Grant Smith Ellis Court Log

USA v. Matthew Farwell — October 27, 2026

Reporting by Grant Smith Ellis (@GrantSmithEllis) · YouTube

Venmo · PayPal

About this report: This document reconstructs Grant Smith Ellis's contemporaneous courtroom reporting from his October 27, 2026 posts on X and is reproduced here in support of public access to the proceedings. Every reasonable effort is made to ensure accuracy and completeness; however, this document should be understood as neither an official court transcript nor a perfect reproduction of Grant's original reporting.

Source scope: This report incorporates the full October 27 author-search corpus through the end of court. The earlier interim report was based on a 205-status morning pull through approximately 1:30 PM ET; the later full-day pull independently reproduced all 205 morning status IDs and added the afternoon reporting.

Exhibit handling: Consistent with the current court-order workflow, Grant's contemporaneous descriptions of exhibits are preserved, but this archive does not acquire, embed, preview, or append trial exhibits for this date.

Pre-Court / Preliminary Matters

5:48:44 AM ET God bless America.

Feds are here, John Fanning and Brian Tully. https://t.co/z5C6ysgu1u [X source]

8:29:25 AM ET Good morning from inside Boston's Moakley Federal Courthouse, where this will be today's live-thread coverage of the penultimate day of the prosecution's case in the Sandra Birchmore and Matthew Farwell trial.

William Farwell, with immunity, resumes his direct after 9AM ET. [X source]

8:44:03 AM ET RT @AnneBrensleyMA: Congratulations to Elizabeth for bringing Republicans center stage!!! LetΓÇÖs go!!!! #mapoli #Massachusetts

https://t.cΓÇª [X source]

8:47:24 AM ET Here we go. Judge takes the bench.

"Counsel, a few housekeeping things; exhibit 160, which was the marriage certificate, I looked at rule 803 (9), a public record of a vital statistic, so I think there is a basis for admission."

"Thank you, your honor."

"As to the continued testimony of Mr. William Farwell, I thought further about what the government is proposing. I will allow that limited questioning under 404 (b), in regards to questions about non-disclosure of the relationship with Ms. Birchmore as opposed to disclosure of other relationships (affairs), and to the extent that there are observations of Mr. William Farwell of Mr. Matthew Farwell with the other individuals, I will

allow that. I understand the objections Ms. Stevens, and they are noted on the record. I will give a limiting instruction to the jurors about 404 (b) evidence, as I did before." [X source]

8:52:29 AM ET "Please alert me when you're getting to that today, Mr. Fogerty."

"Okay, I will, your honor."

"As to disputed exhibits with Dr. Smock, from the government there were a series of exhibits, 310, 311, 313 which are x-rays, 314 and 316 which were measurements of the ligature clasp, I would expect counsel that those are coming in. I don't believe there are any objections from the defense on those. And then on 323, that is already in. 324 I think is the photo comparison of the impression and then I think the comparison to the other impression, and 448 and 449 are photos of that clay impression. Counsel is there an objection to 324, 448 and 449?"

"Yes, your honor," says the defense, "and to the updated illustrative aide."

"Yes, I looked at that as well counsel, it includes some photos already in and some diagrams, and at least one summary to the reference to another study. What's the basis of the objection?"

"We object under 702 to the clay impression as both an illustrative aide and as an exhibit. The basis for him using modeling clay from a facsimile ligature, there is no evidence that his demo is rooted in science or appropriate methodology. It will confuse the jury."

"Okay, and from the government on the clay impression?"

"Dr. Smock will say, your honor, that he could not use the ligature in evidence because that would not be sound. he obtained a model ligature that matched exactly that of the original. He put it in clay and you can see it is the same shape as what was on Ms. Birchmore's body, and I will only ask him a few questions about that."

"And counsel, why treat it as an exhibit vs an illustrative aide?"

"The government would be satisfied treating it as an illustrative aide, your honor." [X source]

8:56:44 AM ET "Okay, I will listen carefully for foundation, and I understand the objection. I can't say it's 403, but I understand the 702 objection. I understand it will come in as an illustrative aide and I will give the jury the same instruction."

"Your honor, if I could be heard? The amendment to the rules goes to this exactly, this is not an illustrative aide it is an experiment."

"Counsel, I will listen to the testimony, but my inclination it is an illustrative aide. It is a basis for his work..."

"Okay, your honor, I will argue that it is only an illustrative aide then."

"Yes, they are chalks for the purpo9ises of illustrating testimony and I will tell the jury they vare not part of the exhibits. Defense, counsel, do you have an objection to the PowerPoint?"

"Yes, your honor, this is outweighed under 403 and, also, it carries a police insignia on it, then on page 4 the slide is framed umm, with the witnesses professional logo, the training institute in strangulation prevention, the HOPE institute or whatever that organization is including the website, the fact that the project itself is awarded by the office of violence against women. None of this should be seen by the jury and carries with it significant prejudice."

"I'll hear from the government on that point?"

"I am happy to redact slide 4, your honor, that could have been addressed."

"Yea, counsel, I did view this and I recognize and I took it as an illustrative aide that would not be admitted into evidence, I did notice the logo on the first page which I think should be redacted and to Ms. Daley's point on page 4 that should be redacted on the top right." [X source]

8:57:24 AM ET "Thank you, your honor, I don't imagine we will finish with Mr. William Farwell before morning break, so we can do that later this morning."

"Okay, thank you counsel." [X source]

8:58:27 AM ET "Counsel, we need a few more jurors, so let's jump to other things we need to get to...counsel do we have time before we get to Ms. Jessica Hyde?"

"Yes, your honor, I think Ms. Hyde will probably be tomorrow morning because of how long Mr. William Farwell and Dr. Smock will go."

"Okay, if she's going to hit the sand before that, then we'll address this at lunch break." [X source]

8:58:43 AM ET "As to the continued testimony of Mr. William Farwell, I thought further about what the government is proposing. I will allow that limited questioning under 404 (b), in regards to questions about non-disclosure of the relationship with Ms. Birchmore as opposed to disclosure of other relationships (affairs), and to the extent that there are observations of Mr. William Farwell of Mr. Matthew Farwell with the other individuals, I will allow that. I understand the objections Ms. Stevens, and they are noted on the record. I will give a limiting instruction to the jurors about 404 (b) evidence, as I did before."

Bad news for Matthew Farwell. [X source]

9:03:03 AM ET "Any objections to the birth records?"

"No, your honor," says the government. As to 687-A, those are the same text messages from exhibit 427. That is a text chain Ms. Stevens sent last night."

"Are there others beyond those?"

"No your honor. But I won't offer contest Y-12."

"Okay. I'll have Ms. Cook go get our jurors. Is this witness here?"

"Yes your honor, also we intend to recall Special Agent Kelsch for one or two questions on an issue related to the

federal nexus and the steps that agents usually take in cases that involve victims."

"So you plan to do that when?"

"After Dr. Smock, so first thing tomorrow."

"Your honor, we have limited notice on this, and we intend to hold him to that."

"Yes, counsel, it's never just one last question is it?"

"Yes, your honor, we know."

"Are you on your feet for some other reasons, defense counsel?"

"Yes, your honor, we would ask Dr. Smock not mention the George Floyd trial. It shouldn't be referenced and Dr. Smock has done that before. Dr. Smock has also said he trains judges. We would ask be banned from talking about that."

"Counsel?"

"Your honor, we will testify that he has been an expert in state and federal court, and has been qualified as an expert in manual strangulation, but he will not mention any specific case. I will ask about if he has put on trainings, and I will also talk about his expertise on staged crime scenes."

"He doesn't have to mention judges."

"I cant instruct him on that your honor." [X source]

9:04:15 AM ET "If he says legal community that is fine with the defense, your honor."

"Counsel, two housekeeping things, I just want to make sure, and I know it's hard as we keep going on with trial to keep track of exhibits, but I want to make sure we're not in a mad scramble. I want to make sure only numbered exhibits go back to the jury. Please preserve any7 objections to the lettered exhibits, or the lettered illustrative aides, just so the record is clear. And counsel I will probably touch base with you maybe right before we come back from lunch to give an update for the jury in timing. [X source]

9:04:25 AM ET "All rise for the jury!" [X source]

9:04:42 AM ET Also, folks, remember that not everyone reporting on this trial is here for Sandra.

God bless you all. [X source]

9:04:58 AM ET "Good morning, sir."

"Good morning your honor."

"Sir you remain under oath." [X source]

9:05:48 AM ET Mr. Fogerty begins.

"What name do you people call you?"

"Billy. For my entire life."

"We were talking yesterday about your relationship with Ms. Birchmore and when it turned sexual?"

"Yes."

"During the course of your sexual encounters with Ms. Birchmore what choking behavior did you engage in?"

"None."

"What if any kind of bondage did you engage in?"

"None." [X source]

William “Billy” Farwell — Continued

9:06:19 AM ET "Exhibit 64 please, for court and counsel and the witness. And your honor I think this has already been admitted."

Admitted and published. [X source]

9:07:14 AM ET Let's go. I am ready to wear down the fingers of every person covering this trial.

"Mr. Farwell, have you ever visited Ms. Birchmore's canton apartment?"

"Yes."

"During the time you visited did you ever see a strap like the one depicted in exhibit 64?"

"Not that I recall."

"Did you ever touch that strap or any one that looks like it?"

"No." [X source]

9:08:58 AM ET "Exhibit 404, page 8 please. Mr. Farwell, what does the last text say and what date was it?"

"5/2/2019 and Ms. Birchmore and then he found out I fucked you, and we got into a massive fight and I have to re-earn trust and everything. Who was she referring to there?"

"Objection."

"Foundation."

"Counsel, lay that here."

"Mr. Farwell do you recognize these messages?"

"Yes, they are between Ms. Birchmore and I."

"What relative would you discuss?"

"My brother."

"When she said, 'and then he found out I fucked you, and we got into a massive fight and I have to re-earn trust and everything,' what was your understanding of who Ms. Birchmore was referring to?"

"My brother."

Long pause. [X source]

9:10:09 AM ET "Exhibit 405 please. What is the date on this exchange?"

"August 14, 2020. A year after the last one or so."

"And what do you say in the first text exchange?"

"He doesn't think I fucked you."

"And he doesn't think you know that he and I have been fucking so I have been trying to keep it that way, please do also. Who is the he in this text message on 8/14/2020?"

"My brother." [X source]

9:10:58 AM ET "During the course of Sandra Birchmore's lifetime what, if any, conversation did you have with your brother about your sexual relationship with Sandra Birchmore?"

"Repeat that question please."

"During the course of Sandra Birchmore's lifetime what, if any, conversation did you have with your brother about your sexual relationship with Sandra Birchmore?"

"Not that I recall, no."

"During the course of Sandra Birchmore's lifetime did you ever talk to your brother about his sexual relationship with Sandra Birchmore."

"Not that I recall." [X source]

9:12:15 AM ET "Jurors," says Judge, "I previously gave you an instruction about testimony that may only be considered for one purpose. That is one of those instances. The upcoming testimony regarding Matthew

Farwell's extra marital affairs. You may not use this evidence to infer that because of Mr. Matthew Farwell's character, or alleged character, that he committed the crimes charged in this case. You may only consider it as to his motive, plan or intent." [X source]

9:14:18 AM ET "During that period did you discuss Matthew Farwell's other extra martial affairs?"

"Objection, form and prior basis."

"Overruled."

"During that period did you discuss Matthew Farwell's other extra martial affairs that he had engaged in?"

"We did."

"Was there more than one person?"

"Over the time I can't be sure of all the dates but..."

"So, did you at some point talk to your brother about an extra marital affair he engaged in with someone named Sarah Sprule?"

"Objection."

"Overruled."

"Can you repeat the question?"

"So, did you at some point talk to your brother about an extra marital affair he engaged in with someone named Sarah Sprule?"

"Yes we had conversations about that." [X source]

9:14:55 AM ET "Same question; "So, did you at some point talk to your brother about an extra marital affair he engaged in with someone named Samantha Rinaldi?"

"Objection."

"Overruled."

"I don't know if that was during the time he was married." [X source]

9:16:40 AM ET "So, did you at some point talk to your brother about an extra marital affair he engaged in with someone named Samanthna Rinaldi?"

"Yes."

""So, did you at some point talk to your brother about an extra marital affair he engaged in with someone named Ms. Sheyan Isabelle?"

"Yes, she was a Southgton Police Officer at the time.":

"Did you attend social gathers that involved your bother and Ms. Isabelle?"

"Yes."

"What did you observe about Matthew Farwell and Ms. Isabelle being together alone during those social gatherings?"

"There was one particular time where we were at a social gathering and they left for, there was a motor vehicle accident, and someone struck my parked vehicle, and they left for a considerable amount of time, say 20-320 minutes."

"Where did this gathering occur?"

"Another police officer's house." [X source]

9:17:37 AM ET "What happened?"

"A motorcycle struck my car on the side of a road."

"What did Matthew Farwell do next?"

"Matthew was helping me locate who that motorcyclist was. He was Ms. Isabelle with him."

"What did you see during that time they were gone?"

"I thought they were gone for a long time."

"Who returned to the gathering/party?"

"They both did." [X source]

9:18:41 AM ET "Did this happen again?"

"As groups of people, we would frequent bars and go out socially. On one particular occasion we were out at a bar drinking and Matthew and Ms. Isabelle left for a considerable amount of time and Matthew came back alone. Ms. Isabelle did not return." [X source]

9:20:12 AM ET "What did you infer about their departure?"

"Objection."

"You can rephrase."

"At some point you had a discussion with Mr. Farwell about his relationship with Ms. Isabelle?"

"I made a joke, or off color comment to him when he got back. I don't recall how he responded, but he said something. We spoke at least once about it."

"What was your brother's demeanor when discussing the relationship with Ms. Isabelle?"

"Objection."

"Overruled."

"It was fine. We were joking about it I believe."

Long pause. [X source]

9:21:28 AM ET "Exhibit 404 please. What is the date here?"

"5/2/2019."

"Do you see where you say, 'I think we should both fuck you.'"

"Yes, I do see that statement."

