ROACH, LEROY Baud F. Berry murder stanarduelle 8/24/62- p.h. - sent to the g. -10/15/62 - A True Billontered plu g not quilty -Trial - 11/15/62 11/15/62 - Verdit of guilty,
of voluntary mondayster,
+ sentenced to 5 year in quit. -

sent report both

V.

ROACH

INSTRUCTION

The Court instructs the jury that one charged with crime may be convicted upon circumstantial evidence alone, or upon circumstantial evidence connected with other evidence, if the jury believe beyond a reasonable doubt from such circumstantial evidence, that the person so charged is guilty of the crime alleged against him in the indictment; therefore, the court instructs the jury in this case that they have the right to convict the defendant upon circumstantial evidence alone, or upon circumstantial evidence coupled with other evidence, if the jury from such circumstantial evidence or from such circumstantial evidence connected with other evidence, believe the guilt of the defendant to have been proved beyond reasonable doubt.

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Edward L. Shiftlett

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The Court instructs the jury that in a case of homicide, the element of deliberation or premeditation may be proved like any other fact, by either direct or circumstantial evidence or by a combination of both.

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LEROY ROACH

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The Court instructs the jury that if they believe from the evidence in this case beyond a reasonable doubt that the defendant,

Leroy Roach, inflicted the mortal blow upon Wilmer Shifflett, the law presumes him to be guilty of murder in the second degree, and the Court further instructs the jury that if the defendant relies upon self-defense to excuse or justify the killing, the burden is upon the defendant to introduce supporting evidence that he acted in self-defense; and in deciding whether or not the plea of self-defense is established by such supporting evidence, it is the duty of the jury to take into consideration all the facts and circumstances proved in the case, both by the Commonwealth and the defendant.

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COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

In The Circuit Court of Rockingham County, October Term, 1962

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, now attending the Circuit Court of the said County, upon their oaths present that Leroy Roach on the 21st day of July, 1962, in the County of Rockingham, Virginia, feloniously did kill and murder one John W. Shifflett, against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of Deputy Sheriff G. M. Wilcox and Mrs. John W. Shifflett, witnesses sworn in open court and sent to the Grand Jury to give evidence.

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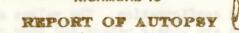
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COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH

OFFICE OF THE CHIEF MEDICAL EXAMINATION OF THE CHIEF MEDICAL EXAMI





DECEDENT	John First see	· VIII	Shiffle Barrie Last	and the same of th	suthorized by: Dr. G.	G. Tanner Official Title
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Residue dependent of death;	Massive	suberachnoid		plving base of surfaces of the	brain and	PROVINCEMAL REPORT C
Residue dependent of death;	Massive	suberachnoid	hemorrhage inverthe lateral	polving base of surfaces of the	brain and ne cerebral	PINAL REPORT 5
Probable to brain stom hamisphere	Massive	suberachnoid	hemorrhage inverthe lateral	polving base of surfaces of the face.	brain and ne cerebral	PINAL REPORT 5
Restable cause of death;	Massive	suberachnoid	hemorrhage inverthe lateral	relying base of surfaces of the factor of my state of	brain and ne cerebral	PENAL REPORT 5
Probable same of dead: brain stem hamisphere	Massive	suberachnoid	hemorrhage inverthe lateral	The face of my will.	brain and ne cerebral	PINAL REPORT 5

GROSS and MICROSCOPIC DESCRIPTION

	Smooth, g	listening and no free fluid	d.					
PERITONEUM:	10 C T CHELT	acute.						
PERICARDIUM:	49 10	A BY CHICAGO						
HEART:	coronary arteries are widely patent and show only rare smooth atheromatous							
· · ·	plaques.	The acrta shows minimal	erteriosclerosis.	T.				
LUNGS:		congestion and edems and cle. The traches and bronch		ge. Otherwis	e not			
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200					j J ;= .			
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BLADDER: INTERNAL GENITALIA:		with clear urine. The mug t remarkable.	cosa is pinkish-white.	No lesions.				
NECK ORGANS:	Not exami	ned, except that there is	no obstruction of the 1	arynx.				
BRAIT AND MENINGES:	of subap is remov this is below th architec	is incised by the usual each oneurotic hemorrhage in the ed. There is a large amount found to be massive in the eanterior lobes and around tural details in these are	e anterior portion of to a subarachnoid hemo region of the base of the brain stem. The as. The hemorrhage ext	he scalp. The rrhage. On each the brain, es hemorrhage of ends outward	e calvarium xamination pecially scurs the on to the			
19 3 TO 10 T	THICKLET	and auterior surfaces of the cavity. Serial sections should be set to be a section of the cavity.						
	There is are seen configur	no hemorrhage within the lain the brain substance. Setion and is surrounded by	brain substance and no The pituitary gland is blood. The dura is str	petechial hem normal in six ipped from th	corrhages and a calvarium			
NEW THE PROPERTY OF THE PROPER	and from The sect	the base of the brain and ion of the spinal cord shounded hemorrhage. Sections taken through the base of	no evidence of a fract	ure is seen a	t any point lows some			
PERFE	Adjacent	taken through the base of to the surface of the base gas and interstitial hemory	e of the brain there ar	e small periv	ascular			
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	. *		CI'					

John Wilmer Shifflett Male, Age-14 years Limitations: Complete Services of: Dr. Tanner Pete of Death: 7-21-62 Heur of Death: 6:00 P.M.? Date of Autopsy: 7-22-62 Hour of Autopsy: 10:30 A.M.

ANATOMICAL DIAGROSIS

Massive subarachnoid hemorrhage involving base of brain and brain stem and extending up over the lateral surfaces of the occubral hemispheres and into the third and fourth ventricles.

Multiple lacerations of face.

Multiple contusions of entire face and scalp.

Marked dependent pulmomary congection, edems and intro-alveolar hemorrhage.

FIRAL SIMMARY

This is the case of a 34-years-old, white male, who engaged in an eltercation with a friend. During the fight, he apparently sustained multiple injuries to the face and head. He apparently fell backward against a car and slid down to the ground. He was pronounced feed at the scene.

W. H. Talbot, M. D. Pathologist

WET/acb

APPENDIT PRINTING

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John Vilmer Shifflets Malm, Ago-34 years Maddations: Complete Services of a Dr. Targer

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TARBUIL LINES

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E. H. Inibot, A. D.

CLINICAL SUMMEN

This is the case of a 34-years-old, white male, who when seem by the medical examiner at about 7 P.M. on July 21st. was dead. The story pieced together is that this man who had a wife and three children and who resided outside of Elkton was seen about 1 hour prior to his death by the local undertaker and it was the impression of the undertaker that the decedent had not been drinking at that time. The decedent apparently got into an argument with a friend, who lived about th of a mile away, over some automotive repair work. The argument took place buside a car apparently parked by the side of the read. The decedent is a large man and his asseilant is reported to be smaller in sise. The decement was hit and apparently fell backward hitting the car near which the, wwo standing. When the fight started the wife of the decedent, who was standing nearby, started to run. The undertaker was called about 6:15 or 6:30 and the was was reported to be dead upon the arrival of the undertaker. The decedent is said to have been in good health prior to his death.

GROSS DESCRIPTION

EITERNAL EXAMINATION: The body is that of a well developed, well mourished, white male measuring 177 cm. in length. The hair is dark brown. The eyes are light tan in color. The pupils are appreximately equal and measure 4-5 mm. in disseter. The bedy has been embalmed arterially. There is no beard. No mastache. The peaks has not been circumsised. The face procests multiple soft tisque beautomas over the entire face. The lips are swellen and bluish in color. There is an oblique laceration over the right eye extending upward and backwards which measures 2 cm. in length. There is a triangular laceration ever the medial aspect of the left eyebrow which measures about 8 mm. in greatest dimension. Just below this laceration on the cyclid, upper, fast below the are brow there is a vertical lessration measuring 7 mm. in length. Over the bridge of the mose there is a surved laceration measuring 1.2 on, in length. At the right lateral portion of the right upper lip there is a curved laseration measuring 9 mm. in length and at the mid-point of the upper lip there is a triangular laceration just above the mass-squasous junction which measures about 6 mm. in greatest dimension. There is blood in the right ear. Blood also has dried on the face adjacent to the lacarations described above. The nose is fractured. The arms are tanmed. The mails and feet are dirty and there appears to be grease in the nails. Otherwise the enternal commination is not remarkable.

EXCILOR: The body is opened by the usual "Y" shaped incision. There is a normal amount of subsutancous adipose tissue. The stricted susples are dark red.

SERCIAL CAVITIES: There is no free fluid in either pleural cavity or perieardial cavity. There is a small amount of fluid in the peritogral cavity which is thought to be secondary to the cabalaing process. The seresal surfaces are all smooth, moist and glistening and the relationships of the viscors and mermal.

MECK ORGANS: Not examined.

CARDIOVASCULAR SKIRM: The heart is normal in sire and configuration. There are scattered areas in which the epicardium is white and spaque. The myocardium is firm and on section is pale red in color. The leaflets of all of the valves are thin and delicate. The foremen ovale is anatomically closed. The coronary ostia are not narrowed. The coronary arteries are opened throughout and are widely patent. The intima is smooth and glistening and bright yellow. The walls are soft and resilient. The acrta libewise shows a smooth, glistening bright yellow intima with only a rare smooth atherematous plaque. There are no emboli or through in the pulsewary arteries.

LUMBLE The lumgs are large and fill their respective cavities. The anterior portions are pinkish-white, soft and crepitent while the pesterior portions are increased in consistency, subcrepitent and purplish in color. The cut surfaces are similar in color. The dependent portions are seen to be somgested and edemateus. The tracked and brought contains a small assent of a sanguineous resold material.

STREET, LIES SHAPE

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SUPPLIES DESCRIPTION

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CASTRO-DETESTIBAL SISTEM: The smooth of the exchanges is pinkishwhite in color. The stemeth contains a moderate amount of a grayish smooth material. The small intestime shows marked edema of the wall. This is thought to be secondary to the embalming process. The appendix is long. The colon is not remerkable.

LITE: Hormal is size and configuration. The capsule is smooth and glistoning. The liver is fire and an openion is tax in color with no alteration of the usual architecture.

BILIARY SYSTEMS The gallbladder is full of dark green viseid bile. The nucesa is dark green and velvety in appearance. The bile dusts are patent.

PARCEAS: Normal in size and configuration. It is firm, tan and shows the usual lebulation. Serial sections show no gross lesions.

SPILES: Mormal in size and configuration. It is firm and shows a smooth capsule. The out surface is dark red.

LDOPATE SESTEM: Bot remarkable.

ADSERAL GLAROS: The right and left adrenals are normal in sise and configuration. On section the cortex is bright yellow and normal in thickness.

ENARY SISTEM: The kidneys are normal in size and configuration. The capsule strip easily revealing a smooth pale red surface. On sootion the cortex and modullary pyramids show a normal configuration. The polyes and ureters are normal in size. The bladder is distended and filled with a clear strew colored fluid. The success is pinkish-white.

GENTIALIA: The prestate is normal in size and configuration. It is moderately firm and the cut surface is homogeneous and white. The testes are both located within the scrotum and the cut surfaces show mormal structure.

SELLETAL SINTEM: Not remarkable. No fractures are noted.

CERTALL METURE STATES: The scalp is reflected by the usual car to car incision. There is a small amount of subspendicular benerrhage in the anterior pertica of the scalp. The calvarium is removed, a There is a large amount of subspendid homographe. On examination this is found to be massive in the region of the base of the brain, especially below the anterior lebes and around the brain stam. The homographe extends outward on to the lateral and anterior surfaces of the brain. The brain is removed from the cranial cavity. Serial sections show blood within the third ventricle and fourth ventricle. There is no hemographe within the brain substance and no petechial homographes are seen in the brain substance. The pituitary gland is normal in size and configuration and is surrounded by blood. The dura is stripped from the calvarium and from the base of the brain and no evidence of a fracture is seen at any point.

MICROSCOPIC DESCRIPTION

IIIII letivo spermetogenesis.

PROSTATE: Bormal architecture.

BLANDERS No lesions.

APPENII: Patent lumen with all layers of the wall intact.

LIME: The sections from the dependent pertians of the lung show intraalveolar hemorrhage, congestion and odoma with macrophages containing a green pigment.

GCLON: Not reserve ble.

ILEM: Mormal structure.

ESCHAGOS: There are collections of lymphocytes in the subsucces.

JEJUNUM: Rormal structure.

STOMACH: No lesions.

PANGREAS: Normal erchitecture.

