

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

KENNETH JOHNSON;
JACQUELYN JOHNSON,

Plaintiffs

v.

GEORGIA DEPARTMENT
OF PUBLIC HEALTH,

Defendant.

CIVIL ACTION NO:
1:24-cv-05140-SEG

FIRST AMENDED
COMPLAINT

JURY TRIAL DEMAND

NATURE OF THE ACTION

Section One of the Fourteenth Amendment to the U.S. Constitution reads, “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Section Five gives the U.S. Congress the explicit power to enforce through legislation the provisions of the article, thus the creation of the Enforcement Act of 1871 also known as the Ku Klux Klan Act and more significantly the Civil Rights Act of 1871 codified as 42 U.S.C §1983 - Deprivation of Rights, 42 U.S.C §1985 - Conspiracy to Interfere

with Rights, and 42 U.S.C §1986 - Neglect to Protect Rights, implicitly abrogating the states' eleventh amendment immunity. A negligent failure to protect by the State, which includes agencies acting as the arm of the State that are in a position to protect victims from the provisions of the statute is actionable¹. The statute creates a legal duty!

This is a case brought pursuant to the provisions of the Civil Rights Act of 1871, codified as 42 U.S.C §1983 and 42 U.S.C §1986 to correct unlawful deprivation of rights, neglect to protect rights, and disparate treatment based on systemic racial discrimination in the State of Georgia, during the time periods of September 7, 2023 through the present, July 17, 2025, which is from the first request by the Plaintiff's to the Georgia Department of Public Health (hereinafter "*DPH*") to amend the erroneous and fraudulent cause of death on the death certificate of their minor son Kendrick Lamar Johnson (hereinafter "*KJ*"). The actions before this court are timely and in accordance with the July 16, 2025 Order by Judge Geraghty granting leave for the Plaintiff's to file this First Amended Complaint.

The Plaintiff's have been adversely affected and endured deprivation of rights and neglect to provide equal protection under the laws by the Defendant concerning the scientifically and physically impossible narrative that their minor

¹ See *Clark v. Clabaugh*, 20 F.3d 1290, 1298 (3d Cir. 1994) (finding that negligence is sufficient to maintain § 1986 claim).

child KJ died from a freak accident during school hours inside an unsupervised gymnasium at Lowndes County High School in Valdosta Georgia.

The Defendant continues to deny the Plaintiffs, 1) their right to a timely and accurate amended death certificate for their minor son KJ, a statutory mandate under the Georgia Code; 2) civil and Due Process rights under the United States and Georgia Constitutions.

On or about September 7, 2023, Plaintiff's submitted first request to the Defendant to amend the death certificate of their minor son KJ pursuant to provisions under the O.C.G.A 31-10-23².

On or about October 6, 2023, Plaintiff's submitted a second request to the Defendant to amend the death certificate of their minor son KJ, pursuant to provisions under the O.C.G.A 31-10-23.

Pursuant to Rule 511-1-3-.26³, the Plaintiff's requested that the death certificate for KJ be amended based on two medical examinations performed by Forensic Pathologist William Anderson. Dr. Anderson determined KJ died from non-accidental blunt force trauma and provided pictures of a collapsed and hemorrhaging carotid artery from his autopsy.

² See O.C.G.A 31-10-23 - Amendment of certificates or reports (a) Unless otherwise specified by law, a certificate or report registered under this chapter may be amended in accordance with this chapter and regulations adopted by the department to protect the integrity and accuracy of vital records.

³ See Rule 511-1-3-.26. - Who May Apply to Amend a Vital Record, [https://rules.sos.state.ga.us/GAC/511-1-3-.26\(2\)](https://rules.sos.state.ga.us/GAC/511-1-3-.26(2))

To date, the Defendant has not complied with State law to act either by amending the death certificate for KJ or rejecting the Plaintiff's request to amend thus providing the Plaintiff's the opportunity to appeal such decision and then request for a hearing⁴, and therefore in violation of the Plaintiffs Constitutionally protected Fourteenth Amendment Rights.

Additionally, photographs of KJ's body taken at the crime scene of KJ's murder, contradict the "accidental" cause of death on the State certified death certificate providing the Defendant with additional cause to amend the death certificate.

Furthermore, documents from government files concerning KJ revealed unmistakable and irrefutable instances of evidence tampering after KJ's body was removed from the Lowndes County High School property.

New material evidences acquired by the Plaintiff's from the Lowndes County Sheriff Office finally coming into compliance with Georgia's Open Records Act, sheds additional light and confirmation that Kendrick's cause of death was non-accidental blunt force trauma!

⁴ See <https://rules.sos.state.ga.us/GAC/511-1-3-.39> (1) - Persons seeking to obtain or amend a vital record may appeal the action or refusal to act of local custodians, registrars, or employees of the Office of Vital Records, by filing an appeal in writing with the State Registrar. The appeal must specifically identify the employee or official involved, the action or refusal to act, and must state the complainant's right or standing to complain of the action or inaction.

The new evidence also raises serious questions about the conflicting official claims regarding Kendrick's internal organs, the chain of custody of the internal organs, and how/why those organs were not returned to the Plaintiff's as required by law?

Lastly, the new evidence concerning Kendrick's missing internal organs and the Georgia Department of State inquiry into the matter under then Secretary Brian Kemp, and the State Department's refusal to provide the Plaintiff's with all information, evidences, reports, and final disposition of any inquiry into the missing organs under Georgia's Open Records Act, would lead a reasonable person to conclude that the Defendant's refusal to amend the cause of death on Kendrick's death certificate in accordance to the Georgia Code isn't based on the merits, but instead undue nefarious influences in higher state government positions of influence and power!

None of the evidences have been presented to a Jury nor has there been a trial or customary Due Process rights pursuant to the United States Constitution.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1331 and 1343.

2. This action is authorized and instituted pursuant to Civil Rights Act of 1871 42 U.S.C §1983 - Deprivation of Rights and 42 U.S.C §1986 - Neglect to Protect Rights.

3. The actions, deprivation of rights and neglect to protect rights commenced within the jurisdiction of the United States District Court for the Northern District of Georgia.

4. Venue in this district is proper pursuant to 28 U.S.C. § 1391(b).

PARTIES

5. Plaintiff's are the parents of Kendrick Johnson former student at Lowndes County High School found dead inside a gym wrestling mat. Plaintiff's address is 2800 Tydnall Drive, Valdosta, Georgia 31602.

6. The Georgia Department of Public Health maintains public vital statistics records for the State of Georgia. Defendant-DPH place of business in Georgia is 200 Piedmont Avenue, SE, Atlanta, GA 30334.

7. Between the dates of September 7, 2023 through the present, July 25, 2025, the Defendant has deprived and neglected to protect the Plaintiff's rights pursuant to the provisions of the Fourteenth Amendment, the Civil Rights Act of 1871 codified as 42 U.S.C §1983 and 42 U.S.C §1986 in their pursuit of an accurate Georgia state certified death certificate regarding the death and murder of their minor child KJ who was found dead inside a gym mat on January 11, 2013.

8. The causes of action herein arose during this time period.

RELAVANT BACKGROUND AND FACTS RELATING TO THE
DEPRIVATION OF RIGHTS, CONSPIRACY TO INTERFERE WITH RIGHTS,
AND NEGLECT TO PROTECT RIGHTS

9. On May 2, 2013 Defendant-GBI release its' autopsy report provided it to the Plaintiff's nearly four months later than required by state law and officially determined accidental positional asphyxiation as the cause of death for KJ alleging a freak accident and noting "**no significant injuries.**"

10. The material facts and physical evidence including photographs from the autopsy performed by Dr. Maryanne Kraft, the medical examiner for Defendant-GBI,categorically refute the agency findings!

11.On or about March 9, 2021 Lowndes County Sheriff Ashley Paulk reopened the departments death investigation of KJ amid ongoing unrest by local residents who contend KJ's death was not accidental.

12. On or about January 25, 2022, Sheriff Paulk announced it had concluded the agencies investigation into the death of KJ and released a synopsis of its conclusions.

13. The 16-page synopsis by Sheriff Paulk rife with false information, logical fallacies, scientific impossibilities and evidence that directly contradicted the accidental cause of death on KJ's state certified death certificate.

14. On or about September 7, 2023, Plaintiff's submitted a first request to the Defendant to amend the death certificate of their minor son KJ pursuant to provisions under the O.C.G.A 31-10-23⁵.

15. On or about October 6, 2023, Plaintiff's submitted a second request to the Defendant to amend the death certificate of their minor son KJ, pursuant to provisions under the O.C.G.A 31-10-23.

16. Pursuant to Rule 511-1-3-.26⁶, the Plaintiff's requested that the death certificate for KJ be amended based on two medical examinations performed by Forensic Pathologist William Anderson. Dr. Anderson determined KJ died from non-accidental blunt force trauma and provided pictures of a collapsed and hemorrhaging carotid artery from his autopsy.

17. To date, the Defendant has not complied with State law to act either by amending the death certificate for KJ or rejecting the Plaintiff's request to amend thus providing the Plaintiff's the opportunity appeal such decision and request for a

⁵ See O.C.G.A 31-10-23 - Amendment of certificates or reports (a) Unless otherwise specified by law, a certificate or report registered under this chapter may be amended in accordance with this chapter and regulations adopted by the department to protect the integrity and accuracy of vital records.

⁶ See Rule 511-1-3-.26. - Who May Apply to Amend a Vital Record, [https://rules.sos.state.ga.us/GAC/511-1-3-.26\(2\)](https://rules.sos.state.ga.us/GAC/511-1-3-.26(2))

hearing⁷, and therefore in violation of the Plaintiffs Constitutionally protected Fourteenth Amendment Rights.

FIRST CAUSE OF ACTION

VIOLATION OF 42 U.S.C. § 1983 DEPRIVATION OF RIGHTS

18. Pursuant to O.C.G.A 31-10-23 Amendment of certificates or reports (a) Unless otherwise specified by law, a certificate or report registered under this chapter may be amended in accordance with this chapter and regulations adopted by the department to protect the integrity and accuracy of vital records.

19. On or about September 7, 2023, Plaintiff's submitted a first request to the Defendant to amend the death certificate of their minor son KJ pursuant to provisions under the O.C.G.A 31-10-23⁸.

20. On or about October 6, 2023, the Plaintiffs submitted a request to Defendant-DPH (Exhibit 1) to correct the cause of death on their son's death certificate. (Exhibit 3 - Declaration of Kenneth Johnson "Johnson Decl.," ¶ 2)

⁷ See <https://rules.sos.state.ga.us/GAC/511-1-3-.39> (1) - Persons seeking to obtain or amend a vital record may appeal the action or refusal to act of local custodians, registrars, or employees of the Office of Vital Records, by filing an appeal in writing with the State Registrar. The appeal must specifically identify the employee or official involved, the action or refusal to act, and must state the complainant's right or standing to complain of the action or inaction.

⁸ See O.C.G.A 31-10-23 - Amendment of certificates or reports (a) Unless otherwise specified by law, a certificate or report registered under this chapter may be amended in accordance with this chapter and regulations adopted by the department to protect the integrity and accuracy of vital records.

21. The Plaintiffs completed the appropriate forms (Exhibit 1), supplied vital records with the report from the autopsy performed by independent medical examiner Forensic Pathologist Dr. William Anderson (Exhibit 2), as well as multiple pictures of their son's injuries. See Exhibit 4, (see also Johnson Decl. ¶3)

22. The Plaintiffs learned that in spite of the findings from the autopsies performed by independent medical examiner Dr. Anderson that Kendrick's cause of death was non-accidental blunt force trauma, autopsy pictures of KJ's carotid artery hemorrhaging and the evidence showing numerous injuries all over Kendrick's body directly contradicting the State Medical Examiners autopsy report, the Defendant would not correct the death certificate. (Johnson Decl. ¶8)

23. The Plaintiffs learned that Defendant-DPH had been unable to locate Dr. Kraft to confront her with the evidence of their sons injuries that Dr. Kraft deliberately left out of her autopsy report. (Johnson Decl. ¶9)

24. On February 6, 2024, Mr. Johnson contacted vital records to inquire about the status of the Johnson's request and whether Dr. Kraft had been located to review the evidence and correct the death certificate. (Johnson Decl. ¶10)

25. The Plaintiffs learned that Dr. Kraft had not been located and the death certificate had not been corrected. (Johnson Decl. ¶11)

26. For nearly twelve years, Defendant-DPH has maintained an erroneous death certificate for the Plaintiffs minor son KJ.

27. The State of Georgia has deprived the Plaintiffs the right and the protections under the law to provide them with an accurate death certificate for their minor son KJ.

SECOND CAUSE OF ACTION

VIOLATION OF 42 U.S.C. § 1986 NEGLECT TO PROTECT RIGHTS

28. Under Georgia statute O.C.G.A 31-10-23 the Defendant is required to maintain accurate vital records.

29. The State Office of Vital Records is responsible for creating, maintaining, and providing access to vital records data.

30. Vital statistics data are important because they represent the universe of events, not a sample. Reporting vital events is mandatory.

31. The Defendant is also mandated to comply with the Health Insurance Portability and Accountability Act of 1996 to protect health information.

32. Thus the Defendant has a statutory duty to act and protect the rights of the Plaintiffs rights to accurate information concerning the death of their minor son and also have a statutory duty to act and protect the integrity of vital statistics.

33. The Defendant has not fulfilled its duty to act therefore has failed to protect the rights of the Plaintiff under the Fourteenth Amendment (42 U.S.C §1986) and further failed to protect the integrity of vital statistics information in accordance with the Georgia Code.

34. In addition to the evidence of KJ's body being mutilated prior to burial, by happenstance the Plaintiffs recently discovered their son's body had been tampered with in a feeble attempt by authorities to conceal a multitude of injuries on KJ's body. (Exhibit 5)

35. The Plaintiff's have a wealth of new material evidences acquired over the last several months including an autopsy photograph that show Kendrick's internal organs, were not decomposed but severely injured as a result of blunt force trauma. (Exhibit 6)

36. Ga. Code Ann., § 31-10-16© is unambiguous and specifically states, "determining death authorized in subsection (a) of this Code section **shall be cumulative to** and shall not prohibit the use of other medically recognized criteria for determining death."

Kendrick Johnson's Missing Internal Organs

37. Kendrick's internal organs were not returned to the Johnson's raising significant chain of custody violations, overt and criminal on the face.

38. As an Assisting Agency, Defendant-GBI can initiate investigations when requested by various officials including but not limited too, district attorneys, sherrifs, and the Governor.

39. In a situation involving missing organs during a state medical autopsy, it would be standard protocol that one or more of these authorities would request an investigation by Defendant-GBI.

40. To the Plaintiff's knowledge, none of these authorities requested Defendant-GBI to investigate Kendrick's missing internal organs.

41. There are conflicting official accounts of the disposition of the organs while in the custody of Defendant-GBI as well as what took place with the organs once Dr. Kraft placed the organ bag into Kendrick's body cavity once she completed her autopsy.

42. A photo from the autopsy last show the organ bag at the bottom of the autopsy table with part of Kendrick's body showing. (Exhibit 7)

43. Georgia Department of State under then Secretary Brian Kemp conducted an investigation into the matter of the missing organs (Exhibit 8-2) however the Plaintiff's Open Records Request to Secretary Raffensperger (Exhibit 8) regarding the agency findings and full disclosure of all investigation materials have gone unanswered, a direct violation of the Georgia Open Records Act.

44. The O.C.G.A 31-10-23 states, "Amendment of certificates or reports (a) Unless otherwise specified by law, a certificate or report registered under this chapter may be amended in accordance with this chapter and regulations adopted by the department to protect the integrity and accuracy of vital records."

45. Additionally, excerpts from the 2019 deposition of Dr. Kraft (Kraft Dep., September 20, 2019) rife with material falsehoods, scientific contradictions, inconsistencies in her testimony, all of which are highly indisputable material facts and evidence that directly relates to the matter before this Court, and the works of fiction concerning the murder of their son Kendrick Johnson.

46. Dr. Kraft states in her deposition that she “looked at the video and I looked at the photos from the scene” (Kraft Dep., 86:16).

47. Dr. Kraft states she’s “considering investigative findings, the scene findings, the photographs that I review” (Kraft Dep., 104:6-7).

48. Dr. Kraft states that “An examination of the decedent by the local authorities did not reveal the presence of external trauma. The scene did not reveal any signs of foul play and no foul play is suspected at this time.” (Kraft Dep., 51:6-9)

49. A photograph taken by local authorities at the scene reveals the highly visible tread marks from the bottom of a shoe on Kendrick’s abdomen, indicative of someone stomping on him with extreme force. (Exhibit 9)

50. This material evidence is not mentioned in any of the official reports Defendant-Georgia Department of Health (hereinafter, “DPH”) and contradicts the official claims that there were no significant injuries, no signs of foul play, and no signs of external trauma!

51. Under the guise of performing a legitimate posterior autopsy, Dr. Kraft admits to the butchery to Kendrick's back⁹ that is consistent with mutilation of a corpse prior to burial.

52. Dr. Kraft describes the butchery as a "posterior neck and back examination." (Kraft Dep., 155:10) -- "It is basically described as a bilateral vertical incision to the back are made for examination." (Kraft Dep., 155:12-13)

53. However, when comparing Dr. Kraft's posterior bilateral vertical incision to posterior bilateral vertical incisions performed by other forensic examiners, it becomes apparent Dr. Kraft's posterior autopsy was only a pretext to justify butchering Kendrick's back and removing large hunks of flesh in a feeble attempt to conceal deep tissue bruising and injury caused by blunt force trauma. (Exhibit 10)

54. In a posterior autopsy with bilateral vertical incisions, the incisions are on the sides of the body which creates a flap and allows the skin to be peeled back exposing the entire posterior.

55. The incisions are only deep enough to allow the skin to be peeled back.

56. Furthermore, the incisions are made to the sides of the body which allows the post autopsy reconstruction (PAR) to somewhat hide the scars and spare the family of the decedent any additional and avoidable emotional trauma.