"But you never talked to your brother about your respective sexual relationship with Ms. Birchmore?"

"Correct."

"Then you ask her how long he has been fucking her?"

"Yes."

"Who is he?"

"My brother." [X source]

9:21:42 AM ET "Exhibit 404 please. What is the date here?"

"5/2/2019."

"Do you see where you say, 'I think we should both fuck you.'"

"Yes, I do see that statement."

"But you never talked to your brother about your respective sexual relationship with Ms. Birchmore?"

"Correct."

Oh dear God! [X source]

9:23:53 AM ET "Then you ask, again, when did he first fuck you?"

"Then Ms. Birchmore says 'many years ago'?"

"Yes."

"What do you say at 5:39:19?"

"When/where did he first fuck you?"

"She says, LOL on April 10, many years ago at his house. Is this still about your brother?"

"Yes."

"And you say, like when, lol?"

"And she says, 'When I was 15?'"

"Yes."

"And you say, 'nice, raw' right?"

"Yes."

"Why did you respond to that with the word 'nice, raw'?"

"There were two reasons; uhh, the first reasons was I didn't really believe her, the second was I didn't think my brother was that dumb." [X source]

9:24:38 AM ET "Why did you say you didn't think your brother is real smart?"

"Because he is!?"

"What does that have to do with having sex with Sandra Birchmore when she was 15?"

"Because he knows very well the laws in Massachusetts."

"Objection move to strike!"

"Sustained!"

"What was his profession at the time."

"He was a detective." [X source]

9:24:59 AM ET "When/where did he first fuck you?"

"She says, LOL on April 10, many years ago at his house. Is this still about your brother?"

"Yes."

"And you say, like when, lol?"

"And she says, 'When I was 15?'"

"Yes."

"And you say, 'nice, raw' right?"

Oh dear God! [X source]

9:26:18 AM ET "Now, on October 25, 2020, Ms. Birchmore tells you she took a massive risk this month and you respond by asking with who, Matt?"

"Yes, I was referring to my brother."

"Do you see Ms. Birchmore writes, at 11:15AM, I am not supposed to tell you, but, yes, him. Who did you believe she took that risk with?"

"My brother, that is why I said back I won't say shit to anyone."

"Next page. Ms. Birchmore writes it was Matt, thank you, it's fine though?"

"Yes." [X source]

9:27:11 AM ET "What was the risk Ms. Birchmore took with your brother in October of 2020?"

"Based on the past conversations I had with Ms. Birchmore, pregnancy is what I understood her to be talking about."

"What concern did you have at that time about fathering another child?"

"Personally I did not have any concerns because in June of 2020 I got a vasectomy."

Okay then. [X source]

9:28:51 AM ET "Exhibit 407 please. Again, Mr. Farwell, what is the date of this text exchange?"

"12/21/2020 at 11AM."

"Ms. Birchmore says she was sent home from her doctor and a baby and me book, and that she is waiting on labs this weekend?"

"Yes."

"Then you write, who is the guy, LOL?"

"Yes."

"And she says back, we need confirmation labs is what we're waiting on basically. Your Brother..."

"Yes."

"Did you and Ms. Birchmore than talk about her pregnancy around this date as well in person?"

"Yes, at her Canton apartment."

"Who did Ms. Birchmore identify as the father of her child."

"My brother." [X source]

9:30:25 AM ET "Exhibit 408 please. Mr. Farwell what is the date on these messages?"

"They begin on 1/5/2021 at 6:53:41PM ET, it is a few days after the December 21st, 2020 text we just discussed. A couple weeks, sorry."

"Is this less than a month before Ms. Birchmore died?"

"Yes."

"And she says, well, umm, so my due date is 9/9 and I want you to think about if you want to see him/her/them it's up to you but I'm not going to close the door, I know that is something that is really going to have to be thought about so..."

"Yes."

"Did Ms. Birchmore ever tell you you were the father of her child?"

"No." [X source]

9:31:31 AM ET "What do you write at the top of page 2, at 6:57PM?"

"I wrote you two need to figure this shit out, it's a horrible idea and, to be honest, I won't be in the middle of it."

"What two people did you mean?"

"Ms. Birchmore and my brother."

"And she says she is giving you an option, not trying to put you in the middle, and this is going to have to be a further conversation?"

"Yes."

"Did you see Ms. Birchmore that day, 12/21/2020?"

"Yes." [X source]

9:32:24 AM ET "Page 5 please. Sorry, I mean page 6. What is the date of these texts that start with you saying, Yo?"

"1/10/2021 at 12:30AM."

"What were you doing around 12:30AM that day?"

"I was leaving a bar."

"Had you been at that bar for sometime?"

"Yes."

"What were you doing at the bar?"

"Drinking." [X source]

9:34:11 AM ET "What did you say after you said Yo?"

"So, come there?"

"And Ms. Birchmore says you can, how far away are you?"

"I see that."

"Then she says, are you coming in?"

"Yes, and then I say, I just parked."

"And at the very end, one hour later after that text, Ms. Birchmore says you says you would say nothing so please say nothing?"

"Yes."

"Do you have a recollection of meeting Ms. Birchmore that night?"

"No I do not."

"Why?"

"Because I drank to the point of intoxication where I blacked out."

"Did you ever see her again?"

"No." [X source]

9:35:31 AM ET "Did you talk to her again?"

"Yes, we emailed."

"So you had discussions with Ms. Birchmore after the time she told you she was pregnant?"

"Yes."

"From those discussions with Ms. Birchmore what did you note about how she felt about being pregnant?"

"She seemed happy. She didn't seem negative about it."

"What during that same period did you observe about her plans for the future?"

"She was trying to enter a nursing program, or school of some kind. Nursing comes to mind but I don't know the name of the program."

"Did she want to her herself at this time?"

"I had no observations of that." [X source]

9:36:21 AM ET "Exhibit 428 please. What is this?"

"These are messages between myself and my bother."

"Are these texts from the afternoon and evening of Feb 1, 2021?"

"Yes." [X source]

9:36:34 AM ET Here it comes! [X source]

9:37:36 AM ET "What were you doing on that afternoon?"

"We were, I was waiting for snow to accumulate. As a side job, I did snow removal with my brother."

"What area?"

"Tri town, Cobbs Corner, Stoughton, Canton Sharon."

"What did you know about the weather on Feb 1st, 2021?"

"It was supposed to snow heavily." [X source]

9:38:23 AM ET "Matt farwell says, is it sticking over there yet, at 3:32?"

"Yes, and I say, it's coming down like a motherfucker."

"And then does he say, same here but not sticking."

"Yes."

"Were you physically with him at that time in the afternoon?"

"No." [X source]

9:39:42 AM ET "What is on the bottom of page 2?"

"Weather forecast map with snow totals."

"What is on page 3?"

"I say, at 4:27:34PM, we need that fucking 12-18 of snow."

"Half way down the page, at 4:28 and 27 seconds, does your brother, text that bitch about my money too, while you're just sitting around."

"Do you then have a further discussion about women and money?"

"Yes."

"What was that about?"

"A private driveway that we plowed."

"It's not about Sandra Birchmore?"

"No, not at all." [X source]

9:40:03 AM ET "I say, at 4:27:34PM, we need that fucking 12-18 of snow."

"Half way down the page, at 4:28 and 27 seconds, does your brother, text that bitch about my money too, while you're just sitting around."

"Yes." [X source]

9:40:51 AM ET "At 8:52 what does he say to you?"

"I'm in Stoughton, needed something from my desk and fuel, it is coming down."

"Do you know where your brother is at this point?"

"No."

"And before that, I missed one, at the top of the page, what does your brother say at 8:51 and 32 seconds?"

"It's a frickin white out right now." [X source]

9:42:42 AM ET "And if we can go please, to 9:11:06PM, what do you write?"

"Yea it got moved on the counter forgot all about it until this morning."

"And your brother says back, RGR or roger?"

"Yes."

"Then you text at 9:22:33PM right and it says is mom already at your house?"

"Yes, I knew my mom would be at my brother's house that night because my brother and his wife had a planned c-section the next day."

"Then your brother says at 9:22:42PM, no?"

"Right."

"And so the only text messages from your brother between 9:11:19 and 10:32:40PM is a two letter response, no, right?"

"Yes." [X source]

9:42:49 AM ET Long pause for affect. [X source]

9:44:06 AM ET "Mr. Farwell, how did you learn that Sandra Birchmore died?"

"I got a phone call from a Stoughton Police Officer. Heather Cheevers."

"Did Ms. Cheever know about your sexual relationship with Sandra Birchmore?"

"No."

"What did you know about the method by which Ms. Birchmore died?"

"I was told it was self harm.""

"The manner? Did you know about that?"

"I was not told. I don't think so."

"Who did you contact after you learned Ms. Birchmore had died?"

"I contacted two people. My brother and Robert Devine." [X source]

9:44:18 AM ET "What did you know about the method by which Ms. Birchmore died?"

"I was told it was self harm.""

"The manner? Did you know about that?"

"I was not told. I don't think so."

"Who did you contact after you learned Ms. Birchmore had died?"

"I contacted two people. My brother and Robert Devine."

Holy SHIT! [X source]

9:46:01 AM ET "What did you say to your brother?"

"I told him Sandra Birchmore was found Q5 in Canton. That is a form within CJIS booking process to determine someone's ideations or tendencies. It is cop slang for a suicide or potential suicide."

"When is the term used?"

"The term is used over the radio to avoid saying suicide to arose extra attention."

"Do Stoughton Police use this code?"

"Yes."

"And when you said she was Q5 what did he say back?"

"Okay, that's what he said. Okay."

"Did he say anything else about Ms. Birchmore to you in that conversation?"

"No." [X source]

9:46:24 AM ET "Several days later, were you contacted by the state police?"

"Yes."

"Between those dates, did you ever discuss Sandra Birchmore with your brother?"

"No." [X source]

9:46:51 AM ET "Now, regarding your contact with the state police, who contacted you on Feb 11th, 2021?"

"John Fanning from the SPDU unit at the Norfolk DA's office." [X source]

9:48:22 AM ET "What, if anything, did John Fanning tell you?"

"He said he needed to talk to me. I was at home. I was about to leave with my family to go somewhere."

"When he called you he wanted to meet?"

"Yes."

"What did you ask him?"

"I asked if it was work related or something else."

"What did he say?"

"Something else."

"Where did you discuss having this meeting?"

"Fanning said he was right down the street and could meet me at Cobbs Corner right away. I lived a half mile from there. It is the tri-town area of Stoughton, Canton and Sharon. I lived in Stoughton. We agreed upon the China Town restaurant. Sharon Street in Stoughton." [X source]

9:49:14 AM ET "Did you know John Fanning before this?"

"Yes, we grew up together in Stoughton."

"What did you know about his law enforcement career before MSP?"

"He was a Stoughton Police Officer."

"Did John Fanning know about of your family members?"

"Yes, he knows my wife."

"Did you have a social media connection to John Fanning at the time?"

"Yes."

" [X source]

9:52:19 AM ET "What about your social encounters with John Fanning? Can you describe your professional interactions with John Fanning prior to this call?"

"Prior to that I would see Fanning at scenes that required notification due to the scenario or the incident involved. Be it sudden death or overdose."

"What gestures would you exchange with Fanning on scene?"

"Objection."

"Overruled."

"We would shake hands or fist bump."

"Prior to that day, had you heard the name Matt Dunne."

"Yes, I had heard it while talking about cases in Stoughton."

"What if anything did you know about your brother's relationship with matt Dunne around that time?"

"I can't say specificlly what relationship they had?"

"Had your brother worked with Matt Dunne?"

"I think so, but I can't speculate."

"What about other members of the CPAC unit?"

"Yes."

"Did you know a person named Yuri Bukhenik?"

"Yes, we grew up with him. My brother and I."

"What was Yuri Bukhenik's job at the time?"

"He was a trooper at the time. An investigator for CPAC."

"Your honor, we object to this question about Mr. Yuri."

"Sustained as to the form of the question. [X source]

9:53:39 AM ET "What did you know about your brother's relationship with Yuri Bukhenik?"

"They knew each other professionally and socially."

"And Yuri Bukhenik was a member of the Norfolk County CPAC at this time?"

"Yes."

"Who did you call after Fanning called you?"

"I called my brother. He was my union president and confidante at work. I asked him why the fuck did CPAC

just call me."

"What did your brother say?"

"Go to the meeting and I will call you later."

"Around this time did you become aware of requests for information on social media?"

"Yes." [X source]

9:53:58 AM ET "What did you know about your brother's relationship with Yuri Bukhenik?"

"They knew each other professionally and socially."

"And Yuri Bukhenik was a member of the Norfolk County CPAC at this time?"

"Yes."

"Who did you call after Fanning called you?"

"I called my brother. He was my union president and confidante at work. I asked him why the fuck did CPAC just call me."

"What did your brother say?"

"Go to the meeting and I will call you later."

HOLY SHIT! [X source]

9:55:00 AM ET "What requests for information did you learn about?"

"Requests for information about the death of Sandra Birchmore. The requests were put out by the Norfolk County CPAC unit and a phone number was provided."

"Whose phone number was provided?"

"John Fanning."

Long, long pause. [X source]

9:55:28 AM ET "Were those postings put up by the state police?"

"They were not."

"Who posted them?"

"I don't know but it wasn't law enforcement."

OH MY GOD! [X source]

10:01:15 AM ET "did you meet in person with John Fanning and Matt Dunne?"

"Yes, we met in my truck. John Fanning sat in the front, Dunne sat in the back."

"What did Fanning tell you at the onset?"

"He told me they needed to talk about Sandra Birchmore and not to lie to him because he had everything."

"What did he tell you about whether there were suspects."

"He told me I was not a suspect and that there were no suspects He told me I needed this like I need a bullet in the fucking head. He told me he wasn't there to look at people's marriages. he told me had his own problems."

"Did Dunne take notes during the interview?"

"Yes, in the back seat."

"Did you talk to your brother."

"On the way home."

WOW MATT DUNE PREJURED HIMSELF! [X source]

10:01:47 AM ET Oh my God Matt Dunne did take notes on the William Farwell meeting in Feb of 2021!

