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## **Appeals judges question expert testimony in murder trial**

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Judges on the Mississippi Court of Appeals questioned today how a pathologist can conclude more than one person fired a gun.

In last year's murder trial of Tyler Edmonds, prosecutors argued the teenager, then 13, fired the gun together with his 26-year-old half sister, Kristi Fulgham. Prosecutors said in opening arguments, "They both put their finger on the trigger, and you're going to hear how they both shot and killed Joey Fulgham."

After the jury convicted him in July 2004, Edmonds was given an automatic life sentence under the law. No date has been set for the capital murder trial for Kristi Fulgham, who also is charged with trying to escape jail.

Edmonds initially confessed to the crime, and several days later recanted, saying he had nothing to do with the killing. In his initial statement, Edmonds described a sequence where he closed his eyes and described Kristi Fulgham putting her hand in front of him and helping him squeeze the trigger.

During the 2004 trial, forensic pathologist Dr. Steven Hayne testified it was more likely Joey Fulgham was killed by two people rather than one. "I could favor two people involved in the positioning," Hayne testified. "It's consistent with two people involved. I can't exclude one, but I think it would be less likely."

In today's hearing before a three-judge panel, Edmonds' lawyer, Robert McDuff of Jackson, called such a conclusion "voodoo science."

Judge L. Joseph Lee agreed: "It's impossible to testify as to that. If there's one bullet, you can't say whether it was fired by one person or three."

Special Assistant Attorney General W. Daniel Hinchcliff said he believed Hayne was commenting "more about the angle and trajectory" than how many people pulled the trigger.