LIFE: There is some autolysis. A few lymphocytes are seen in some of the portal areas. A rare fat he vacuols is seen in the liver cells.

SPIZEN: The lymphoid follieles are prominent.

HART: Normal architecture.

ADMTA: This section shows normal structure apart from some increase in the basephilic ground substance.

PITUITARY CLASS: The anterior and posterior lebes show mercal structure.

KIDMIN: No lesions are noted.

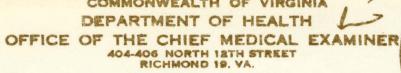
ADMY HAL CLANDS: Normal structure. Several cortical aedules are present.

CHITAL HERVIS SECTION: The section of the spinal cord shows mormal structure. The medulla shows some subarachmoid hemorrhage. Sections of the certes show marked subarachmoid hemorrhage. Sections taken through the base of the base of the brain there are small perivascular hemorrhages and interstitial hemograpes but this process is not marked.

agential works provided the southway provided by the large older latter.

Resident

COMMONWEALTH OF VIRGINIA



☐ Non-resident

REPORT OF INVESTIGATION BY MEDICAL EXAM

DECED	ENT John			Wilmer		Smitt	lett	AGE:	11	SEX:	ENAGELLE
ADDRE	First sea	Elkt	on	Middle same	ingha	m N	Last name		ATIC	ON: Lar	onen
	Num	ber and Screen		City of Co		44	1 MULTING AL	OCCUP	711(JAV :	Ald Edition
	OF DEATH: I	-] Suspici	ous 🗀	CHARLES THE COLUMN		spected	means			Unusual [
Sud	Iden in apparent Instantaneous After unexplai After unexplai	without of ned coma				Un	Found of Unatter	by a physician dead without of ided during faith attended by	obviou	ness	Violent or Unnatural & Means:
W. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	LAST SEEN ALIVE	INJURY OF	R ILLMESS	DEAT	н	MEDICAL ED	AMINER IED	VIEW OF BODY	PO	LICE NOTWIED	# MOTOR VEHICLE ACCIDENT
DATE	1-41-04	מונות ב	y	1-cI-0	2	7-2I-0) <	7-21-02	7-	-ZI-0Z	DRIVER PASSENGER
THE	5:30 PM	5:30	PM	6 PL		7 PM		7:30 Bi	6:	25 B4	PEDESTRIAN []
NOTIF	ICATION BY	:						ADDRESS			
Authors to our letter			LOCATION			CITY OR CO	YTAU	TYPE OF	PREMI	888 (E. Q., NOSPI	TAL, HOTEL, HIGHWAY, ETC.)
INJUNY O	A ONSET OF	Elktor	1		Rock	ingham		high	way		
DEATH		Elktor	ı, Va.		Rock	ıngham		nign	way		
VIEWING MEDICAL	OF BODY BY ELAMMER	Elktor	ı, Va.		Rock	ingnam		high	highway		
	DESCRIPTION OF BO	DY		NOSE	E MOUTH EARS NON FATAL WOUNDS				RIGOR	LISOR .	
CLOTHED	DE UNGLOTHED		BLOOD	х	_ X	x_	ABRASION	BURN D	JAW	G ARMS	O ANTERIOR O POSTERIOR O
	10 MUSTACHE		OTHER (Send, dirt.	dirt	х			D INCISED D	BACK		
	ED D PUPILS: R		. water, etc.)				LACERATIO FRACTURE		LEGS	0	REGIONAL ASSESSMENT
31000			WEIGHT I		LENGTH	71	DISTRIBUT	ION: SCALP TO FA		CK CHEST C	0
FATAL	WOUNDS:	CONTROL VALUE OF	1 BOOT PIEA	II war	111		1				
TYPE (GUI	NSHOY, INCISED, STAI	B. ETG.)	BIZE		SHAPE		LO	CATION		PLAI	NE, LINE OR BERESTION
		*									
							AND THE PERSON NAMED IN				
Sub	ctured nose entire face	nemorrna , multip	ole hem	ondami i	Acciden	t 🗆 Sui	cide 🗀	Homicide Pending	2 By:		1. Tanner
the caus	ereby declare the	ccordance	with Sec	tion 19.1-	42, Th	tle 19 of	the 1950	Code of Vir	ginia	as amended	made inquiries regarding; and that the information
Containe	d herein regard	ing such d	icatii is ti				767	C/I Pro	gi.		
	d herein regard	I	Rocking		tsett		SEP	(F 4 1962 s	ignoren	of Medical Eras	alone
	d herein regard	I	Rocking	nam		Y TESTE		7 4 1962 s	igasture	e of Medical Enser	alma
	d herein regard	I	Rocking	nam		Y TESTE		7 4 1962 s	igasmare	of Medical Ense	24612

Resident

COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH

OFFICE OF THE CHIEF MEDICAL EXAMINER

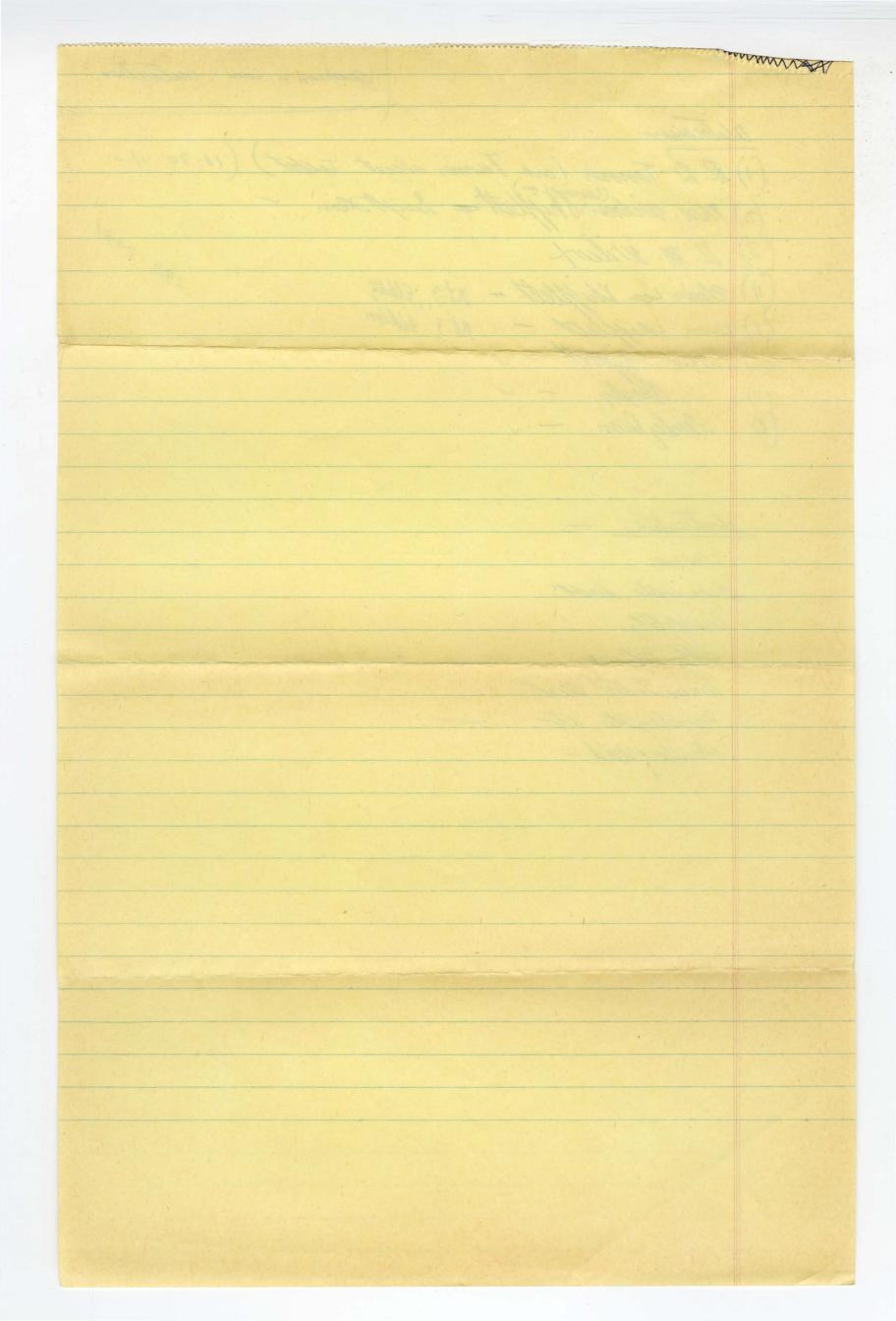
☐ Non-resident

		REPO	RT OF	INVE	STIGA	TION	BY	MI	EDICAL	EX	MINE	N. C.		S	
DECED	ENT John			Wilmer	THE RESERVE AND PERSONS ASSESSED.	Sniri	Lett.		_ AGE :	33	SEX:	3/4	RACEL	J.	
ADDRE	.ss	Elkt	on	Rocki	ingnam	N	A MACS	-	OCCUP.	ATIC	ON: L	auor	er		
TYPE	Numb OF DEATH: In	er and Screen	1 Sugnici	City of Con	unty									_ Unusual [
	den in apparent Instantaneous v After unexplain After unexplain	health: without object coma	vious car	use G			Found	d de	y a physician ad without of ed during fa attended by	obvio	ness		iolent or	Unnatural 🗊	
With A REAL PROPERTY AND A SECOND	LAST SEEN ALIVE	ENLAURY OR ILLNES		NESS DEATH		AEDICAL ED		,	VIEW OF BODY		POLICE MOTIFIED		IF MOTOR VEHICLE ACCROSSIFT		
DATE	7-21-02	ı nıjur	Å	7-4I-0	۷ .	7-2I-0	04	7-	-cI-oc	7-	-ZI-0Z	260	SOUNDER [] SOUNDER []		
YIME	5:30 PK	1 5:30	PM	6 PM		7 PN		7:	30 PM	6:	25 AL	PE	DESTRUM D		
NOTIF	CATION BY				-				ADDRESS						
			LOGATION		C	ITY OR CO	YTMUC		TYPE OF	PREMI	ES (E. G., HOS	PITAL,	HOTEL, HIGH	WAY, ETC.)	
INJURY OF	R ONSET OF	Elkton	1	R		Rockingham			highway						
DEATH		Elkton	, Va.		Rocki	ngham			nign	Way					
VIEWING (of Mooy by Examiner	, Va.		Rockin	ingnam			high							
	DESCRIPTION OF ROO	A		BOOK	MOUTH	EARS	NON	FAT/	T. WOUNDS		REGOR			LIVOR	
	EL UNGLOTHED D	ck	BLOOD FROTH		x	x	ASRASION		D BURN D		ARMS	0	COLOR	D POSTÉRISOR D	
DEARD_D	O MUSTACHE D D PUPILS: R. hazel open	no L	OTHER. (Send, dirt, water, etc.)	dirt	x			TON	I INCISED I	BAGK LEGS	C ABDOM		LATERAS,	0	
			WEIGHT_I		LENGTH _	71	DISTRIBL	JT 10	N: 4		ECK CHEST				
FATAL	WOUNDS:	the state of the same of	BODY HEAT	r: warı	III	NAME OF TAXABLE PARTY.		maybes he	The state of the state of the	to the same of the	THE REAL PROPERTY AND ADDRESS OF THE PARTY AND		- Commenter and a second	Storigg through Middle Conservation	
TYPE (SUI	KEHOT, INDISED, STAB	ETS.)	SIZE	8	HAPE	T	t.	LOCA	TION		Pi	LANE, L	INE OR DIN	errore	
AND DESCRIPTIONS													marrier extended traping		
-				-		+	-	-							
							Name of Street						White to so with the little south to a		
Sub	cause of death: arachedia r ctured mose, entire face	multip	le nem	ondary-A	nner of Accident Matural [Sui	icide 🗇	Н	one only) Iomicide Pending	1. 1 2. 2 By	POSITIO Not a med Autopsy au Dr. G.	ical enthoris	xaminer of zed Tanner		
the caus	ereby declare that e of death in ac d herein regardi	cordance ng such d	with Sec eath is to	tion 19.1- rue and co	42, Title	: 19 of	the 195	0 (Code of Vin	of t	he body an	nd ma	de inquis	ries regarding le information	
1=1	J-OZ Date		City or Come	ty of Appoint	ment		- Alle	1	Si	ignerure	of Medical Ba	casniner			
						1111 9	2 1 106	2							