Dunne perjured himself earlier in the trial by saying he didn't.

They got 'em.

They got them. [X source]

10:02:27 AM ET "Who is the person on this video in exhibit 46?"

"That is my brother, Matthew."

"How do you know that?"

"His stature, his mannerisms. He was wearing construction boots." [X source]

10:03:33 AM ET "Who is this in exhibit 47?"

"This is my brother, Matt."

"Back in late 2020 and early 2021, were certain mask protocols in place."

"Yes, I talked with my brother about that all the time."

"What did your brother say about those mask mandates?"

"He thought they were dumb."

"Did you see your brother wearing a mask outside and off duty typically?"

"No." [X source]

10:05:15 AM ET "Now, after the conversation with John Fanning and Trooper Dunne, did you at some point recall an interaction with your brother in December of 2020?"

"Yes, I don't remember if it was post the CPAC interview or not."

"I want to focus you on December of 2020. Did you specificlly meet with your brother at a bar in late December of 2020?"

"Yes."

"Now, about a conversation you had after Sandra Birchmore told you she was pregnant. Where did you meet with your brother?"

"Mickey Malones on the Stoughton/Brockton line. The bar is in Brockton the parking lot is in Stoughton." [X source]

10:07:04 AM ET "After you learned Sandra Birchmore was pregnant, and that Matt was the father of the child, did you talk to your brother at Mickey Malones?"

"Yes, at some point, I don't recall who arrived first, but we were alone at the bar facing the main entrance. We were making small talk."

"Okay, so you and your brother are looking at the entrance?"

"Yes, we were expecting other police officers but they had not arrived yet. It was just my brother and I in terms of who I knew at the bar."

"Were you drunk at the time?"

"No."

"Was your brother?"

"No."

"As you were sitting at the bar did your brother make a statement to you?"

"Yes, he said I have a problem and I need your help with it. Something to that effect."

"And this was after you had learned from Sandra Birchmore that he was the father of her child?"

"Correct." [X source]

10:07:50 AM ET "What happened after he said I have a problem and I need your help?"

"Multiple police officers arrived at the front door."

"Did he or you ever return to that topic of conversation that night?"

"No."

"Why didn't you return to it?"

"I don't know."

WOWOWOW! Farwell found someone else to help! [X source]

10:07:59 AM ET THE MYSTERY MAN MIGHT BE A COP! [X source]

10:11:16 AM ET "Were you working a road detail in Feb or March of 2021?"

"Yes."

"What did your brother say to you during that conversation?"

"He said the state police had dumped his phones."

"What did you say back?"

"Oh shit!"

"What did he say back to you?"

"I wiped 'em."

"What did you understand that to mean?"

"That he deleted the data."

"Did you then talk about Tom Brady."

"Yes, I made a joke. I said did you Tom Br..."

"Objection, form and relevance."

"Overruled as to the 401, counsel, you can rephrase."

"What did you say about Tom Brady?"

"I said did you Tom Brady that shit?"

"What did you mean by that?"

"Objection."

"Overruled."

"I was making a joke about the deflate gate scandal."

"What is the significance of the deflate-gate scandal?"
"Objection."

"I'll allow it."

"It was alleged Tom brady destroyed his cellphone so it didn't have to be provided."

"So what were you suggesting with the Tom brady statement?"

"That he erased it. That he deleted evidence."

"Jurors, we're going to pause here, just pause." You can stretch." [X source]

10:12:21 AM ET Dave Portnoy (@stoolpresidente) is going to lose his mind.

"Did you Tom Brady that shit" has entered the lexicon of the Sandra Birchmore and Matthew Farwell case.

Brian Tully and John Fanning are about to lose it, as well, for very different reasons. [X source]

10:12:52 AM ET "When you made the joke about Tom Brady and the cellphone, how did he respond?"

"We were laughing."

"At this point had you and your brother ever talked about his sexual relationship with Sandra Birchmore?"

"I do not believe so, no." [X source]

10:15:38 AM ET "Exhibit 405 please. Now, this is back from August of 2020, correct?"

"Yes, 8/14/2020, 2:38am."

"And Sandra says yes, he knows that, but he doesn't know that you and I are fucking."

"And you never had a conservation with your brother about Sandra Birchmore during her lifetime?"

"Correct."

"Now, after that conversation, did you have another conversation with your brother where you asked him if he had sex with Sandra Birchmore when she was 15?"

"I did."

"What was his response?"

"Well, I said Matty tell me you didn't fuck that girl when he was under 16."

"What did he say back?"

"He said no."

"Did he say how old she was?"

"I don't recall what he..he..he answered in the affirmative no."

"Did you have a subsequent conversation with your brother when you were getting your truck washed, and did your brother make certain statements?"

"Yes." [X source]

10:17:42 AM ET "What did he say about the status of any criminal investigation involving him?"

"He said it was wrapping up?"

"How did he know that."

"Objection."

"Sustained."

"Did your brother ever tell you how he became aware of the status of that criminal investigation."

"No."

"So, after he told you the criminal investigation wrapping up, what did he say about charges?"

"He said there could have been serious charges."

"Did he say why there were not charges?"

"He said there could have been serious criminal charges, but it's not a victimless crime."

"What did he mean when he said it is not a victimless crime?"

"Objection."

"Sustained."

"What did you understand him to be saying?"

"Objection."

"Sustained, counsel, next question." [X source]

10:18:17 AM ET "What criminal investigation were you discussion?"

"The criminal investigation involving the death of Sandra Birchmore?"

"Sandra Birchmore was the topic of discussion when your brother said there could have been serious charges?"

"Objection."

"Sustained." [X source]

10:19:02 AM ET "Your honor, we move to admit exhibit 160."

"This is the certificate we discussed?"

"Yes, your honor."

"Counsel, any objection?"

"Preservation of previous objection."

"It may be admitted, 160."

"One moment please, your honor?"

"Yes." [X source]

10:20:04 AM ET "How long were you a police officer?"

"From September of 2017 until I resigned on August 1 of 2022, so just under six or five and half years."

"Did you get training about the investigation of crimes?"

"Yes."

"Did that include crimes in which there are victims?"

"Yes."

"What kind of crimes require a victim to prosecute?"

"Objection."

"Sustained."

"No further questions." [X source]

10:20:16 AM ET "Cross."

It is Kimberly C. Stevens. [X source]

10:21:19 AM ET "Your are Matthews twin brother?"

"Yes."

"Who is older?"

"I am."

"Exhibit 574 please. What is this document?"

"This looks to be my brother's birth certificate."

"Next page please. What is this page?"

"I don't recognize the documents."

"They are birth documents celebrating the new arrival of Matthew and Billy Farwell."

Okay then. [X source]

10:22:17 AM ET Wow!

"What did he say about the status of any criminal investigation involving him?"

"He said it was wrapping up?"

"How did he know that."

"Objection."

"Sustained."

"Did your brother ever tell you how he became aware of the status of that criminal investigation."

"No."

"So, after he told you the criminal investigation wrapping up, what did he say about charges?"

"He said there could have been serious charges."

"Did he say why there were not charges?"

"He said there could have been serious criminal charges, but it's not a victimless crime."

"What did he mean when he said it is not a victimless crime?"

"Objection."

"Sustained."

"What did you understand him to be saying?"

"Objection."

"Sustained, counsel, next question." [X source]

10:23:09 AM ET "We move to admit 687-A."

"Your honor, 408 is already in."

"Counsel, I think something is already in."

"This is a smaller subset of the larger chain."

"Any objection?"

"No, your honor."

Admitted and published. [X source]

10:23:19 AM ET Towel bathroom break! [X source]

10:24:53 AM ET The atmosphere in this case is wild. [X source]

10:25:34 AM ET "You said, if you're not good, I'll go home and fuck her...who is her?"

"My wife."

"What did you mean there?"

"I meant if Ms. Birchmore didn't want to have sex, I would go see my wife instead."

What the hell is going on here. [X source]

10:26:21 AM ET "You drove over to her apartment drunk that day?"

"Yes."

"Do you remember what happened inside her apartment?"

"I do not."

"You wanted to engage in sex, though, didn't you?"

"Yes."

"When you had sex with Ms. Birchmore you would remove your clothing wouldn't you?"

"Yes." [X source]

10:27:09 AM ET "You met with Fanning and Dunne, correct and gave them, a statement?"

"Yes, I answered questions."

"And you said Dunne was taking notes in the back seat?"

"Yes."

"And were you aware Dunne types up those notes and put them in the investigative file?"

"Objection."

"Foundation, counsel?"

"Yes."

"Counsel..." [X source]

10:30:01 AM ET "Did you see Dunne and Fanning's report to the file about their interview of you?"

"I was not involved in the investigation of this case."

"When you spoke to them, you minimized your involvement with Ms. Birchmore didn't you?"

"Was that a question?"

"Yes, you minimized your involvement with Ms. Birchmore didn't you?"

"I don't believe so."

"You said you only had sex with her 2-3 times?"

"That is not correct."

"In fact you had sex with Ms. Birchmore on April 18 of 2019, right?"

"I don't have exact dates, Ma'am."

"That was the IKEA parking lot right?"

"I'd have to see the texts."

"On August 12, 2019, you met her and a third person in a parking lot for the purpose of having sex, right?"

"Objection, 412 your honor."

"Overruled, you can answer."

"Ma'am, without the texts, I don't have dates memorized."

"On October 11, 2019, you met outside Ms. Birchmore's house to have sex in a car."

"I don't recall."

"On October 14, 2019, you met at the Marriot Hotel in Stoughton to have sex?"

"yes."

"On October 31st, 2019, you sent a picture of you and Ms. Birchmore engaged in a sex act to your brother?"

"I don't recall that." [X source]

10:30:15 AM ET HOLY SHIT!

Oh my dear God.

What is happening right now?!?!?!?! [X source]

10:31:47 AM ET "Do you recall having sex with Ms. Birchmore in your patrol car?"

"Yes, Ma'am, I did have sex with Ms. Birchmore in my patrol car."

"And that's a crime isn't it?"

"Yes."

"And you got immunity for that crime from this government didn't you?"

"Yes."

"And in October of 2020, Ms. Birchmore sent you a picture of herself and Jason Pickard engage in a sex act?"

"Objection, 412."

"Sustained."

"In May of 2020, Ms. Birchmore texted you about having sex with two different Matt's?"

"Objection, 412."

"Sustained." [X source]

10:32:03 AM ET This is, hands down, the wildest trial of all time.

Oh my dear God. [X source]

10:34:12 AM ET "You lost your job in Stoughton, right?"

"I resigned."

"And you're upset with your brother because of that?"

"No, not with my brother."

"You resigned because of the crimes you committed with Ms. Birchmore?"

"No."

"And you moved to New Mexico after?"

"The sequence of events is incorrect."

"Okay, first you moved to Maryland to work for TSA?"

"Yes."

"How did you lose that job?"

"The Stoughton IA report was sent to the TSA."

"Did you tell the TSA about that IA report?"

"I told my direct supervisor."

"But they also brought you into HR when they were told about it and you were fired?"

"I told my direct supervisor, and I don't know what happened next."

"You then applied for a job at the Department of Energy, the FBI's render safe program, and you moved to New Mexico?"

"I did."

"Then on December 9, 2022, you were sued by Darlene Smith and the estate of Sandra Birchmore for wrongful death?"

"Yes." [X source]

10:35:33 AM ET "and you lost your job with the DOE, right, after that civil complaint was filed?"

"I did."

"Let's turn to your discussions with Ms. Birchmore about her starting a family with Matthew Farwell; Ms. Birchmore gave you the impression she and Matt Farwell would be one big happy family, didn't you?"

"Was that an exact statement she said to me?"

"Yes."

"I can say generally, but I don't know the statement exactly."

"Your honor, may I approach the witness with his FBI 302?" [X source]

10:36:58 AM ET "in your discussions with Ms. Birchmore, she shared she wanted her and Matthew to be one big happy family right?"

"Yes."

"But you didn't think that was realistic?"

"No."

"You told her having a baby is dumb right?"

"Yes." [X source]

10:38:08 AM ET "It never made sense to you that Matthew would throw everything away to have a baby with Ms. Birchmore, did it?"

"Objection!"

"Counsel, what's the objection."

"Foundation."

"Sustained, ask another question, counsel."

"You told the FBI it didn't make sense that Matthew would voluntarily have a baby with Sandra Birchmore, didn't you?"

"Yes."

"When you texted with Ms. Birchmore did it involve levels of fantasy?"

"At times." [X source]

10:39:18 AM ET "Tom brady smashed his cellphones on the ground didn't he?"

"I don't know."

"You said he destroyed them entirely?"

"It was meant in jest, I don't actually know what happened."

"Are you familiar Mr. Farwell never wiped a cellphone?"

"I have no knowledge of that happening or not happening."

"And you, yourself, deleted your texts with Sandra Birchmore?"

"Correct."

"So your wife wouldn't find out about your affair?"

"Correct." [X source]

10:39:46 AM ET "There was a 4th of July parade in 2019, do you recall that?"

"Yes."

"Ms. Birchmore approach your wife at that parade.."

"Objection!"

"Counsel, let me hear you on WhisperTech."

Sidebah! [X source]

10:42:58 AM ET This is, hands down, the most intense testimony of this trial. [X source]

10:44:29 AM ET "We were talking about the 4th of July in 2019, ms. birchmore at that event, approach your wife didn't she?"

"She did."

"And you and Ms. Birchmore were having relations at that time?"

"Yes."

"And she asked to hold your..."

"Objection."

"I"ll allow it."

"She asked to hold your child who was five months old and she told your wife she knew you?"

"Correct."

"And your wife didn't let her hold the baby?"

"Objection."

"Sustained." [X source]

10:46:35 AM ET "And after this incident, you asked Ms. Cheever to run Ms. Birchmore's license plate?"

"I asked...may I explain..."

"You asked her to run the plates?"

"I asked her to do that often when cars drove by me on details."

"One time, Ms. Birchmore drove by you and you asked Ms. Cheever to run her plate?"

"I didn't know it was her, I just saw a car drive by multiple times so I had the plate run."

