

25          Q     And were you aware that a trace evidence expert

1 examined that and declared it to be blood?

2 A Well, pulmonary edema has red cells, and she may,  
3 this person may call it blood, yes.

4 Q I didn't ask you that, Dr. Korell. I only asked  
5 you, were you aware.

6 A No, I wasn't aware.

7 Q Okay. And were you ever again, ever asked to  
8 examine that shirt?

9 A No.

10 Q Or to compare it with any findings that you  
11 determined from this body that you examined --

12 MS. MURPHY: Objection.

13 Q -- on February 10th?

14 THE COURT: Overruled. You may answer the  
15 question. Were you ever asked to do that?

16 THE WITNESS: No, no. No, I was not.

17 BY MS. GUTIERREZ:

18 Q And are you aware of any of the circumstances of  
19 this shirt?

20 A No. The whereabouts of the shirt? No.

21 Q Any of the circumstances of the shirt.

22 A No.

23 Q Where it was found?

24 A I'm -- no, I'm not sure where it was found.

25 Q Okay. And --



1           A     I was told once upon a time where it was, but I  
2     don't remember.

3           Q     But you don't remember?

4           A     Yes.

5           Q     But of your own personal knowledge, were you made  
6     aware of all of the circumstances of the location of this  
7     shirt when it came into police custody?

8           MS. MURPHY:  Objection.

9           THE COURT:  Overruled.  At any time were you told  
10    where that shirt was found?

11          THE WITNESS:  If I remember, I think I was told  
12    where it was found.

13          BY MS. GUTIERREZ:

14          Q     And when were you so told?

15          A     Well, that was when we discussed the case once  
16    the autopsy was finished and all of that.

17          Q     So, after you had issued --

18          A     Yes, after, yes.

19          Q     -- your autopsy report.

20          A     Yes, that was after.

21          Q     And at time you were told that, were you asked  
22    not just to examine the shirt, but to alter your opinion in  
23    any way based on information that you were told?

24          A     No.

25          Q     Were you asked to render an additional opinion in

1 any way based on what you were told?

2 A No.

3 Q Was there any purpose based in any way relative  
4 to your opinion that you were given the information you  
5 were given, whatever it was, about the shirt?

6 A No.

7 Q No. Now, Dr. Korell, it is your opinion based on  
8 the absence of any evidence that suggested a tool, that  
9 this girl was strangled manually?

10 A Yes. I don't have any indication that any cord  
11 or anything like that was used.

12 Q Right. There's nothing like that, that appears  
13 on the body.

14 A Correct.

15 Q Correct? So, now by manually, can you render an  
16 opinion as to whether or not the hands that strangled her,  
17 if there were hands, came from in front of her or behind  
18 her?

19 A I cannot say.

20 Q And do you have any opinion based on your  
21 observations of the body as to who strangled her?

22 A No, of course not.

23 Q Or how big the hands were?

24 A No.

25 Q Or to what body they were attached?

1           A     No.

2           Q     Whether it was a male or a female?

3           A     No.

4           Q     Or where the body was when it was strangled?

5           A     No.

6           Q     And do you have any opinion, Dr. Korell, based on  
7     your expert examination of this young girl's body what, if  
8     any, time lapsed between the strangulation and the burial  
9     from which the body was excavated on February 9th?

10          A     No, I don't have any time span of when it could  
11     have occurred.

12          Q     And, Dr. Korell, you said, you answered the  
13     questions of M's Murphy as to, well, was the time -- was  
14     the appearance of the body consistent with her having been  
15     murdered and buried on the 13th of January, and you  
16     answered, yes, it was consistent with, correct?

17          A     Yes.

18          Q     You, in your autopsy protocol, never rendered,  
19     you left blank the space that is left for you to determine  
20     the time of death, did you not?

21          A     Right.

22          Q     And you have no opinion as to what the time of  
23     death was, do you?

24          A     Correct.

25          Q     In fact, the appearance of this young woman's

1 body and your examination of her on February 10th in no way  
2 led you to render an opinion that, in fact, her death by  
3 strangulation and her burial occurred together.