⁹ See *Kenneth Johnson, et al v. DPH* case number: 1:24-cv-5140-LMM (Dkt. 1, Exhibit 4)

57. Dr. Kraft's handy-work doesn't even expose the spine and many other parts of the back to be examined and is nothing short of mutilation of a dead body for no other purpose than to conceal deep tissue bruising, a result from trauma such as being stomped while on the ground leaving shoe prints on the outside of young Kendrick and a multitude of internal injury.

58. Georgia Code § 31-21-44.1 - Abuse of dead body, makes it a felony to mutilate a corpse prior to burial.

59. Dr. Kraft also makes numerous scientific contradictions and inconsistencies throughout the deposition.

60. One glaring scientific contradiction was that according to Dr. Kraft, Kendrick's organs showed they were in autolysis¹⁰ or the first stage of natural human decomposition, later claiming she only saw "purge" in the crime scene photos and not blood as the untrained eye may see.

61. Dr. Kraft attributes the "purge" she saw in the pictures to be a result of gases in the body accumulating becoming "bloated" thus pushing blood-like fluids out of the body orifices and not actual blood due to injury or trauma. Dr. Kraft

¹⁰ See Kraft Dep., 55:4 - "And then on microscopic examination, the lungs, as many of the other organs showed, autolysis of decomposition changes."

further alleges there “skin slippage of the head neck torso, and upper extremities.”¹¹

62. The problem here is natural occurring purge takes place in the “bloat” or second stage of human decomposition and Dr. Kraft has already indicated Kendrick’s internal organs were only in the first stage of decomposition.

63. So even if the blood everyone else sees in the photos is actually purge as Dr. Kraft testified too, purge that occurs in the autolysis stage of human decomposition only when there is torture or trauma!

64. Another material gem is the conflicting testimony of Dr. Kraft where she can’t make up her mind whether authorities claimed Kendrick was reaching for a pair of size 9 1/2 shoes in a gym wrestling mat as depicted in one picture from the 2022 Kendrick Johnson Death Investigation Synopsis by the Lowndes County Sheriff Department or if Kendrick was reaching for a single shoe size 9 1/2 somehow wedged inside a foam tumbling mat with openings on each end of the mat being no less than 14 inches in diameter.

65. All throughout the deposition Dr. Kraft presents a theory based on a narrative that Kendrick Johnson was reached for a pair of “shoes” inside a gym

¹¹ See Kraft Dep., 90:12-16 - “Predominantly, I believe the autopsy states congestive decomposition changes were manifested by variable bloating, red, green black skin discoloration with or without marbling. Vesicle formation with skin slippage of the head neck torso and upper extremities.”

wrestling mat according to the 2022 Kendrick Johnson Death Investigation Synopsis by the Lowndes County Sheriff Department.¹²

66. Towards the end of the deposition, as if Dr. Kraft had been informed that the narrative presented by authorities and the crime scene photos was that Kendrick Johnson was reaching for a single shoe and that the matching shoe was highlighted in one of the photos as being 15-25 ft. away from where Kendrick's body was, Dr. Kraft switched her testimony in the middle of giving testimony from claiming Kendrick was reaching for "shoes" plural, to reaching for a "shoe" singular.¹³

67. Next, to overcome the apparent testimonial contradictions dilemma, Dr. Kraft then introduces a brand new theory, unsupported by any crime scene photographs, that the single shoe was wedged near the top mat opening and as Kendrick reached for the "shoe" it became more wedged further down in the mat

¹² See Kraft Dep., 50:24 - "Though the incident was unwitnessed, authorities believe the decedent dropped his shoes into a rolled up mat."

¹³ See Kraft Dep., 184:21-185:4 - "Given the photographs, the investigation -- again, photographs of what -- that the shoes were found in the hole in front of him, or at least around his head area, I have sneakers found outside or on the top around his socks, which also showed areas of being stretched at the toe areas which would be consistent with trying to wiggle yourself out of a mat; again in my interpretation. Then my belief is that Kendrick had reached in -- the shoe somehow ended up in the mat, had seen the shoe; again, wouldn't have necessarily fell down to the bottom because depending on how it landed in the mat or was in the mat it could've been kind of wedged in there."

because the diameter of the inside of the mat was smaller than the diameter at the opening on each end.¹⁴

68. Dr. Kraft's testimony that "the 14 inches that you're measuring on one side isn't gonna be the same measurement a foot down from there, two feet from there, three feet, and at the bottom." suggests a scenario where the gym mat Kendrick Johnson's body was found in, was concave and the diameter of the mat got smaller the further Kendrick reached for the "shoe" causing it to become wedged further down. (Exhibit 11)

69. The problem with this theory as it relates to the 2022 Kendrick Johnson Death Investigation Synopsis by the Lowndes County Sheriff Department is that wrestling mats come with mat tubes (Exhibit 12) that maintain a uniform and consistent taper for easy storage similar to tubes that come inside a roll of paper towels or toilet paper....the inside is not concave. (Exhibit 13)

70. When compared to diagrams created by the authorities, those diagrams are inconsistent with the concave inner layer of the wrestling mat narrative. (Exhibit 14)

¹⁴ See Kraft Dep., 184:21-185:4 - "If you rolled up a mat, it's not evenly open all the way down. That's not how it works, especially if you strap around the mat. Therefore the 14 inches that you're measuring on one side isn't gonna be the same measurement a foot down from there, two feet from there, three feet, and at the bottom."

71. To summarize and dumb it down for the unindicted state and federal felon Dr. Kraft, a mat evenly rolled up with a uniform taper, cannot be concaved in the inner most layer without being concaved moreso on the outer most layer.

72. Dr. Kraft clearly filed false fictitious documents with Defendant-DPH concerning Kendrick Johnson who is African-American. Dr. Kraft claimed Kendrick had “no significant injuries” and his death was an accident yet the photos taken by authorities clearly illustrate that was a material falsehood.

73. Ga. Code Ann., § 31-10-31(a)(1) states, “Any person who willfully and knowingly makes any false statement in a certificate, record, or report required by this chapter, or in an application for an amendment thereof, or in an application for a certified copy of a vital record or who willfully and knowingly supplies false information intending that such information be used in the preparation of any such report, record, or certificate, or amendment thereof;” can be fined not more than \$10,000.00 or imprisonment of not more than five years, or both.

74. GA Code § 16-10-20 states, “A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county,

city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.”

75. Defendant-DPH has made no good-faith efforts to come into compliance with its’ statutory obligations to maintain accurate vital records for the Plaintiffs minor son even after the Plaintiffs demonstrated with supporting evidence the agency records are grossly inaccurate.

PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully requests that this Court:

A. Declare the Defendants to be in violation of Plaintiff’s civil rights by maintaining an erroneous death certificate of their minor son.

B. Declare the Defendant must amend the death certificate of Kendrick Johnson to reflect the cause of death supported by the material facts and forensic evidence.

C. Declare that the Defendant, who is in control of and responsible for maintaining accurate vital records for the state of Georgia, have a duty to protect the integrity of the information in its’ control.

D. Find that the Plaintiff has suffered adversely being subjected to racial bigotry and harassment as results of the Defendants egregious, willful and wanton acts.

E. Grant judgment to Plaintiff in the amount of \$6,000,000.00 in compensatory damages, with pre- and post-judgment interest of ten percent.

F. Grant judgment to Plaintiff in the amount of \$6,000,000.00 in punitive damages, with pre- and post-judgment interest of ten percent.

G. Grant such further relief as the court deems necessary and proper in the public interest.

H. Grant Plaintiff any costs of this action, including reasonable attorney fees, expert witness fees, and litigation costs.

JURY TRIAL DEMAND

Plaintiffs request a jury trial on all questions of fact raised in the Complaint.

CERTIFICATION

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Respectfully submitted,

Dated: July 25, 2025

/s/ Kenneth Johnson
Kenneth Johnson

/s/ Jacquelyn Johnson
Jacquelyn Johnson

2800 Tyndall Drive,
Valdosta, Georgia 31602
229.560.5555
mikekjjohnson48@yahoo.com

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

KENNETH JOHNSON;
JACQUELYN JOHNSON,

Plaintiffs

v.

GEORGIA DEPARTMENT
OF PUBLIC HEALTH,

Defendant.

CIVIL ACTION NO:
1:24-cv-05140-SEG

FIRST AMENDED
COMPLAINT

JURY TRIAL DEMAND

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing ***FIRST AMENDED COMPLAINT*** with the Clerk of the Court via United States Postal Service mail. I also certify that I mailed by United States Postal Service the foregoing document to the following participants:

Respectfully submitted,

Dated: July 25, 2025

/s/ Kenneth Johnson
Kenneth Johnson

/s/ Jacquelyn Johnson
Jacquelyn Johnson

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Dr. Kraft 2019
Deposition Excerpts

IN THE SUPERIOR COURT OF LOWNDES COUNTY
STATE OF GEORGIA

KENNETH JOHNSON AND
JACQUELYN JOHNSON,

Plaintiffs,

v.

HARRINGTON'S FUNERAL HOME,
INC., ANTONIO HARRINGTON, an
Individual: and DOES 1 through
10,

Defendants.

CIVIL ACTION NO:

2015-CV-0971

The deposition of **MARYANN GAFFNEY-KRAFT, M.D.**, was
taken by Chevene B. King, Jr., counsel for the Plaintiff,
on the 20th day of September, 2019 before Stacey L.
Folds, Certified Court Reporter, License Number B-2242,
at the GBI Crime Lab, 5615 Riggins Mill Road, Dry Branch,
Georgia, commencing at 10:20 a.m., as follows:

1 A. Yes. That would be documented in the Report of
2 Medical Examiner where the DIS who was on call would've taken
3 the call from a local Coroner and documented the preliminary
4 circumstances as far as how the decedent was found, when they
5 were found.

6 Q. What does -- and I imagine you looking at
7 Plaintiffs' Exhibit 6?

8 A. That's correct.

9 Q. What does it indicate as being these, quote/unquote,
10 circumstances under which his body was discovered?

11 A. As documented here on Report of Medical Examiner,
12 I've already read the first part of this talking about when --
13 on Friday, January 11, 2013 at approximately 17:30 hours, Death
14 Investigation Specialist Geraldo Morales, his license number,
15 was contacted by Will Watson of the Lowndes County Coroner's
16 Office. Mr. Watson's phone number regarding the death of
17 Kendrick Johnson. The decedent is described as a 17 year old
18 African American male. The Coroner provided the Investigator,
19 Mike Callahan of the Lowndes County Sheriff's Office, reported
20 -- the Coroner provided and the Investigator, Mike Callahan of
21 the Lowndes County Sheriff's Office, reported the following
22 information surrounding the death. The decedent was
23 discovered unresponsive inside a rolled gym mattress in his
24 school gym by several other students. Though the incident was
25 unwitnessed, authorities believe the decedent dropped his

1 shoes into a rolled mat that was propped against the wall and
2 attempted to retrieve them by reaching into the mat. Several
3 mats were against the wall each standing 7 feet in height. At
4 the time of the report, it is unknown if the decedent was
5 alone in the gym, and if he had any medical conditions or if
6 he was taking any medications. An examination of the decedent
7 by the local authorities did not reveal the presence of
8 external trauma. The scene did not reveal any signs of foul
9 play and no foul play is suspected at this time. No signs of
10 illicit drugs and/or alcohol were present at the scene.

11 Q. And do you feel confident that you would have read
12 those observations prior to beginning the autopsy?

13 A. Yes.

14 Q. The first organ that I asked you about, of course,
15 was the brain, but let me ask you. What was the order in
16 which you began to examine the organs of Kendrick Johnson?

17 A. They're examined initially, as stated in the
18 autopsy, Exhibit 1, is basically the protocol of the autopsy.
19 The body cavities, once the decedent is opened, it explains
20 the actual procedure; the chest plate is removed; the cavities
21 are examined. The chest cavity, abdominal cavity, all the
22 organs are looked at in site, too, which means as they are in
23 the body before they were removed. Any findings related to
24 that adhesions, adhesions, fluid collections would be
25 documented at that point. And then, per protocol of autopsy,

1 at that point, we usually try to get blood; blood for
2 toxicology testing, and then in some cases, if the decedent is
3 decomposed, such it was in Kendrick's autopsy, blood could not
4 be obtained because of the decomposition. And then,
5 basically, the chest organs would be removed, and as in the
6 autopsy, cardiovascular system, which would be the heart and
7 the lungs, would be examined. The neck is put under
8 cardiovascular, although that is the last thing to be looked
9 at. The lungs would be looked at, and then the abdominal
10 cavity organs would be remove; the GI system, the liver, the
11 kidneys, the thyroid gland, the adrenal glands, the pancreas
12 and such on. So basically, that is the general standard;
13 chest organs first, abdominal organs next, brain next, and
14 then neck last.

15 Q. Now, when you say neck last, what particular part of
16 the neck is removed or what -- Is the throat considered an
17 organ or just a --

18 A. It's part of the neck, basically. It's documented
19 again in the examination of the autopsy. The neck is a later
20 dissection of the anterior neck, so the front of the neck is
21 dissected. The strap muscles, which are the muscles in the
22 front of the neck are examined. The soft tissues, strap
23 muscles, large vessels, carotid arteries will be looked at.
24 The neck will be removed in one piece. We take the tongue, we
25 take the actual oral pharynx, we take the hypopharynx, which

1 look at the valves, I'm gonna look at things of that sort, so
2 that each organ is examined externally, looking at it, weight,
3 size, but also, internally by cutting through the organs.

4 Q. Now, with regards to your examination of his organs,
5 did you find anything that was noteworthy about Kendrick
6 Johnson's organs when you examined them?

7 A. Again, as documented in the autopsy, each
8 examination is documented. Histology sections were taken
9 which were -- once they were processed, looked under the
10 microscope by myself, and the autopsy findings are documented
11 as far as anything. In general the organs themselves were --
12 there were no significant findings on the organs.

13 Q. What about his lungs? Did you, in examining his
14 lungs, come to any conclusions as to whether it may have
15 helped to explain how he died?

16 MS. DAVIDSON: Counsel, just one more time for the
17 record, you're clearly into expert testimony now and
18 maybe that's a decision you made and you plan to pay the
19 expert fees later, but I just -- I won't document it for
20 the record any other time, because earlier, we were
21 getting close to the line, and now, we clearly have
22 crossed it and that's the position we're going to take so
23 I'm just putting you on notice.

24 A. As the autopsy -- again, the upper and lower airways
25 are free of debris and foreign materials, surface necrosis

1 without vocal lesion, plural surfaces are smooth, the lungs
2 are normally formed. The parenchyma of both lungs is without
3 obvious consolidation of vocal lesions; the pulmonary arteries
4 are free from thrombi or emboli. And then on microscopic
5 examination, the lungs, as many of the other organs showed,
6 autolysis of decomposition changes. Autolysis is the natural
7 body breakdown. Our bodies will actually break down
8 themselves without actually being decomposed. It's just what
9 we do. And then decomposition is something that happens more
10 with the bacteria in the body. So I did see autolysis,
11 decomposition changes, within the lungs themselves.

12 Q. Well, you also testified a moment ago that the body
13 was in a state of decomposition as it came from the --
14 wherever it was stored in before it got here to this lab?

15 A. Yes.

16 Q. And you indicated that that was the reason that you
17 were not able to draw any blood?

18 A. Correct.

19 Q. Now, after you have placed the organs in this bag -
20 - and by the way, what type of bag was this?

21 A. In general, going back, we -- our suppliers change
22 sometimes, so I don't know exactly what the bag looked like
23 off the top of my head. In general, it's a little heavier
24 than a trash bag. It's not a thin trash bag; it's a little
25 heavier consistency of that, but it's a plastic bag, but it's

1 Q. Had you had any conversation with Antonio
2 Harrington, who is the funeral home director and defendant in
3 this case?

4 A. No.

5 Q. Have you ever, at any time, met him or think that
6 you may have had a conversation with him, however brief?

7 A. Not, not specifically. I mean, I have not spoken to
8 him, no, not that I know of anyhow.

9 Q: So when you learned of the -- Kendrick's organs were
10 missing, did you make any effort to find out whether there was
11 some mistake or whether there was some explanation for why his
12 organs were not in him at the time of the independent autopsy?

13 A. No.

14 Q. Would it have been inappropriate for you to have
15 made some inquiry as to what happened to his organs since you
16 knew that you had placed them in his body?

17 MS. DAVIDSON: Object to the form, but you may
18 answer, if you can.

19 A. No.

20 Q. (By Mr. King) Now, when the body was delivered here
21 at the lab, that is, when it came from Valdosta, was the body
22 in a body bag?

23 A. Yes.

24 Q. Did you see it while it was still in the body bag
25 before you began the autopsy involving the removal of the

1 clothes --

2 A. Yes. The body bag would not be open until I was
3 present.

4 Q. When you completed the portion of -- well, completed
5 the autopsy here before the body was handed back to Mr. Owens,
6 was it placed back in the same body bag that it came in?

7 A. Actually, the body is never removed from the body
8 bag. That autopsy is done with the body still in the body
9 bag. We just put pads around the body to protect the body
10 bag, but the body is never removed from the body bag, unless
11 it's an infant or something or a child.

12 Q. Now, this body bag, just for purposes of making
13 clear what it consists of, this is made of what kind of
14 material?

15 A. I would think -- again, I can't say for sure. The
16 photographs are taken of the body, so the body bag can be seen
17 in the photographs. But in general, it's a -- either a heavy
18 plastic or a heavy vinyl or something of that sort.

19 Q. And you're saying that's what Kendrick Johnson's
20 body would've been returned to Mr. Owens in at the time you
21 completed your autopsy, the same body bag that he was in when
22 he arrived?

23 A. Yes, the body was not removed from the body bag.

24 Q. Do you know whether or not there was a build up of
25 fluids or some other such --

1 would they be documented somewhere else, other than the report
2 that you have there?

3 A. No.

4 Q. Now, the conversation that I am making reference to
5 is a conversation between Mr. Watson and Mr. Bryant about the
6 location or whereabouts of Kendrick Johnson's internal organs.
7 Do you recall Mr. Bryant ever sharing with you that he had
8 such a conversation with Mr. Watson?