"You said you wanted to end the sexual relationship with Ms. Birchmore but you felt trapped so you continued to see her?"

"That's correct."

"Does your brother drive siler pickup trucks?"

"Well, he did at the time we lived near each other."

"And your pickup truck is black?"

"The last two were gray."

"Did you have a black pickup in 2013?"

"I don't know. I had one black pickup truck in my entire life."

"Okay." [X source]

10:47:41 AM ET "On direct, the government asked you if you graduated Stoughton high school.?

"They asked me if I attended."

"Did you graduate Stoughton high?"

"I went to multiple high schools."

"You had dispciplneary problems didn't ..."

"Objection."

"Sustained."

"Then you joined the army?"

"Yes."

"And you went AWOL for 5 months?"

"Yes."

"And you were discharged?"

"Yes." [X source]

10:48:15 AM ET "And the first time you didn't get hired by Stoughton PD, one of the reasons you didn't get the job was because you withheld information in the application form?"

"I don't remember the bypass letter."

"But the list is lengthy?"

"Yes." [X source]

10:49:27 AM ET "When you saw your brother there in the video from the lobby, you instantly recognized him, didn't you?"

"Yes, he had on his normal jeans."

"Same hoodie he always wears?"

"Yes."

"And he was going to the hospital the next day for the birth of his child?"

"Yes."

"And he was in fact in the hospital that next day with his wife?"

"Yes."

"And his response was brief and matter of fact at that time?"

"Yes."

"Your honor, may I have a moment?"

"Yes." [X source]

10:50:20 AM ET "Did Matt and his wife ever let Sandra baby sit the children?"

"I don't know."

"Is Matt's wife a CP..."

"Objection."

"Sustained."

"Was she working for the federal government at this time?"

"Not that I know if." [X source]

10:50:33 AM ET "That's all I have your honor."

"Redirect." [X source]

10:51:43 AM ET "You said the meeting with Fanning and Dunne was in Coob's Corner."

"Yes."

"What did Fanning tell you about keeping your name out of the report?"

"He told me he would try to keep it out of the report?"

"And you were asked about minimizing what you said, did you write the MSP report of that interview?"

"I did not." [X source]

10:52:54 AM ET "You had sex with Sandra while you were on the clock?"

"Yes."

"Why did you seek immunity?"

"Objection."

"Umm, sustained as to this question."

"What criminal exposure were you concerned about?"

"Objection, form."

"Overruled."

"I was concerned that I would be charged with that criminal conduct." [X source]

10:54:28 AM ET "You were asked about Tom Brady and the cellphone, what if anything did your brother tell you about what he did with his phone before the state police took it?"

"Objection."

"Sustained."

"Did your brother use the term wiped?"

"Objection."

"Sustained as to form."

Long pause. [X source]

10:57:12 AM ET "You talked to your brother on Feb 1, 2021?"

"Yes, those were the texts we talked about earlier."

"And you two text about plowing?"

"Objection, scope."

"Counsel, tie it to the scope if you can."

"You were asked about if it made sense for the defendant to have a baby with Sandra Birchmore, right?"

"Yes."

"Would it make sense for your brother to go Sandra Birchmore's house the night before his baby was due."

"Objection, move to strike."

"Sustained."

"You were asked about conversations with your brother about Ms. Birchmore, what did your brother tell you about his plan to meet her on Feb 1, 2021?"

"Objection."

"Sustained as to form."

""You were asked about conversations with your brother about Ms. Birchmore, what, if anything, did your brother tell you about his plan to meet her on Feb 1, 2021?"

"Objection."

"Sustained as to form."

"Did your brother tell you anything about meeting with Sandra Birchmore on Feb 1st, 2021?"
"No, he didn't tell me anything about that."

"Nothing further." [X source]

11:07:27 AM ET I missed William Farwell leaving today.

I guessed the back door.

He walked out the front.

I will go back inside shortly. [X source]

11:10:16 AM ET I am told William Farwell made a beeline out the front door and went into a car directly in front of the courthouse. [X source]

11:10:33 AM ET We are in morning break until 1120am. [X source]

Dr. William Smock

11:24:16 AM ET Dr William Smock is now on the stand.

He is discussing his work and educational history. [X source]

11:25:16 AM ET "Did you start working for the Kentucky State Medical Examiner's office?"

"Yes, in 1984, as an investigator during my Master's Thesis, I went to the crime scene of MV trauma and reconstructed those injuries. Called to crime scene while body was still there, then going to the autopsy, then going back to the crime scene to figure out how did that patient sustain their injuries and can we reconstruct how they were injured." [X source]

11:28:05 AM ET "What is a Diener?"

"A diener is a morgue or autopsy assistant who handles, moves, cleans, or prepares bodies for examination by a pathologist or medical examiner." [X source]

11:29:37 AM ET "Have you been matching pattern injuries since your master's thesis?"

"Yes, that is when it started. The matching of those injuries to what caused same."

"Then you went to Medical School?"

"Yes, I graduated in 1990 from the University of Loyola."

"Were you trained in forensic pathology?"

"Yes, starting in 1984, I have observed 1000's of autopsies every year." [X source]

11:30:29 AM ET "Did you also receive any crime scene response training in medical school?"

"Yes, ma'am, the training came from multiple places. First, a man named Joe "Daddy" Hache, took me under his wing. He would teach me at crime scenes how to evaluate trace evidence." [X source]

11:31:38 AM ET "I spent time at the Kentucky State Police crime lab. That was all part of my training from 1984 through medical school and into my fellow ship."

"What did that teach you about death scene investigations?"

"About how to process a crime scene. I did a 2 month rotation in Scotland who worked for New Scotland Yard, and part of that training was he mandated his students and fellows to go to crime scenes because if you don't you rely on someone else to say what they saw and interpreted." [X source]

11:33:47 AM ET "In your time as a doctor, in your 36 years, have you had occasion to weigh in on cause and manner of death?"

"Yes, that is what allowed me to weigh in on what happened at the scene. It also helps when a patient comes into the ER, and dies there, to teach the residents and students about how that person died and why."

"Does the quality of an investigation if you're not involved impact your ability to weigh in on cause and manner of death?"

"Objection!"

"Overruled."

"The determination as to cause and manner of death is based on the information you have. Do you have enough information from the scene to determine what happened to a given patient. If you don't have accurate information how can you render the right diagnosis. If that information is not provided it will compromise your ability to determine what happened to that particular patient." [X source]

11:34:39 AM ET "as part of medical school did you complete a residency?"

"After medical school yes. At the university of Louisville (not Loyola, as said earlier, my apologies). It was emergency medicine." [X source]

11:35:45 AM ET "Is the U of Louisville center a level 1 trauma center?"

"Yes."

"What does that mean?"

"It is designed by several factors...are there doctor's there 24/7, or do you have to call people in, do you have an operating room open 24/27, can you walk in and get care right away without waiting for a specialist." [X source]

11:36:30 AM ET Dr. Smock goes through his fellowship and how is involved going to autopsies daily. Then additional training at the crime lab and crime scenes. [X source]

11:36:59 AM ET "Did you continue to work for the Kentucky Medical Examiner after that point?"

"Yes, after 1991 once I was licensed to practice, until 1997, I was an assistant medical examiner." [X source]

11:38:14 AM ET "The state of Kentucky created a first of its kind program for living forensic examinations. For example, who would examine a living patient who was shot in the context of criminal investigations. That did not exist in the US until we started that service. We got that idea from Scotland Yard. They have Police Surgeons there who do something similar. We take the science of forensic medicine and apply it to living patients. That was unique in the US at that time in 1991 to 1997." [X source]

11:39:39 AM ET "From 1984, through 1997, how many crime scenes did you respond to at the ME's office?"

"More than 1000."

"Asphyxia related deaths?"

"Yes."

"Homicides?"

"Yes."

"Suicides."

"Yes." [X source]

11:40:06 AM ET "What did you do next?"

"I became a professor of emergency and forensic medicine at the University of Louisville." [X source]

11:40:40 AM ET Things are still so intense in here after that Billy Farwell testimony.

That was wild.

The tenor of typing, and the pace, has slowed down as Dr. Smock goes through his background. [X source]

11:43:03 AM ET "Did you ever work in an ER?"

"Yes, from 1990 until 2011. I took care of patients there that presented. I was a doctor."

"Were you then an attending physician?"

"Yes."

"What is that?"

"That is the doctor who is one, a professor at some level, and, two, in the ER I am the doctor who is responsible for every patient in my care. I oversee the care, I teach the medical students and residents how to provide care."

"And you were an attending from 1994 until 2011?"

"Yes."

"And did you treat patients with strangulations?"

"Yes."

"And did you treat patients who survived strangulations?"

"Yes."

"And did you treat patients who died due to strangulations?"

"Yes." [X source]

11:44:02 AM ET "What did you do next?"

"I was hired a police surgeon for the city of Louisville police department." [X source]

11:48:57 AM ET "Have you taught trainings in altered crime scenes and with regards to strgulations?"

"Yes, this year alone I have given 15-20 such trainings. Sometimes they are four day courses. I have trained federal agents on how to recognize staged and altered crime scenes, and the reconstruction of cases involving strangulation and suffocation." [X source]

11:50:41 AM ET "How many articles have you published?"

"I have published over 40 articles, and edited four textbooks."

"Do any focus on the topic of strangulation and asphyxia related deaths?"

"Yes, many." [X source]

11:54:14 AM ET "When did you last go to a crime scene to investigate?"

"I went with the FBI in May of this year to a reservation. They needed help with blood pattern analysis and forensics of the gun shot wound."

"In addition to that, are you a consultant?"

"Yes."

"Do you get compensated for your time?"

"Yes."

"Who has asked you to consult?"

"Prosecutors, defense attorneys, attorney generals, defense examiners."

"How often from defense counsel?":

"Once a month. I am on a list in Indiana to help public defenders, for example." [X source]

11:54:37 AM ET "Have you ever been qualified as an expert in state and federal court?"

"Objection, may we be heard?"

"Not on this."

"Yes." [X source]

11:56:22 AM ET William Farwell by Don Drake. https://t.co/drbljSRusl [X source]

11:56:34 AM ET William Farwell by Don Drake. [X source]

11:58:26 AM ET "How many of your patients have suffered from asphyxia?"

"A very large number. In the ER, and as an ME? Thousands."

"What is anoxia and hypoxia?"

"Anoxia is no oxygen to the brain. Hypoxia means lower level of oxygen. For example, right now if I stop blood flow to my brain, my oxygen level goes to zero in seconds. I can also slowly lose oxygen, say, for example, if I

drown, that would then happen over minutes. So Hypoxia means low levels of oxygen and anoxia means no oxygen."

"Do you have a visual that would help the jury understand this concept?"

"Yes, ma'am, I do!" [X source]

11:58:46 AM ET Judge gives the illustrative aide instruction to the jurors. [X source]

11:59:09 AM ET Sidebah! [X source]

12:01:16 PM ET We see the chart.

It is a blue arrow slowly going down for hypoxia.

The red line for anoxia goes straight down from 100% to 0%. [X source]

12:02:50 PM ET "To create an anoxic situation in the brain, you block blood flow. Those arteries take blood to the brain, so if you stop that, you're gonna go from normal oxygen levels to low levels in seconds. That is normal to zero in seconds."

"What kind of events can induce anoxia?"

"Stragulations is the most common."

"Can hangings also do that?"

"Yes, ma'am."

"What other examples do you know?"

"Anything that blocks the oxygen from getting to the brain. You could stop the heart from pumping." [X source]

12:03:43 PM ET "What part of the body is most often pressed upon with force to induce anoxia?"

"The neck."

"What is this?"

"The anatomy of the neck. Muscles. The voice box. The hyoid the bone. The jaws." [X source]

12:04:20 PM ET "Is that the hyoid bone here?"

"Yes."

"What about the voice box?"

"Yes, that is in the other box."

"What about the sternothryoid muscle?"

"Yes." [X source]

12:05:00 PM ET "Have you reviewed the materials in the case related to Ms. Birchmore?"

"Yes."

"Did you note where the ligature was found?"

"Yes, it was found above the voice box as noted by Dr. Capo Martinez." [X source]

12:05:51 PM ET "A certain portion of someone's neck has to be impacted for anoxia to occur?"

"Yes, the arteries. If you put your finger on your neck and feel your pulse, that is the..."

"Objection."

"Counsel?"

"I would ask the witness not ask the jury to do any experiments on themselves."

"Counsel, why don't you put the question again." [X source]

12:06:44 PM ET "Dr. Smock, you were telling us certain areas of someone's neck must be impacted for anoxia to occur in some cases?"

"Yes, if I feel my pulse, that is what takes the oxygen to the brain, that is one on either side of the neck. These are the carotid arteries." [X source]

12:08:27 PM ET "What is this?"

"A cross section of the neck. The sides, and this marker to annotate doesn't work?"

"No, it's broken."

"So on the side we have the carotid sheath which takes the carotid arteries up, and the jugular vein is also in that same sheath. Oxygen up in the carotid arteries, then it comes back down into the heart and lungs. So if you put pressure on the neck inwards, you can create anoxia in the human brain?"

"How much pressure is required to obstruct the jugular vein?"

"4.4 pounds of force."

How much pressure for the carotid arteries?"

"11 pounds of force?"

"The voice box?"

"34 pounds of force." [X source]

12:09:14 PM ET "Dr. Smock, is there a way you can help the jury what 4.4 or 11 pounds of force or 32 pounds of force refers to?"

"Sure, an adult male handshake, a firm handshake, is 80 to 100 pounds of force. Some police officers can get up to 160 pounds of force in one hand. With women, a handshake is 60-80 pounds of force." [X source]

12:11:34 PM ET "Can stangulation be a form of cutting off the carotid arteries?"

"Yes, it can block airflow, blood flow or both."

"Does the body experience physical impacts as anoxia sets in?"

"Yes."

We see a timeline that starts at 0 seconds.

At 5-10 seconds, you will see spots or tunnel vision, your hearing will change, you will be unconcsiocuness.

"Can a person be rendered unconscious in 5-10 seconds without an external injury being rendered?"

