

**APPENDIX B TO STEPHEN WEST'S
RESPONSE TO STATE'S MOTION TO
SET EXECUTION DATE**

**REPORT OF RICHARD G. DUDLEY, JR. ,
M.D. DATED 2/21/02**

RICHARD G. DUDLEY, JR., M.D.

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**21 February 2002
PSYCHIATRIC EVALUATION**

IN RE: STEPHEN M. WEST

Presenting Problem:

Stephen M. West (SW) is a 39 year old (DOB 16 September 1962) white male, who is currently under sentence of death in Tennessee for the 17 March 1986 murders of Wanda and Sheila Romines.

It is the understanding of this psychiatrist that in 1987, in connection with this matter, SW was found guilty of two counts of first degree murder, two counts of aggravated kidnapping, and one count of aggravated rape, and then sentenced to death for the murders and also given sentences of 40 years for each of the other three counts. SW had no prior record of any involvement with the law. SW's codefendant in this matter was Ronnie Martin, and although Ronnie Martin was only 17 years old at the time of the murders, he had a prior record of involvement with the law.

In connection with SW's petition for post-conviction relief, his attorney referred him to this psychiatrist for an evaluation, focused on whether or not he was suffering from any psychiatric disorder or difficulties at the time of the crime that might have constituted either a defense to his involvement in this matter and/or mitigation against the penalty of death. The following is the report of that evaluation.

Sources of Information:

- Supreme Court opinion on SW's appeal, dated 6 February 1989
- SW's 18 March 1986 sworn statement, and a later 18 March 1986 addendum to that statement
- SW's first oral statement transcribed on 17 April 1986, and then his second oral statement also transcribed on 17 April 1986
- Bruton statement of SW, transcribed on 11 April 1986
- Ronnie Martin's arrest warrant
- Ronnie Martin's statements, dictated on 2 April, 16 April, and 17 April 1986
- Interview of John F. Allen, transcribed on 11 April 1986
- Transcription of Steve Hunley tape
- Dr. Bursten's notes, CCRC notes regarding competency evaluation
- Trial testimony, Volume 3 pp 2-17, Volume 10 pp 31-142, Volume 11 pp 6-35 and pp 76-129, and Volume 13 pp 93-137
- SW's letter to Judge Asbury
- Dr. Engum's evaluation of SW and affidavit
- Post-conviction testimony pp 56-192, pp 380-391, and pp 421-483
- Affidavits of Daniel Matthews, Joseph Ingle, Elisabeth Donnovin, William Harris III, Jerry Welborn, Karin Elsea, Glenn Fuller, Darlene Foote, Vestor West, Debra Harless, Patty Rutherford, and Kathy West Bryant
- Dr. Caruso's affidavit
- Riverbend records from 1 February 2001 to 30 May 2001
- SW's Anderson County school records
- SW's military records
- Report of the psychological evaluation of SW performed by Claudia Coleman, Ph.D.
- Psychiatric examination of SW performed by this psychiatrist on 11 January 2002

Summary of Information:

When SW met with this psychiatrist, he reported that he only has 'regular memories' starting from about the time he was about 17 years old and about to enter the army. Prior to that point, his memory is extremely spotty. Upon further exploration, SW explained that he only remembers a few scenes from prior to that point in his life; these are just isolated scenes, and he doesn't remember when they occurred, what happened prior to those scenes, or what happened after those scenes; and he really doesn't remember anything else about his childhood or early adolescent years.

Upon further exploration, SW reported, for example, that he remembers a couple scenes wherein his parents are beating him. He remembers being a young child and being kept in a room; when the door opened he hid under the bed; and he hid there hoping that it would be little feet coming into the room, which would mean that he wasn't going to be beaten. He also has a memory of being at the beach with his mother and some man other than his father.