4 A Correct.

5 Q Correct? So, in fact, you can't tell us how long  
6 after her death she was buried.

7 A Correct.

8 Q And there's nothing in her body that gives you  
9 any indication to render any opinion as to that, correct?

10 A Correct, ma'am.

11 Q She could have been strangled one day and buried  
12 several days later. Could she not?

13 A Correct.

14 Q And that would be consistent with everything you  
15 saw about this body, correct?

16 A Correct.

17 Q And if she had been murdered, strangled, the  
18 victim of a homicide, that would be consistent with that  
19 having occurred on the 14th of January as readily as it  
20 would be consistent with it having occurred on the 13th,  
21 would it not?

22 A Yes.

23 Q It would be as readily consistent with it having  
24 occurred on the 15th of January as it would be the 13th.

25 A Correct.

1           Q     It would be as readily consistent if she were  
2     murdered on the 14th but buried on the 15th.

3           A     Correct.

4           Q     And, in fact, it would be as consistent if she  
5     were buried whatever day she was murdered, on the 20th of  
6     January, correct?

7           A     Correct.

8           Q     All you could say from the appearance of the body  
9     was that she had been dead for some time.

10          A     Yes.

11          Q     Is that correct?

12          A     Yes.

13          Q     And you based that on the appearance of her body  
14     and the amount of decomposition. Is that correct?

15          A     Yes.

16          Q     And decomposition is a biological process that  
17     occurs to everybody post-death, does it not?

18          A     Yes.

19          Q     Unless it's arrested by something else, like  
20     cremation?

21          A     Or embalming.

22          Q     Or embalming.

23          A     Yes.

24          Q     Is that correct?

25          A     Yes, yes.

1 Q Those processes stop further decomposition.  
2 A Yes.  
3 Q Correct? But otherwise a body decomposes,  
4 correct?  
5 A Correct.  
6 Q But bodies don't decompose at the same rate.  
7 A Correct.  
8 Q That the rate at which they decompose depends  
9 upon a number of factors, does it not?  
10 A Yes.  
11 Q And those include the outside temperature.  
12 A Certainly.  
13 Q And the temperature at which the body is kept.  
14 A Certainly.  
15 Q So, if the body is kept in a closed space, but  
16 which is cold, it would decompose less rapidly than if it  
17 were hot.  
18 A Correct.  
19 Q Is that correct?  
20 A Of course.  
21 Q Hot speeds up decomposition.  
22 A Certainly.  
23 Q Is that correct?  
24 A Yes.  
25 Q And that means the hot around the body whatever

1 the circumstances are would speed it up.

2 A Certainly.

3 Q Correct?

4 A Yes.

5 Q Cold slows down decomposition, correct?

6 A Correct.

7 Q And that's both because cold slows down the

8 biological process, but cold also surrounding the body

9 slows down other biological processes, such as insects --

10 A Yes.

11 Q -- or bugs that feed on the body.

12 A Yes.

13 Q And bugs or insects speed up decomposition, do

14 they not?

15 A Well, bugs or insects really work on the body and

16 they feed on the body.

17 Q And the evidence of bugs would be visible, would

18 it not?

19 A Oh, yes.

20 Q All right. And did you ever at the time of your

21 autopsy check the temperature chart in Baltimore City

22 around the area where this body was disinterred?

23 A No.

24 Q You were aware, however, were you not, that in

25 February, that January and February had had some major days

1 of cold weather?

2 A Yes.

3 Q Were you not?

4 A Yes.

5 Q And that there had been snow that occurred  
6 between or before the body was found?

7 A Yes.

8 Q Incidentally, Dr. Korell, you described some of  
9 the processes post-death, and you referred to livor, which  
10 is really the blood, related to the blood in the body?

11 A The settling of the blood, yes.

12 Q The settling. And when we are alive, because our  
13 heart pumps, our blood circulates, correct?

14 A Right.

15 Q But after we're dead, there's no more pumping, so  
16 the blood settles essentially on the lowest point?

17 A Right.

18 Q Is that correct?

19 A Yes.

20 Q And that's for all bodies, right?

21 A Yes.

22 Q And once the livor, once the blood settles, it  
23 remains there, does it not?

24 A Yes.

25 Q Unless the body is moved?



1           A     Well, there is a span of time in which the livor  
2     is unfixed. That's the time when the body is moved, then  
3     the livor moves also.