"Yes, ma'am, you can do that with one finger. 4-11 pounds of force could be done with a finger. You could also use a forearm clasped around a neck, render them dead, and not leave a mark."

"Will the heart keep beating after 10 seconds?"

"Yes." [X source]

12:12:57 PM ET "What happens at 14 seconds?"

"You can have an Anoxic seizure. Your arms or legs may shake. You can have a short lived whole body shaking. The brain is responding to low level of oxygens. It discharges electrical impulses and causes muscles to contract."

"Did you observe such seizures in your years as a doctor?"

"Yes, they last 2-8 seconds. They are very short."

"How soon do they occur, if they occur at all?"

"Within seconds of someone going unconsciousness."

"Have you ever seen such a seizure break a hyoid bone?"

"Never, ma'am." [X source]

12:14:58 PM ET "What about at 15 seconds?"

"You will urinate on yourself if your body is positioned to do so."

"What about at 30 seconds?"

"You will lose bowel control and defecate on yourself, or poop on yourself."

"What about 62 seconds?"

"Capillaries begin to pop and create petechial hemorrhages form."

"Where would you expect to see those hemorrhages?"

"Above the level of where the pressure is being applied." [X source]

12:15:45 PM ET "In this case, the ligature was above Ms. Birchmore's voice box?"

"Yes."

"Did Dr. Capo-Martinez see petechial hemorrhages in the voice box?"

"Yes, and that was very significant. Something stopped stopped the blood from getting back to the heart below the voice box." [X source]

12:16:34 PM ET "What happens 62 seconds after anoxia sets in?"

"This is where the first person, in our studies from the literature, stopped breathing, meaning the brain stem is dead, it's done, so you stop breathing. In the longest patient, we found 157 seconds before that occurred." [X source]

12:17:23 PM ET "What is manner of death?"

"Is it a homicidal death, suicidal death, undetermined death, unnatural death or accident. Five options." [X source]

12:18:28 PM ET "Have you ever opinioned that an asphyxia related death was undetermined?"

"Yes."

"And what do you do in those cases?"

"I go back to the evidence, the crime scene evidence, and try to determine what the manner of death was." [X source]

12:19:06 PM ET "What is the difference between a complete and incomplete hanging?"

"Comply means full body weight on the ligature, incomplete means partial body weight on the ligature, and then there are partial categories under the latter." [X source]

12:20:40 PM ET "Do those terms mean the same as partial vs fully suspended hangings?"

"Yes."

"What are the sub categories of incomplete hangings?"

"Sure, sometimes your feet are in contact with the floor, sometimes your knees, sometimes your bottom, or butt, or are you laying down. Depending upon how much of your body is in contact with the floor will dictate how much force is exerted on the ligature around your neck."

"In some instances toes or buttock can be on the ground?"

"Yes, and that is important to know because I look at how much pressure was put on the neck. To know if it's a homicide, suicide or staged scene, that is something I need to know." [X source]

12:21:12 PM ET RT @MicheleMcPhee: Another EXPLOSIVE day of testimony from Matt FarwellΓÇÖs twin brother Billy. Billy told the court Norfolk County CPAC toldΓÇª [X source]

12:21:43 PM ET Great work, @MicheleMcPhee! [X source]

12:23:08 PM ET Dr. Smock is describing the hyoid bone now.

"Does it matter if the hyoid bone is fused?"

"Yes. The fusion or lack thereof makes a big difference. If the bone is fused, there will be resistance until it breaks. If there is no fusion, and you push on it, it will move in. it is free floating. it is not until it becomes fused that is becomes easier to break. It is harder to break when it is free floating." [X source]

12:24:57 PM ET "When does the hyoid bone fuse?"

"The third decade of life."

"Have you see hyoid bone fractures during strangulations?"

"Yes."

"What about with fully suspended hangings?"

"Yes."

"What about seated hangings?"

"In people over 40, sometimes, because it doesn't give."

"Have you ever treated a patient under the age of 40 who suffered a broken hyoid bone from a seated hanging?"

"Objection."

"Overruled."

"I have never seen a patient under the 40 with a broken hyoid bone from a partially suspended hanging."

"What about your time as a medical examiner?"

"Never!"

"What about in the medical literature?"

"I cannot find one example, and I've looked!" [X source]

12:27:46 PM ET "Now, as to asphyxial related homicides, what types of those have you worked on?"

"Many types, almost anything where someone was unable to breathe. Stangulation, suffocation, positional asphyxia."

"What is smothering?"

"That is an object, or implement, is placed over your nose or mouth so you can't breathe. Your face could be pushed down into a mattress. Anything that deprives you of oxygen."

"What injuries do you see in those cases?"

"Abrasions on the nose. Injuries to the lips. You're looking at where that pressure is being applied."

"Have you see such deaths fall into more than one category?"

"Yes, a combination of strangulation and suffocation. Where you're chocked with one hand and someone is put over your mouth to prevent you from yelling."

"What is a vascular restraint?"

"That is a laternal vascular neck restraint. Where pressure is applied to the side of your neck and blocks blood flow to the brain."

"Is that a carotid tresintat?"

"yes." [X source]

12:28:24 PM ET "Do internal injuries also appear when there is a strangulation?"

"Yes, something, the bone or the cartridge, breaks. A hemorrhage or a facture." [X source]

12:30:00 PM ET "You mentioned earlier that you have studied pattern imprints since 1984, what is this?"

"A cutaneous injury, sometimes under the skin, that you can match up to an object, implement or weapon. When it makes contact with the skin there is a mirror image created. For example, a pedestrian, it may be hit by

a car with a bolt. If you saw that on the back of the person who was hit, their leg, their would be a mirror image imprint. I've seen someone hit with a monkey wrench in the head, there will then be a mirror image of the teeth of that wrench in the head." [X source]

12:31:29 PM ET "What steps do you take to identify those injuries as to pattern imprints?"

"I ask for a history, to see if anything lines up with the injury. Pattern injuries tell you what happened to that patient so they are important."

"Have you trained and published in that field?"

"Yes."

"Why are pattern imprints helpful?"

"Because the injury was created with some kind of object impacting the body. When I am looking to figure out what happened to any particular patient, the pattern injury is critical." [X source]

12:32:29 PM ET "When were you asked to review materials in this case?"

"June of 2024. The FBI and the US Attorney's Office asked me to do so."

"What were you asked to do on the case?"

"May I refer to my notes?"

He has a huge binder of notes. It's thousands of pages.

"Your honor, can the witness say what he is looking at?"

"Yes, ma'am," the witness says to the defense lawyer, "It's my notes!" [X source]

12:33:51 PM ET "What did you review?"

"It's Mass. State Police reports, phone data, reports from the OCME, reports from defense experts..."

"Let me try a specific question, I will pull up slide 6 please. What is this?"

"These are two crime scene photos."

They are photos of Sandra hanging from a door."

"How was Ms. Birchmore found?"

"It is called semi-reclining. it is not a full sitting. I would call it semi-reclining. It is a partial or incomplete hanging." [X source]

12:36:18 PM ET "What age was she?"

"23."

"What injuries would you expect to see from a seated hanging?"

"A ligature mark."

"Would you expect to see a broken hyoid bone."

"No, ma'am."

"Objection."

"Sustained as to form."

"What injuries would you expect to see?"

"I would expect a ligature mark on the outside. I would not expect a fractured hyoid bone on a 23 year old."

"Would you expect to see petechial hemorrhages?"

"Not below the voice box, no! I would expect to see them above only!" [X source]

12:37:12 PM ET "Would you expect to see them on the eyes?"

"Yes, ma'am."

"And did Dr. Capo-Martinez observe those here?"

"Yes, on the eyes and the face."

"And did you examine autopsy photos of Ms. Birchmore?"

"Yes."

Oh God., I wasn't ready for this. Not again. God help me. [X source]

12:37:32 PM ET It is a picture of Sandra dead on a slab.

She has a wound on her neck and face,

I have seen death. Again. [X source]

12:40:02 PM ET The Doctor is talking about skin wounds caused by Sandra's head laying on her shoulder.

We now see Sandra hanging from a door again.

Sandra's head is leaning towards the left side of her chest.

"Did that lean have significance to you?"

"Yes, when you look a ligature, it is where the pressure is being applied. So with a left leaning individual the most pressure is going to be on the left."

"Where was the fracture to Ms. Birchmore's hyoid bone."

"The right side."

Boom. [X source]

12:40:37 PM ET We now see a close up zoom of the ligature mark, or furrow, on the under side of Sandra's neck while she is dead on the OCME slab.

This is very hard to look at. [X source]

12:41:22 PM ET "Is this injury post mortem or otherwise?"

"The ligature mark occurred perimortem. It's red. It says her heart was beating when the ligature was applied to her neck."

"Can ligatures be used to mask strangulations?"

"Yes, ma'am." [X source]

12:43:05 PM ET Now we see a even more zoomed in picture of Sandra's neck.

"The abrasions are consistant with fingernail marks. When someone is being stragled you pull at the area."

WOW! [X source]

12:43:34 PM ET Now we see a even more zoomed in picture of Sandra's neck.

"The abrasions are consistant with fingernail marks. When someone is being stragled you pull at the area."

This is heartbreaking. [X source]

12:44:03 PM ET "What did you determine about these abrasions?"

"They occurred around the time of death and the scratch marks on her neck around the furrow are from fingernail scratches." [X source]

12:44:24 PM ET We see a close up photo of Sandra's face on a slab.

Her mouth is black.

Her nose is red on the tip. [X source]

12:46:35 PM ET "What do you notice about her mouth?"

"The blackness that is maybe called mummification is a consequence of her lips drying out."

"What is mummification?"

"It's where things dry out. You lose moisture. When you see that black on the mouth or maybe fingers, things have tried out."

"What do you notice below her mouth?"

"Another linear abrasion going straight down. Those are def3ensive injuries where you are trying to pull pressure away from your skin."

"Does she have red on her nose?"

"Yes."

"Is that mummifcation?"

"No, ma'am, those are abrasions. They are defensive wounds."

She was trying to pull something away from her mouth! [X source]

12:47:42 PM ET Reminder; the DNA swaps taken of Sandra's fingernails by John Fanning, via the OCME, were not requested until late Feb of 2021 (weeks after Sandra's mouth). [X source]

12:49:05 PM ET "Where have you seen these type of abrasions before?"

"In suffocation cases where someone tries to move and escape."

"What is this picture?"

"A crime scene photo of Sandra's bed."

"What steps were taken to investigate that bed?"

"I am aware of none."

"What did you learn about a broken necklace during your review of materials in this case?"

"You can see the broken necklace on Sandra's neck from some of the pictures at the scene, and I know the necklace was not collected by the state police at the scene, and Dr. Capo-Martinez was not told about the necklace."

Oh. Wow. [X source]

12:50:15 PM ET "What is this picture?"

"The flamingo pendant is on the outside of the shirt but under the jacket. That was the necklace broken from around Sandra's neck."

"Objection, speculation."

"Sustained as to the last phrase otherwise it can stand."

"This was a necklace on Sandra's neck?"

"Yes."

"What do we see above it?"

"The broken chain. It is underneath the ligature."

Oh dear God. [X source]

12:51:16 PM ET "What do we see here?"

"Another view that shows the flamingo pendant, the chain and also how Sandra's hair is caught up in the ligature."

"What significance did that have to you?"

"Based on the literature, the collection of hair in the ligature is an indication this might be a homicide. That is a huge red flag for a forensic investigator."

"Have you ever seen a broken necklace from a suicidal hanging?"

"No, ma'am." [X source]

12:53:06 PM ET We now see a series of autopsy photos of Sandra dead on the OCME slab.

These are very hard to look at.

We don't see the last two. They don't go up on the screen.

"What did you see in those photos?"

"Ms. Birchmore's hair is entangled, either tightly wound within the buckles, and then on the left side it is wound around the ligature. That is a huge, one of the biggest red flags, of a homicidal event. Having the hair tangled up."

"What was Ms. Birchmore's hair style when she was last seen alive?"

"Yes, ma'am, her hair was up in the video." [X source]

12:54:21 PM ET "Was an anterior neck dissection performed?"

"Yes, that is where we reflect the skin of the neck up, and then we go layer by layer at the muscles of the neck. We look at each one, disconnect it, then flip the next one up."

"Is there another kind of neck dissection?"

"Yes, a posterior neck dissection. Anterior means front. Exterior means back."

"What can you learn from an anterior neck dissection?"

"If there is a trauma under the skin. You can look for trauma to those muscles behind the skin." [X source]

1:01:15 PM ET "Is a posterior neck dissection helpful?"

"Yes, it is very helpful because if you don't take the skin away how do you know what is underneath unless you look, so in asphyxia, or strangulation cases, the institute and I recommend both anterior and posterior neck dissection so you don't miss trauma in the back of the neck as well?"

"Was a posterior neck dissection done on Ms. Birchmore?"

"No, ma'am."

"What about the anterior neck dissection?"

"Yes, and there was hemorrhages on the left sternothyroid muscle."

"What does a hemorrhage tell you?"

"Their was pressure applied while Ms. Birchmore was still alive, while her heart was beating."

"Was that left sternothyroid hemorrhage significant to you?"

"yes, because it shows trauma below the level of the ligature. Below the voice box. How do we explain that? What causes that? Enough force was applied to Ms. Birchmore's neck to cause bleeding below the level of that ligature. Squeezing pressure was applied below the level of the ligature." [X source]

1:02:09 PM ET "What, if anything, did you do to learn if Ms. Birchmore's hyoid bone was fused?"

"I met with Dr. Capo-Martinez, then we x-ray'd the hyoid bone in the OCME office, but it wasn't good quality, so I said we should send the hyoid bone for additional Xray and exam."

"Exhibit 310."

"Counsel, given the time, we will stop for lunch." [X source]

1:03:08 PM ET "All rise for the jury!"

"Anything before we go? Counsel why don't we come back at 1:55pm for an update for the jury about tomorrow!" [X source]

1:32:17 PM ET RT @MicheleMcPhee: Billy Farwell testimony completed. More damaging allegations against the Norfolk County DA CPAC unit made by Farwell onΓÇª [X source]

1:34:27 PM ET "What did you know about your brother's [Matthew Farwell] relationship with Yuri Bukhenik?"

