

1 and he did all of this with the same gun. That's what the
2 evidence will show. Thank you.

3 THE COURT: All right, Mr. Harris?

4 MR. HARRIS: If it please Your Honor, Melvin, Mrs. Gray,
5 Members of the Jury, let me introduce to you someone who has
6 joined me at the table, so you'll know it. Her name is Pat
7 Mincey. She's going to be working with me and helping me
8 during the trial.

9 Members of the Jury, we're about to enter upon a
10 nightmare, a nightmare for Mrs. Hall (sic), who's going to be
11 here testifying, talking about the experience that she had to
12 go through, and a nightmare for this system and for you
13 ladies and gentlemen.

14 Members of the Jury, what we're going to be treated
15 to is what can go wrong in the criminal justice system.
16 We're going to hear from Mrs. Ham, who's going to tell us,
17 among other things, about her torturing experience. She's
18 going to say that while she was making a telephone call,
19 someone came up to her and looked her in the eye, didn't
20 speak a word, and had very dark skin and that this person
21 whom she unfortunately is unable to tell us anymore about
22 killed her husband and injured herself.

23 And then, Members of the Jury, we're going to be
24 treated to a way, an education in the way our system works,
25 because we're going to be treated to the testimony of a

1 fellow who, as you have already heard, is sitting in jail,
2 serving a sentence for the crime of rape and other crimes,
3 and who is going to come here and want you to believe him
4 when he says to you, I was there and I didn't do anything,
5 Melvin Griffin did it all.

6 Members of the Jury, I'm submitting to you now and
7 telling you that what you can look forward to hearing and
8 seeing is that that statement of that fellow is going to be
9 the only direct evidence of anybody who saw or heard
10 something they can remember to tell you about, about what
11 happened that night.

12 And I'm going to ask you to pay close attention to
13 that, because it's not going to happen like the Prosecutor
14 just told you. What really happened was, he didn't -- he
15 didn't go down and give a statement. This thing happened on
16 February 23rd, 1992 and it was in June before he said
17 anything to the policeman about what happened.

18 He didn't go down to give a statement. He was
19 sitting in jail and his aunt, Doris Hurt, we will see,
20 traipsed down to the jail house to persuade him to save his
21 own skin to tell the police what they wanted to know about
22 Melvin Griffin. That's what this case is going to be about,
23 Ladies and Gentlemen of the Jury.

24 I'm going to ask you to pay close attention to all of
25 the evidence. It is going to be a nightmare for all of us,

1 to hear how these things happened and that they did happen,
2 and to have to suffer through Mrs. Ham's personal suffering
3 in telling us about it, and her loss, and then we're going to
4 have to set out about what we're really here for, and that is
5 the legal part of this thing.

6 We're going to have to put the pieces of the puzzle
7 together and make a legal determination, based on the law His
8 Honor will tell you at the end of the case, and, because of
9 these things I'm pointing out to you at the very outset that
10 you can be on the look-out for, and because of all the other
11 evidence -- and I'll tell you now, there's going to be a lot
12 of evidence. As you've already heard, this case may take two
13 or three days.

14 But what I've told you is also true, I think you'll
15 find after the case is over. We'll be hearing from a doctor
16 who examined the -- Mr. Ham's body, who wasn't there when it
17 happened, and we'll be hearing from people concerning where
18 the gun came from who wasn't there when it happened.

19 The only direct evidence is going to be from Mrs.
20 Ham, who cannot tell us who did it, except that he had very
21 dark skin, and from a convicted felon, who, six months after
22 he killed this man, did what he had to do to protect his own
23 skin.

24 When this case is over, Members of the Jury, we're
25 going to ask you to find that the system works and do

1 justice. Let's find not guilty for Melvin Griffin, and I
2 thank you.

3 THE COURT: All right, Mrs. Gray?

4 MRS. GRAY: The State will call Dr. Medart.

5 WILLIAM MEDART, M.D., WAS CALLED AS A WITNESS BY THE STATE.
6 WAS SWORN, AND TESTIFIED AS FOLLOWS:

7 DIRECT EXAMINATION BY MRS. GRAY:

8 Q Tell us your name, please.

9 A William Medart. That's M-e-d-a-r-t.

10 Q Thank you. Can everybody hear him? What is your
11 occupation?

12 A I'm a physician.

13 Q And you're licensed to practice in the State of Georgia?

14 A Yes.

15 Q In what type of practice do you practice?

16 A I do two types of practice. I do family practice and I
17 do forensic pathology.

18 Q And what is forensic pathology?

19 A Forensic pathology is one of the divisions of the
20 practice of pathology, which is the study of the effects of
21 disease on the human body. There is anatomic pathology, the
22 study of changes in the anatomy of the body during disease or
23 other trauma; clinical pathology, the study of changes of blood,
24 urine, spinal fluid, bacteria, things like that; and then
25 forensic pathology, which is the application of all of these