9 A. Yes.

10 Q. What was the substance of that, if you can tell me?

11 A. I was asked about the decedent's vitreous and I said
12 there was no vitreous because decedent was decomposed, and as
13 documented in the autopsy, it actually states that on page
14 number 2 of 5, blood vitreous could not be obtained. So I was
15 asked about the vitreous of the decedent and that was --
16 Rodney had asked me about that, and then -- in reference to a
17 conversation or question that Bill Watson had addressed to
18 him. I will say, later on, and I can't tell you how long
19 after that, Rodney had said to me that -- I believe it may
20 have been a couple days -- actually, I was notified by the
21 Chief Medical Examiner, Dr. Sparrity, who was the Chief
22 Medical Examiner at that time, asking me about the
23 conversation and I said, well, Rodney had asked me about
24 vitreous and I said there was no vitreous in the body. And he
25 goes, well, no, we were notified, and I'm not sure of how that

1 A. That is my understanding because I was asked about
2 vitreous, not about viscera.

3 Q. Could you explain to us what vitreous is?

4 A. Vitreous humor is the name of it. It's actually a
5 fluid in your eye, so your eye has a globe, it's a circular
6 globe and it's filled with vitreous fluid. So we will collect
7 that for toxicology testing or for electrolyte testing, as
8 needed. In Kendrick's case, because his eyes were decomposed,
9 showed decomposition changes, the vitreous could not be
10 obtained. So that was my understanding of what was being
11 asked by me. Rodney asked me and I know specifically he asked
12 me about vitreous, but I was notified later on the question
13 actually was about viscera, and again, that's not a term we
14 usually use because we call them organs. But in general,
15 viscera is a medical term, but it's for a hollow organ.

16 (Whereupon, Plaintiffs' Exhibit 13 having been
17 marked for identification, the same is attached hereto).

18 Q. (By Mr. King) I'm going to hand you what has now
19 been marked as Plaintiffs' Exhibit 13 and ask you whether or
20 not you have ever seen this document before.

21 A. No, I have not.

22 Q. This is what purports to be a letter from Mr.
23 Harrington concerning -- addressed to me concerning the
24 whereabouts of Kendrick Johnson's organs. Now, where he makes
25 reference to a conversation he claims that he had with Rodney

1 Bryant, do you think that the exchange and conversation that
2 you had about this vitreous versus viscera occurred at or
3 about the time dated on this letter?

4 A. Again, I cannot say for sure, but reading the
5 description that's in this letter, it would appear to have.
6 What I'm reading is described what I believe the vitreous and
7 viscera were.

8 Q. So in this letter where he says that the viscera
9 from his internal organs were destroyed through natural
10 process, and henceforth, were discarded by the prosector
11 before the body was sent back to Valdosta, are you able to
12 make sense of that statement?

13 A. I mean, I can read what it says, but the autopsy
14 reflects different; therefore, my autopsy says there were
15 organs, and I actually have specific weights of organs, and so
16 organs -- I guess the statement which is -- the viscera from
17 his internal organs were destroyed through natural process,
18 but I examined organs, so therefore, this doesn't make sense
19 to me because I know what the autopsy showed.

20 Q. Now, the prosector would be who?

21 A. The prosector would be -- in this case it would be
22 Perry Dinkins, DIS Dinkins.

23 Q. Do you know of him discarding any --

24 A. Actually, the prosector is myself, but he helps me
25 dissect the organs. So I am the prosector.

1 Q. Okay.

2 A. I mean, and again, the autopsy says that the autopsy
3 is begun at 09:40 and the prosector is Dr. Gaffney-Kraft,
4 because I am the actual one whose conducting the autopsy.
5 Perry would actually help remove the organs for me.

6 Q. Well, do you know whether you or Mr. Dinkins
7 discarded any part of Kendrick Johnson before it was returned
8 to Valdosta?

9 A. Everything that's documented in the autopsy is what
10 was done. The organs were returned to the body. I returned
11 the organs to the organ bag, the organ bag was returned to the
12 body after my examination, other than that small sample of
13 liver for toxicology and histology sections.

14 Q. And that was held onto; correct?

15 A. Yes, the histology sections and the liver for
16 toxicology.

17 Q. Okay. Is it still something that is here at this
18 laboratory?

19 A. Well, I don't know exactly where the liver is. It's
20 probably in toxicology at headquarters because usually that's
21 what will happen is they will hold onto it there or they may
22 send it back to the Macon lab and then be held. The histology
23 sections were made into slides and the slides -- the glass
24 slides are physically here, yes.

25 (Whereupon, Plaintiffs' Exhibit 14 having been

1 marked for identification, the same is attached hereto).

2 Q. (By Mr. King) I'm going to hand you what has now
3 been labeled as Plaintiffs' Exhibit 14 and ask you have you
4 ever seen this document before?

5 A. No, I have not.

6 Q. I would like for you to take a moment just to read
7 it.

8 MS. ROBINSON: Is her document two pages but what we
9 have is one?

10 A. No, it says this is part of -- I've read it.

11 Q. (By Mr. King) Now, this document purports to be a
12 letter of sorts written by the Coroner, Mr. Bill Watson. Is
13 that what you think you're looking at?

14 A. Yes.

15 Q. And it is making reference to a conversation
16 involving Mr. Antonio Harrington and Mr. Rodney Bryant of this
17 facility and agency; is that correct?

18 A. Yes.

19 Q. And in this letter, Mr. Watson says that, in this
20 case, quote, in this case, the viscera confirmed by Mr. --
21 which is the internal organs were not sent back with the body
22 for disposition. It was confirmed by Mr. Bryant who was
23 present at the autopsy that the viscera were disposed of due
24 to decomposition of the same. Is that a true and accurate
25 statement to the best of your knowledge?

1 A. As far as what it's documenting, no, it is not.

2 Q. And in what way is it not accurate?

3 A. That the organs/viscera, as they're using the word
4 here, were present. They did show decomposition changes, but
5 they were present as the autopsy documents. And that I
6 examined them, I weighed them, there's actual weights, there
7 is a photograph -- I believe there's two photographs; one is
8 taken when Kendrick's body was initially opened and you can
9 actually see his bowel in that photograph; then there is a
10 photograph of his brain, which you can see his brain, and
11 therefore, documenting the presence of those organs. So they
12 were there, and again, decomposition -- they were returned to
13 the body -- they were returned to the body as all autopsies
14 are, unless documented otherwise, which in this case it
15 wasn't, and were disposed of due to decomposition of the same
16 honestly doesn't make much sense to me, but I'm not quite sure
17 what he's trying to say. That he's saying they're decomposed
18 and they disappeared because of decomposition, I'm not sure,
19 but they were there at the autopsy as documented.

20 Q. So this description by Mr. Watson of the viscera
21 were disposed of due to decomposition of the same, to the best
22 of your knowledge, the disposal did not take place here at the
23 Crime Lab?

24 A. Correct.

25 Q. Were you ever led to believe that the disposal or

1 disappearance of these organs of Kendrick Johnson happened
2 elsewhere?

3 A. All I can say is the organs were returned to the
4 body; they were not disposed of.

5 Q. Now, you said that you have spoken to Mr. Watson on
6 previous occasions, that is, prior to this particular
7 situation involving Kendrick Johnson; correct?

8 A. I have, yes. I don't normally speak to the Coroners
9 very often, but there are some that I might have specific
10 question that I ask them or something of that sort.

11 Q. Recognizing that most Coroners are not medical
12 Doctors, or maybe persons with a whole lot in the way of post-
13 graduate study, do you think that Mr. Watson was confused
14 about what Mr. Bryant may have told him in terms of the
15 distinction you were making between vitreous and viscera?

16 A. Again, as written here, I believe he was, and as
17 presented to me, the question that I received was vitreous,
18 that there was a confusion as far as the -- the word confusion
19 was there.

20 Q. So just for the sake of conversation, let's assume
21 it was the word confusion. Is there any confusion about what
22 Kendrick Johnson had in his body bag when it left here and
23 what they are claiming was not there when his body was
24 exhumed? Is that a something that you chalk up to confusion?

25 MS. DAVIDSON: Object to the form, but you may

1 answer, if you are able.

2 A. Again, when Kendrick left this facility, his organs
3 were returned to his body, and when he left the facility his
4 organs were with his body.

5 Q. (By Mr. King) And you did explain a moment ago that
6 vitreous is a fluid; is that correct?

7 A. Correct, in the eye.

8 Q. It is found in the eye?

9 A. That is correct.

10 Q. Is it the substance that basically gives the eye its
11 soft -- well --

12 A. Well, in general, the eye is a globe. It's a globe,
13 it's globe in shape, it's spherical, and it is filled with the
14 vitreous. The tissues of the eye tend to be soft, in general,
15 but the vitreous expands the globe.

16 Q. So that when the fluid dries up -- or let me ask
17 you. Does it drain out or does it evaporate? What do --

18 A. No, as far as the decomposition part of it, no, it
19 actually -- it dries, in general terms, just like the blood
20 does. The bacteria and such get into it and it's either
21 absorbed by the bacteria or it dries out by the state of the
22 body decomposition.

23 Q. So it is -- though it is a kind of decomposition,
24 it's nothing that you dispose of; correct?

25 A. Correct.

1 interpretation is that he contacted the Sheriff's Office,
2 Lieutenant Jones.

3 Q. Okay. Now, in that entry, Lieutenant Jones says
4 that Kendrick Johnson was seen on the school video going into
5 the gym around 1:00 in the afternoon alone. The video did not
6 show any other children or staff in the gym with the decedent
7 at the time, and the decedent was reported missing by his
8 parents after midnight on 1-10-2013 when he did not return
9 home. There was a back door to the gym, but school officials
10 stated it stayed locked, in addition to video footage of that
11 area indicating noone came in or out of the door. Lieutenant
12 Jones stated the decedent's, shoes which he was wearing at the
13 time of the demise, were located inside the mat with the body.
14 Now, was this information, information that you considered in
15 making a determination as to the manner and cause of death?

16 A. That's technically -- that's hearsay. I looked at
17 the video and I looked at the photos from the scene.

18 Q. You looked at video that was given to you by whom?

19 A. It would've been by the law enforcement agency.

20 Q. How much did you look at in terms of -- Did you look
21 at a substantial -- Did you spend a substantial amount of time
22 looking at the video or were you pointed to some particular
23 aspect of the video or how is it that you were able to look at
24 the video and consider what you had seen in reaching your
25 determination?

1 A. Based on the autopsy findings.

2 Q. And after doing the autopsy on the 14th of January
3 with what you had seen, had you reached any conclusion as to
4 what the cause of death was?

5 A. I had a working diagnosis.

6 Q. And what was that?

7 A. An asphyxial death.

8 Q. And what were the symptoms or the signs that you
9 thought pointed to asphyxial causes?

10 A. The findings of the congested decomposition changes
11 where they were located in the upper part of the body.
12 Predominantly, I believe the autopsy states congestive
13 decomposition changes were manifested by variable bloating,
14 red, green black skin discoloration with or without marbling.
15 Vesicle formation with skin slippage of the head neck torso
16 and upper extremities. The changes increased in degree
17 inferior to superior. So that would tell me that would be
18 consistent with a head down position. And then basically,
19 because of that, and because of the history that was given to
20 me of being in a mat upside down when he was found and seeing
21 the photos, then the number one working diagnosis would've
22 been asphyxia, which is, again, a diagnosis of exclusion which
23 means I need to do toxicology and histology, and that there
24 was no evidence of injury on his body other than minor
25 injuries of his hands, abrasions, which are scrapes, of his

1 hand and of his left finger.

2 Q. With regard to those abrasions that you observed,
3 what value did you assign to those abrasions?

4 A. Meaning?

5 Q. You had this working diagnosis that you said --

6 A. Yes.

7 Q. Now, what significance, if any, did you think the
8 abrasions had?

9 A. Well, when I look at somebody's hands and body, in
10 general, you know, especially hands and areas, I think of
11 possible defensive type wounds. If somebody was being
12 attacked, we tend to bring our arms up to block attacks. And
13 when I looked at these injuries in general, I have a one-
14 eighth x one-eighth inch superficial abrasion of the wrist and
15 two superficial abrasions of the left fourth finger below the
16 cuticle, and then a superficial skin tear. They're minor
17 injuries that you and I might have on our body at those times,
18 so they were not significant injuries as far as any cause of
19 death.

20 Q. So are you saying that, though you had in your
21 description a moment ago talked about how they generally
22 appear as defensive injuries or injuries that one might
23 sustain in the course of defending themselves, you thought
24 that that was not the case in his situation?

25 A. Yes. When I brought up defensive wounds, that's a

1 specific look to a defensive wound. What I found were not
2 defensive wounds. These are wounds that could be sustained if
3 you were upside down in a mat and trying to get out of a mat.

4 Q. Now, quite aside from the position of the body, that
5 being his being upside down, did you consider how the
6 individual wound up being upside down?

7 A. Yes.

8 Q. And what was that? What did you conclude?

9 A. Well, again, based on a lack of any other injuries
10 to the decedent's body, any natural disease that the decedent
11 may have had, then -- and again, marks on the body that may
12 have reflected anything as far as a physical struggle is that
13 the decedent put themselves in that position.

14 Q. So you're saying that you did not consider that he
15 wound up in that position as a result of somebody placing him
16 in that position?

17 A. It was considered, of course, but it was ruled out
18 due to the lack of other injuries on the body.

19 Q. Now, with regards to the other aspects of his body,
20 such as did you, as a Forensic Pathologist, what is it that
21 your primary focus is in examining a person such as Kendrick
22 Johnson?

23 A. To determine cause of death.

24 Q. Is there a level of sensitivity as to whether or not
25 there was any criminal activity involved?

1 Q. Okay.

2 A. Two superficial abrasions, and then on the left
3 distal fourth finger, again, the ring finger, involving the
4 dorsal surface, the back of it, overlying the distal
5 interphalangeal joint, which is the joint -- the first, the
6 last -- well, technically, it's the last joint on the finger.
7 He had an avulsion or had a superficial -- I described it as a
8 five-sixteenth inch superficial tear with no associated
9 hemorrhage.

10 Q. Given the fact that you say you can't tell because
11 of the blood that's on the fingers whether there is something
12 that you can point to as the abrasion, where on this
13 photograph of his hand would that abrasion be based upon the
14 description that you have in your autopsy report?

15 A. Again, I would make a quick correction with the word
16 blood; actually, it's purge, which is bloody fluid. Purge
17 that decomposition that bodies have, if this indeed -- if
18 you're telling me this is Kendrick Johnson's hand. Basically,
19 the fourth finger, it's the 2nd, 3rd, 4th finger (indicating)
20 would be at the cuticle right below the cuticle here and it
21 would've been at the distal joint, which would have been right
22 in this area (indicating).

23 Q. Okay. Now, do you see blood emanating from the
24 cuticle or the area of the cuticle?

25 A. I see blood in that area, but I can't say it's

1 emanating from the cuticle.

2 Q. Let me ask you this, as a Forensic Pathologist, do
3 you look for evidence that may accumulate under the
4 fingernails of the victim?

5 A. I examine the nails to see if I can see anything
6 with my eyes, yes.

7 Q. And the reason for that is what? Why the
8 fingernails from the standpoint of you being a Forensic
9 Pathologist?

10 A. Again, if somebody were scratching somebody else or
11 something of that sort, or being in a struggle with somebody
12 else, you may have particles of the other person's body under
13 the nails.

14 Q. And from your -- again, assuming that Plaintiffs' 15
15 is a photograph of Kendrick Johnson's hand, what would you
16 describe as being the condition of his nails on that
17 photograph?

18 A. His nails are intact. They're worn short and they
19 have variable dirt and purged bloody fluid discoloration under
20 them, or at least one of them does.

21 Q. Can you tell from that photograph whether or not
22 this is an individual who bites his nails or who cuts them
23 just very short or anything of that sort?

24 A. All I can say is they appear to be regular. The
25 don't seem -- they do not appear to be irregular.

1 you know?

2 A. I directed to take photographs of the hands once
3 they were cleaned for documentation purposes. Documentation
4 purposes showing whether there were any marks or injuries to
5 the hands.

6 Q. Are any marks or injuries shown in that photograph?

7 A. Not on the hand area and the arm; the forearm area
8 has an area of skin slippage, which is decomposition.

9 Q. Again, Plaintiffs' Exhibit 17, DSC0046.

10 COURT REPORTER: Should be 18.

11 MR. KING: 18, I'm sorry.

12 Q. (By Mr. King) Are you able to identify what is
13 shown in that photograph?

14 A. Yes, again, we have a unique autopsy number
15 identifying this as coming from the autopsy of Kendrick
16 Johnson. We're looking at the dorsal or posterior surface of
17 the left hand in this photograph. The injuries that were
18 described in the autopsy as far as the two superficial
19 abrasions, which are technically scrapes, just proximal to the
20 cuticle are in the photograph. We also see that overlying
21 superficial skin tear over the distal interphalangeal joint.
22 Otherwise, the hand shows congestive decomposition changes.

23 Q. Okay. And just so that I can be certain, the scrape
24 or abrasion that you made reference to, I am pointing to a
25 line there on the finger (indicating), is that the area that

1 you're making reference to?

2 A. Go ahead and point one more time.

3 Q. Okay. Let me see, here, right here (indicating).

4 A. That is the superficial tear, and then if you move
5 towards the actual nail bed itself, there are the two
6 superficial abrasions.

7 Q. Okay. Now, given the fact that he was found in a
8 upside down position, do you attribute those abrasions to him
9 being in that position or that you thought it was totally
10 unrelated to the circumstances under which his body was found?

11 A. I can't directly attribute them to that. I mean,
12 again, I would not -- if somebody were struggling to get out
13 of an upside down position being in a mat, you may receive
14 these type of injuries or get these injuries to your body, but
15 in general, these injuries may have been there prior to him
16 even being -- falling into the mat.

17 Q. Did you consider his age, his size, and what
18 appeared to be his physical ability when considering how he
19 wound up being upside down in a rolled up gym mat?

20 A. Yes.

21 Q. Had you been given any information that he was in
22 any way mentally retarded or mentally challenged or had some
23 psychological issues that might explain how he wound up upside
24 down in a rolled up mat?

25 A. No.

1 diagnosis.

2 Q. And those things that you rule out are any range of
3 factors; is that correct? I mean, it's not just limited to --
4 let's say, for instance, physiological or physical features.
5 Are you also considering human behavior?