"They knew each other professionally and socially."

"And Yuri Bukhenik was a member of the Norfolk County CPAC at this time?"

"Yes."

Run Brian Tully, Yuri and John Fanning.

Run. [X source]

1:35:01 PM ET RT @VoteDionneMA: ≡ƒôúThe @BostonGlobe Endorses Elizabeth Dionne for State Treasurer≡ƒÜ¿

BOSTON - Today The Boston Globe Editorial Board announcΓÇª [X source]

1:37:17 PM ET There is no way Judge Gildea jist ordered David Yannetti to violate a federal court order and disclose protected materials about an FBI investigation into Brian Tully and John Fanning?

@DMAnews1 will go haywire, in my humble opinion.

Removal to federal court could be on tao. https://t.co/nlY7tEYvjs [X source]

1:37:41 PM ET @DMAnews1 On tap. [X source]

2:00:01 PM ET Heading back in from lunch now.

5 minute extra towel break.

God bless you all. [X source]

2:01:07 PM ET RT @brooklyn47361: WTAF

Social media posts weΓÇÖre made asking for info about Sandra Birchmore and telling people to call Fanning. BUT IT WΓÇª [X source]

2:06:46 PM ET That's it.

I have met the legend himself at federal court.

@kevinreddi35550. https://t.co/yVX9Ll1jmX [X source]

2:12:32 PM ET kay, I made it inside.

I took a detour to say God bless you to Kevin Reddington.

He is a legend.

https://t.co/6pvR0D7Mqf [X source]

2:13:36 PM ET Dr. Smock is back on the stand.

Sandra's hyoid bone is brought up on the screen.

Dr. Smock is asked if he sees an obvious fracture?

"Yes, it is an inward fracture which is what we see with strangulation."

The bone on the screen is very obviously broken. [X source]

2:15:43 PM ET "Before you sent Ms. Birchmore's hyoid bone for imaging, did you see it yourself?

"Yes, ma'am, when we had the meeting with the OCME and the chief, we asked to look at it. We asked to see it and xray."

"Did you look at it?"

"Yes."

"What else did you do with it?"

"The FBI photographed it. Then we took an xray. The forensic FBI photographer photographed it with a scale showing the actual fragment being pushed inward."

"What that FBI photographer Michelle Gamble?"

"Yes." [X source]

2:17:47 PM ET "What is this?"

"This is the FBI picture of Sandra's hyoid bone. There is a break inward, a fragment. There is also bleeding into the tissue from the hyoid bone. We see that on the right side but not the left side."

Now we zoom in on the area in question.

"Is that what you're talking about Dr. Smock?"

"Your honor, we can't see it at counsel table?"

"Bear with us."

"Did they see the one before this?"

"Yes."

"Counsel, to orient us again, please re-ask the question."

"Is the top part of this the right side?"

"We see two things..."

"Your honor, I object to we..."

"Sir, you are testifying on your own behalf."

"Well, I see, the area bent inward at the fracture and also we see the discoloration at the tissue." [X source]

2:18:37 PM ET "What is that ruler?"

"That is a color correction ruler. Two things, when you take this kind of photo you want to take it at 90 degrees and you want a color correction so you can actually look at the colors. it is color corrected and the color that you're seeing is accurate to what your eye sees. It is called a color correction forensic scale." [X source]

2:21:04 PM ET "What, if anything, does the absence of a hemorrhage at a fracture site tell you?"

"It says the heart was beating at the time the fracture occured."

"What does the absence of hemorrhage indicate?"

"That the person was already dead or that the fracture did not make it to the surface."

"What do you do in the case of the latter?"

"A CT scan or a dissection right to the done to see how much hemorrhage there was."

"Here, Dr. Smock, where is that discoloration related to the fracture site?"

"To the right of the fracture site."

"Slide 26 for the witness please. Exhibit 70."

"Dr. Smock, have you seen this photograph before?"

"Yes."

"Did you form an opinion as to whether that buckle could have caused that fracture to Ms. Birchmore's hyoid bone?"

"Yes, ma'am, it could not have done so; the buckle is back and beyond the posterior part of the hyoid bone and it is not resting on the neck. Also, a lot of hair is matted up and tied into the buckle." [X source]

2:22:06 PM ET "Is there any other pattern imprints?"

"Yes, there is another one."

"Your honor, we object."

"Noted for the record."

"Slide 27 for the witness please.'

"What led you to conclude that this, on the screen, was a pattern imprint."

"Objection."

"Sustained as to form, rephrase."

"Why is a pattern imprint?"

"Because there is a unique pattern of it on the skin that left the mirror image on the right upper chest." [X source]

2:24:10 PM ET "What do you mean by outline?"

"Something, some object, left a mirror object on the skin after the skin and the object were pushed together."

"What, generally, would cause that kind of injury?"

"You have to have something pushed into the skin, the skin pushing against it or vice a versa, so there is pressure, skin to object or object to skin."

"What if any impact would the presence of clothes have on that?"

"It makes it less distinct than if it were fresh skin."

"Do you have an opinion as to whether Ms. Birchmore suffered that injury before she died?"

"Going back to the reaction, is this red, was her heart beating when this injury occurred. if it weren't it would be yellow, not red. This is red. This injury occurred when she was bleeding."

"Was this around the time of her death?"

"Yes, her heart was clearly beating when this occurred and it's associated with the ligature that is found around her neck. Also there is no sign of healing." [X source]

2:25:27 PM ET "What were the measurements of that injury?"

"2.3 by 2.0 centimeters." [X source]

2:26:49 PM ET "What if anything did you find in this case?"

"There was a particular component of the ligature, a lobster claw clasp, that had the approximate size and shape to this imprint [on her chest.]" [X source]

2:27:33 PM ET "Slide 31. What is this?"

"The ligature found around Ms. Birchmore's next. The lobster claw circled in yellow is the one that created the imprint on her chest."

This is the part and lobster clew of the strap that was tied near the door handle not tied around Sandra's neck! [X source]

2:29:35 PM ET "What if anything did you do with respect to the two lobster claws?"

"Firstly, I asked the FBVI photographer to take photos of the ligature and the lobster claws. The 90 degree forensic photos. Then I looked at where are those lobster claw buckles at the death scene, which one is going to be free to impact that right upper chest, then I got an exemplar ligature, took measurements, and made impressions of the exemplar lobster claw into clay to look at what it would look like on skin."

"Exhibit 314 for the witness please. Is this one of the photos you took of the ligature found on Ms. Birchmore?"

"Yes."

"Exhibit 315, this is a photo of the lobster claw clasp on the ligature?"

"Yes, ma'am, one of the two."

"What about exhibit 316, is this the other lobster claw on the ligature found on Ms. Birchmore?"

"Yes." [X source]

2:32:35 PM ET "What if anything did you note about the length of the lobster claw clasp compared to the injury on Ms. Birchmore's chest?"

"It's the same, 3.8 centimeters top to bottom, and that is the same measurement of the inside circle of the lobster claw clasp."

"What about the width of the clasp?"

"The distance from outside to outside is a little less than 2 centimeters."

"Now 316, what did you notice about that?"

"The width of the lobster claw clasp [was the same as the imprint on Ms. Birchmore's chest.]"

"What do you notice about the bottom of the lobster claw clasp?"

"The rivet pushes out from the side, it is elevated and pushed away from the clasp. That stood out to me because there is a divet in Ms. Birchmore's chest where this pushed into her..."

"Objection."

"Counsel rephrase as opinion."

"What did you see about this divet on Ms. Birchmore's chest?"

"There is an inward divet that corresponds to that rivet."

Oh shit, someone exclaims in the media room.

Wow. [X source]

2:33:55 PM ET This is really damning. This slide shows the rivet and the lobster claps matched up next to the injury on Sandra's chest.

They exactly match up, centimeter for centimeter, and they exactly line up as to the divet in Ms. Birchmore's best aligning with the rivet on the clasp.

"What is your opinion of what caused this injury on Ms. Birchmore's chest?"

"That rivet was pushed into Ms. Birchmore's chest and the whole lobster claw clasp was pushed into her right chest, creating that imprint." [X source]

2:35:57 PM ET "How did you determine which clasp caused this injury?"

"If we go to the scene photo of how Sandra was positioned, one of the lobster claw clasps was tied up in Sandra's hair, so it could not have been this one."

"Slide 2, please, can you explain?"

"So, you can see the clasp intertwined with knotted hair, so that clasp could not have been pushed into her chest. It had to be the other one."

"If that one near her hair and ear were pushed into her chest would it have caused a different injury?"

"That lobster claw is actually connected to the other buckle, so if that whole conglomerate were pushed in it would be different. You can't get that portion flat because it is tied up with hair and intertwined with the other buckle. it would be a different pattern imprint than the one we see." [X source]

2:36:21 PM ET "Based on that, which of the two caused the injury?"

"The one that is circled in yellow because it is free and not entangled with the hair and other buckle." [X source]

2:37:12 PM ET "What did you do with respect to the crime scene photos?"

"I looked at the photos to determine where the clasp was, the free hanging clasp, in the photos."

"What if anything did you conclude about that clasp near the door handle?"

"That is the clasp that caused the injury to Ms. Birchmore's chest. It is tied around the doorknob." [X source]

2:38:31 PM ET "What is this picture?"

"It is a picture of Sandra Birchmore in her bedroom, and the clasp is no where near where she is hanging from the door. This tells me the injury occurred before she was hung on the doorknob. How do you get that injury if that's where it is. The injury occurred before the ligature was tied around the doorknob."

"What did that injury being caused first mean to you?"

"That this is an altered crime scene, and that she was killed before the ligature was tied around the door."

"Objection."

"Overruled." [X source]

2:41:33 PM ET "Did you form an opinion to a reasonable degree of medical certainty about the cause of Ms. Birchmore's death?"

"The cause of death is asphyxial related to stangulation."

"What did you base that on?"

"Multiple things. The injuries that we see, and that we don't see. The fractured hyoid bone pushed inwards, the fact that we have hemorrhage near the fracture site means there was pressure applied to the neck, the fact that there is a pattern imprint that comes from way above Ms. Birchmore's position where she was hung means it has to have happened first, the fact that there is hemorrhage below the ligature, which means there had to be pressure applied below that ligature which is why see see hemorrhage in the voice box and the left sternothyroid muscle."

"What about the manner of death?"

"This was a homicide."

"Based on?"

"The totality of the evidence. Looking at the fact of the type of injuries we had. The nature of the injuries, the locations of the injuries, pressure pushing the hyoid bone in when the hyoid bone was not fused, and the injury

to the chest., when you take all of those injuries, Ms. Birchmore was the victim of a homicidal act."

"Nothing further your honor." [X source]

2:41:44 PM ET Ball game.

"Did you form an opinion to a reasonable degree of medical certainty about the cause of Ms. Birchmore's death?"

"The cause of death is asphyxial related to stangulation."

"What did you base that on?"

"Multiple things. The injuries that we see, and that we don't see. The fractured hyoid bone pushed inwards, the fact that we have hemorrhage near the fracture site means there was pressure applied to the neck, the fact that there is a pattern imprint that comes from way above Ms. Birchmore's position where she was hung means it has to have happened first, the fact that there is hemorrhage below the ligature, which means there had to be pressure applied below that ligature which is why see see hemorrhage in the voice box and the left sternothyroid muscle."

"What about the manner of death?"

"This was a homicide."

"Based on?"

"The totality of the evidence. Looking at the fact of the type of injuries we had. The nature of the injuries, the locations of the injuries, pressure pushing the hyoid bone in when the hyoid bone was not fused, and the injury to the chest., when you take all of those injuries, Ms. Birchmore was the victim of a homicidal act."

"Nothing further your honor." [X source]

2:42:07 PM ET "Cross."

It is Joanne Daley.

"You have been employed by law enforcement often in your career Doctor Smock?"

"Yes." [X source]

2:42:51 PM ET "You were the police surgeon, a police instructor, a police surgeon again, the police surgeon again, and you were the US Marshall Service tactical physician, then a medical advisor to the FBI?"

"Yes, ma'am." [X source]

2:43:17 PM ET "Are you a surgeon?"

"No ma'am."

"You don't perform surgeries?"

"I have performed surgeries in the ER." [X source]

2:43:23 PM ET "Fair enough." [X source]

2:44:04 PM ET "Is there a separate field of someone doing surgeries vs ER surgery?"

"Yes, ma'am."

"Does police surgeon as a concept come from the UK and is it 200 years old, and was it established by the met police act?"

"Yes." [X source]

2:44:42 PM ET "And it started as a field to help administer medical care to police officers?"

"200 years ago, it was a small part of the field."

"Did you know the term has been replaced in the UK with forensic medical examiner or officer?"

"In northern Ireland, yes." [X source]

2:46:47 PM ET "You've been employed often by law enforcement?"

"Yes."

"And in New York do police surgeons help police officers and sometimes detainees?"

"That is true in the UK. I don't know about New York other than those police surgeons don't have forensic training."

"And the term police surgeon now means something different in the UK? It means someone who goes to a police station and helps someone who is hurt?"

"Now, yes."

"And have you ever done that?"

"In the UK?"

"No, sir, in America. Have you done that in America?"

"Yes, ma'am, I have a police car. I can respond and provide medical care as needed at various scenes." [X source]

2:47:08 PM ET Joanne Daley is way off the rails here. [X source]

2:48:45 PM ET "If a suspect is found dead, would the call go to the ME or you?"

"Well, not the ME ma'am, for the local police department I am involved in evaluation when someone dies in the custody of police or corrections."

"In the UK are the police surgeon and the pathologist separate?"

"No, ma'am. They often are the same, the man who trained me was both."

"What about right now?"

"I can't tell you right now, I can tell you what my training was like."

"And you were trained by the man known colloquially as The Old Professor?"

"I did not call him that ma'am." [X source]

2:49:15 PM ET "Well, the Old Professor just let people come see him didn't he?"

"I don't know."

"Did he also invite Ph.D's?"

"He might have."

"Did anyone regulate him?"

"Objection."