4           Q     Okay.

5           A     Now, after several hours, the livor gets fixed  
6     and it --

7           Q     Then it gets fixed --

8           A     -- doesn't --

9           Q     -- no matter what you do.

10          MS. MURPHY: Objection.

11          THE COURT: Overruled.

12          MS. GUTIERREZ: I'm sorry, Dr. Korell.

13          THE WITNESS: Then once it's fixed, no matter how  
14     you position the body, it stays on the same spot.

15          BY MS. GUTIERREZ:

16          Q     By fixed you just mean it settles.

17          A     Yes.

18          Q     And the blood then --

19          A     Doesn't move.

20          Q     -- stays where it is, right?

21          A     That's correct.

22          Q     So that even if you take a dead body and you  
23     remove it from where it is, and you turn it upside down,  
24     the blood would remain where it became fixed.

25          A     Yes.

1 Q Isn't that right?

2 A Correct.

3 Q Because the internal organs no longer move the  
4 blood, right?

5 A Correct. Right.

6 Q Because there's nothing pumping the blood,  
7 correct?

8 A Yes. And the blood vessels, the blood in the  
9 blood vessels, the blood vessels break up, and then the red  
10 cells go into the tissue, and then it becomes completely  
11 fixed.

12 Q Now, could you tell from your examination if the  
13 grave from which this young girl was removed the day before  
14 you autopsied her was the only resting place she had been  
15 in?

16 A The only thing I can say is that she had frontal  
17 livor, and that means in the front. I don't know where she  
18 was before she was buried. No, I don't know.

19 Q Okay. And so based on your observations, it  
20 would be possible for this young girl post-death, whenever  
21 that may have occurred, to have been held somewhere, the  
22 body held somewhere prior to it being interred when it was  
23 found, from whence it was found.

24 A Yes.

25 Q And there's nothing in your observation that

1 excludes that possibility.

2 A Correct.

3 Q Or tells you whether that happened or didn't

4 happen, right?

5 A Correct.

6 Q Because you are limited to the observations that

7 you could make from the body when it was presented to you.

8 A Correct.

9 Q Is that correct? And there was nothing other

10 than telling at the time that the body was disinterred that

11 the livor you said was frontal?

12 A Yes.

13 Q And by frontal you literally mean the front of

14 the body.

15 A Yes.

16 Q Is that correct?

17 A Yes.

18 Q So that, that would tell you that the body was

19 face down when the livor was fixed.

20 A Right.

21 Q Would it not?

22 A Yes.

23 Q Okay. Because that would mean the blood would

24 pool on the front of the body.

25 A Correct.

1 Q And that wouldn't happen if the body post-death  
2 were on its side.

3 A Correct.

4 Q Or on its back. Is that correct?

5 A Unless, again, the body was moved while the livor  
6 mortis was unfixed.

7 Q Was unfixed?

8 A Yes.

9 Q Because then the movement itself would upset  
10 where the blood went.

11 A Correct.

12 Q Is that correct?

13 A Yes.

14 Q And you couldn't tell whether or not that  
15 happened.

16 A Right.

17 Q You can't tell us whether that body was moved  
18 before or after livor was fixed.

19 A Correct.

20 Q From your observations.

21 A Correct.

22 Q You can only tell us that livor fixed on the  
23 front of the body.

24 A Correct.

25 Q Which would indicate that at the time livor

1 fixed, sometime post-death, that she was laid frontally.

2 A Yes.

3 Q Is that right?

4 A Yes.

5 Q And that's all you can tell us.

6 A Correct.

7 Q You also examined the body of M's Hae Min Lee to

8 determine whether or not she was pregnant?

9 A Correct.

10 Q And you discovered no evidence indicating any

11 pregnancy.

12 A Correct.

13 Q Is that correct?

14 A Correct.

15 Q And that's very easy to test for, is it not?

16 A Well, we just look at the uterus.

17 Q You can tell --

18 A Yes.

19 Q -- a pregnant uterus.

20 A Right.

21 Q Is that correct?

22 A Correct.

23 Q And there's no doubt that she was not pregnant.

24 A Correct.

25 Q All right. And can you tell us when was,

1     although you saw no presence of spermatozoa, was there any  
2     evidence of recent sexual activity?