6 A. Well, I'm considering investigative findings, the
7 scene findings, the photographs that I review, the autopsy
8 findings, the toxicology findings, and then, of course, as
9 part of that, I may need other testing that was performed in
10 this case. So yes, that all comes into play.

11 Q. The toxicology results, what did they tell you?

12 A. The toxicology results were -- analysis of post-
13 mortem liver for drug screen testing is negative for
14 cocaine/cocaine metabolites, opiates, analysis of post-mortem
15 liver for drug confirmation test is negative for comprehensive
16 drug screen.

17 Q. So does that mean, essentially, he was not -- or
18 would that it put you in a position to conclude he was not
19 under the influence of some intoxicant at the time that this
20 event took place?

21 A. That is correct.

22 Q. So how long do you think it would take the average
23 individual to succumb to being in an upside down position and
24 unable to free themselves?

25 A. Unfortunately, it would take many, many hours,

1 especially if you have a young, healthy person.

2 Q. And you do consider Kendrick Johnson to have been a
3 young, healthy person?

4 A. Yes, I do.

5 Q. And when you say it would've taken many, many hours,
6 can you give us a numeric range?

7 A. I can't, specifically. It's going to be -- it's
8 just going to depend on the person themselves, but again,
9 seeing that Kendrick is young, 17, he's in good shape, good
10 physical shape, that knowing the mechanism of how this
11 happened that he very well could've lasted -- and again, this
12 is -- I'm not saying a range, but could've lasted anywhere
13 probably from about 6 to 12 hours.

14 Q. You considered the report that we made reference to
15 in Plaintiffs' Exhibit 6 which said that he went missing or
16 was last seen around 1:00 p.m. at the school? Did you --

17 A. I'm sorry, what was the question?

18 Q. I think that there was an entry in Plaintiffs'
19 Exhibit 6 that talked about the time in which he was last seen
20 at the school, that being around 1:00 p.m.?

21 A. I'd have to look at it to say the time, but there is
22 a -- there should be documentation of that, yes.

23 Q. Well, if there is documentation that I think says
24 that he went missing at 1:00 p.m. at school, and that I think
25 we were talking about at that point about video, that you said

1 Q. Did you consider that, given what you described as
2 his physical condition, that he might have been able to, with
3 the benefit of his arms, stretch his body to the point that it
4 then comes up and above the top end of the mat if two feet are
5 added to his height, his overall body length?

6 A. Again, I'm saying your arms -- your arm is two foot.
7 Now, if I do this (demonstrating), guess what, my arm's not
8 two foot anymore because now I've gotta go from here to the
9 top of my head to my hand.

10 Q. So how much would you add then?

11 A. I -- again, do you have a measuring tape? I would
12 have to measure, but --

13 Q. Just generally.

14 A. Maybe, maybe a foot and a half maybe, but again, I'd
15 have to measure.

16 Q. And a foot and a half added to 5 feet 10 inches?

17 A. Correct.

18 Q. Would exceed 7 foot?

19 A. 70 inches plus 12 is 82 inches, plus 6 would be 88
20 inches, then yes, it could.

21 Q. Did you contact --

22 A. Again, given that those characteristics without them
23 being 100 percent; correct.

24 Q. Did you contemplate what the weight of the mat was?

25 A. The actual weight of the mat?

1 Q. Yes. Did you get any information to indicate how
2 heavy this rolled up piece of gym mat was?

3 A. No.

4 Q. Do you think that that would've been relevant for
5 purposes of determining whether he had the ability to get out
6 of that condition, that situation of being upside down --

7 A. No.

8 Q. -- in a rolled up mat? You don't think that it
9 would matter?

10 A. No. It's the position of the mat and it's what's in
11 front of the mat that matters.

12 Q. Did you ever see photographs of the mat as it
13 actually was positioned before they tried to remove him from
14 the mat?

15 A. No, I do not believe those photographs exist.

16 Q. Did you --

17 A. -- you mean before he was even discovered?

18 Q. Yeah, before he was discovered. Did you see any
19 photographs that showed what they thought was a re-enactment
20 or what the position was as it was discovered, but only after
21 they've taken him out?

22 A. I didn't see any photographs; a description was made
23 to me of how the mats were positioned.

24 Q. Now, if I told you that the mats were not 7 foot,
25 but they were actually 6 foot in height, would that make a

1 length of 18 inches is wider than the circumference, what
2 would be the radius of the center opening? In other words, if
3 it was 14 inches according to Mr. Watson, and he measured 18
4 inches in the shoulders, what would that suggest to you as to
5 how Kendrick Johnson wound up inside the hole of this rolled
6 up mat?

7 MS. DAVIDSON: Object to the form of the question,
8 but you may answer it, if you are able.

9 A. Well, if I'm reaching for something, I don't go in
10 broad shouldered. I bend my body to reach, especially if
11 something is below my reach. So I'm bending my body,
12 therefore, the 18 inches is no longer 18 inches as I'm going
13 into the mat.

14 Q. (By Mr. King) So in other words, you are putting
15 your body in a position where you are extending the length of
16 your body as you cause your shoulders to take less than a 90
17 degree angle in relationship to your torso; correct?

18 A. You're tilting your shoulders, yes, so you're not
19 now -- your shoulders are not perpendicular to your neck or
20 head anymore.

21 Q. Right, which means you've increased the length of
22 your overall body?

23 A. Yes, at that point, you did.

24 Q. Right, and if you got a rolled up mat, which is
25 really 6 foot, then you've got feet sticking out the other

1 end?

2 A. Yes, initially, initially.

3 Q. Okay. And so what do you think happened to those
4 feet over the course of six hours?

5 A. Well, I don't know too many people who can hold
6 themselves up with their hands for six hours in an upside down
7 position. And the other thing you can think about is, of
8 course, as you start to fall forward and you're trying to stop
9 yourself, you're bringing your arms down into a flex position.
10 If I was falling into a hole, I would be trying to stop
11 myself. So as I try to stop myself, the arms are in the flex
12 position, and therefore, then initially, would it be possible
13 that he could've raised his body up so that his feet were
14 sticking out of that mat? Yes. But over a period of time,
15 you're going to exhaust your muscles and you're not going to
16 be able to hold your body up in that position. So to suggest
17 that he was able to have his feet out of the mat for the whole
18 period of time is not --is, in my opinion, not possible.

19 Q. And am I correct in assuming that you believe that
20 the hole that Kendrick Johnson was situated in was large
21 enough to allow him to freely move up and down --

22 A. Well --

23 Q. -- inside this hole? When I say freely, I don't
24 mean totally free, but I'm just talking about that this
25 material that this mat is made of, which is spongy in nature,

1 Q. What about blood? Is it oftentimes found on
2 clothing in a situation where we have a homicide?

3 A. Yes.

4 Q. In this situation here, we see lots of blood from
5 these photographs coming out of what areas of Kendrick
6 Johnson's body?

7 MS. DAVIDSON: Object to the form of the question,
8 but you may answer, if you can.

9 A. Well, I would have to not answer that question
10 because I do not see blood.

11 Q. (By Mr. King) I'm gonna show you -- point to an
12 area on Plaintiffs' Exhibit 19 and ask what is the deep red
13 area around the head of Kendrick Johnson? What is that?

14 A. That is what's described as purge, and purge is a
15 bloody fluid; it's not blood, it's a bloody fluid. And you
16 see that often in decomposed bodies or bodies found upside
17 down. Basically, what you have, you have areas like while
18 you're alive, your tissues are continuously turning over. So
19 as we cough and as we swallow, our linings of our airways, our
20 linings of our mouth, of our GI system keeps turning over.
21 Once you die, that does not happen anymore. And then once you
22 die, you start decomposing, you have gas build ups, especially
23 in the GI system, and as that gas expands, it pushes up
24 through the GI system, the esophagus, the oral pharynx, and
25 also, in the lungs area, and you will actually get purged

1 fluid, which is sloughing of the lining, the mucosa of your GI
2 system and your respiratory system. And of course, if you
3 slough those things, you will have some blood that comes along
4 with that, initially anyhow, and then that will actually
5 decompose, too. But you will have some bloody fluid that
6 comes along with it, but it's a form of decomposition, it's
7 not a form of hemorrhaging, which is completely different.

8 Q. (By Mr. King) But can DNA be obtained from this
9 bloody fluid?

10 A. It sometimes can, if there's intact cells in there;
11 yes.

12 Q. And certainly, because of what he may have been the
13 source of, in terms of Kendrick being the source of this
14 bloody fluid, that doesn't mean that if he had been in a fight
15 with someone that somebody else's blood very well could've
16 gotten on him; is that correct?

17 A. Am I taking it without the autopsy results?

18 Q. Yes.

19 A. If I'm taking it without what I found in autopsy,
20 then it's possible.

21 Q. Were you told about the presence of blood on other
22 surfaces in the area where Kendrick's body was located?

23 A. Actually, yes, and I saw them in photographs; yes.

24 Q. There was some blood collected on a wall surface --

25 A. Yes.

1 Q. What do you mean by that?

2 A. As your tissues decompose, they become lighter.

3 Q. So what did you write about your examination of Mr.
4 Kendrick Johnson's lungs during the course of his autopsy?

5 A. The right and left lungs weighs 260 and 240 grams
6 respectively. The upper and lower areas are free of debris
7 and foreign material. The surface and necrosis are without
8 focal lesion. The plural surfaces are smooth, the lungs are
9 normally formed, the parenchyma of both lungs is without
10 obvious consolidation of focal lesions. The pulmonary
11 arteries are free of thrombi. Under histology, I wrote the
12 lungs show autolysis decomposition changes for the lungs. And
13 then under internal examination body cavities, all body organs
14 are present in normal anatomical positions. Variable
15 congestive decomposition changes are present and increasing
16 degree inferior to superior.

17 Q. So again, with regards to the weight of the lungs,
18 you have reported weights that are considered to be normal for
19 a person his size?

20 A. In a non-decomposed state.

21 Q. In a non-decomposed state.

22 A. Correct.

23 Q. In other words, if I were to right now get on my
24 head and you were to weigh my lungs right now as I assume that
25 position, that would be -- you would expect to find my lungs

1 as being of normal weight?

2 A. Right; immediately, yes.

3 Q. So if the individual was killed and then put in an
4 upside down position, what would you expect the weight of the
5 lungs to be both at the time right after he is killed, as well
6 as hours after he has taken his last breath?

7 MS. DAVIDSON: Object to form, but you may answer.

8 A. Yes, I mean, you would have to tell me more about
9 the body. Is the body decomposed? Does the body have natural
10 disease to begin with? Was the body physically active prior
11 to the deceased? In general, being in an upside down position
12 causes congestive changes of the lungs, but when you
13 decompose, your organs in general become lighter. That's a
14 fact of decomposition.

15 Q. Okay.

16 A. And as I mentioned, he had no intravascular blood in
17 his body. So if I can't get blood out of his arteries and
18 veins because he's so decomposed, the lungs would show those
19 same type of changes.

20 Q. Did you determine what stage of decomposition he was
21 in at the time that his body was discovered on that Friday
22 morning? Did you make --

23 A. At the -- when he was first discovered?

24 Q. Yes.

25 A. Just by viewing the photographs; I could not examine

1 the body -- I did not examine the body at that time, but just
2 reviewing the photographs.

3 Q. So you're not in position to answer that question?

4 A. Correct.

5 Q. But if he was in a state of decomposition, his lungs
6 would have begun to become lighter?

7 A. Correct.

8 Q. But you're testifying that when you weighed his
9 lungs on the day of the autopsy, they were of normal weight
10 for a fellow his size?

11 A. For somebody not decomposed; yes.

12 (Whereupon, Plaintiffs' Exhibit 26 having been
13 marked for identification, the same is attached hereto).

14 Q. (By Mr. King) I'm handing you Plaintiffs' Exhibit
15 26. Can you identify that for us, please?

16 A. This looks like a copy of an email that was sent
17 from Julie Gardner from the Georgia Bureau of Investigation to
18 Lowndes County Coroner -- well, the Lowndes Coroner, there's
19 an email address here; yes, so that's what I'm seeing. It's
20 an email that was sent to him from Julie Gardner. I was cc'd
21 on it.

22 Q. And what's the subject?

23 A. Subject is the Official COD, Cause of Death, and
24 MOD, Manner of Death, for K. Johnson.

25 Q. You said you were cc'd on that?

1 Q. Do you know what they mean by CODIS eligible?

2 A. No.

3 MS. DAVIDSON: Object to the form.

4 A. No. Again, we discussed that earlier. I don't know
5 exactly what that means.

6 (Whereupon, Plaintiffs' Exhibit 32 having been
7 marked for identification, the same is attached hereto).

8 Q. (By Mr. King) I'm handing you Plaintiffs' Exhibit
9 32 and ask you to identify that for us.

10 A. Conversation record again. The only reason I've
11 looked at this is because you requested forms. Latisha West
12 to Lieutenant Stryde Jones of the Lowndes County Sheriff's
13 Office. Summary is Lieutenant Jones left me a VM to call him
14 back. At 9:08, I left Lieutenant Jones a VM. At 9:16,
15 Lieutenant Jones left a VM. At 9:25, I called back.
16 Lieutenant Jones said the Medical Examiner wants to make sure
17 it's the victims blood. Due to circumstances, the Medical
18 Examiner needs to know to determine cause of death. They're
19 not interested in CODIS. I told him I would have Stephanie
20 Power call him first thing Monday morning to let her approve
21 the DNA service.

22 Q. Now, in this particular conversation record, it
23 makes reference to the Medical Examiner. Who is the Medical
24 Examiner that they are making reference to?

25 MS. DAVIDSON: Object to form, but --

1 A. I would assume it's me since I did the autopsy.

2 Q. (By Mr. King) And it says that Lieutenant Jones
3 said the Medical Examiner wants to make sure it's the victim's
4 blood. Did you have a conversation with Lieutenant Jones
5 where you expressed to him your desire to make sure it was the
6 victim's blood?

7 A. As discussed earlier, under Report of Medical
8 Examiner, I demanded they do testing on that blood they
9 recovered from the wall.

10 Q. Okay, but I'm asking you a slightly different
11 question. Did you represent to Lieutenant Jones that you
12 wanted to make sure that the blood that was on the wall was
13 the victim's blood?

14 A. No, I wanted to see whose blood it was. I wanted to
15 know whether it was the victim's or not.

16 Q. Okay, then it goes further and says, due to
17 circumstances, the Medical Examiner needs to know, determine
18 the cause of death. They're not interested in CODIS. Do you
19 know whether you expressed to Lieutenant Jones that you were
20 not interested in CODIS?

21 A. I don't think I've ever used the wording of CODIS
22 pertaining to this case, other than just reading them now.

23 Q. And when it says here due to circumstances, the
24 Medical Examiner needs to know, determine the cause of death.
25 How did you interpret that statement?

1 MS. DAVIDSON: Object to form, but you may --

2 A. Again, all I can say is that I informed the
3 Sheriff's Office that I would not sign the autopsy out. I
4 could not 100 percent determine the cause of death unless DNA
5 was done on the blood on the wall and the blood in the girl's
6 bathroom.

7 Q. So when they did a DNA exam of the blood on the wall
8 and the one in the bathroom, and they tell you, well, the
9 blood on the wall is not Kendrick's --

10 A. That's what the results showed; correct.

11 Q. Right. How did that affect your analysis of the
12 cause and manner of death?

13 A. Well, again, I use it in the respect of the
14 exclusion. If you have a blood on a wall near a decedent's
15 body that I'm doing an autopsy on, I need to know if that
16 blood belongs to the decedent or not because I need to know if
17 it came from the decedent's body. So that was the main reason
18 I wanted it done. The same thing with the tissues in the
19 girls bathroom outside the gym. If I have evidence or someone
20 tells me or takes photographs of something bloody in the
21 girl's bathroom that's next to or in close proximity of a
22 decedent's body I'm doing an autopsy on, I want to have it
23 tested.

24 Q. So if the blood had come back Kendrick's blood, that
25 is, the blood that was discovered on the wall, how would that

1 have affected your analysis?

2 A. Well, at this point, I mean just in general terms,
3 the cause of death would not be changed, but the manner of
4 death may have gone to undetermined.

5 Q. And do you think that if the blood on the wall came
6 from some other individual that it might have been evidence of
7 some kind of physical altercation between Kendrick and another
8 individual?

9 MS. DAVIDSON: Object to form.

10 A. Well, again, I don't have it written down, but I
11 believe I was informed that there was a young man playing
12 basketball and he said the blood belonged to him. But again,
13 that's -- I'm coming off the top of my head there and I don't
14 know names or anything of that sort. So the idea was to rule
15 out being Kendrick Johnson's blood and that was my only
16 determination on it.

17 (Whereupon, Plaintiffs' Exhibit 33 having been
18 marked for identification, the same is attached hereto).

19 Q. (By Mr. King) This is 33. I'm handing you
20 Plaintiff's Exhibit 33 and asking you if you can identify that
21 for us?

22 A. Looks like a conversation record, again, not my
23 report from lab employee C. Miles to Lieutenant Stryde Jones,
24 Lowndes County S.O. The date of it is 04-04-2013 and the
25 summary says Lieutenant Jones explained that the circumstances

1 -- other than 38 and 39, I did not see these until yesterday.

2 Q. (By Mr. King) Now, with regards to -- this would be
3 51 or 50?

4 COURT REPORTER: 50.

5 Q. (By Mr. King) 50, okay. 50, it's image DSC0066.
6 Can you identify this for us?

7 A. Yes, this is a photograph that was taken under my
8 direction and guidance during the autopsy of Kendrick Johnson.
9 Again, we have that unique autopsy number in there. This was
10 what's called a posterior neck and back examination. It's
11 documented in my autopsy, which is Exhibit Number 1, page
12 number 4 of 5. It is described basically as a bilateral
13 vertical incision to the back are made for examination. So
14 basically, what I'm doing is I'm looking at the soft tissues
15 in the back. Again, when we dissect the body, we dissect the
16 body from the front. So now, I'm looking at the soft tissues
17 of the back and then I did a posterior neck dissection is
18 performed at autopsy and is negative for injuries. I felt
19 because of the position Kendrick was found in that I needed to
20 do a posterior neck which is something that's not normally
21 done at -- during autopsies to rule out injury of the cervical
22 spine to actually be able to visualize the cervical spine and
23 the neck area.

