

Exhibit 'C'

**ENTOMOLOGY REPORT PRESENTED TO JAMES RYTTING IN THE TEXAS
CASE OF *SWEARINGEN VS DRETKE* (CAUSE NO. 05-70039, UNITED STATES
COURT OF APPEALS FOR THE FIFTH CIRCUIT)**

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SUMMARY

The results of a 2004 entomology report regarding time of death of Melissa Trotter cannot be relied upon because of erroneous hourly temperature data. This case has been reworked here using reliable daily data, and using the same methodology with degree days instead of degree hours. Results indicate that first oviposition leading to colonizing by blow flies (translating to near to time of death) occurred December 18th, 1998.

INTRODUCTION

Blow flies (Calliphoridae) initiate colonizing of human remains by laying eggs on bodies soon after death, sometimes within minutes, depending on environmental conditions. Blow flies are therefore good indicators of time of death in cases of abandoned decomposing remains, long after the science of pathology can no longer apply (about 72 hours). Accurate knowledge of climate conditions, especially temperature, is critical in quantitatively determining the time when colonizing by blow flies begins since insect development is driven by temperature.

July 2004 I prepared an entomology report as to the time when blow flies first colonized the remains of Melissa Trotter. This report was based on examination of information obtained from a number of sources including death scene and autopsy photographs, pathology documentation, court testimony, insect specimens and DNA analyses thereof, classical taxonomy, biology data and hourly climatological data. It has recently come to my attention that some of the hourly temperature data I used in working the entomology of the Melissa Trotter case is, in fact, erroneous.

Climate data used in the 2004 report included hourly temperatures out of the Montgomery County Airport climatological station in Conroe. Hourly unedited data for December 22nd 1998 indicate there were no temperatures exceeding 35°F. However, daily edited temperature data out of Conroe indicate a maximum temperature of 75°F for the same day. The high of 75° F is consistent with nearby Huntsville, almost equidistance from the death scene as Conroe, where there is a daily high of 74°F for the same time. I have reworked the case with the edited daily data out of Montgomery County Airport, Conroe. Analyses is exactly the same except degree days are used instead of degree hours. Edited hourly climatology data was not available.