A COPY TESTE: JUL 24 1962 Chief Medical Examiner

24612

(1) & D. Tenner (art Tanner about Talket) (10:30.11(2) Mrs. quilments hiplett = Swift Hen
(3) 2. M. Willot
(4) Elmer Lee Shiplett - pt 3 Alblor
(5) Leon shiplett - pt 3 Alblor
(6) They shiplett - v
(7) Shirly Blan - v Witnesser 249,2931 Instruction. Recondile last Cradibility self-defense limintartul and minslength, et chance of de'd -



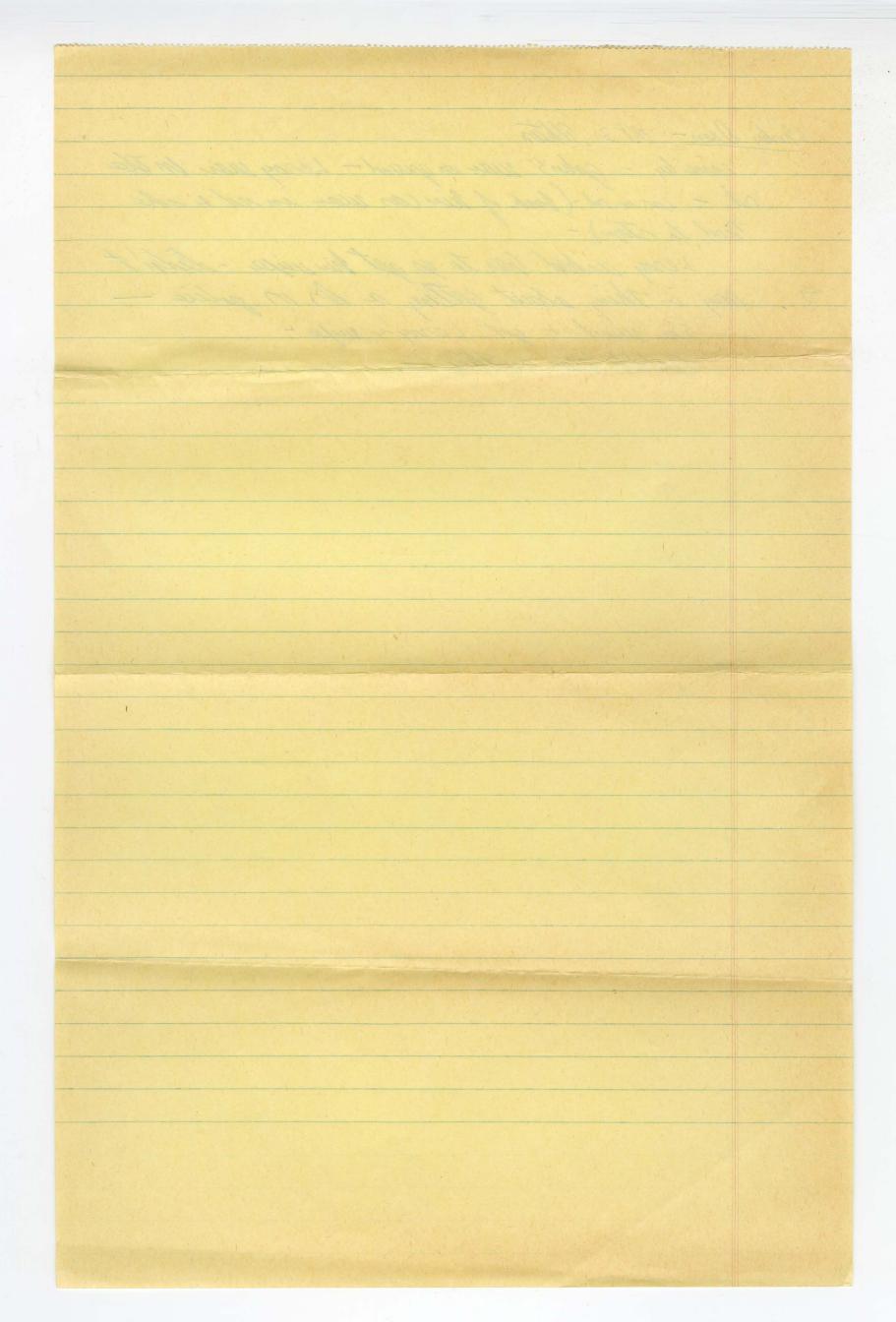
Shirty Dean - Rt 3, Elpton

came by - gohn 5 war on ground - Leroy war in the

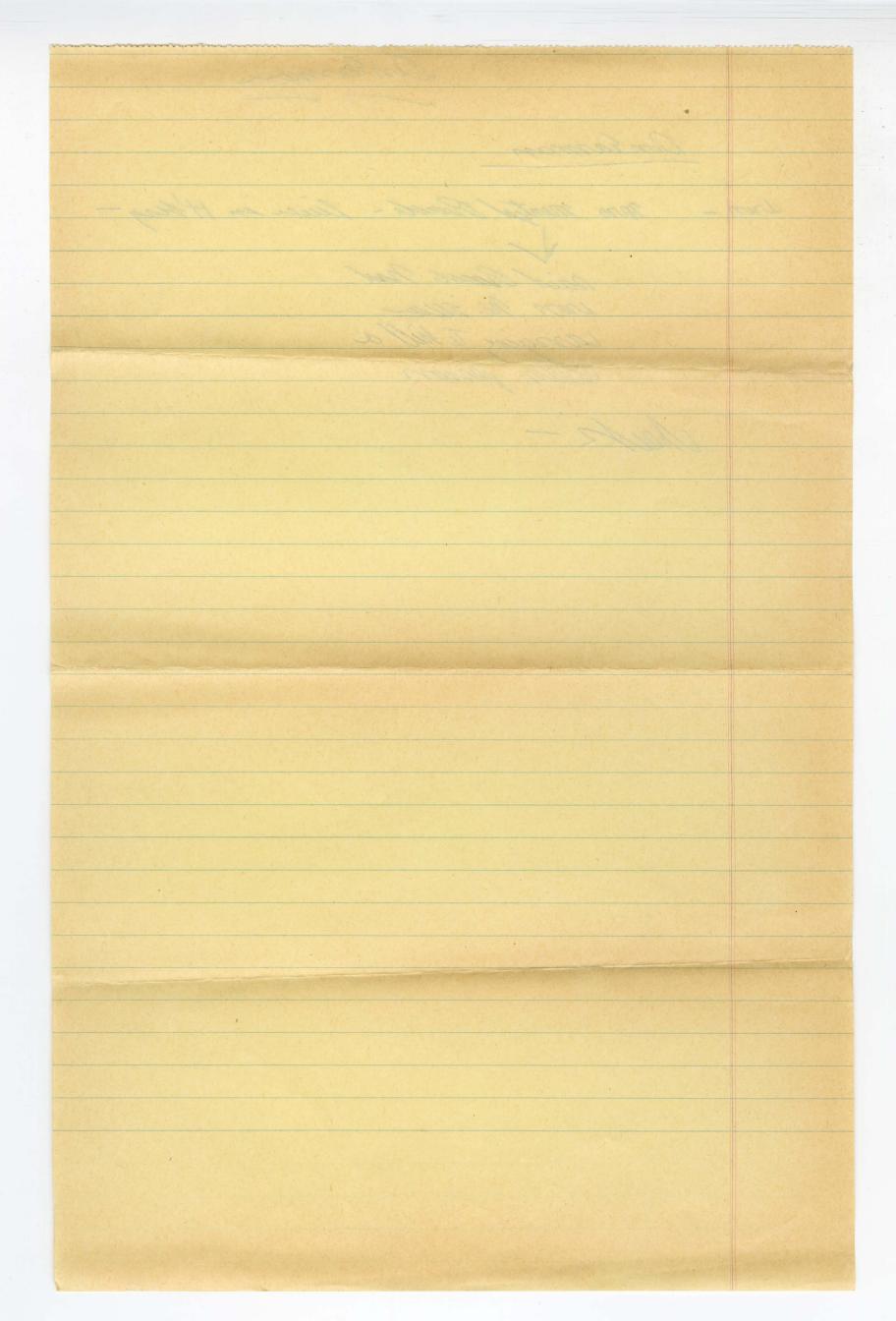
od - car in rd - (beck of his car war in rd & else

pad to ston)
leroy arked her to go get his wise - didn't

pay a thin, about getting a dr or grelie
She went + get leroy's wife
Didn't hear anything -