24 Q. So you said this is not normally done.

25 A. It's done under discretion of the Medical Examiner,

1 but for a case that, unless I suspect it or was worried about
2 possible injuries, I would not do this.

3 Q. And it would -- because it would be deemed
4 unnecessary or that -- is there some other reason?

5 A. Yes, it wouldn't be part of the normal autopsy
6 procedure. It's an additional testing. And normally, we
7 don't we try not to cut the bodies or make unnecessary cuts on
8 the body, unless it's gonna have some value as far as the
9 cause or manner of death or the actual -- or ruling out
10 things.

11 Q. And did it rule out anything in your mind?

12 A. Yes. Again, I did not see any injuries to his
13 cervical spine area, not to the musculature in the back, not
14 to the cervical spine itself. And then the back cuts were
15 actually made to make sure -- when a body is decomposed, of
16 course, we have a lot of color/discoloration changes and
17 sometimes you'll look at them and you might -- and you want to
18 100 percent rule out that this is not anything that -- you
19 know, that this isn't something that's an injury versus an
20 artifact which is what decomposition is and that's why I did
21 it.

22 Q. So are you saying that you may have, through this
23 process, identified some injury that was otherwise going to go
24 undetected unless you followed this procedure?

25 A. Correct.

1 A. Probably the purged fluid.

2 Q. Okay. Let me speak to my client. I'll be brief.

3 (Off the record).

4 (Whereupon, Plaintiffs' Exhibit 51 having been
5 marked for identification, the same is attached hereto).

6 Q. (By Mr. King) I'm gonna hand you what is now marked
7 as Plaintiff's Exhibit 51 and ask you have you ever seen that
8 before?

9 A. I'm looking at my autopsy, which is State's Exhibit
10 -- Plaintiff's Exhibit Number 1, looking at the summary
11 interpretation part about things that I reviewed, I do not
12 specifically say I saw an EMS report; I do know about an EMS
13 report and I was notified of what it said, but I don't -- I
14 can't tell you 100 percent whether I specifically looked at
15 this EMS report.

16 Q. Now, going back to the last -- which is going to be
17 the 3rd page, top where it writes history dispatched to a
18 public building, school, for 17 year old male complaining of
19 cardiac arrest. Had anybody mentioned anything about cardiac
20 arrest in any of the other reports that you had read?

21 A. No, but I have what I believe is an explanation for
22 this.

23 Q. What is that?

24 A. Is that every EMS record I get where the decedent is
25 dead says complained of cardiac arrest.

1 Q. Okay. It says events leading up to the EMS call,
2 EMS requested I believe to Lowndes County -- to Lowndes High
3 School to a code blue. Lowndes County Sheriff's Office
4 Resource Officer on scene, patient in old gymnasium. Sample
5 history upon EMS arrival patient found partially inside large
6 wrestling mat exposed where from mid-torso to head and arm. I
7 don't know what PT stands for.

8 A. Patient.

9 Q. Patient, okay, had something -- lividity, what is --

10 A. Visual or visible -- visible.

11 Q. Okay, and molting to face and arms, large pool of
12 blood and vomit around head. I don't know what the last word
13 is, maybe vomituous.

14 A. Vomituous.

15 Q. From mouth and around patient, bruising noted to
16 right side jaw, blood appeared to have -- something from eyes

17 A. Drained.

18 Q. Drained from eyes and restoration. Now, where the
19 EMS makes note of a bruising to the right, did you observe any
20 bruising on the right side of the jaw of Kendrick Johnson?

21 A. No.

22 Q. Do you see or did you see where the EMS may have or
23 how they may have reached that conclusion?

24 A. I see where they interpreted -- misinterpreted what
25 they saw as bruising, but was congestive decomposition.

1 Q. Okay. So now that you have the benefit of reading
2 this, was your exposure to its contents before you had
3 completed your autopsy report or after?

4 A. It was before. And if -- again, I can't tell you
5 100 percent, but it was something in the way of they saw
6 bruising of his face and neck area.

7 Q. And did you recall seeing what you say they
8 misinterpreted or did you go back and look at photographs of
9 what you may have collected at the time of the autopsy to then
10 see what they have identified as bruising?

11 A. I saw -- okay, at the autopsy, I saw congestive
12 decomposition changes of the head and neck. As documented,
13 congestive decomposition changes manifested by bloating, which
14 is swelling. It's not swelling; you have to be alive to
15 swell. Bloating is a decomposition thing that happens where
16 people puff up. It's because of bacteria. Red, green, black
17 skin discoloration with and without marbling, vesicle
18 formation, skin slippage of the head, neck, torso, and upper
19 extremities. So I saw all those things, which to the
20 untrained eye, may have appeared to be bruising.

21 Q. Now, in Dr. Anderson's findings, do you recall him
22 reaching a conclusion that seemed to be in line with the EMS
23 observation of bruising to the right jaw?

24 MS. DAVIDSON: Object to form, but you may answer.

25 A. From what I remember, I believe he did -- he

1 interpreted bruising to the right side of the jaw --

2 Q. Okay --

3 A. -- or neck area. I'm not sure which one, I can't
4 remember for sure.

5 Q. Do you think that or recall whether it involved the
6 carotid artery or some injury to that area of the neck?

7 A. Again, strictly from memory, he was talking about
8 the carotid sinus. I believe he was saying that area was
9 associated where the carotid sinus is, which is part of the
10 carotid artery system.

11 Q. And in your experience, and according to your
12 training, could that contribute to death or injury to that
13 area?

14 MS. DAVIDSON: Object to form.

15 A. In someone with no history, in a young person, I
16 have never seen a report of that before. There is an entity
17 where people have sensitive carotid sinuses and the carotid
18 sinuses controls your pulse rate and your blood pressure and
19 there is an entity where people have that. They have known
20 history of -- if they wear neck ties, wear any collared shirts
21 anything in the neck area tight, they watch them pass out from
22 that. And as a Physician, I've actually done carotid sinus
23 massage on people to lower their blood pressure when their
24 blood pressure or they're having an arrhythmia. So I've
25 actually physically done that to somebody as a medical

1 procedure. But in general, for a young healthy 17 year old, I
2 have never, without any history whatsoever -- First of all,
3 I've never seen it documented at that age, but without any
4 history of ever having any symptoms, then no.

5 Q. (By Mr. King) Do you know what the medical history
6 of Kendrick Johnson happened to be?

7 A. Well, I know that he played football and I know
8 football players wear padding and I know they're banged around
9 a lot while they're wearing the padding. So I know that that
10 has -- at least I can't say I know, but I'm very secure that
11 his neck had been compressed somewhere along the line playing
12 football and wearing the padding. And therefore, without
13 having any history that has been reported to me that he's ever
14 passed out from that in the past, then that's all I can go off
15 of.

16 Q. Which is skeletal at best?

17 MS. DAVIDSON: Object to form --

18 Q. (By Mr. King) Is that a fair characterization?

19 A. Well, I don't know what you mean by skeletal.

20 Q. Well, you didn't look at any medical records of what
21 he had as a medical history; correct?

22 A. I requested medical records; I never received the
23 medical records.

24 Q. And you said, of course, that there is a entity --

25 A. In older people, yes.

1 Q. And what do you mean by entity?

2 A. There is a known medical entity or diagnosis that
3 people can have sensitive carotid sinuses.

4 Q. Okay.

5 A. But again, it's found in elderly people usually with
6 atherosclerotic disease, build up of plaques in their sinuses,
7 and they have a long documented history of it.

8 Q. Can it come about as a result of a sudden trauma to
9 that area?

10 A. I have never seen that.

11 Q. Now, let me ask you this. Do you recall whether Dr.
12 Anderson attempted to get in touch with you for purposes of
13 making available a piece of tissue that he had removed from
14 Kendrick's body at the time that he did his first independent
15 autopsy?

16 A. No, he has never contacted me. Now, your office has
17 sent me a letter with a copy of the autopsy and I believe,
18 again, I don't have it in front of me, stating something in
19 the fact that if I wanted to discuss the findings. But
20 subsequent to that, I did review a slide that he had taken
21 during the autopsy that was part of the -- Attorney General,
22 United States Attorney General, they had me review the slides
23 while they're -- in their presence and I did look at the
24 slides that he took.

25 Q. Okay, so --

1 then the disappearance of the organs would certainly make that
2 process more difficult; right? If you couldn't examine the
3 organs, you couldn't eliminate foul play; is that correct?

4 A. Correct, as far as an internal examination; yes. I
5 mean, it's not a complete autopsy if you don't have the
6 organs.

7 Q. Okay. And when you reached a determination that his
8 death was accidental, this was based upon information that you
9 had received from the law enforcement agencies or officers
10 there in Lowndes County; is that in large measure what you
11 were relying on?

12 A. As documented in the autopsy, given the complete
13 autopsy, including toxicology and histology, the scene photos,
14 the scene forensic testing, the law enforcement investigative
15 findings, including Crime Scene Investigator Report and
16 witness statements, and the Coroner's findings. So again, all
17 those things come into play. It's not made in isolation so --
18 of course, the number one thing I depend on is my autopsy
19 because, for instance, I've had cases that have come into me
20 as probable natural overdose deaths, and I have found things
21 in my autopsy and said no, this is a homicide, and I've had
22 the opposite to happen. So I can't take what anyone else says
23 or interprets. I have to go with what I have, but I do use
24 these other testing, these other findings, the scene photos
25 and I don't look at what they interpret they see in the scene

1 photos, I look at what I interpret in the scene photos, and
2 their investigative reports and go over them. So everything
3 is taken into consideration to determine a cause and manner of
4 death.

5 Q. Okay.

6 A. But the autopsy is priority.

7 Q. And the autopsy did not tell you flat out that this
8 was an accident; correct?

9 A. Well, it did because I've ruled out everything else.

10 Q. Okay. Could you, from the autopsy, rule out that
11 someone may have rolled Kendrick Johnson up into the mat and
12 he not be able to free himself?

13 A. Again, the autopsy, you look at everything. I
14 would not believe anyone would allow themselves to be rolled
15 up into a mat without fighting, struggling and I didn't see
16 any evidence of a struggle.

17 Q. You've seen young folks engage in horse play and a
18 lot of stupid activity, haven't you?

19 A. Yes.

20 MR. COPELAND: Object to the form.

21 Q. (By Mr. King) So to have children or young folks to
22 allow themselves to be rolled up into a mat is nothing beyond
23 realm of what's possible; correct?

24 MS. DAVIDSON: Object to form.

25 A. If the person went along with it, it would still be

1 an accident.

2 Q. (By Mr. King) Right, but it involves someone else's
3 participation; is that not correct?

4 A. If someone rolled somebody up in a mat, yes.

5 Q. Now, you have, if I recall correctly, put in the
6 description of how Kendrick Johnson wound up in this mat in
7 more than one place, that he slipped and fell into the center
8 opening; is that correct?

9 A. How injury occurred documented, on Exhibit Number 2,
10 slipped and fell upside down while reaching into the center
11 hole of a vertically stored rolled up gym mat and became
12 trapped.

13 Q. All right. How do you slip and fall into the hole
14 that he was found in --

15 MS. DAVIDSON: Object to the form.

16 Q. (By Mr. King) -- on the -- that being the Thursday
17 or Friday, whichever day that this may have happened, what do
18 you mean by him slipping and falling into the hole upside
19 down?

20 MS. DAVIDSON: Object to form.

21 A. Given the photographs, the investigation -- again,
22 photographs of what -- that shoes were found in the hole in
23 front of him, or at least around his head area, I have
24 sneakers found outside or on the top around his socks, which
25 also showed areas of being stretched at the toe areas which

1 would be consistent with trying to wiggle yourself out of a
2 mat; again, in my interpretation. Then my belief is that
3 Kendrick had reached in -- the shoe somehow ended up in the
4 mat, had seen the shoe; again, wouldn't have necessarily fell
5 down to the very bottom because, depending on how it landed in
6 the mat or was in the mat, it could've been kind of wedged in
7 there, when to reach was wiggling himself -- of course he'd
8 have to be laying on top of the mats to do this which would be
9 the most consistent thing, and started reaching down into the
10 mat to try to get the shoe, kept trying to go deeper because,
11 of course, as he went into the mat, the mat expanded. So
12 guess what, the shoe dropped down a little further. So he
13 keeps trying to do that, and then at the point -- again, I
14 talked about men's gravity, center of gravity, it's upper
15 body. Once you get enough of your upper body in there, you're
16 going into the mat and I believe that's what happened. When
17 he went -- then he went into the mat and then, unfortunately,
18 couldn't get himself out of the mat which is not -- that is
19 not understandable, in my opinion, because, again, the way the
20 mat is being, upside down, it wouldn't be very easy to get
21 yourself out of the mat.

22 Q. The mat upside down?

23 A. No, him being in an upside down position.

24 Q. And you added something else to your theory, and
25 that was that the shoe had, in your opinion, not gone all the

1 way to the floor or what would be the bottom most portion of
2 the center opening or hole, but that only as Kendrick began to
3 reach for the shoe, then the shoe went to the bottom of the
4 opening and down onto the floor.

5 A. As he --

6 MS. DAVIDSON: Object to form.

7 A. As he reached in, of course, he's putting his body
8 into the hole and the hole is stretching. So that way, the
9 shoe would've been -- kept on falling. Unfortunately, it
10 would be in that position, but, yes. My thought is that I
11 would have a hard time believing that Kendrick thought he
12 could get to a bottom of a six-foot mat, as you told me the
13 height was, and reach all the way down to the floor and bring
14 his body back up. At 17, I believe that he could not -- he
15 would not think that. So in my opinion, what would've
16 happened is, again, if there's nothing compressing the mat,
17 it's going to be the size -- it's going to be more narrow,
18 okay, so the shoe, which of course, is like any one shoe, has
19 different -- if it falls in one way, it's thinner, if it falls
20 in another way, it's not. The shoe gets caught up into the
21 mat. He can visually see it and he believes that he can get
22 that shoe out of the mat. As he reaches into the mat and
23 bring his body into the mat, the mat expands. As the mat
24 expands up top, it's going to start expanding down below and
25 the shoe gets deeper and deeper. And at some point, and I

1 can't tell you when, when his center of gravity got more in an
2 upside down position than the rest of him, then gravity would
3 take over and the would go down to the bottom of the mat.
4 Now, that's not to say I don't think he tried to put his hands
5 out and stop himself. He probably did. I think anyone would
6 have, but he was not able to because his center of gravity was
7 already into the mat.

8 Q. Okay.

9 A. That's my opinion.

10 Q. Yes.

11 A. And that's what I reflect on my autopsy.

12 Q. And did you consider that if it was about the
13 business of retrieving a shoe that simply removing the mats
14 out of the way to get to the mat that the shoe was located in
15 and simply turning the mat on its side so that he could
16 retrieve his shoe, did you think that that may have been what
17 anyone in his position would've considered?

18 MS. DAVIDSON: Object to the form.

19 A. I can't put myself in the mind frame of a 17 year
20 old that has class coming out and can't be late for a class,
21 so there are other things to come into -- I'm not just making
22 -- you know I'm basing this on I've got to be at this class.
23 The class alarm is going off soon; I gotta get this shoe as
24 possible. From the photographs and from what was described to
25 me, this mat was all the way against the wall and there were

1 numerous mats in front of it. That would've taken a period of
2 time to do that. So again, being in a 17 year old frame, and
3 probably some adults may think the same thing, the easiest
4 thing and quickest thing would to be see if you could reach in
5 and get the shoe.

6 Q. And just to make sure that I understand you, you're
7 suggesting that a size 10 tennis shoe got stuck in a 14 inch -
8 - or a hole at its widest point, 14 inches across, that this
9 was a size 10 tennis shoe that didn't go all the way to the
10 bottom until Kendrick entered the hole and began to change the
11 shape of the hole; is that what you're saying?

12 MS. DAVIDSON: Object to form.

13 A. I would say measurements of every centimeter, every
14 millimeter, of that mat would have to be taken from the top
15 the bottom because, again, if you rolled up a mat, it's not
16 evenly open all the way down. That's not how it works,
17 especially, if you strap around the mat. Therefore, the 14
18 inches that you're measuring on one side isn't gonna be the
19 same measurement a foot down from there, two feet from down
20 there, three feet, and at the bottom; it's not going to be the
21 same measurement.

22 Q. All right, thank you.

23 A. You're welcome.

24 MR. COPELAND: Thank you.

25 (Deposition concluded at 6:02 p.m.)

Exhibit 1

Kenneth and Jackie Johnson
2800 Tydnall Drive
Valdosta, Georgia 31602
229.560.5555
mikekjjohnson48@yahoo.com

October 6, 2023

State Office of Vital Records
1680 Phoenix Blvd., Suite 100
Atlanta, Georgia 30349

RE: Request Death Certificate Cause of Death Correction for Kendrick Johnson

Dear Commissioner Toomey:

Pursuant to O.C.G.A 31-10-23 Amendment of certificates or reports (a) Unless otherwise specified by law, a certificate or report registered under this chapter may be amended in accordance with this chapter and regulations adopted by the department to protect the integrity and accuracy of vital records.

We are submitting a completed Affidavit For Amendment Form 3977 and the results of Dr. William R. Anderson who determined our son Kendrick Johnson died from non-accidental blunt force trauma. See Exhibit 1

According to Medical Examiner Maryanne Gaffney-Kraft, she found no wounds on Kendrick except for a scrape on the back of his right wrist and three small injuries on his right pinky.

We are also submitting evidence of wounds Dr. Kraft deliberately did not include in her examination of Kendrick in order to maintain the integrity and accuracy of vital records.

Exhibit 2 shows a laceration and blood on the left ring finger.

Exhibit 3 shows a laceration on the left ear.

Exhibit 4 shows a laceration on the top lip.

Exhibit 5 shows extensive bruising and swelling on the face and upper torso.

Exhibit 6 shows a blood stream from wounds consistent with the distinct markings and dimensions of a stun gun.