SW reported that recently, 2 guys who said that they had attended junior high school with him heard about his case, contacted him, and started trying to remind him of their time together in junior high school. On his own he couldn't remember anything about junior high school, including any classes, teachers, or other students. However, when they kept trying to remind him of things, he thought that maybe he could remember some of those things, but he doesn't really know if his memory was stimulated by what they told him or if it was simply that he bought into the things that they told them.

SW reported that in contrast, although the information contained in affidavits from his family members about his childhood years is also new to him (and not a part of his independent memory), he still can't remember any of the events that family members described in those affidavits. SW noted that for all of these years, he just thought that it was strange that others could remember their childhood, instead of thinking that his inability to do so was a major problem. He explained, for example, that when he met his wife, she told him about her childhood; but when she tried to question him about his childhood, he couldn't remember very much; and then after she questioned him a couple more times and he still couldn't remember very much, she just stopped asking him about his childhood. Therefore, he really didn't make anything of the fact that he just couldn't remember things about his childhood.

SW reported that he remembers leaving school while in junior high school, but he doesn't really remember why he left school or if there really even was a particular reason why he left school. He thinks that he was doing OK in school; but he remembers feeling that nothing mattered and feeling like he didn't have any direction; and in retrospect (i.e., now that he has learned more about his childhood and early adolescent years), he suspects that he probably just wanted to get away from home. SW noted that he does remember that he was drinking a lot of beer and other alcohol - by the time that he was 17 he was drinking a pint of alcohol and a couple 6-pacs of beer each day. He was also constantly smoking marijuana all day - by the time that he was 17 he was smoking about 20 joints each day. In addition, he was using a little acid whenever he could get it, which was about twice a month.

Upon further exploration, SW reported that he doesn't really remember when he started drinking. However, he remembers being about 16 or 17 years old and drinking until he would blackout; he remembers that it got to the point where he was drinking that heavily most nights; and he remembers repeatedly waking up at home and not knowing how he got home. He noted that he really can't remember any days when he didn't drink, and he noted that essentially, if he was awake he was drinking.

SW reported that he used to get a good high from the marijuana; he really enjoyed marijuana; and he denied ever having any bad experiences with the drug. SW reported that he also had good trips with acid; he doesn't remember any bad experiences with acid either; and although the acid made everything more intense, he doesn't remember ever having any hallucinations or anything like that while on acid.

Upon further exploration, SW reported that although he often drank alcohol and smoked marijuana by himself, he lived in a small town where drinking and smoking marijuana was quite popular, even during the school day. Eventually he also started drinking and smoking with some friends, but he really can't remember anything about those friends. What he does remember however is that he used to roll marijuana joints the size of cigars, and that that (as opposed to anything else about him) made him quite popular with some of the other kids.

SW then noted that in retrospect, he guesses that he was a pretty depressed teenager who spent most of his teenage years in an alcohol/drug-induced stupor. He doesn't remember having any home life; his parents just argued with each other all the time; and he just came and went from the house, feeling that his parents didn't care what he did or didn't do. Although he remembers that his brother was still in the house, he and his brother really didn't have much of a relationship either.

Upon further exploration about his family, SW reported that his father was an alcoholic, but he noted that he never really knew that until after he was locked up in connection with this matter. After he was locked up, he also learned that his mother had mental problems.

SW reported that he had a brother and 3 sisters, but one of his sisters died at an early age and so he never met her. His surviving sisters are now about 43 and 45 years old, and his brother is a year older than he is. SW reported that he doesn't remember his sisters ever being in the home with him or even being around him; actually, he doesn't remember his sisters at all; but he does remember his brother being around. He noted that he remembers meeting his sisters at his trial and then later talking to them during the post-conviction process; when he met them, they were like strangers to him, and he couldn't remember anything that they told him about his childhood years; and if he hadn't been told that they were his sisters, he wouldn't have known that they were his sisters.

SW reported that he entered the Army in about 1980, and spent 3 years in the Army. After basic training, he trained as a combat engineer, and then he served in that capacity in West Germany. After serving those 3 years in the Army, he was given an honorable discharge.