3           A     No.

4           Q     Is there any way that you can tell that?

5           A     Well, first, because of the spermatozoa, and then  
6     the amount of acid phosphatase.     That's an enzyme.

7           Q     And what does that come from?

8           A     That comes from red cells and prosthetic fluid.

9           Q     And that has to come from a penis, does it not?

10          A     Right.

11          Q     All right.   And if she had recent sexual activity  
12     that utilized a condom to prevent any fluid from the male  
13     penis from entering her, would you be able to tell that?

14          A     No.

15          Q     No.   So, in any event, your report indicates no  
16     indication of when her most recent sexual activity was,  
17     does it?

18          A     Correct.

19          Q     Your report indicates no signs of a struggle that  
20     were evidenced on her body.

21          A     By that you mean, injuries to the arms or legs or  
22     someplace?

23          Q     Yes, any defensive wounds or --

24          A     No.

25          Q     And no other bruising on any other part of her

1 body.

2 A Correct.

3 Q Not of her hands.

4 A Correct.

5 Q Not on her forearms, not on her legs.

6 A Correct.

7 Q No bruising to any part of her leg that would

8 indicate that she kicked something or someone during a

9 struggle to save her life.

10 A Correct.

11 Q And your examination of the body, of course, Dr.

12 Korell, reveals no indication of where her body was when it

13 was strangled.

14 A Correct.

15 Q Or in what position she was when she was

16 strangled.

17 A Correct.

18 Q Much less what was her position relative to the

19 person who manually strangled her.

20 A Correct.

21 Q You were asked about the horseshoe bone. I

22 forget what that's called.

23 A Hyoid bone.

24 Q Hyoid bone.

25 A H-y-o-i-d.

1 Q That was broken, correct?

2 A Yes.

3 Q Would it take much pressure to break that?

4 A Yes, because it's quite hidden. It's the back,  
5 it's in the back of the tongue. It's behind the voice box,  
6 so it's rather protected. So, to get there you need quite  
7 a bit of force.

8 Q Okay.

9 A Especially in a young person.

10 Q The fact that that was broken, did that tell you  
11 anything different than is in your report about the  
12 circumstances of this young woman's death?

13 A No. It indicates that the cause of death was  
14 strangulation.

15 Q Okay. And the actual strangulation had to have  
16 been caused by pressure --

17 A Yes.

18 Q -- on the neck.

19 A Correct.

20 Q And was that pressure, based on your observation,  
21 spread equally on either side?

22 A Actually, the area of the broken hyoid was only  
23 on one side.

24 Q Okay. And does that indicate to you that the  
25 pressure applied to strangle this young woman was unevenly



1     applied --

2           A     It may.

3           Q     -- between the right and the left?

4           A     It may.

5           Q     Did you render an opinion as to that?

6           A     No.

7           Q     Okay. And could she have been --

8           A     Most often it's one side of the hyoid bone that's

9     broken, not both sides.

10          Q     Okay. And so, there's nothing unusual about

11     that?

12          A     Correct.

13          Q     And she still could have been strangled by the

14     application of pressure, whether it came from the front or

15     from the back of her, that could have caused

16     unconsciousness in ten seconds or less.

17          A     Correct.

18                 MS. GUTIERREZ: If you will just give me a

19     minute, Judge. I think I've covered --

20                 BY MS. GUTIERREZ:

21          Q     In the petechial --

22          A     Petechial.

23          Q     Petechial hemorrhages, you described they're on

24     the inside of the eyelid, right?

25          A     Let me be -- on the left --

1           Q     And the eyeball, but --

2           A     On the left palpebral conjunctiva, that's the  
3     lining of the eyelid on the left side.

4           Q     Okay. So that --

5           A     And both bulbar conjunctiva. Bulbar is the  
6     eyeball itself. The eyeball itself is lined by a thin  
7     membrane called the conjunctiva. In fact, both of them had  
8     bleeding.

9           Q     Okay. Now, when you say the bleeding, would the  
10    bleeding have produced blood running?

11          A     No. It's also on the membrane.

12          Q     It's underneath the membrane?

13          A     Yes. It's not free blood, no.

14          Q     Again, just like the bruising that causes the  
15    hemorrhages underneath, this bleeding would not have  
16    produced any rivulet of blood.