Exhibit 7 is especially disturbing because it shows what purports to be a cervical vertebrae autopsy procedure. Bruising on the back very visible in spite of Dr. Kraft's best efforts to cut and pull back the damaged skin on Kendrick's neck. The most gruesome aspect of Exhibit 7 are the large, deep, wide portions of Kendrick's back cut out and removed.

Investigators working on our behalf were unable to find any medical professionals in the United States who could identify a medical explanation or even technique used to butcher and mutilate Kendrick's body as shown in Exhibit 7. Considering Dr. Kraft claims she found no significant wounds on Kendrick then there was no reason to cut his neck and back at all.

To this end, we request the cause of death for Kendrick Johnson to be amended to correctly identify the cause of death as non-accidental blunt force trauma and that this request and exhibits be made part of the permanent vital records.

In advance, thank you for your time and prompt attention to this very important matter.

Warmest Regards,

Kenneth and Jacquelyn Johnson

/s/ Kenneth Johnson

/s/ Jacquelyn Johnson

cc: Commissioner Kathleen E. Toomey, M.D., M.P.H.

**AFFIDAVIT FOR AMENDMENT • FORM 3977 (REVISED 09/2018)**

PLEASE PRINT OR TYPE ALL INFORMATION LEGIBLY AND CORRECTLY BELOW. COMPLETE THE FRONT AND BACK OF THIS FORM.

Section 1: REQUIRED INFORMATION

REQUESTING CORRECTION TO:				
☐ Birth		☐ Stillbirth/Fetal Death		☒ Death
STATE FILE NUMBER 260-93-6502		DATE OF BIRTH & HOUR OF BIRTH (MONTH, DAY, & YEAR) 10/10/1995		
FIRST NAME OF CHILD AT BIRTH Kendrick	MIDDLE NAME OF CHILD AT BIRTH Lamar	LAST NAME OF CHILD AT BIRTH Johnson	GENERATION (JR., II, III, ETC.)	
MOTHER/PARENT 1 FIRST NAME AT BIRTH Jacquelyn	MOTHER/PARENT 1 MIDDLE NAME AT BIRTH Lavern		MOTHER/PARENT 1 LAST NAME AT BIRTH Martin	
FATHER/PARENT 2 FIRST NAME AT BIRTH Kenneth	FATHER/PARENT 2 MIDDLE NAME AT BIRTH Lamar		FATHER/PARENT 2 LAST NAME AT BIRTH Johnson	
FATHER'S PLACE OF BIRTH (CITY, COUNTY, STATE) Valdosta, Lowndes, Georgia		FATHER'S DATE OF BIRTH (MONTH, DAY, & YEAR) 02/20/1969		
ITEM OMITTED OR IN ERROR	BIRTH CERTIFICATE SHOWS		SHOULD BE	
Cause of death	Accidental positional asphyxia		Non-Accidental blunt force trauma	
I HEREBY DECLARE UNDER OATH THAT THE STATEMENTS ABOVE ARE TRUE TO THE BEST OF MY KNOWLEDGE. (SIGNATURE OF REGISTRANT OR PARENT) /s/ Kenneth Johnson				
CURRENT ADDRESS OF REGISTRANT (STREET NAME & NUMBER, CITY, STATE, & ZIP CODE) 2800 Tyndall Drive, Valdosta, Georgia 31602				
EMAIL ADDRESS mikekjjohnson48@yahoo.com				
DO NOT WRITE BELOW THIS LINE.				
NAME & KIND OF DOCUMENTARY EVIDENCE (INCLUDE BY WHOM AND DATE ISSUED)		ORIGINAL DOCUMENT DATE (MONTH, DAY, & YEAR)		
ADDITIONAL INFORMATION OR EXPLANATION				
As an official representative of the State Registrar, I certify that I have examined the evidence and information presented on this form.		SIGNATURE OF CERTIFIER		DATE SIGNED (MONTH, DAY, & YEAR)
SIGNATURE OF THE STATE REGISTRAR		ORIGINAL BIRTH CERTIFICATE FILE DATE (MONTH, DAY, & YEAR)		

Section 2: NOTARY PUBLIC

ACKNOWLEDGED TO BE TRUE BEFORE ME ON (NOTARY'S SIGNATURE & DATE):		MY TERM EXPIRES ON (DATE):	
ID TYPE PRESENTED BY REGISTRANT		ID NUMBER PRESENTED BY REGISTRANT	
ID TYPE PRESENTED BY BIRTH MOTHER/PARENT 1		ID NUMBER PRESENTED BY MOTHER/PARENT 1	
ID TYPE PRESENTED BY BIRTH FATHER/PARENT 2		ID NUMBER PRESENTED BY FATHER/PARENT 2	
PLEASE PLACE THE NOTARY SEAL BELOW.			

Page 1 of 2 (Please see instructions on the back)

PLEASE ADDRESS ALL CORRESPONDENCE TO THE ADDRESS BELOW.
STATE OFFICE OF VITAL RECORDS | 1680 PHOENIX BLVD. SUITE 100, ATLANTA, GA 30349 | PHONE 404.679.4702



AFFIDAVIT FOR AMENDMENT • FORM 3977 (REVISED 09/2018)

NOTE: The fee for amendments to Vital Records is \$10.00. This fee does not include certified copies of the record and is non-refundable. Certified copies of birth and death certificates are \$25.00 and \$5.00 for each additional copy purchased at the same time.

Example:	Amendment	\$10.00
	Certified Copy	\$25.00
	+1 Additional Copies	\$5.00
		\$40.00

If this request is being mailed, please forward this completed form with a U.S. Money Order or certified check for the correct amount made payable to the State Office of Vital Records. **A valid copy of your Photo ID must accompany this request.** Please do not send cash by mail.

INSTRUCTIONS FOR AMENDING A BIRTH CERTIFICATE

The Amended Birth Certificate form must be completed by the registrant, the parent, or the legal representative. ALL INFORMATION MUST BE TYPED OR PRINTED IN BLACK OR BLUE-BLACK PEN. The Amended Birth Certificate is a permanent record and will replace the original record on file.

Step 1. Complete the information as it should appear on the Amended Birth Certificate in the top portion. Enter the child's name, sex, hour of birth if applicable, date of birth, city, or town or location of birth, county of birth, mother's maiden name, mother's date of birth or age, mother's state of birth, father's full name, father's date of birth or age, and father's state of birth if applicable.

Step 2. Complete the items to be amended or corrected. Enter the item omitted or in error; then enter the information as it appears on the original birth certificate and enter the birth information as it should be.

Step 3. The Amended Birth Certificate must be signed by the registrant or parent in the Affidavit section. The notary shall sign his or her name, enter the date the information was "sworn and subscribed to", the date his or her notary commission expires and impress the notary seal in the space marked 'IMPRESS SEAL HERE'.

NOTE: APPLICANTS OR THEIR REPRESENTATIVES DO NOT ENTER ANY INFORMATION BELOW THE SOLID LINE MARKED "APPLICANT – DO NOT WRITE BELOW THIS LINE."

Step 4. The applicant (or his or her representative) must submit the required evidence which shows the information listed in the sworn portion of the form.

All records submitted must verify the facts claimed and must also show the name and address of the company, agency, or institution where the record was filed; the date the record was made and by whom and must be submitted in the following form: (1) A statement on letterhead stationery of the official and signed by the official who has custody of the record OR (2) A copy of a record which is certified to be a true copy by the official having custody of the original record.

All documents will be returned to the applicant upon review. Altered records or records which show incorrect information will not be accepted. UNCERTIFIED COPIES OF DOCUMENTS ARE NOT ACCEPTABLE. To determine the age your record should be, please refer to the Abbreviated Records Requirement Chart. FORM 3977 SHOULD NOT BE USED TO ESTABLISH PATERNITY.

ABBREVIATED RECORDS REQUIREMENT CHART

This chart is acceptable for amending a birth certificate only.

Age of Child	Required Age of Record
8 years or older	Record at least five years old
4 years – 7 years	Record filed not more than three years after the date of birth
Over 1 year – 3 years	Record at least one year old

In all cases, the evidence must have been created at least (1) year prior to the date of application.



To Amend a Name

☐ To amend a given name, a record which shows the full correct name as it should appear on the certificate and correct age OR date of birth is required since the correction to the child's name was not performed within the first year of birth. The record must at least five years old.

☐ To amend the name on the birth certificate requires a court order indicating the changes from (original name) and change to (new name). In addition, please provide a statement on letterhead from the physician indicating the intersex/transgender diagnosis. The statement must bear the original signature of the physician and state his/her title, which will also be retained on file with the above court order.

☐ To change the surname requires a Court Order.

☐ To amend the spelling of the surname requires one document filed within the first seven years of the registrant's life that also shows the parents' surname.

To Amend a Birth

☐ To amend the date of birth only requires a five year old document indicating the registrant's full name and full date of birth.

☐ To amend the name or date of birth of a parent born within the U.S., you must provide a certified copy of the parent's birth certificate. A photocopy will suffice if the parent was born in the State of Georgia.

☐ To amend the name or date of birth of a parent born in another country, you must provide a certified translated copy of the birth certificate, as well as, the original birth certificate.

☐ The date of birth may be amended no more than one year by supporting evidence created prior to the registrant's seventh birthday. To amend the year of birth by more than one year requires an order from a superior court or probate court.

To Amend the Sex

☐ To amend the sex on the birth certificate requires a five year old record. The document must show the name, sex, and age or date of birth of the registrant.

To Amend the Address

☐ To amend the address of the mother/parent 1 at the time of the child's birth, please furnish the State Office of Vital Records with a letter from the U.S. Postmaster, on their letterhead, stating the mother/parent 1's name and address at the time of the child's birth. To be acceptable, the document must show the name, agency location, and the date the document was filed or recorded. The document must also be an original.

Exhibit 2

FORENSIC DIMENSIONS
MEDICAL DIAGNOSTIC SERVICES--ORLANDO
1630 BRIDGEWATER DRIVE
HEATHROW, FLORIDA 32746
(407) 333-3512

William R. Anderson MD

M. A. Raven, RN

PVT-13
Autopsy Examination

REPORT OF FORENSIC DIAGNOSTIC CONSULTATION

PATIENT: JOHNSON, KENDRICK

AGE: 17 **SEX:** M

DATE/DEATH: 01/11/13 FOUND **TIME/EXAM:** 11:30
DATE/EXAM : 06/15/13 **REQUEST/BY:** JACQUELYN JOHNSON
DATE/REPORT: 08/15/13 (ADDENDUM 09/21/18)

ANATOMIC PATHOLOGIC FINDINGS:

1. Blunt Force Trauma, Right Neck
 - a. acute hemorrhage soft tissues of upper neck
 - b. acute peri-osteal hemorrhage, posterior body, right mandible
 - c. areas of acute hemorrhage involving carotid artery bifurcation, and carotid body
2. Blunt Force Trauma, Right Thorax*
 - a. acute hemorrhage, soft tissues and intercostal musculature
3. Review of initial autopsy: ME01984 4000101-13
 - a. pulmonary findings c/w rapid onset death
 - b. findings not consistent with positional asphyxia

CAUSE OF DEATH:

BLUNT FORCE TRAUMA, RIGHT NECK, INVOLVING RIGHT MANDIBLE, AND SOFT TISSUES, INCLUDING THE AREA OF THE CAROTID BODY, CONSISTENT WITH INFLICTED INJURY

*BLUNT FORCE TRAUMA, RIGHT ANTERO-LATERAL THORAX

NOTE: UNEXPLAINED, APPARENT NON-ACCIDENTAL, BLUNT FORCE TRAUMA; FURTHER INVESTIGATION IS INDICATED TO DETERMINE THE ETIOLOGY OF THE INJURIES.

WILLIAM R. ANDERSON MD, PATHOLOGIST

REPORT OF FORENSIC DIAGNOSTIC CONSULTATION

GROSS ANATOMICAL EXAMINATION:

The autopsy is performed at the request of Jacquelyn & Kenneth Johnson in the Robert Bryant Funeral Home, prosector: Dr. William R. Anderson, assisted by: Ms. Lynetta Oxendine. (*Second autopsy at Brown Funeral Home.)

IDENTIFICATION:

The identification of the body is made by funeral home identification tags.

CLOTHING & PERSONAL EFFECTS:

The body is received in a silver metal casket and dressed in red shirt, under shirt, black slacks, sport shoes, wrist watch, and plastic undergarment.

SCARS, TATTOOS, & SPECIAL FEATURES:

Examination of the victim shows no significant areas of scarring or the presence of tattoos. There are no needle tracks or other cutaneous needle puncture sites other than those associated with medical therapy.

GENERAL STATEMENT:

The body is that of a normally developed, moderately well-nourished Black male appearing the stated age of 17 years, measuring 70" in length, and weighing approximately 160 lbs. The body has been previously embalmed and a prior autopsy has been performed. Evidence of moderate decomposition is noted, most prominent in the facial area. Areas of skin slippage are identified on the chest, abdomen and extremities, bilaterally, c/w post-mortem artifact. There is good preservation of the soft tissues of the musculo-skeletal system.

EXTERNAL EXAMINATION:

The hair is black; the eyes are autolyzed. The conjunctival membranes exhibit no pallor, petechiae, or icterus. There is no periorbital trauma or edema.

The dentition is natural. There is no trauma to the lips or frenulae. (See Description of Injuries.)

The neck is normally formed, with no deformities. (See Description of Injuries.)

The chest is bilaterally symmetrical with no increase in the AP diameter, or width of the intercostal spaces. The breasts are normal male, with no masses or trauma.

The abdomen shows a moderate amount of subcutaneous fat, with no distention.

Genitalia are normal adult male, with no trauma.

The extremities are normally formed, with no evidence of muscle wasting, or edema. The skin shows no diffuse or discrete lesions, and no areas of abnormal pigmentation.

SPECIAL PROCEDURES:

The following special procedures are performed: Toxicology: None; Forensic Analysis: None; Hematology: None; Microbiology: None; Histology: Representative tissue sections are submitted.

DESCRIPTION OF INJURIES:

Examination of the head and neck shows an area of contusion injury involving the right mandibular area, with moderate discoloration of the skin. Examination of the previously undissected area and sectioning of the skin reveals evidence of full-thickness cutaneous hemorrhage, extending into the subcutaneous fat,

Further dissection into the deep soft tissue reveals hemorrhage into the musculature with extension to the peri-osteal region of the inferior aspect of the posterior body of the right mandible. Focally, an area of intra-osseous hemorrhage is identified in an area of moderately prominent peri-osteal and soft tissue hemorrhage.

Examination of the right upper-neck reveals hemorrhage in the deep soft tissue and musculature adjacent to the bifurcation of the right common carotid artery and carotid body.

Examination of the soft tissues of the left neck area reveals no grossly-evident areas of hemorrhage.

*Examination of the area of discoloration involving the right anterior thorax reveals areas of possible hemorrhage into the soft tissues and intercostal musculature.

*Examination of the skin and soft tissues of the anterior left lower mandible area reveals areas of possible hemorrhage into the musculature.

INTERNAL EXAMINATION:

VISCERA REMOVED AT INITIAL AUTOPSY IS NOT PRESENT WITH THE BODY

MICROSCOPIC EXAMINATION:

*TISSUE SAMPLES COLLECTED 06/30/2018

SOFT TISSUES: NECK

Microscopic examination of the soft tissues reveals areas of extravasated RBC's in specimens "A" and "B" taken from the right neck, as well as sections of mandible and soft tissues of the right neck. IHC stain for Hemoglobin B-chain, decorates the areas of extravasation in tissues showing moderate autolytic changes secondary to prolonged post-mortem interval. Specimen "C" taken from the soft tissues of the left neck show a few foci of extravasated RBC's, with no areas of significant aggregation of blood..

SOFT TISSUES: RIGHT THORAX *

Microscopic examination of the soft tissues reveals areas of extravasated RBC's in 2 of 3 specimens obtained from the right thoracic area. (Muscle adjacent to these areas reveals no hemorrhage.)s

MICROSCOPIC EXAMINATION (CONT'D):

SOFT TISSUES: JAW *

Microscopic examination of the soft tissues reveals no confirmed areas of extravasated RBC's in 2 of 2 specimens obtained from the right mandibular area.