SW reported that he continued to drink alcohol in the Army, but he graduated from marijuana to hash. The Army was conducive to both alcohol and hash use/abuse; they couldn't drink while on duty, but they smoked hash while on duty; and then as soon as they were off duty, they went right to the bars to drink. He noted that although while he was in the Army he wasn't drinking all day anymore, he thinks he actually drank more than he did before he entered the Army; he still always drank until he blacked out; and his Army buddies used to carry him home.

SW reported that reportedly (according to his Army buddies), he was always a more 'goofy/stupid' drunk. He really never got that crazy when he was drinking; over the years, he only got into a few fights; and he was really a 'mild tempered' drunk. He remembers a few guys from the Army (he remembers their faces more than their names), and he remembers having some friends in the Army and getting along pretty well there. SW noted that aside from the alcohol-related blackouts, his memory is much better for the period of his life starting after he left home and entered the Army.

SW noted that when he was in the Army, he felt he had something to do (his job)/felt that something was expected of him; he could do his job and that felt good to him; and it also felt good to have a focus. He even got his GED while he was training to become a combat engineer; he really didn't have to prepare for the GED that much, and for the most part he just took the test and passed it (which is why he presumes that he must have done OK when he was in school); and he was actually encouraged by getting his GED. SW noted that he thinks that he had a good time in the Army, and he believes that he was less depressed during that period in his life as compared with his childhood and early adolescent years.

SW reported however that when he was discharged from the Army, he had no idea what he was going to do. He returned home to Lake City; he found that nothing had changed there; and so after a couple days there, he decided that that wasn't the life for him. Then, he went to Ohio where he got some 'odds and ends jobs'; eventually, he met and became involved with his wife, Karen; and then his wife got pregnant. When his wife got pregnant, he brought her back to Lake City. The murders occurred about 6 months after he returned to Lake City.

Upon further exploration, SW reported that when he first got home from the Army, he saw the same old family problems; his parents were still arguing; and his parents still treated him like he wasn't there. He concluded that both of his parents were nuts, and that he just needed to find something to do and get on with his life. Therefore, he went to Ohio because he thought that with the mills there and all, he might be able to find a job.

SW reported that once he got to Ohio he worked here-and-there, and otherwise drifted, partied, and continued to get high on alcohol and marijuana. Then in 1984, he met and became involved with Karen, at which point he cut back on his drinking. SW explained that Karen didn't drink; she grounded him for a while/gave him a foothold; and he really

enjoyed being with her. She was different than the other girls he had met; he and Karen were friends first, and they didn't start having sex until much later; and from the start, he knew that there was something different about her.

When asked if he had had any serious relationships prior to meeting and becoming involved with Karen, SW reported that he was involved with a German woman while he was in the Army and stationed in Germany; she was a couple years younger than he was; and he met her in a train station one night. He was involved with her during most of the time that he was stationed in Germany, and she wanted to get married; he loved her, but it was too hard to work out the details involved in marrying her and bringing her back to the United States; and then after he returned to the United States, they just quickly drifted apart. Upon further exploration, SW noted that the German woman was his first and only other serious relationship, and his first sexual experience was with her.

Upon further exploration about Karen, SW reported that Karen is 3 years younger than him. She is sweet; she cares about everyone and everything; and she is just one of those positive people that one meets along the way. She was still living with her parents when they met; then about 6 months later, they got a place together; and then about 6 months after that, they got married. He was working at a paper company and he had learned to run all of the machines; she was working at a candy factory; and so between them they made enough money to support themselves.

SW reported that once he started living with Karen, they primarily hung out at home or with a few friends. He cut back even further on his drinking; he wasn't really getting drunk and having blackouts anymore; and so Karen thought that he was OK. He did however continue to smoke marijuana pretty heavily, but Karen didn't really seem to mind that as long as he didn't become a nut while high on the marijuana. SW explained that he and Karen were in love; he treated her well, and nothing else but her really mattered to him; and he noted that he was extremely happy with Karen, and noted that it was the best time of his life.

SW reported that he and Karen didn't exactly plan to have a child; but they both wanted children and they were not using any birth control; and although they were not making a lot of money, they could afford to have a child. He reported that therefore, they were really happy when they discovered that Karen was pregnant. SW then noted that actually, he hadn't thought about having a child until he met Karen; he hadn't even seriously thought about getting married until he met Karen; but he noted that all of that just clicked in for him when they met.

SW reported that once he and Karen discovered that she was pregnant, they decided to return to Lake City so that they could raise their child in a small town environment. He explained that that was what Karen wanted; plus she wanted to meet his parents; and so he decided 'why not'. Upon further exploration, he explained that although he wasn't interested in being around his parents, he just concluded that he would be with Karen now; she would be his family now; and his parents and their behavior really wouldn't matter. When he agreed to move back to Lake City, he really didn't focus on work; he

had been working steadily in Ohio; and he just felt that therefore, he could find another job back in Lack City.

SW reported that when he and Karen moved to Lake City, they both got a job at the McDonald's. He met his codefendant, Ronnie Martin, at work about 2 weeks before the incident, which was just after Ronnie Martin started working at the McDonald's too. SW then explained that when he and Karen were still working in Ohio, they had put a little money aside; so they were able to pay for the move and rent a house once they got to Lake City; and then they got the jobs. He and Karen also started making some friends; he noted that everyone liked Karen; and he noted that Karen even managed to have some positive interactions with his mother, and that was despite the fact that he limited their contacts with his parents.

SW reported that Karen's pregnancy went well. He reported that he cut his drinking and his use of marijuana to a minimum, because he wanted to do the right thing. Upon further explanation, SW explained that he made the decision that he would stop drinking and stop smoking marijuana before the baby was born; he didn't want any of that going on around the baby; and the idea of having a baby/becoming a father gave him even more of a sense of purpose and direction, so much so that he wanted to and felt that he could stop drinking and smoking marijuana. Therefore, he started cutting down his use of both substances, and it got to the point where he was hardly using either substance at all.

SW reported that he really didn't know Ronnie Martin, and noted that he had only met him a couple times. Then one night, Ronnie Martin asked him to go out for a few beers; by then, he hadn't done that for quite a while and he had almost completely stopped drinking and smoking marijuana; and so he thought 'why not', he told Ronnie Martin OK, and he told Karen that he was just going out for a few beers.

SW reported however that it ended up that he and Ronnie Martin just kept riding around drinking beers and smoking marijuana; he noted that Ronnie Martin had a lot of marijuana and just kept buying more and more beer; and he doesn't even know how much they drank and smoked that night. Since he really hadn't been drinking in a while, he quickly became drunk from the alcohol. He noted that he was also probably high on the marijuana, but he doesn't really have much of a sense/memory about that. Upon further exploration, SW noted that he had really thought that he could just have a couple beers and then go home, but he guesses that he just got caught up in it. The riding, drinking and smoking went on for most of the night/early morning (they had gotten off work at midnight); after a while, he really wasn't paying attention to the time; and he noted that when one is drunk like that, one really doesn't pay attention to the time. Upon further exploration, SW reported that he hadn't done anything like that since he had met Karen; he hadn't even been out without Karen since they met; and so neither he nor she had any reason to suspect that he would do anything else other than just have a few beers and come home.

SW reported that then at some point, Ronnie Martin stopped at one of his friend's house, but he/SW didn't know the guy. He later learned that Ronnie Martin got a knife from that friend's house, but he didn't realize that at the time.

SW reported that then Ronnie Martin ran out of money, and then said that he wanted to go to his aunt's and borrow some money. When they got to the house (which ended up being the Romines House), a lady and a girl opened the door; the girl said 'it's Ronnie', and so he thought that they really were all family; and then he and Ronnie Martin went into the house.

SW reported that he sat on the couch with the girl, who appeared to him to be about 15 years old, while Ronnie Martin went to talk to the lady. Then suddenly, the girl looked over his shoulder and gasped; he turned around and saw Ronnie Martin holding a knife at the lady's throat; and that is the last thing he clearly remembers. SW noted that to this day he sees that scene over and over again, and it is just as clear to him today as it was that morning.

SW noted that now it is hard to separate any other independent memories that he might have about the incident from all the things that he has been told about the incident. The things that he is certain about are seeing the above noted scene, and feeling helpless. He reported that he also remembers being in the driveway of his home, feeling tired, and going right to sleep. He knows that he went to work that next evening, but he doesn't actually remember going to or being at work that evening. He also knows that he was arrested the morning after that; reportedly, he was questioned several times; but he only remembers one attempt to question him that was stopped by an attorney.

SW noted that he really doesn't think that he was involved in the murders. He explained that there was no blood on him; he believes that Karen would have noticed something like blood on him; and he noted that besides, murdering someone is not at all something he would do. SW reported that he remembers being in jail and waiting for his trial, and remembers everyone (the police and his attorney) feeding him information about what must have happened at the Romines house.

Upon further exploration about Ronnie Martin, SW noted that before the incident, it seemed to him like Ronnie Martin was just an every day guy. He/SW had thought that he and Ronnie Martin were about the same age; he had a car and wasn't going to school or anything; and it wasn't until after the incident that he learned that he was only 17 years old.

SW reported that he doesn't remember much about the guilt phase of his trial, and he doesn't remember the penalty phase at all. Upon further exploration, he noted that some years after he got on death row, one of the psychiatrists here pointed out to him that he loses things when emotionally stressed, and he noted that he knows that he has seen some things while in jail (for example, a murder) that he doesn't actually remember. He noted that he had never really realized how that happens to him until that discussion with that psychiatrist, and he noted that he had just always thought that he had a bad memory.

Upon further exploration, SW reported that he only sleeps a couple hours each night; he was sleeping a little better for a while when the psychiatrist was giving him Trazadone at night; but once the Trazadone was discontinued, he went right back to sleeping only a couple hours each night.

When asked about his obvious physical agitation (observed by this psychiatrist during the examination), SW reported that he stays 'wired up' all the time; he is constantly moving/fidgety; but although he feels fearful, there is no real focus for his fears. Upon further exploration, he noted that he was always like that (i.e., fearful and fidgety); the marijuana slowed him down and gave him a more 'mellow' feeling; and he noted that that was why he liked smoking marijuana so much. He started really feeling fidgety again when he tried to stop drinking and smoking marijuana (during Karen's pregnancy); but he was determined to stop drinking and smoking marijuana; but then some nights he had to walk for miles/burn some of that energy off before he could get to sleep at all. At the time, he just told himself that he was over excited and a little hyper. SW reported that although he is still constantly moving, if he focuses on it, he can control it, but as soon as he stops focusing on it, it starts up again.

SW reported that at night he spends hours trying to fall asleep, because his mind keeps going and will not turn off. He noted that it is not just that he is thinking about his case or his current situation - he is mostly thinking about his own life or anything and everything else that is going on in the world. SW noted that he has always had a problem getting to sleep; he thinks his best period in this regard was when he was with Karen; but before he got involved with Karen he would black out from being drunk, and he never really just fell asleep.

Upon further exploration about his relationships with his friends, SW noted that although he had some friends, there was no one who he ever felt close to until he met the woman in Germany. The only person he ever really felt especially close to was Karen. Upon further exploration, SW noted that it wasn't that he didn't want to have close friends, it is just that he never felt really that comfortable with and close to anyone until he met Karen.

When asked about his physical health, SW reported that he knows that his ankles were broken several times when he was a child; but he doesn't have any memory of any of that; and he doesn't have any current problems resulting from any of that. He also knows that he had some surgeries on his eye when he was a child, but he doesn't have any memory of those surgeries either. However, he has had to wear glasses; his vision has even further deteriorated as he has gotten older; but he was never able to see very much without his glasses. When asked about his weight, SW reported that he has been about 175 pounds (he stands about 6'2") for all of his adult life; at various times he has tried to put on weight, but nothing he tried ever worked; and he noted that he is the only thin one in his family.

Returning to his memories about the morning of the murders, SW again reported that he only remembers Ronnie Martin holding the knife at the lady's throat and feeling helpless. He explained that he felt that if he jumped up Ronnie Martin would cut the lady, and if he didn't do anything Ronnie Martin would still cut the lady. He still thinks about that memory even when he is trying to keep his mind on something else, and when he thinks about it, he still feels helpless. Upon further exploration, SW denied currently having any nightmares containing that memory, and noted that he can't honestly recall if he ever had any such nightmares during the months after the murders.

When asked about any history of psychiatric treatment, SW reported that the only mental health treatment that he has received has been here on death row. For the last several months, he has been taking Effexor (an antidepressant medication) 150mg each day (in a time-released form) and Haldol (an antipsychotic medication) 5 mg each night. He explained that he was really despondent before being started on the medication, and he noted that before being started on the medication, he was so depressed that he would not have been able to tolerate his session with this psychiatrist (i.e., would not have been able to talk about all of the things he had talked about with this psychiatrist without breaking down).

Upon further exploration, SW explained that he has really deteriorated since being on death row; over the years he became increasingly depressed; and in about March 2001, he was so depressed that he was ready to drop his appeals and he just wanted to die. Then, within about 12 hours of his execution, his friends pulled him back/talked him out of it. SW reported that then he was started on Paxil (an antidepressant), which was the first time he was ever treated by a psychiatrist, but the Paxil didn't help him. Then he was switched to another antidepressant medication, but that medication didn't help him either. Then he was switched to the Effexor and the Haldol; he was also given the Trazadone then, but that was stopped after 2 weeks; and although he told the psychiatrist that he couldn't sleep after the Trazadone was stopped, the psychiatrist wouldn't put him back on the Trazadone.

A mental status examination of SW revealed that he was a 39 year old (DOB 16 September 1962) white male, who was tall and thin, and who appeared to be about his stated age. He grossly appeared to be physically healthy. As noted above, although he was on medication, there was still considerable physical agitation/almost constant movement. His speech was clear, coherent, and goal-directed. He appeared to be open and cooperative with the examination process.

- He was oriented to person, place, and time
- He denied having any independent memory of his childhood or early adolescent years except for a few scenes (screen memories), and reported that there had also been incidences in his adult life that he was unable to remember

- He appeared to be moderately depressed, despite the fact that he was taking antidepressant medication, but noted that he was not as depressed as he had been back in 2001 or at other even earlier periods in his life
- His affect was appropriate to his depressed mood, there was also the above noted agitation, and there was little-to-no range of affect evidenced in response to the various topics discussed
- There was no gross evidence of a thought process disorder or an organic brain syndrome
- His intellectual capacity grossly appeared to be within the average range
- His insight was fair
- His judgment was fair

In the interest of time, the various records and documents reviewed by this psychiatrist will not be summarized here. Most of these records and documents are available to reviewers of this report and/or already summarized in Dr. Coleman's report, and the particularly relevant information contained in these records and documents will be noted in the 'summary & discussion' below.

Summary & Discussion:

Although SW has little-to-no independent memory of his childhood or early adolescent years, information contained in the documents reviewed by this psychiatrist indicate that he was a victim of extremely severe child abuse and neglect. More specifically, he was repeatedly brutally beaten by his parents, especially his mother, and he was repeatedly seriously injured during the course of those beatings. He was also regularly confined to a dirty room with hardly any contact with other family members. In addition, he was deprived of the love, attention, and guidance usually offered by reasonably adequate parents.

The few 'scenes' (or screen memories) that SW remembers from his childhood years indicate that he responded to the abuse and neglect that he experienced with extreme fear/horror and a sense that he was helpless/totally unable to protect himself.

Based on the information currently available to this psychiatrist, it is the opinion of this psychiatrist that as a result of the extremely severe abuse and neglect that SW was exposed to during his childhood and early adolescent years, he developed a Posttraumatic Stress Disorder (PTSD). SW's inability to remember his childhood and early adolescent years is part of the persistent avoidance and numbing of general responsiveness that is characteristic of PTSD, as was his intense desire to escape from his home/parents and his inability to emotionally connect with friends (i.e., a restricted range of affect). SW's persistent sleep difficulties, fearfulness, and fidgetiness are examples of the persistent symptoms of increased arousal associated with his PTSD. Given SW's inability to remember his childhood and early adolescent years, it is difficult to explore for indications that he persistently reexperienced the traumas (the other group of symptoms characteristic of PTSD). However, SW reports that he is unable to remember other violent events that occurred later in his life; this would suggest that he responds to reminders of his original traumas with intense psychological distress; and such a response would be an indication that he persistently reexperiences the original traumas.

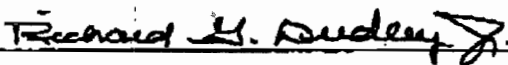
Based on the information currently available to this psychiatrist, it appears that at least by the time that SW was an adolescent, he had learned to use alcohol and marijuana as 'self-medication' for the symptoms of his PTSD. As he reported to this psychiatrist, the substances helped him to feel 'more mellow', feel less fearful, and be less fidgety. However, it is the opinion of this psychiatrist that as a result of such heavy use of alcohol and marijuana (and, given his family history, probably also a genetic predisposition for the development of alcoholism), SW developed substance abuse difficulties. More specifically, he developed Alcohol Dependence, as characterized by, for example, the use of increasing amounts of alcohol over time, the development of tolerance to alcohol, and the continued use/abuse of alcohol despite blackouts and other negative effects on his ability to function. He also developed Cannabis (marijuana) Dependence, as characterized by, for example, the use of increasing amounts of marijuana over time, the development of tolerance to marijuana, and the continued use/abuse of marijuana despite negative effects on his ability to function.

SW reported that when he met and became involved with Karen, he began to cut back on his use/abuse of alcohol. He reported that then when he discovered that Karen was pregnant, he made the decision to stop using/abusing alcohol and marijuana, and by the time of the murders, he had virtually stopped using/abusing alcohol and marijuana. However then, he spent the hours before the murders constantly drinking and smoking marijuana; he remembers quickly becoming drunk from the alcohol; and he noted that he suspects that he had more than enough marijuana to also become high on the marijuana. As SW noted when he met with this psychiatrist, given that he had virtually stopped using both substances before that night, the heavy alcohol and marijuana use had a far greater impact on him than it had had in the past.

Based on the information currently available to this psychiatrist, it is the opinion of this psychiatrist that as a result of his PTSD, when SW saw Ronnie Martin holding a knife to Mrs. Romines' neck, he responded with horror and a sense of helplessness, and that scene exacerbated the symptoms of his PTSD and/or precipitated a new PTSD. It is also the

opinion of this psychiatrist that that night's/early morning's heavy use of alcohol and marijuana only increased SW's vulnerability to respond to a violent/threatening situation with horror, helplessness, and an exacerbation of the symptoms of his PTSD and/or a new PTSD.

Therefore, it is the opinion of this psychiatrist that on 17 March 1986, at the time of the murders for which SW is currently under sentence of death, SW was suffering from a mental disorder. It is also the opinion of this psychiatrist that SW's mental disorder was of the type that would have been relevant to his defense during the guilt phase of his trial and also relevant as mitigation during the penalty phase of his trial.



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RGD:dw