



March 4, 2008

TO: Carolyn Ausley  
3206 Bay Estates Circle  
Miramar Beach, FL. 32550

Dear Carolyn,

I have received the hard copy of Dr. Goldberger's toxicological analysis on the samples submitted as Joyce Sauter. This report will deal strictly with the toxicological issues based on the received results.

Joyce's comprehensive blood drug screen was positive for morphine with a free fraction of 155 ng/ml, not appreciable different from the New Jersey State Toxicology Lab (NJSTL). A difference easily explained by degradation of the sample between testing times, or perhaps a slightly different blood tube tested. The absence of Fentanyl in the blood from Dr. Goldberger's lab may be as a result of the same degradation over the time between the two separate testings. The Fentanyl also being present in the urine, based on Dr. Goldberger's results, is consistent with the findings at the NJSTL.

As you recall the whole reason for the additional toxicology testing was to check for the presence or absence of evidence of dehydration and/or starvation, which was never performed or explored as a possibility by Dr. DiCarlo. This case came to Dr. DiCarlo's attention as a "suspicious death" and as such should have received a full autopsy complete with thorough toxicology prior to any rulings regarding the cause or manner of death of the deceased. External examinations in this background are totally inappropriate to answer all the questions that occur in a suspicious death which is precisely why a full autopsy is mandatory. That is the only way you ensure that you have all the available facts prior to permanent loss of the evidence, which in this case, occurred because of the subsequent cremation of the deceased. That evidence is now forever lost.

## Forensic Puzzle Investigations

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656

Vitreous humor analysis was performed at my request on the specimens which had been obtained by Dr. DiCarlo, but never tested, with significant findings by Dr. Goldberger's Laboratory. Both the sodium and chloride were moderately elevated at 168 meq/L and 132 meq/L, respectively, indicating a fairly classic dehydration picture of the deceased. In addition, an elevated blood urea nitrogen (BUN) to creatinine ratio of greater than 20 to 1, within the vitreous, further indicates that Joyce was dehydrated.

Testing for volatiles in Joyce's blood specimen revealed the presence of acetone which was also present in the urine specimen, a reassuring and confirmatory finding. The presence of acetone, in the absence of certain poisonings where acetone is a breakdown metabolite, is indicative of prolonged fasting or starvation in which fat is being broken down for energy thereby yielding acetone as a byproduct of metabolism.

Based on the additional testing performed at my request on the very specimens that Dr. DiCarlo obtained, but never tested, indicates that Joyce Sauter was dehydrated and was in a prolonged fasting and or starvation condition at the time of her death. How these additional findings impact her cause and manner of death rulings is unknown to the extent that a complete autopsy, toxicology workup, and investigation was not performed by Dr. DiCarlo prior to his rulings in this case. These additional findings certainly call into question the thoroughness of Dr. DiCarlo's work product and determinations he subsequently makes on cases within his jurisdiction.

Thank you for allowing me to help you on this case and if you have any further questions please do not hesitate to contact me.

Sincerely Yours,

*Michael E. Berkland, DO*  
Michael E. Berkland, DO  
Forensic Pathologist

Cc: File  
Carolyn Ausley

657