ME01984 4000101-13 (GBI)

Microscopic examination of the tissue slides received from the initial autopsy reveals moderately autolyzed tissues:

HEART:

autolysis; no interstitial or replacement type fibrosis; no inflammation; no intraparenchymal hemorrhage; no necrosis; no vasculitis; no degenerative changes

LUNGS:

autolysis; no inflammation in alveolar spaces or interstitial tissue; no bronchial inflammation; no atypia; no significant edema

PANCREAS:

severe autolysis; no masses; no inflammation; no hemorrhage

LIVER:

autolysis; no fatty metamorphosis; no acute inflammation; no necrosis or hepatocellular degeneration

SPLEEN & LYMPH NODES:

autolysis; no reactive germinal follicles;

ADRENAL GLANDS:

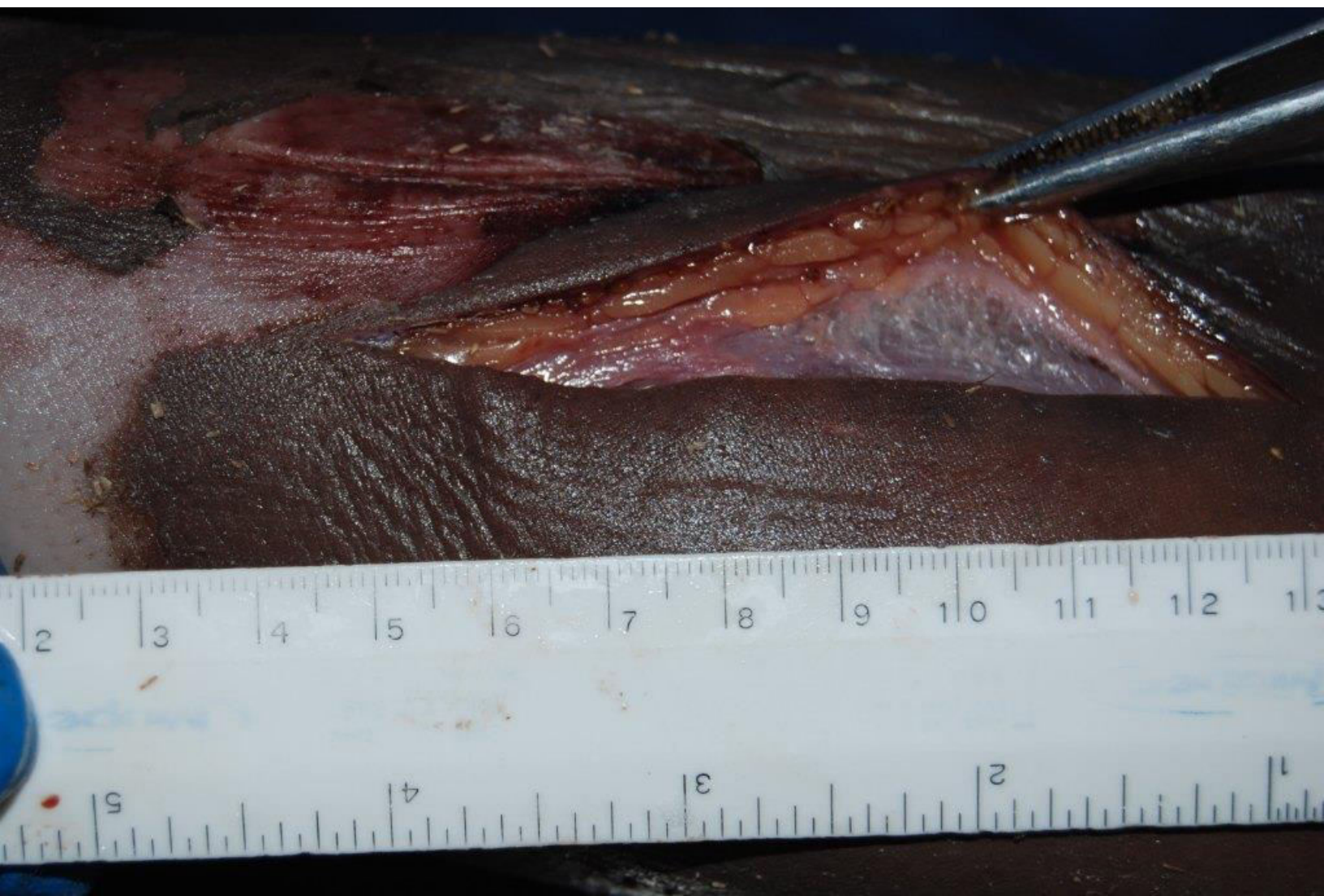
autolysis ; no masses; no inflammation; no hemorrhage

KIDNEYS:

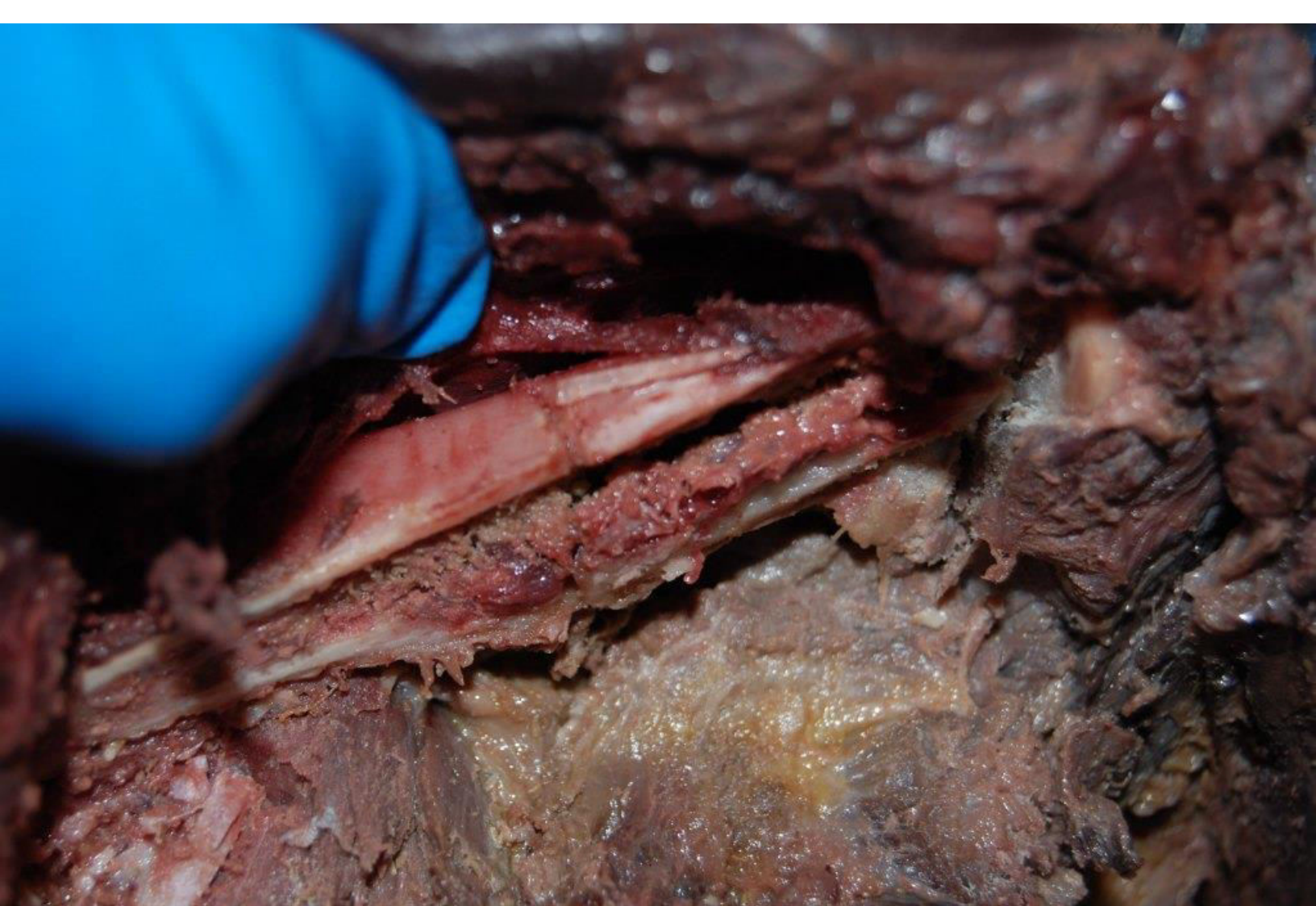
autolysis; no glomerular, tubular or vascular lesions; no inflammation

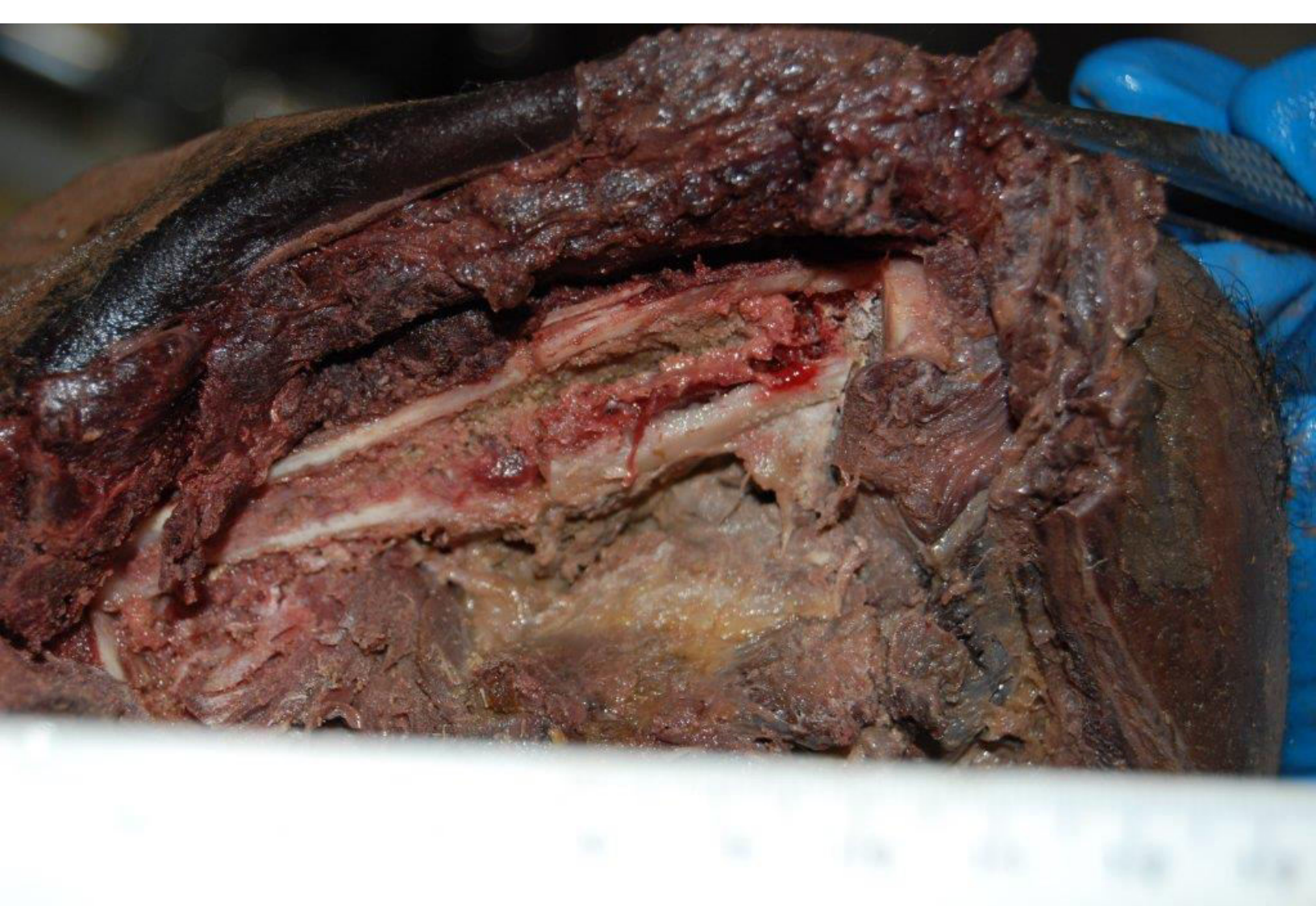
BRAIN:

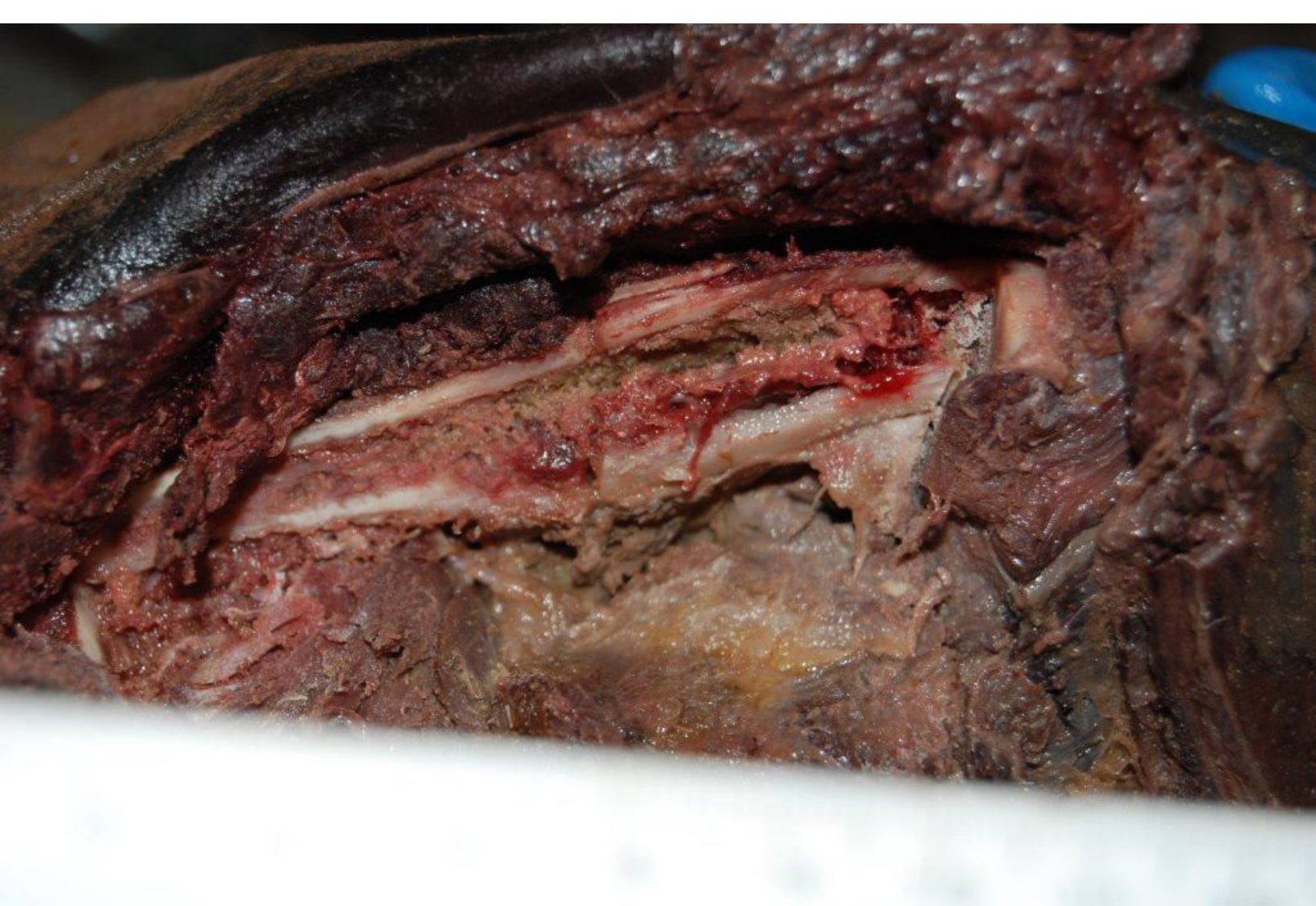
autolysis; no hemorrhage; no hypoxic or degenerative changes; no inflammation;













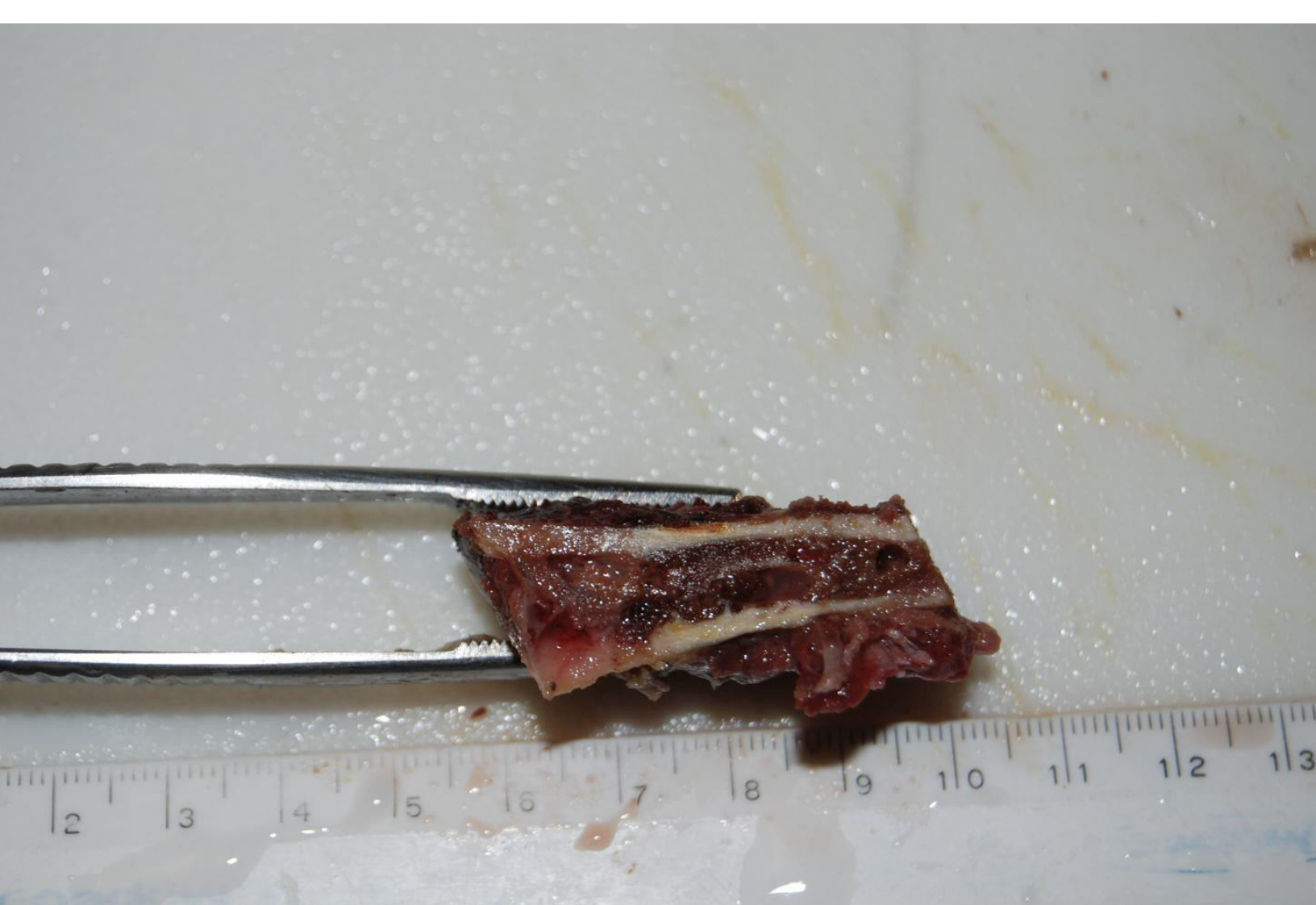








Exhibit 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

KENNETH JOHNSON, et al,

Plaintiffs

v.

GEORGIA BUREAU OF
INVESTIGATIONS, et al,
Defendants.

