

Stanley J. Broskey, Ph.D.

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Am. Academy of Forensic Sciences American Chemical Society The International Association of Forensic Toxicologists

August 30th, MMI

re: The Previous Texas Trial in the Death of Eddie Royce Shaw  
to: Atty. Danny D. Burns  
Fl. Worth, Tx 76102-1940

AFFIDAVIT

FILED

TO WHOM, IT MAY CONCERN:

In the State of Pennsylvania  
County of Bucks

The affiant, after being duly sworn on oath, deposes & says:

My name is Stanley J. Broskey. I have been a forensic scientist, since 1946, & have testified in ten thousands of trials, as an expert witness, & I have been an analytical chemist, since 1958. I have taught Criminal/ Crime Scene Investigation at three colleges over a 10 year period. I have read the transcript of the E.R. Shaw's murder trial, involving Mrs. Desiree Shaw. That Texas trial, in my opinion, was not only unfair, but also quite bizarre.

The defense, by reading the Texas transcript, has no voir dire challenge to any state witness, prior to his testimony... the testimony is given, before any real challenge to an expert's credentials, is allowed.. this is akin to "locking the barn, after the horse ran away" & completely unfair & bizarre.

I am appalled that the defense in that case was not entitled to any discovery, prior to the trial, to establish a proper defense. No real data from the police was allowed to be perused by a defense expert. The crucial bio-specimens assayed by Texas Dept. of Public Safety are discarded after 30 days .... long before, the defense knows about them! Then, the defense has no ability to re-test them for analytical correctness. This is unfair & quite bizarre.

We know that the deceased was on a regular Rx Vicodin [ hydrocodone] regimen, & had some alcohol... the combination of the two can certainly/surely cloud one's sensorium.

The published serum half life of Rx hydrocodone is from 3.4 hour to 8.8 hours ... it takes 7 half lives to get down to 1% of the original dose remaining in the blood. We are

Exhibit "yy."

0260

saying that the Texas Dept. of Public Safety analyzed Royce's blood & urine, incorrectly &/or incompetently.

E. Royce Shaw kept a bullet always in his gun's chambers. by doing so, this is an accident ready-to-happen. The Vicodin, the alcohol, the bullet in the chamber, etc. can all raise the scientific probability of an death by accident, to have occurred.

The defense attorney in Desiree Shaw's trial chose to not to present any defense fact witness nor expert testimony, this was an egregious mistake... Juries acquit under these conditions only on Perry Mason's TV shows scenarios ) Not in real life, by my courtroom observations & experiences.

Too many police officers & ENT personnel were allowed in the crime scene room, long before the photographs & videotape was recorded ... this annihilated the integrity of the State's recorded materials. No crime scene sketch nor contemporaneous notes was done, in a supposedly murder case, which contributes to the incompetence of the State's witnesses & collected evidence & makes Desiree Shaw's trial very unfair & quite bizarre.

There are other reasons why this Texas trial was so unfair & bizarre.

The Golden Rule is still in charge of all moral/ethical human conduct, states : " Do not do anything to someone else that you would not want done to yourself" I can not see the Texas DA having his own murder trial, conducted under such unfair & bizarre courtroom circumstances. No wonder that Mrs. Desiree Shaw easily got unfairly convicted, in Texas.

Further, the affiant sayeth naught.

*Stanley J. Broskey Ph.D.*  
Stanley J. Broskey, Ph.D.  
Forensic Scientist

Sworn & Subscribed to me, this 30 th day of AUGUST , in the year 2001

*Cheryl J. Rohrer*  
Notary Seal  
Cheryl J. Rohrer, Notary Public  
Lower Southampton Twp., Bucks County  
My Commission Expires Mar. 27, 2003  
Member, Pennsylvania Association of Notaries



Notarized AFFIDAVIT of Dr. Stanley J. Broskey

State of Pennsylvania  
County of Bucks

The AFFIANT, after being duly sworn on oath, deposes & says:

- 1.] My name is Stanley J. Broskey, age 66, . I have been a forensic chemist & toxicologist & criminalist since 1966 [ for the City of Philadelphia & for the NJ State Police] & an analytical chemist since 1958. I was the NJSP 's only forensic toxicologist for 3 years, & testified for the State of New Jersey , in numerous of its cases.
- 2.] Forensic Science does not exist only for the prosecution; it also exists for the defense. It is not a formulated science that is one sided.
- 3.] I understand that the 'defense' attorney in Ms. Desiree Ann Shaw's, #769352 RS 4B19 criminal case chose not to hire a forensic expert for his client Money in Texas should be readily available for this purpose, e.g, via the Texas' public defender system... as it is available in other States
- 4.] Without a hired, forensic expert to expound Ms. Shaw' defensive courtroom points , Ms Shaw's 'defense' lawyer was an ineffectual counselor-at-law, & due to that, Ms. Shaw's chances for a favorable verdict was extremely compromised.
- 5.] Ms. Shaw's defense atty. chose, on his own, to just rest & to not present any defensive points to the jury, in Ms. Shaw's behalf! Such a courtroom "defensive" strategy is only successful in whimsical Perry Mason TV scenarios! Extremely rarely successful, in real life courtroom situations!!!

Further ,The Affiant sayeth naught.

*Stanley J. Broskey, Ph.D.*  
Stanley J. Broskey, Ph. D.  
Forensic Scientist/Expert Witness

Sworn & Subscribed to Before me on this 15<sup>th</sup> day of FEBRUARY 2003

*Cheryl J. Fahrer*  
Notary

Notarial Seal  
Cheryl J. Fahrer, Notary Public  
Lower Southampton Twp., Bucks County  
My Commission Expires Mar. 27, 2003  
Member, Pennsylvania Association of Notaries