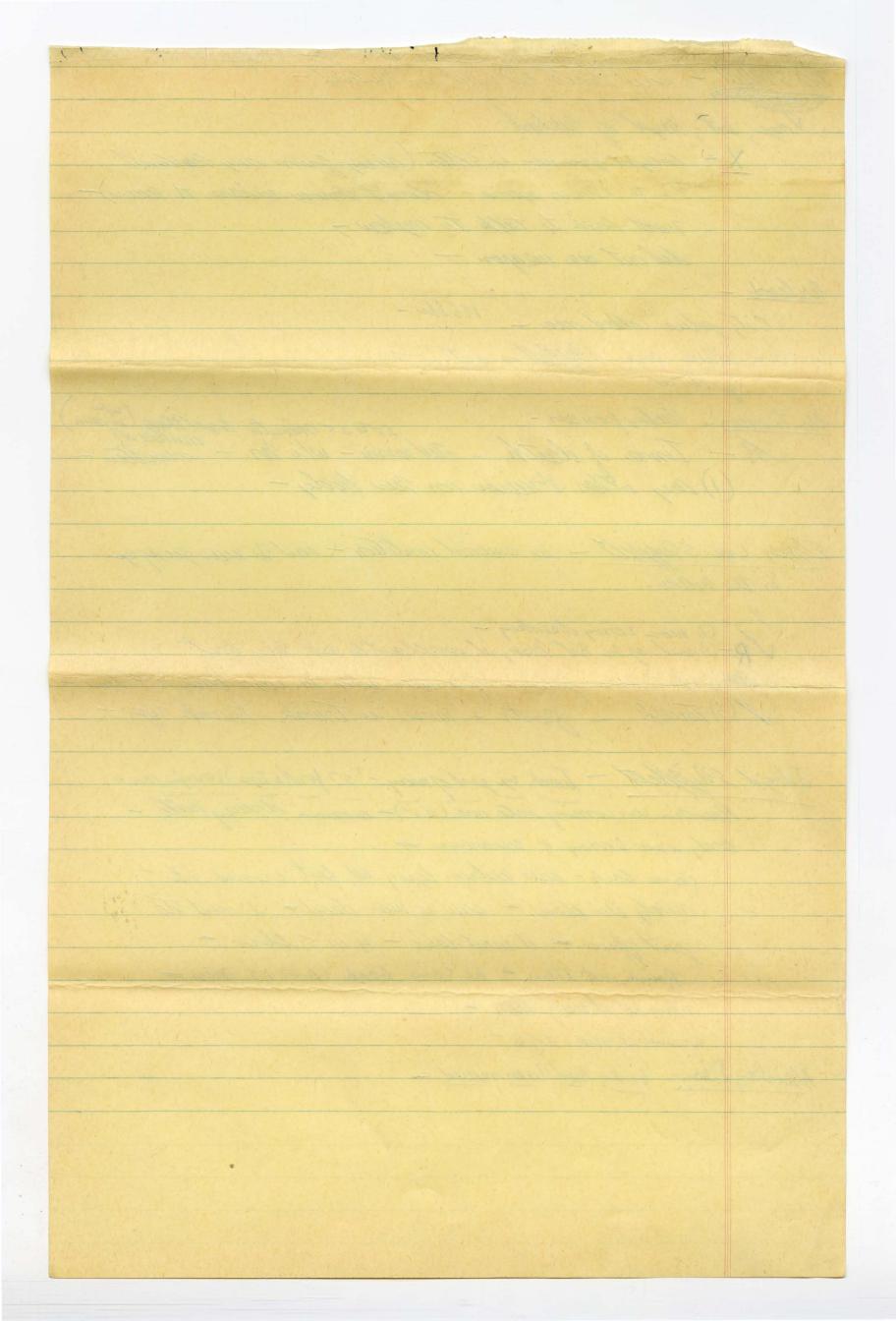


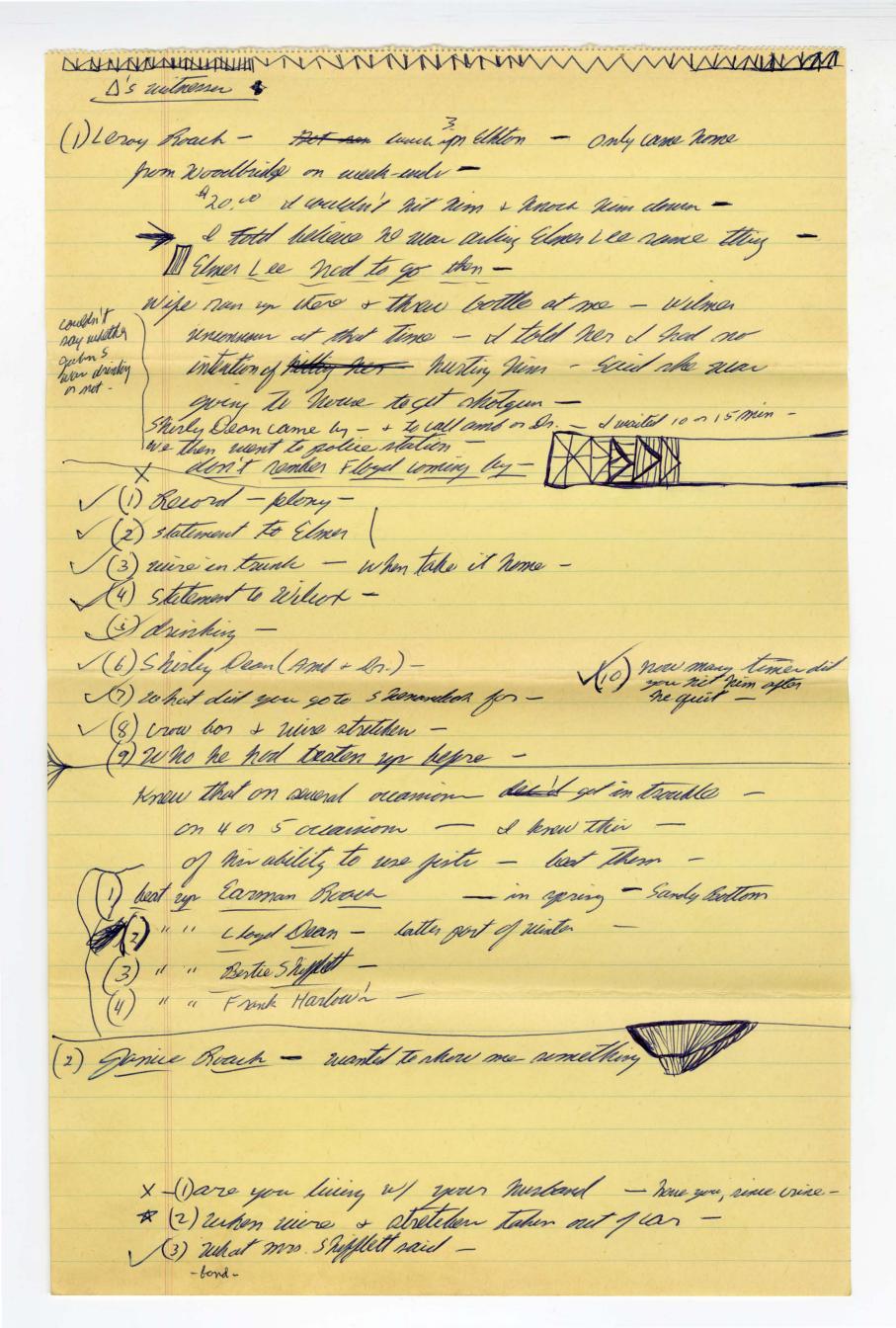
Don Earmon Don Earman Iron - mrs. mental Bracki - live in Hilling carrying to hill a Mests -

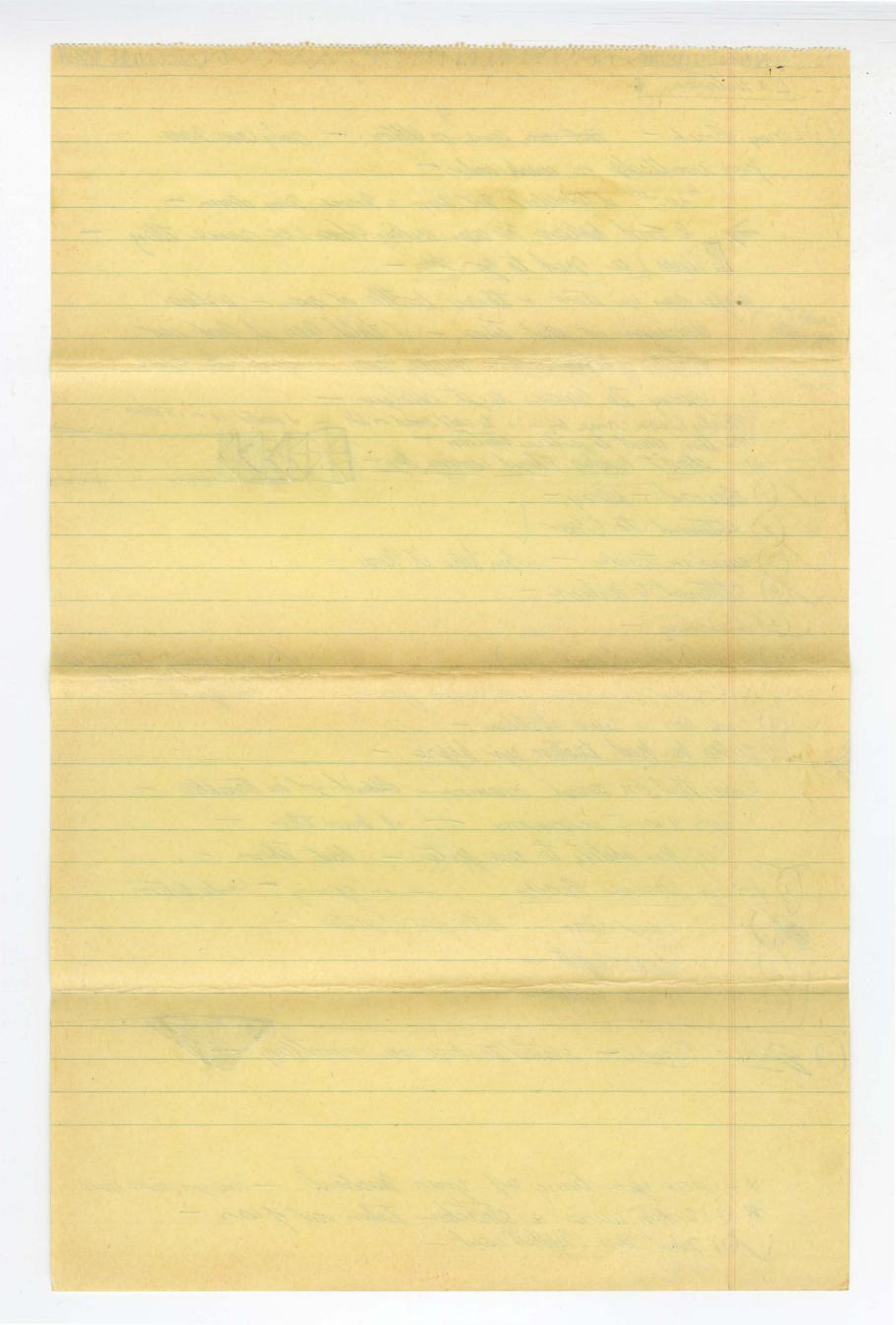


- said Brack not hilled my hudered age, aut, height of hurband X - buynt growier in Elben (aury from my Ruston) In to 120 or more - den't homew where H were)went boch to talk to night did not see weapon Willot -City golice called me -&- Where was shipfell a auto pulire 10 mes - welding from ear - 20 to 25 minutes toget there (30 min)

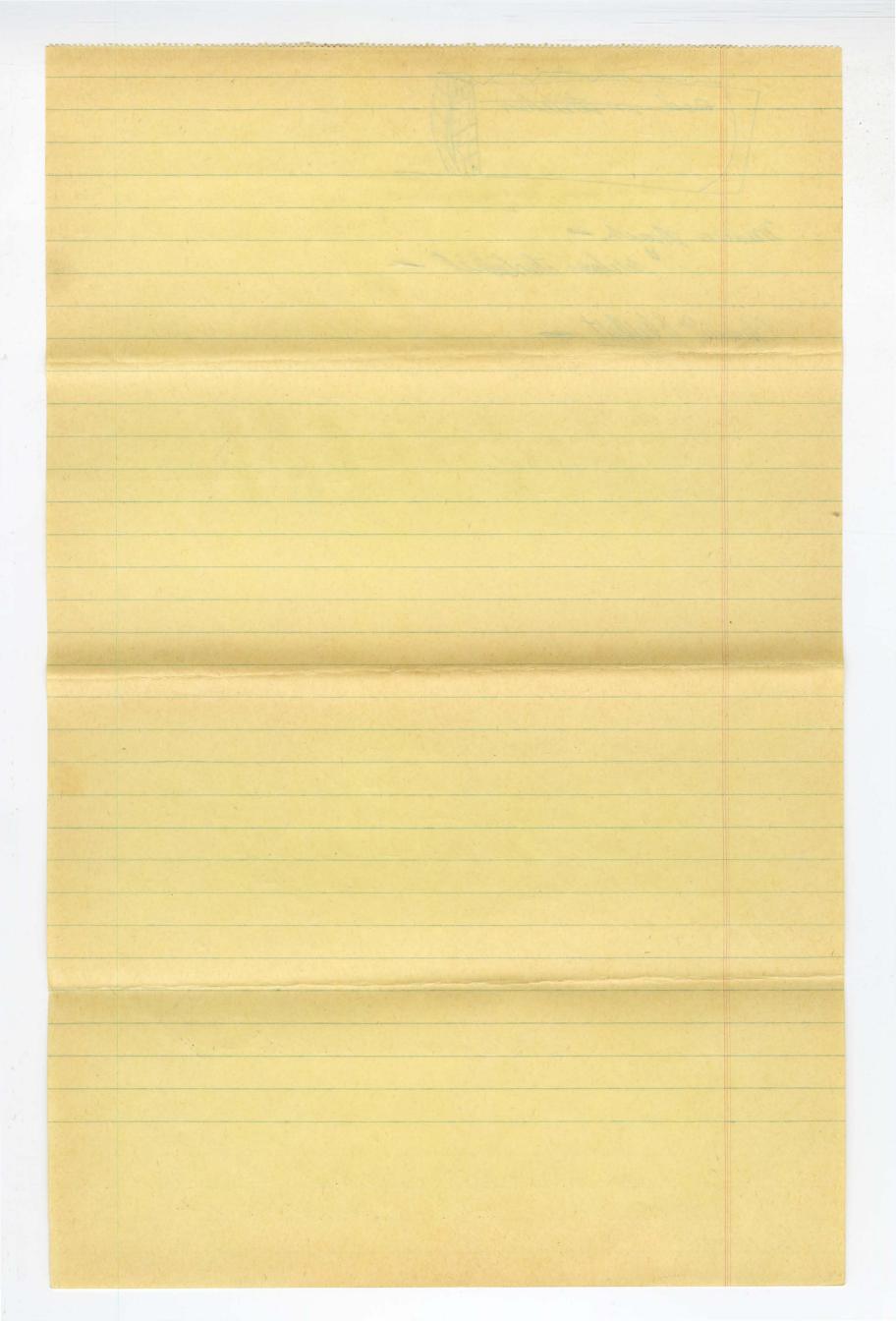
R - Time of death - still warm - w/i hr. - minutes -Dr. Tannez - bleeding from our -(1) any other bruiser on his body -Elmon Lee Shyplett - no unusual undition - raid he was going up in The hollow -P (1) mor very drinking -I (3) trunk - posts + mire in trunk - trunk up -Floyd Shefflett - Trunk up part of way - '57 ford 2 time) Leroyin con -Rouen's car coming into me (450) - momen driving auto only now Lerry + ruman came back - saw Wilmer lying w/ feet crossed, etc notally also there - saw he war dead - I went to part office - I went back - 4 or 5 there -Rouch not there - he came back 10 01 15 Min = hir W driving then arrived at siene 5 9 6 -Shirley Dean - body had been merced -



