

# **EXHIBIT “F”**

COUNTY OF Johnston )  
STATE OF NORTH CAROLINA )

**STATEMENT OF DR. JAMES J. ARENDS**

1. My name is Dr. James J. Arends, consulting entomologist in this case. In 1979, I earned a Masters of Science in Entomology from Oklahoma State University. In 1981, I received my Doctorate in Entomology from Oklahoma State University. From 1993-1995, I was on faculty at North Carolina State University a professor in the Department of Entomology, and Department of Microbiology, Pathology, and Parasitology in the School of Veterinary Medicine. I have been an expert witness in over fifty cases involving fly, odor or beetle pest issues. I have been an expert witness in thirty-seven cases in which murder or determination time or location of death was an issue.
2. I have been informed that the State accepts the January entomological report of Dael Morris "as accurate, true, and correct." In her report, Ms. Morris identified *C. cadaverina* as the blow fly species that colonized Ms. Trotter's body. Ms. Morris also concluded that *C. cadaverina* colonized Ms. Trotter's body no sooner than December 18, 1998. It is my understanding that the State does not contest Ms. Morris's identification of the colonizing species, *C. cadaverina*, and "accepts the findings of Ms. Morris's report on their face."
3. I have reviewed Ms. Morris report and data on which it depends, including genetic identification of *C. cadaverina* and hourly temperature data. I have also reviewed the report of the pathological examination of Ms. Trotter's body conducted by Dr. Joyce M. Carter, crime scene photographs of the body of Melissa Trotter, autopsy photographs of Ms. Trotter's body, Montgomery County Sheriff Department reports on the crime scene investigation; and the trial testimony of Dr. Carter in which Dr. Carter provides the

opinion that the body of Ms. Trotter, which was recovered on January 2, 1999, was deposited in the San Jacinto National Forest twenty-five days earlier on December 8, 1998.

4. I have been asked to provide an opinion regarding an explanation for the entomological evidence reported by Ms. Morris, which I understand the State has advanced, namely:

Mr. Swearingen left Ms. Trotter's body in the woods on December 8, 1998, but ovipositing by blow-flies did not occur until December 18, 1998, in this case because temperature conditions from December 8, 1998 to December 18, 1998, prevented egg deposition.

For the following reasons, the State's explanation is not supported by the forensic evidence in this case.

5. Daytime temperatures rose above the 12 C° (= approximately 50° F) on December 8, 9, and 10, 1998 and again on December 14, 15, 16, and 17, 1998. Hence, ambient air temperatures permitted movement and egg laying during portions of the day. Furthermore, if there were a reason that flies would have been close to the body, more fly activity would be expected.

6. Crime scene reports indicate that deer remains were found in the immediate area due to hunting activity by humans. Deer offal would have been a source of active blow flies as long as weather permitted. Data from the National Oceanographic and Atmospheric Administration ("NOAA") shows that temperatures, in Fahrenheit, beginning December 1 and ending December 11, 1998, were as follows:

Date	1	2	3	4	5	6	7	8	9	10	11
Max	76	78	76	81	80	83	79	79	57	58	46
Min	57	64	67	70	65	65	47	44	48	44	43