

ATTACHMENT F

RECEIVED

FEB 4 1999

RONALD D. NEBB

**James and Associates
Forensic Consultants, Inc.**

Telephone 4800 SW 64th Avenue Suite 107
954-321-8700 Fort Lauderdale, Florida 33314

Telefax
954-321-8994

CASE NOTES

STATE OF WASHINGTON V. DAROLD STENSON

Frederick D. Leatherman, Jr.
Attorney at Law
1301 Fifth Avenue
Seattle, WA 98101

Tel: 206-382-1100
Fax: 206-583-0570

Case Number : 94-015-WA

Type of Case: Homicide x 2 Gunshot

Victims: Denise Stenson and Frank Hoerner

Materials Received for Examination

Received via Fedex # 2715836896 on 6/23/94 and # 2715836900 on 6/27/94

1. Color photographs of the scene and physical evidence.
2. Autopsy report of victim Denise Stenson. (King County)
3. Autopsy report of victim Frank Hoerner. (Clallam County)
4. Washington State Crime Laboratory reports and diagrams of Michael Grubb.
5. Notes and diagrams of Rod Englert.
6. Crime scene diagrams.
7. FBI reports (Genetic markers, DNA and ballistics).
8. GeneLex Laboratory report (DNA).

Examination of Physical Evidence

My examination of the physical evidence including Luminol photographs was conducted at the Clallam County Sheriff's Office on the date of 7/8/94 with Sgt. Monte Martin. A visit to the crime scene was also accomplished on 7/8/94.

Note: Some bloodstains were removed for testing prior to my examination.

Summary of the Case

The victims in this case, Denise Stenson and Frank Hoerner were found at 55 Kane Lane in Sequim, WA. Frank Hoerner was located on the floor in a downstairs bedroom and pronounced dead at the scene. Denise Stenson was located in bed in an upstairs bedroom and taken to a local hospital and expired approximately one day later.

Injuries Sustained by the Victims and Observations of Autopsy Reports

Denise Stenson

This 28 year old white female sustained a penetrating contact gunshot wound that entered the left occipital scalp above the left ear. Soot deposition present within the path of the projectile which was described as back to front, left to right and slightly downward. The projectile was recovered.

Partially digested food in stomach.

Evidence of medical intervention including therapeutic drug therapy (brain injury)

No mention of back spatter present or absent in report

Frank Hoerner

Location of spatter? - In 1/2

This 33 year old white male sustained a perforating gunshot wound that entered the left temporal scalp above the left ear and exited in the right occipital area of the head. Around the wound of entrance there was noted to be powder deposition and stippling. Stippling measured approximately 2 x 2.5 inches. (Fairly close range). The path of the projectile was left to right , front to back and below to above.

Blunt trauma described as abraded laceration on left posterior parietal scalp, patterned abrasion right cheek, abrasions on back and buttocks associated with dirt and debris, and abrasions and lacerations of left arm.

Partially digested food in stomach.

No back spatter of blood on either hand stated in report.

Observations of Scene Photographs and Crime Scene Reports

Four major areas of residence considered scenes of interest.

Driveway and exterior porch.

Cast-off bloodstains on support pole.

Bloodstains on concrete and driveway drip pattern ?

Activity on porch - Fight or Struggle ?

Laundry hallway outside downstairs bedroom.

Cast-off bloodstains with downward directionality on inside of door, adjacent wall on dryer and top of garbage can.

Activity in hallway- Fight or Struggle ?

Downstairs bedroom (Victim Hoerner).

Victim prone on carpeted floor with head against edge of open door of bedroom with feet under edge of bed. Revolver on floor between left hand and head. No back spatter on left hand.

Spatter on wall above head. (Bloody head impacts floor)

Spatter on left shoulder of jacket ?

Downward flow patterns of blood on left side of face and forehead.

Projectile located near right side of deceased.

Evidence of projectile impact on headboard of bed with high velocity impact blood spatter. Skull fragment on bed. (Proximity to that area at time of shot).

Upstairs master bedroom (Victim Stenson).

Bloodstains on bed (bleeding victim)

Spatter on headboard. (Back spatter)

Victim shot on bed.

Examination of Physical Evidence Including Luminol Photographs

1. Headboard from downstairs bedroom shows area of projectile damage surrounded by HV spatters of tissue and blood. Confirms crime scene observations.
2. Right shoe(Rawling Sport-white) of Hoerner shows no apparent blood on the sole. Few small stains noted on top surface. (Satellite spatter ?)
3. Left shoe(Rawling Sport-white) of Hoerner shows light scattered stains.
4. Gray jacket with red trim of Hoerner shows spatter pattern on top and rear of left shoulder area. No spatter on sleeves. Some blood on front and interior.
5. Blue jeans of Hoerner show spatter pattern on front of left leg and apparent blood transfer on rear of right leg.
6. Blue shirt of Hoerner shows blood soaking around the collar area. Some features of diluted blood are present.
7. Left shoe(white) of Stenson (D) shows possible blood on the top surface.

8. Right shoe(white) of Stenson(D) shows possible blood on the top surface.
9. Black sweatshirt of Stenson(D) shows possible blood on right sleeve.
10. Blue jeans of Stenson(D) shows a low velocity drip pattern of blood consisting of near circular stains with some satellite spatter on the right knee area. Two of these stains appear to have been altered while wet. Some transfer of blood also appears to be present in this area. The right front thigh area exhibited several small, .5- 2 mm diameter spatters of apparent blood. The lower left leg exhibited some similar spatters of apparent blood.

Summary of Blood Individualization

FBI

Blue jeans of Stenson - Blood of Hoerner (PGM and RFLP).

Hands of Stenson - Blood of Denise Stenson (Gc and Hp).

Laundry room - Blood of Hoerner (PGM).

Carpet and wood beam on main stairs - Blood of Denise Stenson (PGM and Hp).

Floor (upstairs ?) - Blood of Denise Stenson (PGM).

GeneLex Laboratory

Blue jeans of Stenson, left front leg - Blood of Frank Hoerner (HLA, DQA1).

Further Considerations

Compare bloodstain evidence to defendant's version of events.

Sequence of events issue (struggle or fight outside involving Hoerner)

Time of death issue. (food in stomach of victims).

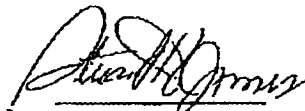
No evidence of kneeling in blood. See Grubb report.

Spatter on defendant's blue jeans could be result of impact (blunt or gunshot).

Attacker would not necessarily have a lot of blood on clothing.

Would defendant have heard anything (struggle, fight, shots) ?

No Report Issued


Stuart H. James