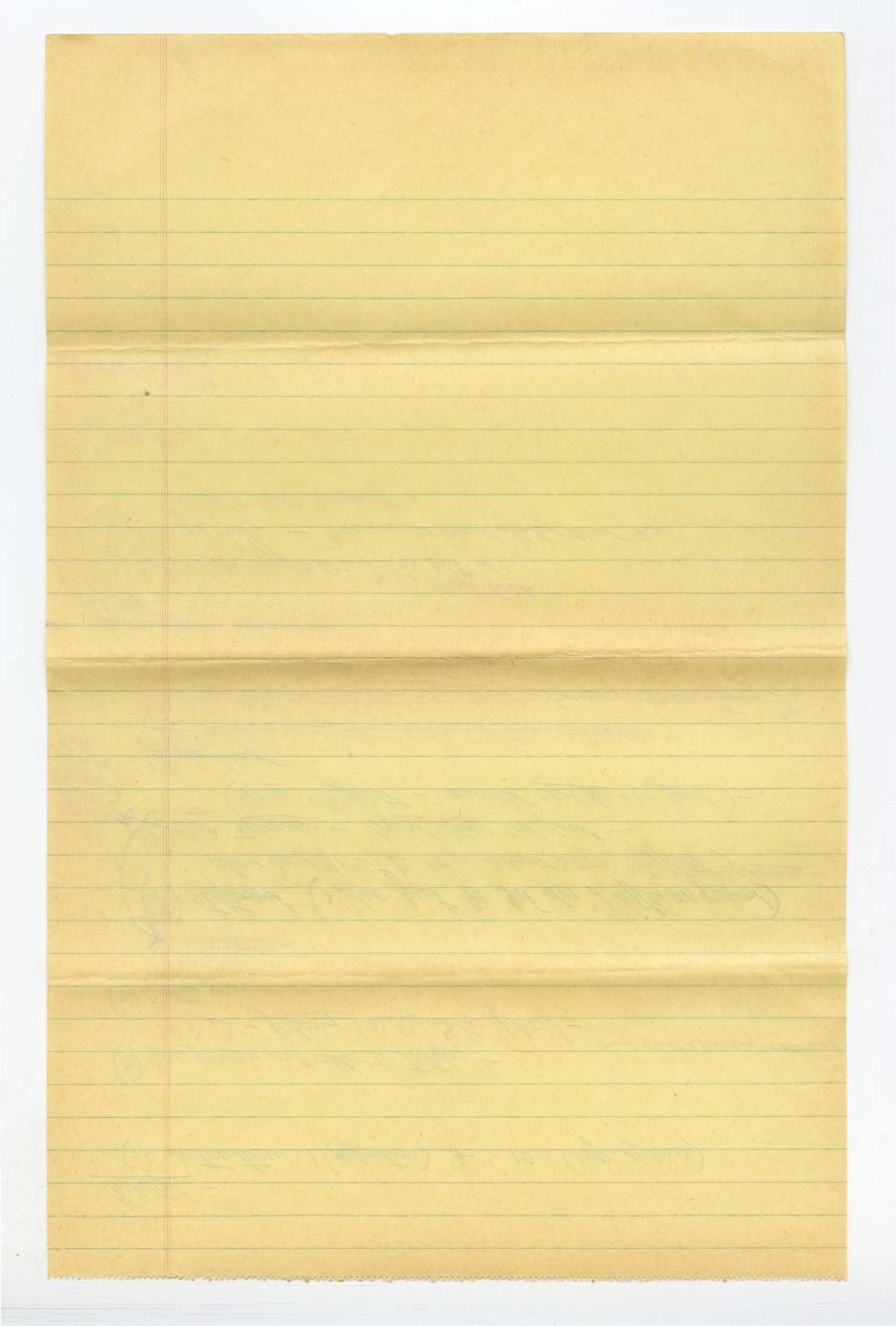




marie Reach -Chrence O. Shiftlett -

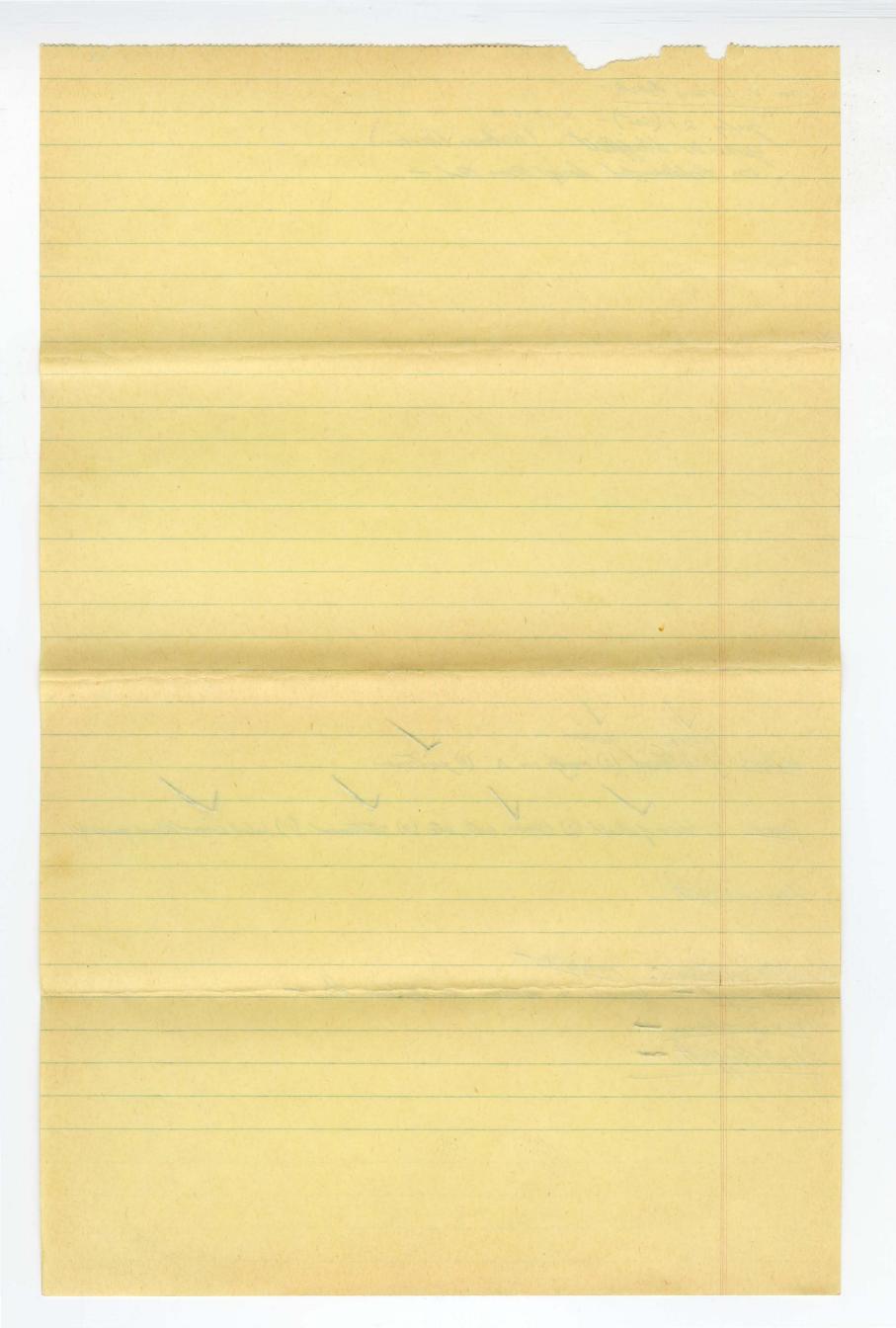


Rebetter -(1) Instruction 1 (definition) + 10 (sef-defense) (2) One gresson not able to testify -(1) D - pelony (2) Reputation globe'dany suid showing constitued (3) Facts -(6) statement (+ also fact he hit dec'd after on ground)
also conflict - A days about mos Shifteet) union Rebuttel -(1) ruho ruan aggresson? (2) bet -(2) Chief Deals -? accured our stated that he dish't tell himself -Instruction 1 1 10 Bunishment

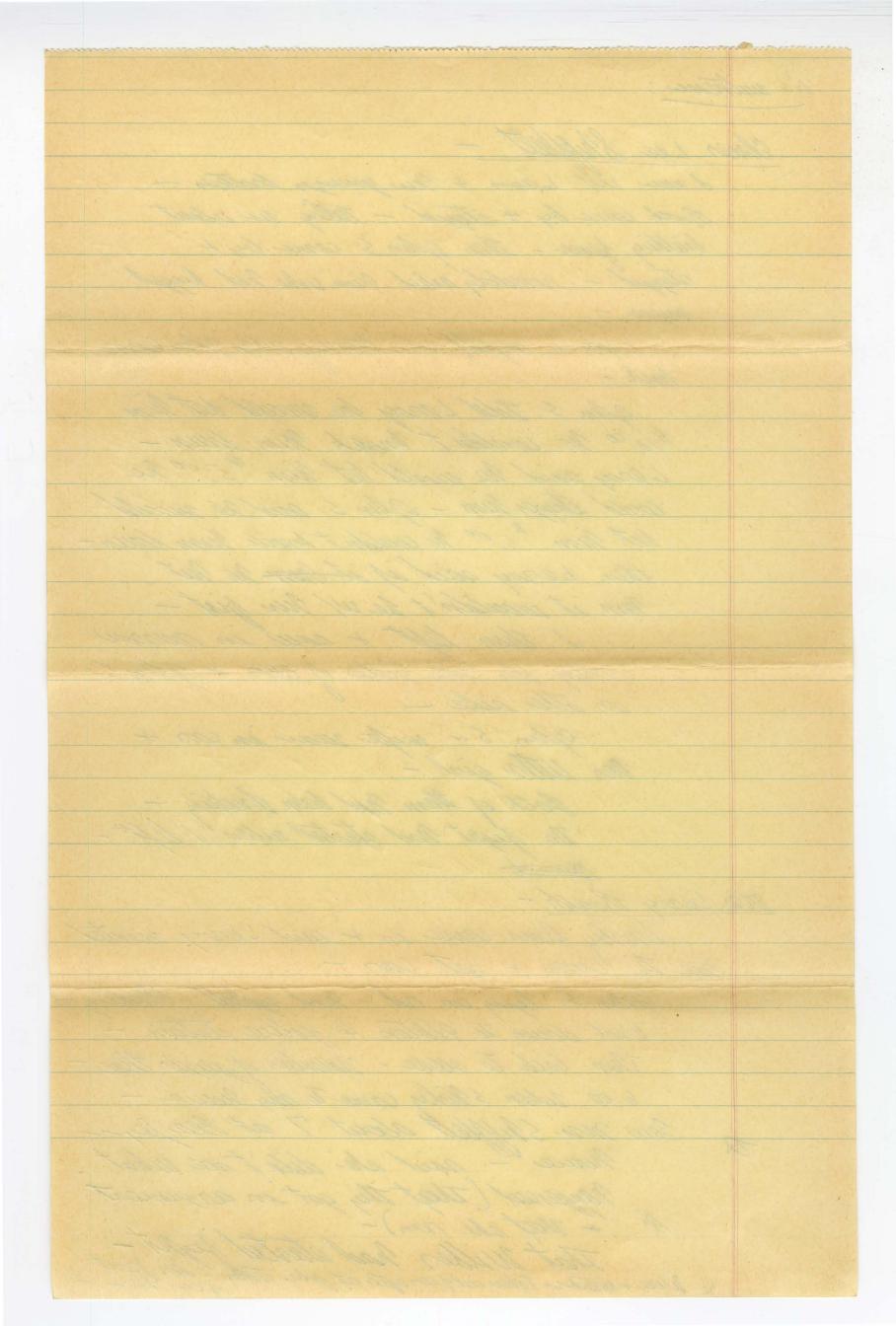


Com v. Levery Roach guly 21 (sat) - 5:30-6:00 gohn W. Shifflett - (Wilmer Carrier) on Beller Bel bright Run Old -Willow (1) gurier - Willow (1) statement (2) mush on A (3) picturer

