

September 5, 2022

Chief Medical Examiner Eric Pfeifer, M.D.,

We are writing because we strongly believe the findings in Elijah Woolley's autopsy and death certificate from 2018 are irrefutably incorrect. We base this on the expert testimony of Doctor Robert Block and Chief Medical Examiner for Wayne County, Detroit MI Carl Schmidt, M.D. Both are two of the most reputable and experienced forensics experts in the United States. I have attached two summaries sent to our attorneys stating their conclusions about the medical examiner's report and findings.

Doctor Robert Block quotes in his letter concerning the ME Report, ***"I have reviewed available records concerning the infant death in this case. In brief, I see no evidence of homicide. Although the Medical Examiner has ruled the case as a homicide, I must disagree. After reading her report, and viewing available photographs, I find no evidence to support homicide. I disagree with the Medical Examiner's opinion that her exam revealed evidence of sodomy. He did have a dilated anus with firm stool visible, compatible with the history of feeding and stooling difficulties"***.

Meanwhile, Chief Medical Examiner Carl J. Schmidt, M.D. is quoted, in his summary letter, as saying, ***"I disagree with the significance of the findings, and with the diagnostic conclusions. I fail to see how a diagnosis of asphyxia was reached. What I see in the sections from the rectum is completely normal anus and rectum. This is not trivial. As pathologists, we take microscopic sections of tissue to confirm gross diagnostic impressions. If microscopic findings do not support what we think is the diagnosis as seen with the naked eye, then what we are looking at is something else. That is the case here. What about the cause of death? I don't think there is enough diagnostic information to discern what happened in this case. In summary, this was a 14 month-old child originally diagnosed as having died due to asphyxia and after having suffered blunt trauma to the anorectal region. The pathologic findings do not support these conclusions"***.

We have all of Dr. Schmidt's scientific evidence supporting his findings and conclusions from the preliminary hearing held on March 29, 2019, in Wagoner County. Included is his detailed breakdown of the medical examiner's report findings, pictures, and recuts of the sections taken for microscopic examination. In short, attorney Allen Smallwood asked Dr. Schmidt several questions under oath on page 131 from the transcript of the preliminary hearing concluding:

"Based upon your training and experience, everything that you have looked at and examined in this case, do you find that there is any evidence for a pathologist to reach a conclusion that this child died from homicide?" Dr. Schmidt's answer: ***"No"***.

“Based upon your training and experience and everything that you’ve looked at in this case, do you find that there is any evidence to reach a conclusion that this child was being sexually abused immediately before or at the time of death?” Dr. Schmidt’s answer: ***“No”***.

Dr. Schmidt exposed Dr. Niblo’s lack of experience with infant deaths and the lack of following the National Association of Medical American Examiners guidelines in her report. The following quotes are from the March 29, 2019 transcript.

Dr. Schmidt’s testimony on page 96: ***“Since we are accredited by the National Association of Medical American Examiners, one of the autopsy performance guidelines is to include a key to the slides in your autopsy report.”***

Question by attorney Smallwood: ***“And that was not provided in this case?”*** Dr. Schmidt’s answer, ***“It was not”***.

Additionally concerning is that the lead detective (who stated under oath that there is no such thing as a SIDS death) withheld pertinent evidence from Dr. Niblo and personally attended the autopsy by her side throughout. An example was the white, cotton mat that Elijah passed away on and that had direct contact with his face, which we have retained to this day. The detective did not apprise her of its existence and actually left it behind at the scene. It would have been heavy with the fluids that leaked out of Elijah’s face. It left a large 18-inch stain. (Dr. Niblo records a bit of pneumonia in one lung - but was there not substantially more investigation that should have been completed on this mat and other pieces of evidence at the scene of death?)

Even Jack Thorpe, District Attorney for Wagoner County, OK does not believe the medical examiner’s report to be reliable. DA Thorpe gave these statements, on record, to Clay Loney of Channel 23 FOX News in Tulsa, OK on April 1, 2021; ***“At one point our office, relying on the findings of the State of Oklahoma Medical Examiner, believed that they committed murder. We cannot say that now, thus I had to dismiss”***.

The DA (Jack Thorpe), noted that there is no statute of limitations for 1st Degree Murder, and said; ***“if more evidence is found at some point even years from now charges could be refiled”***. At the same time he told me ***“he doubts very seriously that would happen”***. He also stated, ***“the Woolley’s attorneys could move to expunge the case and wipe the arrest off the record”*** while adding, and to quote, ***“I do not know I would object to that”***.

Based on all of the evidence supported by your office and medical examiner Niblo, as well as all the experts’ findings that are thoroughly backed by detailed evidence, we ask you to amend Elijah Woolley’s medical examiner’s report and death certificate.

Sincerely,
William and Lisa Woolley
918-812-6476