

IN THE CIRCUIT COURT OF NOXUBEE COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

V.

CAUSE NO.: 5999

KENNEDY BREWER

DEFENDANT

AFFIDAVIT OF JAMES RIX

I, JAMES RIX, declare under penalty of perjury that the following is true and correct:

1. In October 2001, I along with Christopher J. Plourd, administered an external blind proficiency test to Dr. Michael West.

2. Since the purpose of an external blind proficiency test is to obtain the expert's response to what he believes is a real case, I contacted Dr. West in mid-October 2001, introduced myself as a private investigator named Phil Barnes and requested his assistance in evaluating bite mark evidence from the rape-murder of a college student. I informed Dr. West that the crime had gone unsolved for three years due to a lack of evidence against the prime suspect and provided him with other background facts about the case.

3. On October 22, 2001, I sent Dr. West, via United States Post Office Express Mail, the following: (1) a check in the amount of \$ 750, Dr. West's retainer fee; (2) "photographs of the bite mark evidence" and (3) "dental models from the prime suspect."

4. The "bite mark evidence" photographs that I submitted to Dr. West were photographs of bite marks made on the breast of murder victim Kim Ancona from Ray

Krone's case. I obtained these photographs from Christopher J. Plourd. The "dental models from the prime suspect" that I sent to Dr. West were dental models of my own teeth; I obtained these models from my dentist.

5. On or about December 2001, I received from Dr. West a video report of his bite mark examination. On this video, Dr. West, addressing Phil Barnes, demonstrates his bite mark comparison and concludes that the prime suspect's teeth [my own dental molds] left the bite marks on the victim [Kim Acona].

6. I provided Dr. West's video report to Christopher Plourd.

James Rix

Sworn to before me
this ____ day of September, 2005

Notary Public

My Commission Expires: