

WERNER U. SPITZ, M.D.

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September 5, 2010

Special Agent Julie M. Haney
United States Naval Investigative Service
Cold Case Homicide Unit
Bldg. 1224 17th Street
Camp Pendleton, CA 92055

VIA E-mail and U.S. Mail

Re: The death of Col. James E. Sabow

Dear Special Agent Haney:

Pursuant to your request I reviewed the following:

- NCIS investigation into the death of Col. James E. Sabow
- Scene and body photographs
- Autopsy report by the Orange County Sheriff's – Coroner's pathologist
- X-ray image of decedent's head
- Report of Martin Fackler, M.D., wound ballistics consultant
- Report of Bryan R. Burnett, MS, gunshot residue analyst
- Report of Kent B. Remley, M.D., Department of Radiology, University of Minnesota school of medicine
- Report of Dennis E. Nesbit, M.D., Radiology Associates
- Statement of Randy L. Robinson
- Statement of Cheryl Baldwin

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The records indicate considerable discrepancies between the written reports and photographs. Reports by radiologists describe a depressed skull fracture in the back of the head and a scattering of what appears to be bird shot pellets within the skull.

It is obvious from my examination of the records that the scene of death was tampered with, the extent of which may never be known. This, in the presence of an injury indicative of a blunt trauma, when the skull is filled with bird shot.

Undoubtedly, all facts considered, there is serious doubt in my mind regarding the accuracy of the Coroner's certification of death as suicide.

Anytime there is more than one type of violence, as in this case, blunt trauma and shotgun injury, an assault must be considered.

It is my opinion, that the manner of death of Col. James E. Sabow, certified as suicide, was a rush to judgment based on erroneous assumptions. Instead, I believe that the manner of death of Col. Sabow should have been certified as homicide.

I trust this answer your inquiry.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Werner U. Spitz', with a long horizontal flourish extending to the right.

Werner U. Spitz, M.D.

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Dk.ncis090510cor

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On this 5th day of September, 2010, before me personally appeared

Werner U. Spitz, M.D., personally known to me,

sworn and executed the forgoing instrument.



Diane L. Lucke, Notary Public
State of Michigan, County of Monroe

My Commission Expires: October 20, 2011