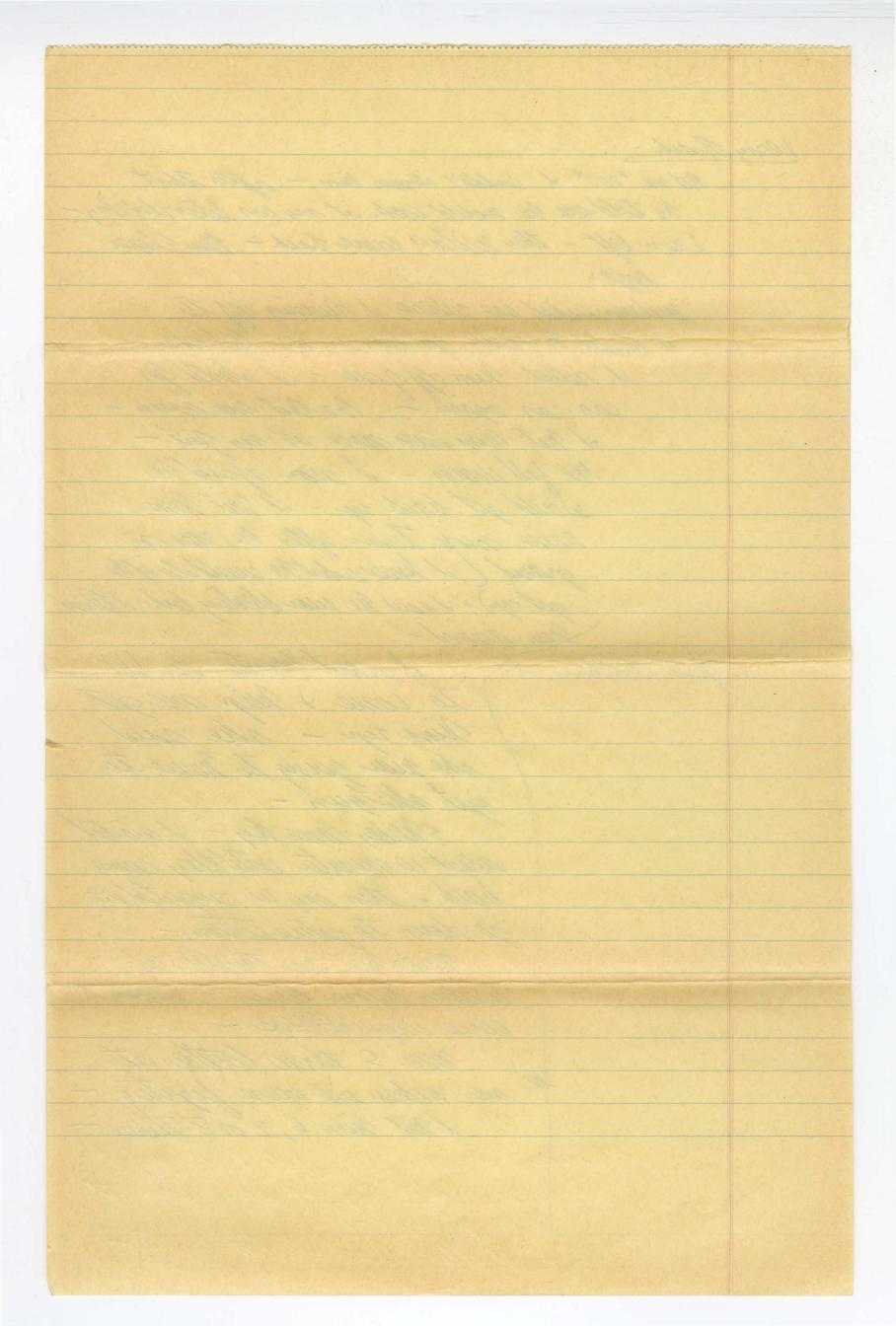
Tanner: (1) cause of death (2) bruier, cute, etc. (3) statement (4) what considered must we Elmes Lee Shiffell . Character Wetnesser: Sandy Bettom-Dordon Wood - Jarmer & worker on Skeline Dr. louis Workmen Flord Shiplett -



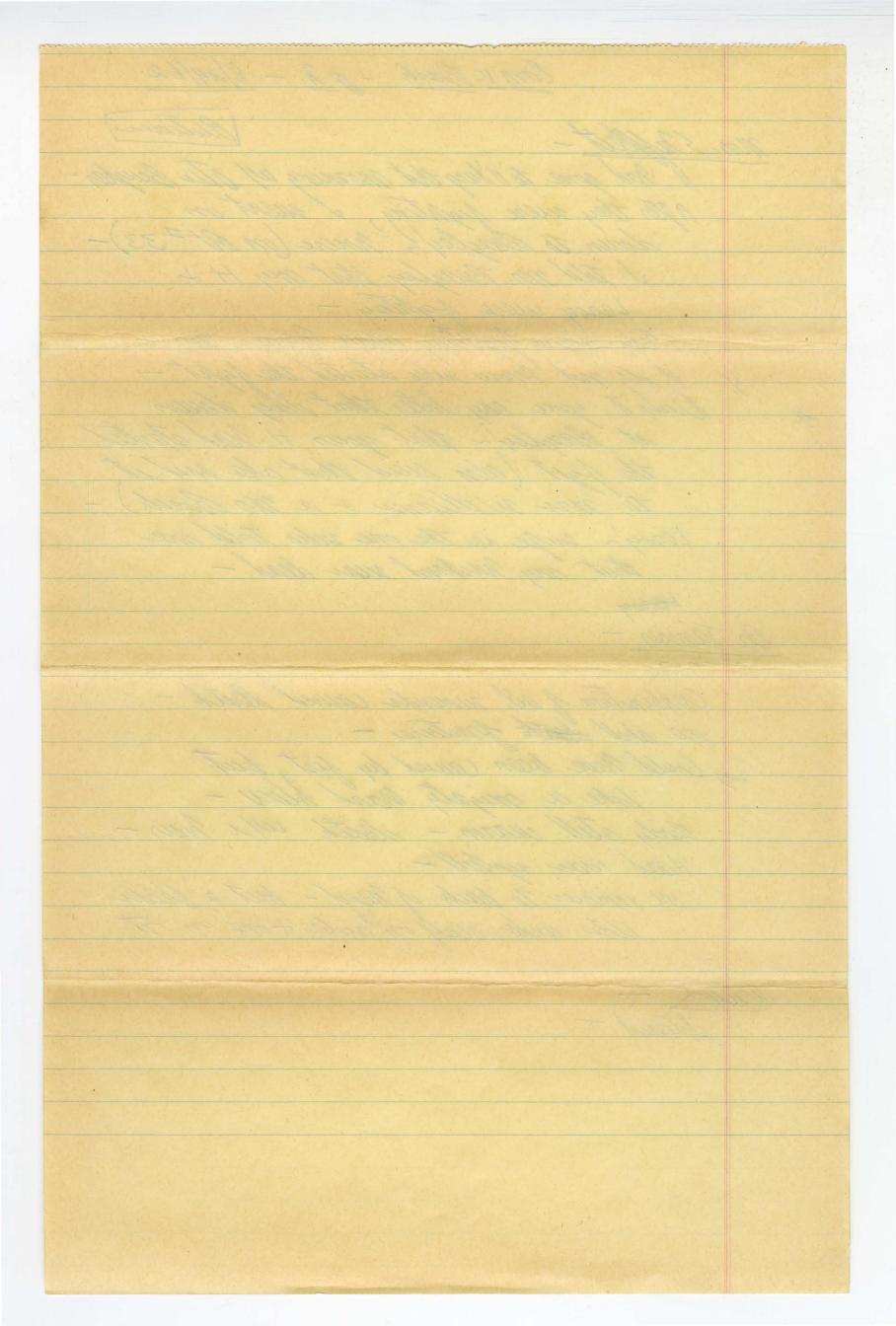
D's milnesser: Elmer Lee Shippett -I were wil Leon + his younger brotter -Buch came by + stoned - talling me about building fence - then John 5 came by & stopped - someledy asked him who had higgest Leon & myself were leaving when John Come John 5. Told Lorry he will bet him \$ 10.00 he walln't knock nim down -I erry said he would but him 5-00 he could stage him - John 5. aid he would bet him "5.00 he couldn't proch him dawnthen Levery said if it hom he hit nim it wireldn't he w/ his pist -I then left + saw in minor Leroy on one side of can + glans on other side -John 5 - wife war in car + her little girl -Both of them not been brinking no fight had started when I left -Mrs. Levy Bouth -Shirley Dan come in + said levy reconted me to come + get can -John 5. lying on rd - head righill - bleeding -West down to Elaten to police station -Then buch to seene - Holmber of gegete there -6:00 when shirty came to my house -Saw mos. Shifflett about 7 at Blacky's here - said she didn't see what naggered (that they got in argument Wire + stetner token out of con after at police station of our house -



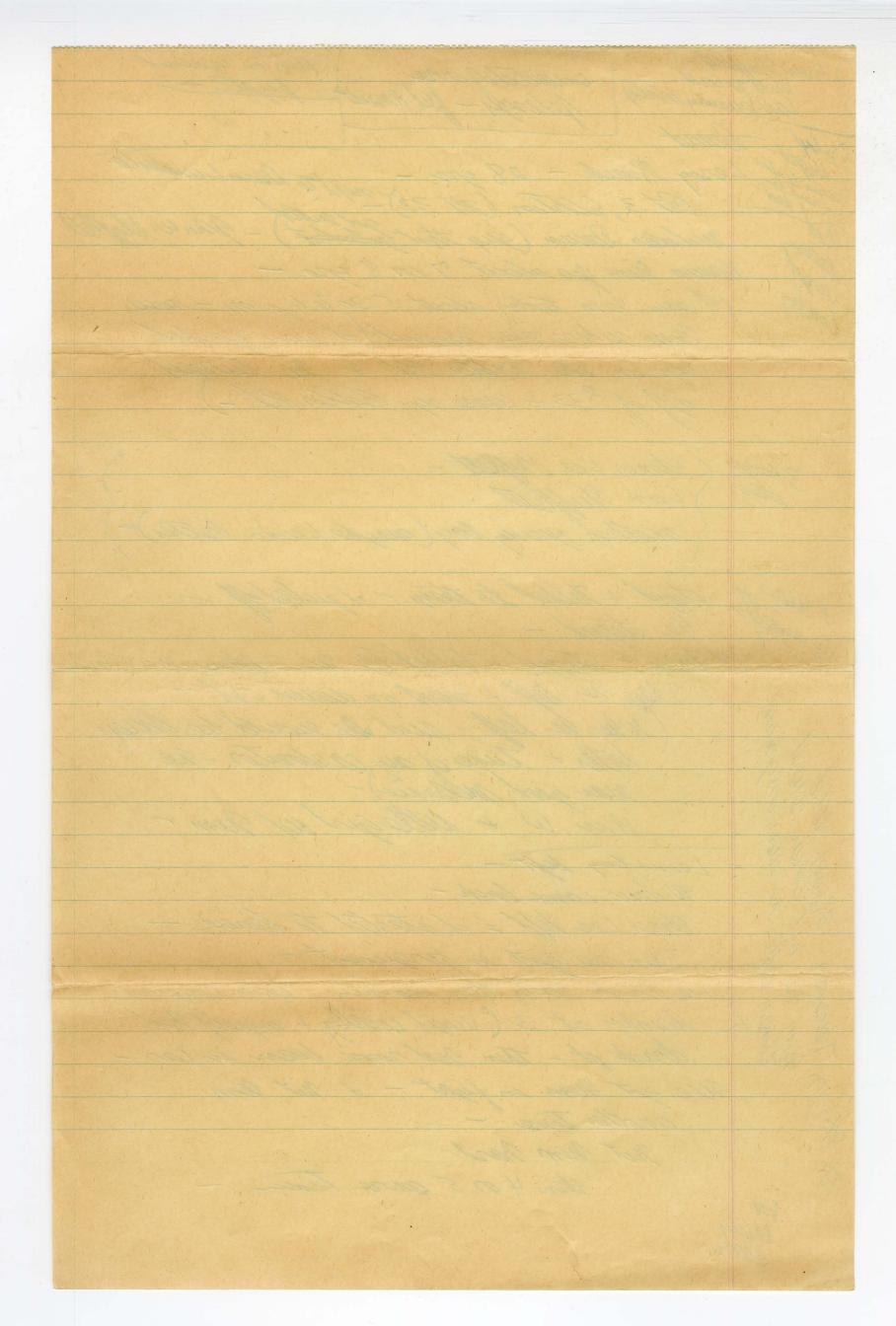
Lerry Brach -Bet me "20.00 I willn't stages him - after That he told me he would look at my can later that day-Lever left - then Wilner aime back - then Elmer Leptwilmer asked me where I running off to I started to reach for door & he hit me -L'autel him off of me - I startet for car car ogain - he suit me again I hit him own more ul my firt-He fell aboun - il man apris he would get back up - I Tail him grand La hour what he would ifte get up) - I saw he was bleating but - deturned Din annul-X: perce stretchen -I proped the to his W To come & help me get him up - she sais she was giring to house to get shutgun -5 Wheley came by - I writed about 10 minuter until they came hack - Then my w suggested we go down to police station newor had any trouble uf Willer before this - meren't close acquirthese mrs. 5 thew lettle at me wellow we were fighting -I mit him 6, 7 or 8 Times



Com V. Bach - p. 2. - 8/24/62 (Butween) A had gone to I bury that morning uf otic Bengher -After they were fighting, I went on down to Beauley's house (on BIT 33)-I tell mr. Becally that my H + Leroy were fighting -They were fighting men Brack's can I do not know who started the fight Dich IT you say later that day down at Bargley's that your H had started to men william + a mr. Brush) -Lordy's ruise is the one who told me that my husband was dead -In Tanner -Combination of all mounds coursed Stath no shill death frature Could have been coursed by firt, but Bady still warm - death will how -Hard war uphill no injurier to back of need - but a block Uto under real on side + one on sit Willert -



1) Aur Shiplett peen in several went to call telonly convictedosone pigate -Story of Stains Lerry Rouch - 28 yrs -Bit 3, Elplin (AT 33) neptro Dean Lumberto. Wilnes Duis (suy that fitted) - Jan W. Sheflett Virgin Known him for short 7 on 8 eps. -Contey 1st paw him teday about 5:30 to 6 g.m - now nim sulese this Troppened I was garden up on the selder But & he turney off of #33 + came up Bello Rd -) Elmer Lee Shiplett hem Shiffelt -another young bry (muche been'n britter) = styred + talked to them - dpulled by myself 1 time - stopped + talked to me - there roars aunter Then he left & ment on deaun out. -When he left - sind she would be lawn later + Tune of my carbonter - se near good mellurice) -How w + little gist w/ Rim Loon + bay left -Wilnes came buch -Elmer Lee left & of started to leave -Then me got in progressent -Tone drink wordy this morning - took couple drinks at 3 (Virgel comply + myself had drunk pt - then had rome been in can -We got them in fight - I hit Nim another time not him hard then 4 or 5 more time Dean



				_
STATE OF VIRGINIA Rockingham	1970	ef es		
COUNTY OF		To-Wit:	No.	
TO ANY SHERIFF OR POLICE	OFFICER:			
Whereas, James R. Sip	0			
A second second second second second	70 a ha di	Donold S.	Drong	
as this day made complaint and information			o hometal thank it agains als	luco
(Title)	and relative to the	said County, that	ob of lief commonwealt down	
LeRoy R	oach		in the said (Coun
lid on the 21th day of July		, 19 <u>62</u> : Unlaw	ully and feloniously	7
111 and murder one John W. S	hifflett	against the j	seace and dignity	R
he Cormonwealth of Virginia.				
	*			
			No. of the Name of	
These are, therefore, to command you, in	n the name of	the Commonwealth,	to apprehend and bring before	re t
County Court of the said County, the body	(bodies) of th	e above accused, to a	nswer the said complaint and	to
further dealt with according to law. And you	u are also dir	ected to summon:		
mon arten W. Shothell	color	Address 9/	lin	
2.11				
	color	Address		
(MMMe)				
	color	Address		
	_ color	Address		
	_ color	Address		
as witnesses.	_ color	Address Address		
	_ color	Address Address	, 19	

								County of the Peace	Court in	and for the	County	aforesaid,	State of Virg	ginia, do cert
								as his su	ret	, hav	e this d	ay each ack	nowledged the	mselves indeb
									chattele		tenemen		use of the C	
ndered,	, yet up	on this	conditio	n: That	the said				PFICE	OLICE C	, shall a	ppear befor	e the Cir	cuit Co
							_ County	on the		day	of		197	inty
A Otte	POCA WITTE	n which	he is	charged	and sh	all not	denarr th	ence with	nur the le	ave or said	court th	e said oblig	proceedings m e in this wa gation to rema	in in f. 11 f.
ffect i	until the	charge	is fina	ally dispo	osed of	or until	shall ke	clared vo	d by ord	er of a co	mpetent	court; and	upon further	condition t
the da	ite hereo	t. Nona	ppearan	ce shall	be deem	led to o	onstitute	a waiver o	of trial by j	ury.				
												o yen.	Sa Pit	Judge_J.
			31/1			wit	# gend t		- 0712			CARRY TO		
										Ujaccused	3.	Executed	45	
Costs	Fine									Upon t		ed this,		
Total	\$ 6									he ex		, the	To	CO
										examination			Roy	CC
										ion of			LeRoy Roach	OF
										f the			ach	COMMONWEAUTH
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»	*									charge,				
										ge, I		19		
										find the		day of		
	3/11/100	30000		Dranang	de di	INCOLUNA.	TOCHEOU	MH2 10	omen on	he		of.	1901 912 589	
		Con	Sum	Jail	Clerk	Arrest _	Bail	Warrant			u gang u	und	Virgin Virgin day of	8
Fine	Total	Commonwealth Attorney	Summoning Witnesses	Jail Fee and Board		st		rant _			300	under penalty of \$	Virginia, at Virginia, at day of	appear before the
	Total Costs	ealth .	g Wit	ıd Boa			as and?		7010			ulty of	at at	r befo
		Attorn	nesses	rd.			AR HODA		1010			*		yre the
		ey			-		de labbut		2510					
P					,		and thinks		COSTS	1			M,	Circuit County
D							ACTION!		xlor				M., on the	nty
- 11	140	1						40					-898	Circuit Court of County,
		-						po A sp		-10.4	e bon b	est gu u	DITE TOYIE	Court of
	. Sea					shiT							, 19.	of County

GROSS and MICROSCOPIC DESCRIPTION

SEROUS CAVITIES:	Smooth, glistening and no free flu	.bt.		
PERITONEUM:	я я тазита итаз			
PERICARDIUM:	" "	OMMOIN		
HEART:	Normal in size and configuration. coronary arteries are widely pate	nt and show only rare si	n and delicate mooth atheroma	. The tous
	plaques. The aorta shows minimal	arteriosclerosis.		
LUNGS:	Dependent congestion and edema and remarkable. The trachea and bron		ATH: Uni	e not
G. O. Tansses	CH II ADDRESS IN STREET, POSTATION IN			
LIVER:	Normal in size and configuration. no lesions of the liver are noted liver cells.			
	amojamed elgiflud, euld bus gellow			
SPLEEN:	Mormal structure.		a at orant di	
PANCREAS:	Normal architecture.	n colfernal lasting	Action of the second	
	No lesions. Normal in size and con No changes, seen.	figuration.	horne e el er resal refranci	
KIDNEYS:	Normal in size and configuration.	The sections show no le	esions.	
	albusts, bue date aloud ins attent			
. neiol	stasy usrmed has brids edd odn) bar			
	Distended with clear urine. The markable.	ucosa is pinkish-white.	No lesions.	
NECK ORGANS:	Not examined, except that there is	no obstruction of the	ervny.	
				1 amount
RAIN AND MENINGES:	The scalp is incised by the usual of subaponeurotic hemorrhage in t is removed. There is a large amo this is found to be massive in the	unt of subarachnoid hence	rrhage. On en	mamination
	below the anterior lobes and arou architectural details in these ar	nd the brain stem. The	hemorrhage ob	scurs the
SACCIA	lateral and anterior surfaces of cranial cavity. Serial sections	the brain. The brain is show blood within the th	removed from	the ventricles.
VANDAR	are seen in the brain substance. configuration and is surrounded by and from the base of the brain and	The pituitary gland is y blood. The dura is to d no evidence of a fract	normal in siz ripped from the ture is seen a	e and e calvarium t any point.
1999;	The section of the spinal cord sh subarachnoid hemorrhage. Sections	of the cortex show mark	ked subarachno	id hemorrhege
1,200	Sections taken through the base of Adjrcent to the surface of the bahemorrhages and interstitial hemo	se of the brain there an	re small periv	ascular
THER LABORATORY PR	ROCEDURES: TOXICOLOGY . BACTERIOL	OGY SEROLOGY 1	None 🗷	and on the set
DISPOSITION OF E	VIDENCE			
TYPE (Clothing, Bullet	ts, Etc.) NAME OF RECIPIENT	ADDRESS	OFFICIAL TITLE	DATE
Transfer Disc				
-1.8.5	Make the property of the second			amenda is sometiment a prince of the organ
x . x				

COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH

OFFICE OF THE CHIEF MEDICAL EXAMINER 404-406 NORTH 12TH STREET RICHMOND 19 REPORT OF AUTOPSY

TYPE OF DEATH:	Thettend I by	nhysiai n	1	RIGOR	LIVOR	a no bij	Body Ide	entified by
	Unattended by			E ARMS I				
Violent or Unnatural	Sudden in appar		NECK		COLOR		Dr. G.	G. Tan
Means:	Unusual [In prison	BACK 1	ABDOMEN X	ANTERIOR POST	ERIOR C	DETISONS DE	OF NEAT AUTO
		Suspicious X	LEGS	M	LATERAL []		PEHSONS PHE	SENT AT AUTO
2/ U 1	(-1- 177 -		- I	n_ ==	REGIONAL		D- C C	Mamma
	STACHE O STRUM		ON HEAT		4 MM OPACI	TIES, ETC.	Dr. G.C	. Tanne
There is an oblication of the course about 8mm. in the eyebrow there is a curved or lip there is	que laceration is a triengula greatest dimen is a vertical laceration mea greet laceration iust	over the ri r laceration sion. Just laceration suring 1.20 n measuring above the	below measurement in measurement in muco-sear. Blured.	extending the media this lacer ring 7mm. length. At in length squamous ju lood also hears ar	upward and l aspect of ation on th in length, the rt. la and at the nction which	the] the] over to teral midpoint meas	rds which the eyem the bridge portion int of the trues about	th measure which is the state of the state o
ssive subarachnoid lateral surfaces	of the cerebral							
ultiple contusions	of entire face				reals diler			
ultiple lacerations ultiple contusions arked dependent pull	of entire face monary congesti	on, edema	and int	tra-elveola	r hemorrhag	re.		
ultiple contusions arked dependent pull	of entire face	on, edema	and int	tra-elveola	r hemorrhag	re.		
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John Wilmer Shifflett Male, Age-34 years Limitations: Complete Services of: Dr. Tanner Date of Death: 7-21-62
Heur of Death: 6:00 P.M.7
Date of Autopsy: 7-22-62
Hour of Autopsy: 10:30 A.M.

A NA TOMIC DIAGNOS IS

Massive subarachnoid hemorrhage involving base of brain and brain stem and extending up over the lateral surfaces of the cerebral hemispheres and into the third and fourth ventricles.

Multiple lacerations of face.

Multiple contusions of entire face and scalp.

Marked dependent pulmonary congestion, edema and intra-alveolar hemorrhage.

FINAL SUMMARY

This is the case of a 34-years-old, white male, who engaged in an altercation with a friend. During the fight, he apparently sustained multiple injuries to the face and head. He apparently fell backward against a car and slid down to the ground. He was pronounced dead at the scene.

W. H. Talbot, M. D.

Pathologist

WHT/ncb

ACCORDING THOTUS

162-32

John Wilmer Shifflett Maile Age-34 years Limite Homes Complete Services of: Dr. Tamer

Date of Deaths 7-21-62 Heur of Deaths 6:00 P.M.? Date of Autopays 7-22-62 Heur of Autopays 20:30 A.M.

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CLINICAL SUDDARY

This is the case of a 34-years-eld, white male, who when seen by the medical examiner at about 7 P.N. on July 21st. was dead. The story pieced together is that this man who had a wife and three children and who resided outside of Elkton was soen about 1 hour prior to his death by the local undertaker and it was the impression of the undertaker that the decedent had not been drinking at that time. The decedent apparently got into an argument with a friend, who lived about th of a mile away, over some automotive repair work. The argument took place beside a car apparently parked by the side of the road. The decedent is a large man and his assailant is reported to be smaller in size. The decedent was hit and apparently fell backward hitting the car near which they were standing. When the fight started the wife of the decedent, who was standing nearby, started to run. The undertaker was called about 6:15 or 6:30 and the man was reported to be dead upon the arrival of the undertaker. The decedent is said to have been in good health prior to his death.

John Wilmer Shiffings

This is the owner of a Margonian while help, when well, the other medical emplies at about 7 P.M. on July 21st, was dead, the other medical emplies the black this and while and there exists the black of the black of the terms of the black of the terms of the terms of the black of the terms of te

TF-CAR

GROSS DESCRIPTION

EXTERNAL MANIMATION: The body is that of a well developed, well nourished, white male measuring 177 cm. in length. The hair is dark brown. The syss are light tan in color. The pupils are approximately equal and measure 4-5 mm. in diameter. The body has been embelmed arterially. There is no ceard. No mastache. The penis has not been circumsised. The face presents multiple soft tissue hematomes over the entire for. The lips are swollen and bluish in color. There is an oblique laceration over the right eye extending upward and backwards which measures 2 cm. in length. There is a triangular laceration over the medial aspect of the left eyebrow which measures about 8 mm. in greatest dimension. Just below this laceration on the eyelid, upper, just below the eye brow there is a vertical laceration measuring 7 mm. in length. Over the bridge of the nose there is a curved laceration measuring 1.2 cm. in length. At the right lateral portion of the right upper lip there is a curved laceration measuring 9 mm. in length and at the mid-point of the upper lip there is a triangular laceration just above the muco-squamous junction which measures about 6 mm. in greatest dimension. There is blood in the right ear. Blood also has dried on the face adjacent to the lacerations described above. The nose is fractured. The arms are tanned. The nails and feet are dirty and there appears to be grease in the nails. Otherwise the external exemination is not remarkable.

SECTION: The body is opened by the usual "Y" shaped incision. There is a normal amount of subcutaneous adipose tissue. The stricted muscles are dark red.

SEROSAL CAVITIES: There is no free fluid in either pleural cavity or pericardial cavity. There is a small amount of fluid in the peritoneal cavity which is thought to be secondary to the embalming process. The serosal surfaces are all smooth, moist and glistening and the relationships of the viscera in normal.

NECK ORGANS: Not examined.

CARDIOVASCULAR SYSTEM: The heart is normal in size and configuration. There are scattered areas in which the epicardium is white and opaque. The myocardium is firm and on section is pale red in color. The leaflets of all of the valves are thin and delicate. The foramen ovale is anatomically closed. The coronary ostia are not narrowed. The coronary arteries are opened throughout and are widely patent. The intima is smooth and glistening and bright yellow. The walls are soft and resilient. The aorta likewise shows a smooth, glistening bright yellow intima with only a rare smooth atheromatous plaque. There are no emboli or throabi in the pulmonary arteries.

LUNCS: The lungs are large and fill their respective cavities. The anterior portions are pinkish-white, soft and crepitent while the posterior portions are increased in consistency, subcrepitent and purplish in color. The cut surfaces are similar in color. The dependent portions are seen to be congested and edematous. The traches and bronchi contains a small amount of a sanguineous mucoid material.

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courtained, white male measurains 177 cm. In length. The hair is fark brown. The same measurains 177 cm. In length. The hair is fark in color. The pupils are approximately expend and execute i-5 cm. In diameter. The body has been embelsed effectively like in a count. The same has not been effectively like in a count in a count. The public has not been effectively like in a count in

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GROSS 1. SCRIPTION CON'D

GASTRO-INTESTINAL SYSTEM: The moose of the esophagus is pinkish-white in color. The stomach contains a moderate amount of a grayish mucoid material. The small intestine snows marked edema of the wall. This is thought to be secondary to the embalming process. The appendix is long. The colon is not remarkable.

Live: somel in size and configuration. The capsule is smooth and glistening. The liver is firm and on section is tan in color with no alteration of the usual architecture.

BILIARY SYSTEM: The gallbledder is full of dark green viscid bile. The mucosa is dark green and velvety in appearance. The bile ducts are patent.

PANCREA: Normal in size and configuration. It is firm, tan and shows the usual lobulation. Serial sections show no gross lesions.

SPIFEN: Normal in size and configuration. It is firm and shows a smooth capsule. The cut surface is dark red.

LYMPHATIC SYSTEM: Not remarkable.

ADRENAL GLANDS: The right and left adrenals are normal in size and configuration. On section the cortex is bright yellow and normal in thickness.

URINARY SYSTEM: The kidneys are normal in size and configuration. The capsule strip easily revealing a smooth pale red surface. On section the cortex and medullary pyramids show a normal configuration. The pelves and ureters are normal in size. The bladder is distended and filled with a clear straw colored fluid. The mucosa is pinkish-white.

GENITALIA: The prostate is normal in size and configuration. It is moderately firm and the cut surface is homogeneous and white. The testes are both located within the scrotum and the cut surfaces show normal structure.

SKELFTAL SYSTEM: Not remarkable. No fractures are noted.

CENTRAL NERVOUSE SYSTEM: The scale is reflected by the usual ear to ear incision. There is a small amount of subaponeurotic negatives in the anterior portion of the scale. The calvarium is removed. Incre is a large amount of subaponeurotic hemorrhage. On examination this is found to be massive in the region of the base of the brain, especially selow the anterior lobes and around the brain stem. The hemorrhage obscurs the architectural details in these areas. The hemorrhage extends outward on to the lateral and anterior surfaces of the brain. The brain is removed from the cranial cavity. Serial sections show blood within the third ventricle and fourth ventricle. There is no hemorrhage within the brain substance and no petechial hemorrhages are seen in the brain substance. The pituitary gland is normal in size and configuration and is surrounded by blood. The dura is stripped from the calvarium and from the base of the brain and no evidence of a fracture is seen at any point.

Felm Wilson Shifflett

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GROSS I SCRIPTION CONTR

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MATERAL SYSTEM: Not remerkable, No fractures are noted.

CENTRAL MERVOORS VISITIM: The sening is refreched by the usual ear to car incisation, fine as a serial amount of subsponsyrotal neutrons is a set of the first of subsponsyrotal area of the sealer, for otherwise, us examined on this is found to large amount of subsponshood bencerthere, us examined on this is found to be measive in the region of the base of the brain, especially color the autorior lobes and around the brain stum. Incomercial obscure the autorior lobes and around the brain of the bencerthere extends outward and the sening of the lateral and the train. The bencerthere extends the sening to the lateral and the train of the train of the sening of the base of the brain and an evidence of a fracture is nown at any point.

MICROSCOPIC DESCRIPTION

TESTES: Active spermatogenesis.

PROSTATE: Normal architecture.

BLADDFR: No lesions.

APPENDIX: Patent lumen with all layers of the wall intact.

LUNGS: The sections from the dependent portions of the lung show intraalveolar hemorrhage, congestion and edema with macrophages containing a green pigment.

COLON: Not remarkable.

ILFUM: Normal structure.

ESOPHAGUS: There are collections of lymphocytes in the submucosa.

JEJUNUM: Normal structure.

STOMACH: No lesions.

PANCREAS: Normal architecture.

LIVER: There is some autolysis. A few lymphocytes are seen in some of the portal areas. A rare fat he vacuole is seen in the liver cells.

SPIFEN: The lymphoid follicles are prominent.

HEART: Normal architecture.

AORTA: This section shows normal structure apart from some increase in the basophilic ground substance.

PITUITARY GLAND: The anterior and posterior lobes show normal structure.

KIDAEIS: No lesions are noted.

ADREMAL GLANDS: Normal structure. Several cortical nodules are present.

CENTRAL NERVOUS SISTEM: The section of the spinal cord shows normal structure. The medulla shows some subarachnoid hemorrhage. Sections of the cortex show marked subarachnoid hemorrhage. Sections taken through the base of the brain show marked subarachnoid hemorrhage. Adjacent to the surface of the base of the brain there are small perivascular hemorrhages and interstitial hemorrhages but this process is not marked.

John Wilser Shifflet

SCOPIC ORSCRIPTION

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V.

Edward L. Shiffelt

INSTRUCTION

The Court instructs the jury that every unlawful how cide in Virginia is presumed in law to be murder in the second degree. In order to elevate the offense to murder in the first degree, the burden of proof is on the Commonwealth; and in order to reduce the offense to manslaughter, or to show a justification or excuse, the burden is upon the accused.

.V

Edward L. Shuffleld

INSTRUCTION

The Court instructs the jury that every unlawful homicide in Virginia is presumed in law to be murder in the second degree. In order to elevate the offense to murder in the first degree, the burden of proof is on the Commonwealth; and in order to reduce the offense to manslaughter, or to show a justification or excuse, the burden is upon the accused.

V.

Edward L. Shifflett

INSTRUCTION

The Court instructs the jury that to constitute a willful, deliberate and premeditated killing, it is not necessary that the intention to kill should exist for any particular length of time prior to the actual killing; it is only necessary that there was some deliberation and premeditation given by the accused to his purpose at the time of the killing or at any time previously.

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V.

Edward L. Shiftlett

INSTRUCTION

The Court instructs the jury that where death follows an altercation of mutual combat, the killing is manslaughter, and in order to justify such killing as done in self-defense, the accused must prove two things. (1) That before the mortal wound was given, he declined further combat, and retreated as far as he could with safety; and (2) That he killed the deceased through the necessity of preserving his own life or to save himself from great bodily harm, or that there was reasonable ground to believe that the killing was necessary to preserve his own life or to save himself from great bodily harm.

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V.

Selword L. Shefflett
LEROY ROACH

INSTRUCTION NO.

The Court instructs the jury that if they believe from the evidence in this case beyond a reasonable doubt that the defendant, Lange Roach, inflicted the mortal blow upon Wilmer Shifflett, the law presumes him to be guilty of murder in the second degree, and the Court further instructs the jury that if the defendant relies upon self-defense to excuse or justify the killing, the burden is upon the defendant to introduce supporting evidence that he acted in self-defense; and in deciding whether or not the plea of self-defense is established by such supporting evidence, it is the duty of the jury to take into consideration all the facts and circumstances proved in the case, both by the Commonwealth and the defendant.

COMMENTARIA

LEBON HOREST

INSTRUCTION NO.

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My name is Leroy Roach. I am 28 years of age. My address is Route #3, Elkton, Va.

I have been told that I am entitled to counsel, Nevertheless I do make the following statement voluntarily this 21st day of July, 1962, at 8:30 p.m. in the presence of Chief Robert L. Deeds, Officer J. T. Howe, Deputy Sheriff G. M. Wilcox and Commonwealth's Attorney James R. Sipe.

Today, July 21, 1962, I had been doing some work with Virgil Conley. Virgil lives at Sandy Bottom and I had gone down the Beldor Road to pick him up this morning. I had a drink of whiskey this morning about 9 a.m., and Virgil and myself drank a pint during the day. I also had some beer to drink later this evening.

About 5 p.m. this afternoon I took Virgil home. On my way back down the Beldor Road towards Route #33, I saw Elmer Lee Shifflett, Leon Shifflett and another boy beside the road talking. I pulled off on the left side of the road to talk to them. We started talking about car motors and other things. A little later a man I know by the name of Wilmer Davis came down the Beldor Road and stopped a few minutes to talk to us. I knew that Wilmer was a good mechanic and I said something to him about fixing the carburetor on my car. He said he would look at it later today. I have known Wilmer for 7 or 8 years. Wilmer's wife and little girl were with him. A little later Leon Shifflett and the other young boy left. Then Wilmer came back up the road and stopped to talk. His wife and little girl were still with him. Then Elmer Lee Shifflett left and I started to leave. But then Wilmer and myself got in an argument and Wilmer hit me with his fist on my head and got me down on the ground. I got up and reached for the front left door on my car when he took me by my shoulder. I then turned around and struck him a hard blow with my fist right above his nose. Wilmer fell down over the trunk and left rear fender of my car and I then took hold of his shirt and hit him 4 or 5 more times with my fist. He then fell on down to the ground. After he fell down he was bleeding above his eyes and nose, and was also bleeding from his mouth. He still looked alive to me because he was making a little noise and his stomach moved a little. He never said anything or opened his eyes after he fell to the ground. He was laying down hill, and because he was bleeding so much I turned him around. After he had been laying there for about 5 or 10 minutes, Shirley Dean, who lives close to me, came by in her car and I asked her to tell my wife to come up there or get a doctor or ambulance. I waited for a while and I thought she had more than enough time to get back several times, so I then got in my car to go down to my house to see what was keeping my wife. After I had gone about 100 yards I met my wife and Shirley, so I then backed up to the road to where Wilmer was still laying. My wife saw Wilmer just lying there, so my wife and I decided to go down to the police station in Elkton to tell them about what had happened. After

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we told the police, we started to go home but I decided to go back up to where Wilmer was lying beside the road. The ambulance and a number of people were already there when we arrived, the ambulance getting there right before us.

Nobody else was there at the time of the fight or when we were having the argument except Wilmer, his wife and little girl, and myself.

When I started to leave, just before Wilmer and I got into the fight, he told me that Billy, my brother-in-law, and told him that I would run if anyone came after me, or some language similar to that indicating that Billy had told him I was yellow.

I have read the above statement written on 3 pages, and the statements are true and correct to the best of my know-ledge.

S/ Leroy Roach

WITNESS:

J. T. Howe G. M. Wilcox James R. Sipe R. L. Deeds, Jr. we told the police, we started to go home but I decided to go back up to where Wilmer was lying beside the road. The ambulance and a number of people were already there when we arrived, the ambulance getting there right before us.

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