17          A     No.

18          Q     From the outside.

19          A     No.

20          Q     From the corners of the eye.

21          A     No.

22          Q     From anyplace in the eye.

23          A     Correct.

24          Q     And it would not have produced blood or fluid  
25    running on her face.

1           A     Correct.

2                     MS. GUTIERREZ: Thank you. I have nothing

3 further.

4                     THE COURT: Witness with you. Any re-direct?

5                     MS. MURPHY: Just briefly, Your Honor.

6                             RE-DIRECT EXAMINATION

7                             BY MS. MURPHY:

8           Q     Dr. Korell, do you personally conduct DNA

9 analysis?

10          A     No.

11          Q     So, is it fair to say that if the police wanted

12 that done, they would have to utilize labs for that

13 purpose?

14          A     Yes. We don't do it in our lab, either. We

15 provide them with blood or something, whatever they need,

16 but not, we don't do the test.

17          Q     Now, you were asked on cross examination if a

18 person would necessarily be able to tell whether

19 unconsciousness -- would be able to differentiate between

20 unconsciousness and death.

21          A     And death.

22          Q     In your experience, would a person with training

23 as an emergency medical technician be able to tell the

24 difference between unconsciousness and death?

25                     MS. GUTIERREZ: Objection.

1 THE COURT: Overruled.

2 THE WITNESS: A -- I'm sorry.

3 BY MS. MURPHY:

4 Q You may answer that.

5 A A person trained like that, yes, he should be  
6 able. She should be able.

7 MS. MURPHY: Thank you, Dr. Korell.

8 THE COURT: Anything further?

9 MS. MURPHY: Nothing further from the State, Your  
10 Honor.

11 RE-CROSS EXAMINATION

12 BY MS. GUTIERREZ:

13 Q Dr. Korell, what is it that you would determine  
14 to be an emergency medical personnel?

15 A Well, these are people that work in ambulances,  
16 and at the scene of an accident, or injury or in natural  
17 problems. They check on the person to see how much injury  
18 they may have, what diseases may be being affected and  
19 causing the person to need their assistance. And they do  
20 resuscitation. They check for pulse. They do all of this,  
21 and they intubate.

22 Q So, determining the difference --

23 A Yes.

24 Q -- between unconsciousness and death would  
25 involve an emergency medical personnel actually checking

1 out the person.

2 A Certainly.

3 Q By seeing if they had a pulse.

4 A Right.

5 Q And checking the breathing rate.

6 A Right.

7 Q And doing other things that would determine

8 whether or not the person were dead or alive.

9 A Correct.

10 MS. GUTIERREZ: Thank you. Nothing further.

11 THE COURT: May this witness be excused?

12 MS. MURPHY: Yes, Your Honor.

13 MS. GUTIERREZ: Yes.

14 THE COURT: And may this witness be released from

15 all subpoenas and summonses?

16 MS. GUTIERREZ: Yes.

17 THE COURT: Very well. You are excused at this

18 time. Let me advise you that you may not discuss your

19 testimony with anyone who may be a witness in this case.

20 THE WITNESS: Certainly.

21 THE COURT: And I also advise you that you are

22 now released from the summonses, and you may, if you

23 choose, have a seat in the courtroom if you would like

24 because at this time you are released and you're free to

25 go.

1 THE WITNESS: Thank you very much.  
2 (The witness was excused and left the  
3 courtroom).  
4 MR. URICK: Does the court wish to do another  
5 witness at this time?  
6 THE COURT: Yes, I would. I would like to go  
7 till 4:30.  
8 MR. URICK: May we have just a second to get the  
9 witness?  
10 THE COURT: Yes.  
11 (Brief pause).  
12 THE COURT: While we're waiting for this witness,  
13 do you want to have a discussion with regard to that one  
14 scheduling issue for Friday or not that generated a note?  
15 MS. GUTIERREZ: Oh! It's next Friday?  
16 THE COURT: Next Friday.  
17 MS. GUTIERREZ: Oh! Yeah, we can.  
18 MR. URICK: I thought our final suggestion  
19 resolved it.  
20 THE COURT: Just wait until --  
21 MR. URICK: Yes.  
22 THE COURT: Okay. Very well. Perhaps you can  
23 give us an idea, Mr. Urick, about how many more witnesses  
24 would you say the State has?  
25 MR. URICK: We have one more.