"Sustained." [X source]

2:50:00 PM ET "After your Scotland rotation, did you have proficiency testing?"

"Yes, there was an oral examination at the end of my rotation." [X source]

2:50:43 PM ET "Do you know what the Royal College Of Pathologists is?"

"Yes."

"And does getting certified by them require years of training and the PATH exam?"

"Yes."

"Did you sit for that exam?"

"No, ma'am." [X source]

2:51:51 PM ET "Did you work in emergency medicine?"

"Yes."

"When was the last time you treated living patients?"

"2011."

"Did you triage patients?"

"Sometimes. Nurses would also triage. I may also do it, myself."

"How do you do that?"

"I talk to the patient, if they can communicate, I look at their injuries and vital signs. I determine if more tests are needed. I determine if they need to go to the ICU or surgery. A full history is very important." [X source]

2:52:35 PM ET "What about someone going to the ER for their primary form of medical care?"

"That also happens."

"But if a corpse arrives it goes right to the morgue?"

"It may not go to the hospital. They may die in my ER and become a corpse. Then they go to the morgue. But hospitals do not accept corpses." [X source]

2:53:04 PM ET "If someone died in your care, would you perform the autopsy?"

"No, ma'am."

"You've provided disclosures in this case and wrote reports?"

"Yes." [X source]

2:53:24 PM ET "You said you signed 2,000 death certificates?"

"Yes."

"Did you perform autopsies for all of them?"

"No, ma'am." [X source]

2:53:37 PM ET "You are board eligible, is that right?"

"Yes." [X source]

2:54:42 PM ET "Do you have to see patients to be board eligible?"

"You have to list patients, which I have seen while working in the past 10 years as a police surgeon, and take an

oral exam."

"Why haven't you sat for that exam?"

"I am not working in an ER any longer." [X source]

2:55:30 PM ET "You did a fellow ship for one year with the ME in Kentucky?"

"Yes, ma'am."

"Was that the year after your medical school residency?"

"Yes."

"And it was a fellowship in forensic medicine?"

"Yes."

"Is that different than forensic pathology?"

"The design of the fellowship was very similar." [X source]

2:56:31 PM ET "A fellowship is an option training that allow sub specialization after a residency and medical school?"

"Yes."

"And you were the first fellow in this field in Kentucky?"

"Yes."

"How many fellows were there after you?"

"Four years."

"When did the fellowship end formally?"

"1998." [X source]

2:57:48 PM ET "In the US most accredited fellowship's participate in a matching service, did yours?"

"There was no matching process at that ME fellowship. There was an application, but the matching process did not exist. I was the first student. The Chief Medical examiner had created the position that year. Dr. Nicholas and I created the curriculum. I helped to create the program, actually."

Long pause. Papers shuffle. [X source]

2:58:45 PM ET "Why were you the only applicant?"

"Well, I was the only one who applied, but the fellowship was many years in the making. Both Dr. Nicholas and I saw a need for this fellowship, so we spent years creating it, working on the training, working with the crime lab and law enforcement agencies, so I could then build the curriculum." [X source]

2:59:25 PM ET "Did you seek accreditation for the fellowship program?"

"Yes, I was told we would need to reach a number of 20 programs across the US to get the accreditation."

"Well, everyone has to start somewhere right?"

"Yes, everyone has to start somewhere." [X source]

3:00:26 PM ET "What is match day?"

"It's when someone finished medical school and applies to residency?"

"Does this exist for fellowships?"

"Yes, but not in the same form as match day for residency programs."

"Okay, so you didn't do fellowship match day?"

"No." [X source]

3:01:23 PM ET "There is a new fellowship under the current ME in Kentucky right?"

"Yes."

"And are the requirements different now?"

"Yes."

"And you qualified for that fellowship now?"

"Which one? The clinical medicine fellowship? Yes, the forensic pathology fellowship, no." [X source]

3:01:54 PM ET "Where did you perform this fellowship?"

"The ME's office."

"Did you perform autopsies in this fellowship?"

"I participated in them yes, but the ME performed them." [X source]

3:04:14 PM ET "To be an assistant ME now in Kentucky, you have to be board eligible or board certified is that true?"

"I don't know the current requirements."

"Would looking at a job posting help you with that?"

"Yes."

"Is the ME in Kentucky hiring?"

"It appears so!"

"And you need to be board eligible or board certified?"

"Yes."

"Are you either, right now, in Kentucky?"

"No ma'am."

Long pause. [X source]

3:05:23 PM ET "Scotland Yard is law enforcement is that right, they don't have forensic pathologists?"

"No, ma'am, that is not how it worked in Edingbourgh. They had multiple doctors who worked as pathologists with the police as what was known as the time as a police surgeon."

"Was that 28 years ago?"

"Yes, ma'am." [X source]

3:06:36 PM ET "So, back to Kentucky, you were given an ME opportunity because someone got in a car accident?"

"Well, when I was diener, I filled in for someone. I was just an assistant at that time. I wasn't even a medical student, although some medical students do that job. That was in 1986 that I did that. I was attending medical school." [X source]

3:07:00 PM ET "Did you ever work with Bill Rawlston?"

"We overlapped a little bit! He became a diener as well in the 1990's!" [X source]

3:07:37 PM ET "Does he perform autopsies?"

"Yes, ma'am."

"Objection, relevance."

"Counsel, sustained as to that unless you're tying it up?"

"I am." [X source]

3:08:42 PM ET "You did some consulting about blood borne exposures?"

"Yes, if for example we had a diener with blood borne exposure, I would provide medication to reduce risks of them getting a disease. I also would oversee intervention when someone would run into opiate exposure, via Narcan." [X source]

3:09:51 PM ET "As to the narcan, you brought it to them and they keep it there?"

"Well, yes, and then they call me with questions upon exposure. Same with the blood borne illness medication."

"Who paid you during the fellowship?"

"The University of Louisville."

"The Prosecution hired you and paid you in this case?"

"Yes, I am being compensated for my time." [X source]

3:10:19 PM ET "Did the government also talk to Doctor Zoey Sundell?"

"Yes."

"And she is a federal board-certified forensic pathologist?"

"I don't know." [X source]

3:11:13 PM ET "You were hired by the government after they moved on from Dr. Zundell?"

"Objection."

"Sustained."

"Have you reviewed Dr. Zundell's report?"

"No, ma'am."

"Have you reviewed notes of her work?"

"No."

"Have you ever talked to her?"

"No, ma'am."

"When did you first speak to Dr. Capo-Martinez?"

"August of 2024." [X source]

3:12:04 PM ET "Was that before or after you wrote your preliminary report for the government?"

"I would have to check the date on that report. It was August 18, 2024." [X source]

3:12:34 PM ET "Based on the notes, it was after the meeting with the OCME."

That meeting was August 15. [X source]

3:13:08 PM ET "And in this report from August 18, 2024, you offered preliminary opinions?"

"Yes."

"And you talked about the fracture of the right superior horn?"

"Yes, ma'am, this is a greater horn, not the superior horn." [X source]

3:14:33 PM ET "You also wrote that Dr. Capo-Martinez observed hemorrhage at the site of the hyoid bone based on her autopsy report?"

"Yes."

"And that is not in her report?"

"It is not in her report, but when she and I looked at the hyoid bone together, we noticed the discoloration."

"Were you in court when she testified?"

"Yes."

"Was it documented in her report?"

"It was documented in the photos we took together, ma'am." [X source]

3:15:50 PM ET "Exhibit 63 please. Do you recognize this photo? Are these related to the autopsy of Sandra Birchmore?"

"Yes."

"What is the stock tissue jar here?"

"That is where the hyoid bone was placed."

"Is the red we see in the jar blood?"

"Yes."

"Was a placenta also preserved?"

"Yes, I don't know which of the jars pictured that was in." [X source]

3:16:32 PM ET "Can we have 761 please? Is this how this jar appeared when you retrieved the hyoid bone?"

"Yes, ma'am."

We now see a picture of the same jar from a few years later. [X source]

3:17:05 PM ET "Is there discoloration that has occurred?"

"Yes."

"Is there a preservative?"

"Yes."

"Why is that used?"

"It keeps the tissue from dissolving. it preserves it." [X source]

3:19:07 PM ET "Is Formalin a brand name?"

"It is a preservative chemical."

"How are tissue samples preserved in ME's offices?"

"In Formalin."

"How does Formalin pigmentation effect the...uhhh...move to strike...uhh.why does the color change from red to brown?"

"It's the blood that is initially as red, and as it degrades it changes to brown."

"Can it pigment or color the items inside?"

"What can?"

"The blood inside."

"It can in the fluid, but not decoloring of the tissue sample. That has not been my experience."

"Oh, okay. Who pulled it out of the jar?"

"Dr. Capo-Martinez probably." [X source]

3:19:37 PM ET "Who photographed it?"

"The FBI."

"Then they sent it to Quantico?"

"Yes."

"And Angie Christensen looked at it there?"

"Yes." [X source]

3:20:27 PM ET "And you reviewed defense reports in this case?"

"Yes."

"Do you belong to any associations or societies?"

"Yes, the American academy of forensic scientists." [X source]

3:21:23 PM ET "What is NIST?"

"I don't know. Can you say the full acronym?"

Ignores the question.

"Is there an association about tire track evidence?"

"Yes, ma'am."

"Are you a member of it?"

"No, ma'am." [X source]

3:22:05 PM ET "Can you cite your published articles?"

"Sure, can you give me a copy of my CV?"

Sighs by the defense attorney.

"Okay. May I approach your honor?"

"You may." [X source]

3:23:28 PM ET Smock lists his publications related to strangulation. They span from 2014 to 2018. They are peer-reviewed. [X source]

3:24:02 PM ET "Oh, also, the textbook I wrote, that's peer reviewed." [X source]

3:24:20 PM ET "You wrote the entire book?"

"I was one of the editor's I wrote a chapter as well, yes." [X source]

3:24:45 PM ET "Did the victim survive in those articles?"

"Yes." [X source]

3:25:51 PM ET "Is medicine as a field always changing?"

"Yes, ma'am!"

"And double blind testing is the gold standard?

"Yes, ma'am."

"And treatments evolve?"

"Yes."

"Such as for cancer?"

"Sure."

"And studies get updated?"

"Yes."

"One of the studies you relied on heavily in doing your evaulation in your case is from 1961, is that right?"

"Yes." [X source]

3:26:51 PM ET "And you also cited a 1996 study?"

"Which one in 1996?"

"It was..."

Joanne Daley pauses.

"The pathology of hanging deaths in Western Australia?"

"Yes, ma'am."

"And you stressed in this report that this study demonstrates that in 19 incomplete hangings there were 0 hyoid bone fractures?"

"Do you have the article for me?"

"Yes." [X source]

3:27:19 PM ET "Is this the study?"

"Yes."

We can't hear Joanne Daley. She walked away from the microphone. [X source]

3:28:01 PM ET Now she is back.

"So when you said to the government this was evidence of 0 hyoid bone fractures in 19 cases?"

"Yes, ma'am, under the column I highlighted it was 0, in a column that says both, there were some." [X source]

3:28:58 PM ET "You said you spoke to Sandra Birchmore's therapist?"

"Yes."

"And how long did you speak with Ms. Alkhalil?"

"For a few minutes on August 16 of 2024."

"Then you wrote this repot two days later?"

"Objection, hearsay."

"Counsel, reliance on report, I am assuming."

"Then foundation your honor."

"I can lay foundation, your honor."

"Rephrase." [X source]

3:30:51 PM ET "Do you have to look at someone's entire mental health history when they die?"

"The entire thing? Probably not. I need to speak with their therapist to see if, when they last talked to that therapist, if they expressed self harm ideation or other such thoughts."

"Is that the only thing that matters?"

"No, the physical evidence matters, and what I wanted to know was when was the last time the therapist talked to Sandra and, at the time, did Sandra express any thoughts of self harm."

"Was it relevant to you if Sandra had prior attempts..."

"Objection."

"Sustained."

"What about prior suicide attempts, would that matter to you?"

"No, not years ago, what is important for me is the recent past. What is important for me is the most recent, and what is more important is the physical evidence from the crime scene." [X source]

3:31:52 PM ET "Did Sandra's therapist tell you Sandra was crying in the weeks before her..."

"Objection!"

"Sustained, hearsay."

"What medications was Sandra on?"

"Sertraline."

"What do you know about it?"

"It is an anti anxiety medicine or an anti depression medicine that can be used during pregnancy."

"Did you know Sandra was on Sertraline?"

"I did." [X source]

3:33:22 PM ET "You said it's really important to get all the information when looking at cause and manner of death?"

"Yes."

"And you go to the scene, you talk to witnesses?"

"Yes."

"And you spoke to witnesses?"

"Yes."

"Did you speak to Sandra's therapist?"

"Yes."

"Did you speak to Sandra's OBGYN, Dr. V?"

"Why?"

"Because I talked to her therapist."

"But you did not speak to Dr. V?"

"No ma'am?"

"Medical records, did you look at those?"

"No."

"What about her military or job records?"

"No." [X source]

3:33:59 PM ET "Were you told Sandra engaged in consensual sexual choking with Jason Pickard?"

"Objection!"

"Sustained, counsel!" [X source]

3:34:57 PM ET "as to the hemorrhaging, you said it impacted the left sternothyroid muscle?"

"Yes, that's what Dr. Capo-Martinez indicated."

"And it does not connect to the hyoid bone, does it?"

"No, it does not." [X source]

3:37:48 PM ET "Did the hyoid bone have two fractures?"

"Well, yes and no. May I explain?"

"Sure. Pull up 310."

"No, there's another one!" says the witness

"Another one!"

"One more as well! But we can work with this one!"

"Okay, it can be published, counsel, actually, wait, is this in? I don't think this is in?"

"I have no objection, your honor."

"Admitted and published, 311."

"So if we can zoom in on this, you can see one of the fractures here, but now if we zoom in here, as we look at it, there is an area that is black, and if you follow the cortex, which is the outer line, there is a slight defect there.

So when I looked at the scan I thought that may be a second non displaced fracture on the other side, however, over time, I noticed that was a defect. I then requested a radiologist to give me a second opinion." [X source]

3:39:04 PM ET "Did you say there might be a fracture or there is a fracture?"

"I still think it might be a non-displaced fracture, but the radiologist would not say it was a complete fracture, so I cannot even say it is a non-displaced fracture."

"And that radiologist says there is only one fracture?"

"Yes, and he noted the defect I picked up, but he wasn't willing to say it was a fracture."

"And the FBI doctor also only saw 1 fracture?"

"Objection."

"Sustained." [X source]

3:40:49 PM ET "Umm, so, going back to, ummm, uhh, forensic associations, are you a member of the international association of identification?"

"No."

"Moving on to the chest abrasion...you testified that you did some experiments with it, is that fair to say?"

"No, ma'am, I took an exemplar lobster claw clasp, put the impressions in clay, and then compared the measurements on Sandra's chest to what we see in clay and then I also measured the clasps."

"How did you use modeling clay as a facsimile for human skin?"

"I use that for pattern analysis." [X source]

3:41:48 PM ET "What kind of camera was used to take those photos of Ms. Birchmore?"

"It was Dr. Capo-Martinez's camera."

"What kind of lens was used?"

"I don't recall."

"Was it a wide angle lens?"

"I don't recall."

"Does a wide angle lens impact a photo?"

"If there is no ruler, yes, it can make it look abnormal." [X source]

3:43:56 PM ET "You said there are citations to forensic articles about hair being tangled as an indicator of force?"

"Yes, I have it for you right here. It is written by Claire Ferguson and Nathan Brooks. It is called, A scoping review of strangulation and hanging: determining suicide from concealed homicide in equivocal death cases."

Here is the citation; https://t.co/CzaTeU9dYc [X source]

3:44:25 PM ET Joanne Daley is now arguing with Dr. Smock about a woman who was found deceased by her father. [X source]

3:45:36 PM ET Joanne Daley is still talking about an unrelated case where the father of a dead woman removed a ligature from her body.

"Is there a footnote in that article from Dr. Michael Baden?"

"Yes, it says Baden, 2024. Body of the article, page 7, under hair and ligature." [X source]

3:47:05 PM ET "Is there a reference to Dr. Baden in the bibliography?"

"Yes."

"What case is he referring to?"

"Sandra Birchmore." [X source]

3:47:31 PM ET "Did you provide the authors of that article with anything from this case?"

"No." [X source]

3:47:54 PM ET "Did Dr. Capo-Martinez say hair in the ligature was not a reflect flag?"

"To her it was not a red flag." [X source]

3:48:41 PM ET Okay, 10 minutes to go, I can do this, I am a towel! [X source]

3:50:03 PM ET "Do women have vanity in their death when they're gonna self harm?"

"Objection!"

"Sustained, counsel." [X source]

3:51:33 PM ET Two struck questions about if Dr. Smock has done more less autopsies than other witnesses. [X source]

3:54:15 PM ET "Were parts of the chain under the ligature?"

"Yes, but not the pendant."

"You said it was found ripped from her neck at the crime scene?"

"Yes."

"It was found under the ligature at the OCME!"

"Objection."

"Sustained."

"The photo was taken at the OCME?"

"No, ma'am, that was at the scene. That was taken at the scene and then the OCME was not told about that part of the flamingo necklace."

"So when you said it was found ripped from her neck at the crime scene, that was your concluision?"

"That was my conclusion, that photo from the crime scene shows that."

"It shows it was broken, right?"

"Yes."

"Did a family member find the necklace at the scene."

"Yes."

"Where it is now?"

"I don't know."

"What do you know of it being found?"

"I don't know about it being found except by the family. The state police didn't collect it for some reason. It wasn't collected at the crime scene." [X source]

3:55:00 PM ET "What do you know about journals found at the scene?"

"I know of journals found at the scene."

"What do you know about her prior self harm attempt?"

"I knew of it."

"What did you know about her cutting?"

"I knew about an instance of cutting." [X source]

3:57:12 PM ET "What factors, if any, did you consider as to risk of suicide as to a decedent's mental health?"

"In this case, I spoke to Sandra's therapist about the last time she saw her."

"Did you know she Googled for the suicide ribbonb color on the day of her death?"

"Yes, ma'am."

"Did you know she was Googling cramping at nine weeks?"

"Yes."

"Did you know she was Googling about spotting, bleeding and miscarriage?"

"Yes."

"Did you know about a 2020 prior suicide?"

"There was something in 2017 about taking pills after an argument."

"Did her aunt section her in May of 2020?"

"I was aware of that, and I was aware the doctor's said she was not suicidal and released her."

"How did you learn that?"

"I saw references in the record to her being evaluated and released. It did not impact my analysis of her death." [X source]

3:57:44 PM ET "What training do you have to recognize signs of suicide?"

"About 20 years of formal medical experience."

"What are the risk factors for suicide?"

"Objection."

"Counsel, rephrase." [X source]

3:58:18 PM ET "You have worked in the field of suicide prevention for 20 years?"

"No, I have evaluated suicide in the ER for over 20 years." [X source]

3:58:31 PM ET Sidebah! [X source]

4:01:30 PM ET "Dr. Smock, in looking at this case, did you consider suicide risk factors?"

"Yes, what the therapist had evaulated recently."

"So the full extent of your mental health history for Ms. Birchmore was..."

"Objection."

"Sustained as to form."

"How long was the discussion?"

"Several minutes." [X source]

4:02:13 PM ET "Photos were taken in this case of the death scene, right?"

"Yes."

"And the officers who responded looked for signs of obvious trauma on her face beyond the...."

"Objection."

"Sustained as to this question."

"Any signs of a struggle in her apartment if you know?"

"That the officers observed? No ma'am." [X source]

4:02:50 PM ET "Counsel, can I speak to both sides on WhisperTech please?"

Sidebah! [X source]

4:04:36 PM ET "Jurors, thank you for your patience. I want to finish with this witness. We expect tomorrow will be a half day, so we want to finish with this witness now. Is 20 more minutes okay?"

"Jurors all nod in agreement." [X source]

4:05:16 PM ET "Two minute recess please! Everyone can stretch!"

Big towel stretch! [X source]

4:16:06 PM ET We are back in session.

Joanne Daley is asking about studies from 2018. [X source]

4:17:13 PM ET We are all very tired.

This has been a very long day.

"This study shows there is a big difference between someone under the age of 40 and someone over the age of 40. You didn't read the full paragraph."

"Actually, I did!"

Whereupon Ms. Daley starts reading from a medical study. [X source]

4:18:51 PM ET "Do petechial hemorrhages happen a lot in hangings?"

"Yes."

"What is postmortem hypostasis?"

"Blood pooling post mortem. Gravity will pull blood towards the center of the earth."

"Are those Tardieu spots?"

"Well, yes, Tardieu spots are small hemorrhages caused by the rupture of tiny blood vessel due to compression, external pressure, or shearing forces, or something to that effect." [X source]

4:20:00 PM ET "Did Dr. Capo-Martinez photograph the abrasion?"

"Yes."

"She preserved them for you?"

"Yes."

"Did Dr. Capo-Martinez say Sandra Birchmore could have caused her own injury on her chest?"

"No, she did not say that." [X source]

4:20:50 PM ET "You said that you observed scratch marks above the furrow mark on Sandra Birchmore's neck?"

"Above the furrow marks, yes."

"Was that in your preliminary repo0rt?"

"I don't recall."

"Do you need a copy?"

"Sure." [X source]

4:21:42 PM ET Every minute Joanne Daley keeps this jury is another minute they will add to their dislike of Ms. Daley.

It's late. We're tired. [X source]

4:23:44 PM ET "What about your Feb 17th, report?"

"That was only about the hyoid bone fractures."

"What about April 13th?"

"Yes, either there or in an additional disclosure. I think that was regarding abrasions on the neck." [X source]

4:25:41 PM ET "Was Sandra Birchmore wearing an Apple Watch when she died?"

"Yes."

"Do you know what an Apple Watch is?"

"Yes."

"Do they collect heartrate data?"

"They can."

"Did you want to find out what was on Ms. Birchmore's Apple Watch?"

"Objection."

"Sustained."

"Did you make any umm effort to umm push the government to look at that apple watch?"

"Objection."

"Sustained."

"Did you ask the government if they had the data from that apple watch?"

"The government said they were going to attempt to have it analyzed. I said that was a good idea." [X source]

4:26:22 PM ET "Do you live in Indiana and is that where the institute is located?"

"Yes."

"Is it registered as a business?"

"Yes, in two states."

"But it's a farm?"

"Well, it is for sure a farm, too." [X source]

4:27:12 PM ET "Does your website exist?"

"Well, yes, I purchased it in 2011, I just never activated it. Right now, I don't have it turned on. Some day I want

to activate it."

"One moment your honor?"

"Yes, your honor." [X source]

4:27:41 PM ET "Nothing further."

"Redirect." [X source]

4:28:13 PM ET "Dr. Smock you were asked about an apple watch, if a person is killed before blizzard and not found for several days will their apple watch die?"

"Objection."

"Sustained." [X source]

4:29:49 PM ET "What advantage is their to finding a body close in time to death?"

"There's definitely an advantage. There's less decomposition. The injuries are fresher."

"What impact does the passage of days have on your investigation?"

"It provides information that is helpful."

"What signs of a struggle did you observe at the scene?"

"Several. The necklace was pulled off her neck. That's evidence of a struggle. Two, the hair pulled up through the ligature and into the clasp. That's a sign of struggle. The fact that she had an imprint from a clasp on her chest, that is evidence of a struggle, the pattern imprint." [X source]

4:30:33 PM ET "Was your opinion about Ms. Birchmore's hair based on vanity or pain?"

"Objection."

"Sustained."

"Have you treated individuals who have had hair and been strangled?"

"Yes."

"What do they say about pain?"

"They say it's very painful when their hair is pulled." [X source]

4:32:28 PM ET "You said you thought the necklace was pulled from Ms. Birchmore's body, was it based on more than the photographs?"

"Yes, some family statements that she never took it off."

"Objection."

"Sustained, as to form, is that what you're objecting to?"

"No, hearsay statements."

"Overruled."

"Attorney Daley questioned you about your opinion that Ms. Birchmore's necklace was ripped from her body, what did you rely on to form that opinion?"

"The necklace being broken. The necklace being found by her family. Statements from her family that they found the necklace broken at the crime scene."

"In what condition?"

"Objection."

"Sustained." [X source]

4:34:17 PM ET "You were asked some questions about Ms. Birchmore's cutting history, how long would wounds from cutting stay on a body?"

"It depends on depth of the scarring. If deep, years."

"What, if any, scars did you observe on Ms. Birchmore's body during autopsy?"

"There were no notations of any cutting or scars on her body."

"You were asked questions about her Google searches related to cramping, what signs of miscarriage did you find during autopsy?"

"There were none."

"What do you know about searches before Sandra searched for what color is thew suicide ribbon?"

"Yes."

"Did she Google 'what color is the purple ribbon' before that?"

"Yes."

"Objection."

"Sustained." [X source]

4:35:14 PM ET "You talked about studies. The study that Attorney mentioned, from 2018, in that study was there any cases of a person under 30 with a broken hyoid bone from a seated hanging?"

"No, ma'am."

"Did you observe the Wilson study about that as well?"

"Objection, scope."

"Sustained as to that." [X source]

4:35:57 PM ET "Did you have other studies you reviewed as to that?"

"Yes ma'am, there is no case where someone's hyoid bone was broken under the age of 30. I have been looking. I even called..."

"Objection."

"Sustained as to that last part." [X source]

4:36:53 PM ET "You said you treated multiple people in the ER who have attempted to hang themselves?"

"Yes."

"Have you also done autopsies on seated hangings?"

"Yes."

"Have any of those seated hangings been under the age of 30?"

"Yes."

"Did any of them have mental health issues?"

"Yes."

"Did any of them have hyoid bone fractures?"

"No, no one of them." [X source]

4:37:39 PM ET "Is this an image that you took from the clay imprint of the lobster clasp?"

"Yes."

"Exhibit 448."

"Objection."

"Sustained."

"Nothing further." [X source]

4:38:44 PM ET "Recross."

"Did you look at photos of her inner thighs?"

"No."

"Did you know she cut there?"

"No."

"Did you know that...."

"Counsel, you said two!"

"Sorry, your honor."

"Someone who has decided to kill themselves has decided to hurt themselves right?"

"Yes."

"Nothing further."

"Thank you jurors, we are all done. Short day tomorrow until 1." [X source]

Source & Editorial Notes

Source corpus: The source is the October 27, 2026 Grant-authored X author-search corpus. The full-day pull returned 340 unique Grant-authored statuses, spanning 5:24:15 AM through 4:39:57 PM ET.

Retrieval validation: The earlier morning pull contained 205 unique Grant-authored statuses through approximately 1:30 PM ET. Every one of those 205 status IDs was independently reproduced in the full-day pull; the full-day corpus added 135 later statuses and contained zero morning omissions.

Retained corpus: This Day's End report preserves the 185 courtroom-reporting or structurally relevant statuses already included in the interim report and adds 134 later Grant-authored statuses through 4:38:44 PM ET, for 319 retained entries total. The 4:39:57 PM support/sign-off post is not part of the courtroom narrative.

Witness organization: William "Billy" Farwell continues from the prior court day. Dr. William Smock follows and remains on the stand through the end of the October 27 session, including direct, cross, redirect, and re-cross as reported by Grant.

Original wording: Grant's wording, capitalization, apparent typos, and contemporaneous commentary are preserved as retrieved. The archive does not silently correct the source text.

Exhibits: Because this date falls after the court-order breakpoint governing public exhibit handling, the archive preserves Grant's text descriptions of exhibits but does not acquire, embed, preview, or append trial exhibits.

Status identity: Distinct X status IDs are preserved as distinct reporting entries even when text is repetitive or substantially duplicative.

Support the reporting

This archive is made possible by Grant Smith Ellis's excellent on-the-ground courtroom reporting and his permission to use that work in this project. If you've found the reporting useful and would like to support his work directly:

Venmo · PayPal

All donations go directly to Grant Smith Ellis; this archive is unaffiliated with and receives no proceeds from them.