CIVIL ACTION NO:
1:23-cv-04218-LMM

JURY TRIAL DEMAND

Affidavit of Kenneth Johnson

I, Kenneth Johnson, under penalty of perjury, state the following:

1. I, Kenneth Johnson, am over the age of 18 and I am legally competent to give this Affidavit which is freely and voluntary given. The facts contained herein are based on my own personal knowledge. In addition, I understand this affidavit may be used for any purpose to be permitted by law.
2. On or about October 6, 2023, my wife Jackie and I submitted a request to State Office of Vital Records to correct the cause of death on our son's death certificate.
3. We completed the appropriate forms, supplied vital records with the report from the autopsy performed by Forensic Pathologist Dr. William Anderson, as well as multiple pictures of our sons injuries.

4. Several weeks passed without any response from vital records so I called them to inquire about the status of our request.
5. I was informed our request had not been received by the vital records department in spite of having confirmation from the United States Postal Service the mailing had been successfully delivered.
6. A few weeks went by when I received a phone call from the State Office of Vital Records regarding our request.
7. I learned the State Office of Vital Records had in fact received our request.
8. I learned that in spite of the findings from the autopsies performed by Forensic Pathologist Dr. Anderson and the evidence showing numerous injuries all over our sons body and directly contradicting the State Medical Examiners autopsy report, only the GBI medical examiner could correct the death certificate.
9. I learned that the State Office of Vital Records had been unable to locate Dr. Kraft to confront her with the evidence of our sons injuries that Dr. Kraft deliberately left out of her autopsy report.
10. On February 6, 2024, I contacted vital records to inquire about the status of our request and whether Dr. Kraft had been located to review the evidence and correct the death certificate.

11. I learned that Dr. Kraft had not been located and the death certificate had not been corrected.

I have read the foregoing Affidavit and hereby declare under penalty of perjury that it is true and correct and it was executed the 13th day of February 2023.

/s/ Kenneth Johnson
Kenneth Johnson

Exhibit 4











Exhibit 5

Follow-up Criminal Complaint 20240205 - Kendrick Johnson - Evidence tampering, false statements, corruption, RICO

From: jburrs1715@aol.com (jburrs1715@aol.com)

To: criminal.division@usdoj.gov; michael.horowitz@usdoj.gov; danny.foster@usdoj.gov; cigie.information@cigie.gov; corey.amundson@usdoj.gov

Cc: mikekjjohnson48@yahoo.com; billmorgan_esq@yahoo.com; steve@truecrimeweb.com; ayanna.pressley@mail.house.gov; jasmine.crockett@mail.house.gov

Bcc: jennifer.clarke@usdoj.gov; maria@committeefilms.com; antonio.richardson@committeefilms.com; pfrankwilliams@icloud.com; dianell.hudson@gmail.com; bumpyjonas.dc@gmail.com

Date: Monday, October 14, 2024 at 03:57 PM EDT

To all concerned parties:

I am contacting you on behalf of Kenneth Johnson, the father of Kendrick Johnson, the teen found murdered and rolled up inside a gym tumbling mat in Valdosta Georgia in 2013.

The purpose of this correspondence is to follow up on the multiple criminal complaints filed with the DOJ and U.S. Attorney in Atlanta (https://drive.google.com/file/d/1F8vDgwEIC2K7wVGw32vDIQqHjG62SveF/view?usp=drive_link) concerning government corruption and to provide the DOJ, OIG, and PIN with additional information of evidence tampering (obstruction), false material statements by a federal judge in a final order in the Johnson's civil lawsuit where they were not afforded the opportunity of discovery or a trial, accessory after the fact, perjury, and conspiracy.

The Johnson's recently received several photographs of Kendrick taken from one of the government's case files related to his death that conclusively show authorities tampered with his body in what only could be described as efforts to deceive and conceal KJ's cause of death.

The photograph of Kendrick's body lying on the floor in the LCHS gymnasium reveals injuries on the right side of his body that are consistent with a two-pronged stun gun. A zoomed in close-up picture of those injuries has been provided for your review.

Next there is a photograph from KJ's case file that is a close-up Kendrick's body in a similar position it was in on the gym floor on what appears to be white covered table or stretcher. The top of his boxers are showing, his shirt is lifted up revealing fresh blood droplets in the exact same location on the right side of body as the injuries shown on his body while it was on the gym floor. A close-up picture of the blood droplets is included and shows the blood is still wet and glistening. Since blood droplets of this size dry within 45 mins at regular room temperature and KJ's body wasn't found for 19-20 hours after death, a reasonable person would conclude the fresh blood droplets were intentionally put on his body to give the appearance the blood dripped on the body by mistake and to conceal the truth that a two-prong stun gun caused the injuries.

Additionally, the size and shape of the blood droplets intentionally put on Kendrick's body are different than the size and shape of the blood from the injuries caused by the stun gun. Furthermore, there is an additional spec of blood underneath the blood that is higher on KJ's side that isn't in the picture of KJ's body while it was on the gym floor further evidence of tampering.

Another example of evidence tampering is two photographs of Kendrick's body from the autopsy performed by the GBI medical examiner. One photograph shows Kendrick's upper body with abundant of peeling dead skin. In the second of his upper body, the peeling dead skin seen in the first photo mysteriously isn't there.

The layers of government corruption involved in this case is unprecedented as much as it is undeniable. There is more than enough probable cause and evidence to arrest, charge, convict, and imprison at least 7 current or former employees in local, state, and federal government of federal crimes:

1. Chris Prine
2. Stryde Jones
3. James Thornton
4. Maryanne Kraft
5. Ashley Paulk
6. Leigh Martin May
7. John Doe FBI employee (deliberately withheld pictures of Kendrick Johnson from the consultation with the Defense Health Agency - https://drive.google.com/file/d/12vdmsMoeJuHSYM5ruBGFfdcU4yYVWuU9/view?usp=drive_link)

Johnson's Misconduct Petition: https://drive.google.com/file/d/19UtH2bd-KwbVYc9pvcv_rWLldGDPnDxW/view?usp=drive_link

Johnson's Petition to Investigate and Impeach Judge Leigh Martin

May: https://drive.google.com/file/d/1YbDyWm4-ddiUWgiwb0bBFhixYv4_ZRld/view?usp=drive_link

Mr. Johnson's contact information is as follows:

Kenneth Johnson
229.560.5555
mikekjjohnson48@yahoo.com

Thank you in advance for your time and attention to this correspondence.

/s/ Jonathan R. Burrs

Jonathan R. Burrs, Johnson Family Spokesperson

















Exhibit 6





New Chat

WARNING: This image contains graphic content and may be disturbing.

Based on the image, here's a breakdown of the observed internal injuries and trauma:

- **Extensive Dissection:** The image depicts a body that has undergone a full autopsy. The chest and abdominal cavities are open, exposing internal organs.
- **Chest Trauma:** There is a significant amount of blood and tissue damage visible in the chest cavity. Darker areas suggest hemorrhage and potential blunt force trauma to the area.
- **Organ Damage:** The image shows the internal organs. The lungs, heart and other organs are not directly visible.
- **Abdominal Cavity:** The internal organs, including the intestines are visible, and appear to be intact.
- **Overall:** The image clearly shows extensive trauma, consistent with the description of being murdered.
- **Surgical equipment:** Surgical equipment is also visible in the



An autopsy by a state medical examiner and official reports from law enforcement claim that the dead teen had no injuries and no signs of blunt force trauma, can you confirm or negate that claim based on this autopsy photo? A second autopsy found non-accidental blunt force trauma and a ruptured carotid artery. Is this photo consistent with murder?

The provided image is a graphic photograph depicting a severely damaged human torso. It shows extensive tissue damage, exposing internal organs. The condition of the body is highly suggestive of significant trauma, and directly contradicts the claim of "no injuries and no signs of blunt force trauma."

The image is consistent with the findings of the second autopsy, which reported non-accidental blunt force trauma and a ruptured carotid artery. The severity and nature of the visible injuries are incompatible with a natural death or an accident. The extent of the tissue damage strongly suggests a violent and forceful event.

Exhibit 7



Exhibit 8

Georgia FOIA Request

Kenneth Johnson
2800 Tydnall Drive,
Valdosta, Georgia 31602

April 3, 2024

Georgia Secretary of State
Attn: Brad Raffensperger, Secretary
214 State Capitol,
Atlanta, GA 30334

Secretary Raffensperger:

This is a follow-up to my 03/25/2024 Open Records Request. Under the Georgia Open Records Act § 50.18.70 et seq., I am requesting the final report from and all documentation related to the investigation then Secretary of State Brian Kemp oversaw concerning my minor son Kendrick's internal organs and clothing never being returned to my wife and I as mentioned in the article "Kendrick Johnson Update: Ga. Sec. of State investigating funeral home that handled teen's remains after gym-mat death." Included is a copy of the article for your convenience. Also provided is this link to the article: <https://www.cbsnews.com/news/kendrick-johnson-update-ga-sec-of-state-investigating-funeral-home-that-handled-teens-remains-after-gym-mat-death/>

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$10.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of Governor's Kemp's investigation when he was Secretary of State, into my sons missing organs.

The Georgia Open Records Act requires a response time within three business days.

If access to the records I am requesting will take longer than three days, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,

/s/ Kenneth Johnson
Kenneth Johnson
229.560.5555

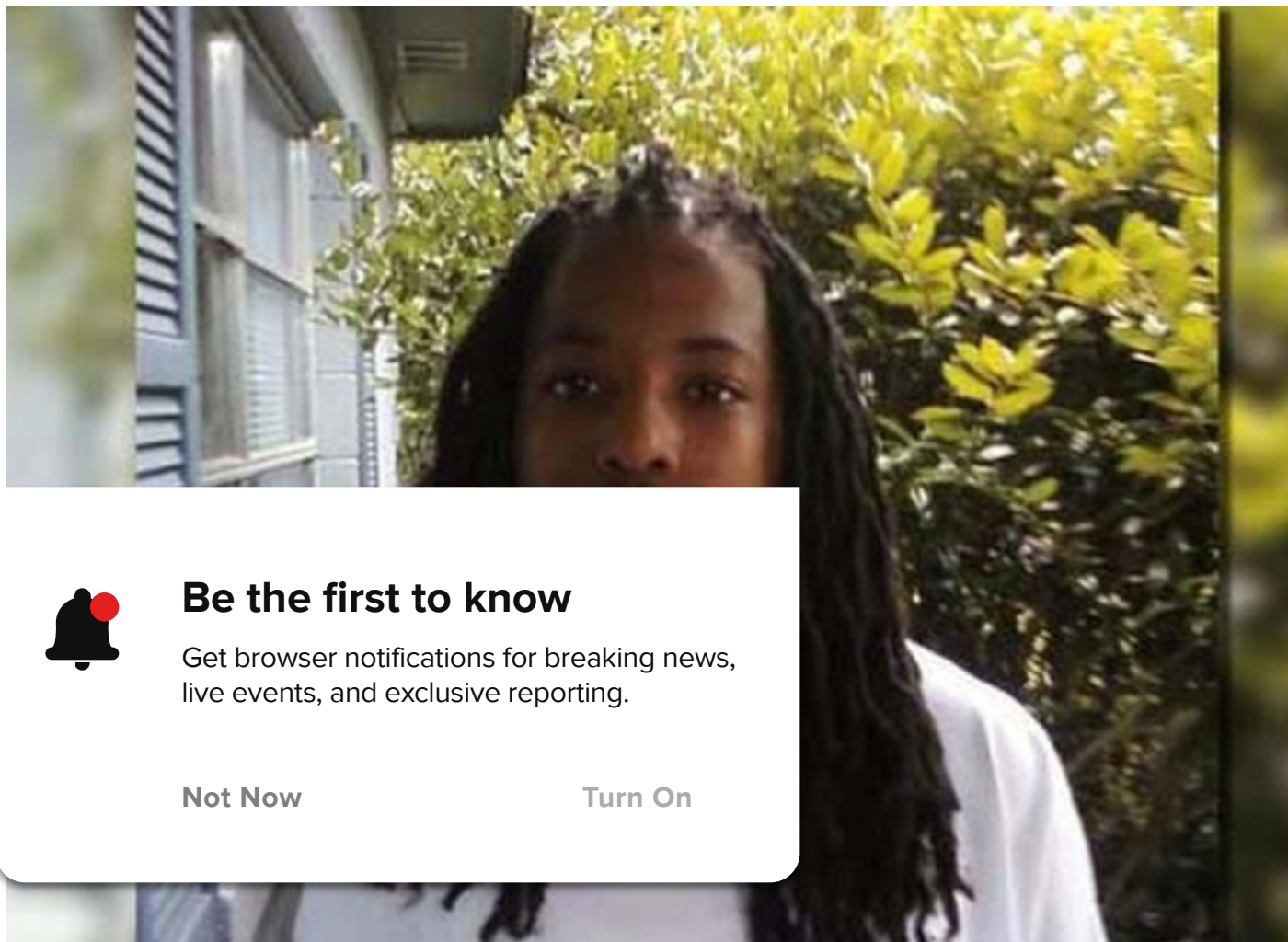
U.S. World Politics Entertainment Health Watch Money Watch Crime Sports Essentials

CRIME >

Kendrick Johnson Update: Ga. Sec. of State investigating funeral home that handled teen's remains after gym-mat death

By Stephanie Slifer

November 5, 2013 / 1:54 PM EST / CBS News



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Watch CBS News
Kendrick Johnson

CBS ATLANTA

Updated 1:54 p.m. EST

(CBS) - The Georgia Secretary of State is investigating the funeral home that handled the remains of a Georgia teen found dead inside a rolled-up wrestling mat in his high school gym, according to a spokesperson for Secretary of State Brian Kemp.

Cody Whitlock said the office of the Secretary of State could not comment further due to its ongoing investigation into the Harrington Funeral Home in Valdosta, Ga. It is unclear when the probe began.

"It's an administrative agency. When matters are raised concerning any industry that they regulate, they clearly have an obligation to investigate," Roy Copeland, the attorney for the funeral home, told Crimesider Tuesday when contacted for a comment.

"I think they're just doing their job," Copeland said. The attorney went on to say he learned of the investigation "two or three weeks ago."



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Authorities initially called Kendrick Johnson's death a freak accident, saying he fell head-first into an upright gym mat and became trapped. The case was closed, but Johnson's family insisted he was killed.

When a judge agreed to exhume Johnson's body over the summer, a private pathologist not only determined he died of blunt force trauma to the neck, but also that his organs were missing and his body had been stuffed with newspaper.

How and why this happened is unclear, and a federal prosecutor announced last week that he is reopening the case.

Despite some media reports that only two entities had custody of Kendrick's body after his death, Crimesider has confirmed at least four entities - the Valdosta-Lowndes Regional Crime Laboratory, the Georgia Bureau of Investigation (GBI), a third-party transport company, and the Harrington Funeral Home - handled the teen's body.

Crimesider reached three of these entities and received some conflicting accounts. The company that transported Johnson's body did not respond to multiple requests for an interview.

On Friday, Harrington Funeral Home directed us to their attorney, Roy Copeland,



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t on the case. In it, Copeland
on's body, the organs had

ill Watson as saying: "In this
re not sent back with the body
death investigator with the
the viscera were disposed of due

to decomposition of the same."

When contacted by Crimesider on Friday, coroner Watson first said he has no idea what happened to Johnson's organs.

"I don't know anything about that," Watson said. "What difference does it make? What does it matter to the case?"

When pressed, Watson confirmed that he informed the funeral home that Rodney Bryan, a death investigator with the GBI, told him via telephone that the viscera were disposed of during the autopsy due to decomposition.

Crimesider reached Rodney Bryan via telephone Monday and attempted to question him about the alleged disposal of Johnson's organs; he hung up on us.

Sherry Lang, spokesperson for the GBI, told Crimesider on Monday that Watson's "accounting of the conversation with Mr. Bryan is inaccurate and incorrect." She said Bryan was talking about "vitreous" fluid of the eye, and not "viscera," internal organs. Lang said that in "every single autopsy [conducted at the GBI], the internal organs are returned to the body cavity."

Asked on Tuesday about the GBI's explanation, funeral home attorney Roy Copeland told Crimesider "not only did the coroner" [hear Mr. Ryan say 'viscera']..."Mr. Harrington was on that call as well."

In addition to addressing the issue of the deceased's organs, Copeland's earlier written statement on behalf of Harrington Funeral Home justifies its use of newspaper to stuff Johnson's body, saying it is in conformity with burial protocol.

"It has been suggested that the material used by Mr. Harrington was neither protocol," the statement reads. apparent they have not taken in which decomposed bodies



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understand the "means and ed for burial, all of whom said it embalming.

Among them, Sharon Gee, Vice-President of the American Society of Embalmers

Exhibit 9

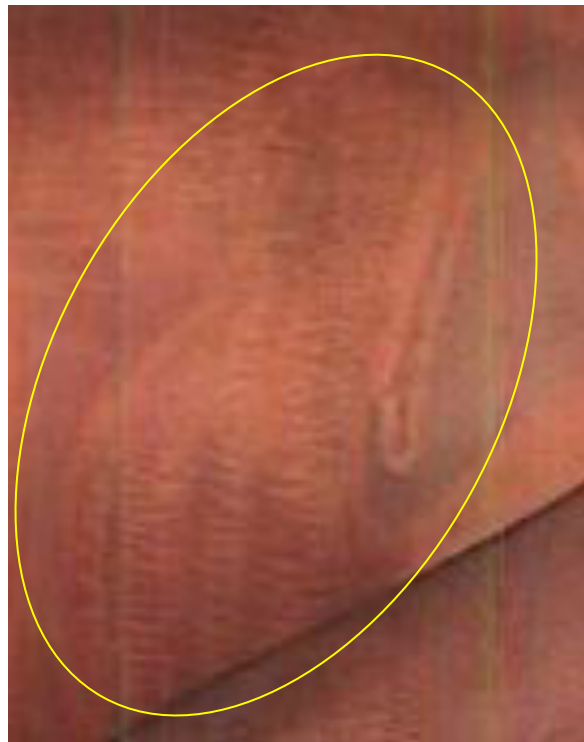


Exhibit 10



FIGURE 2. Scalp incision with extension to the acromion process. Full color online



FIGURE 3. Lateral view of the incision in the back. Full color online



FIGURE 4. Reflection of the posterior flap up to the lumbosacral region. Full color online



Exhibit 11

CONCAVE

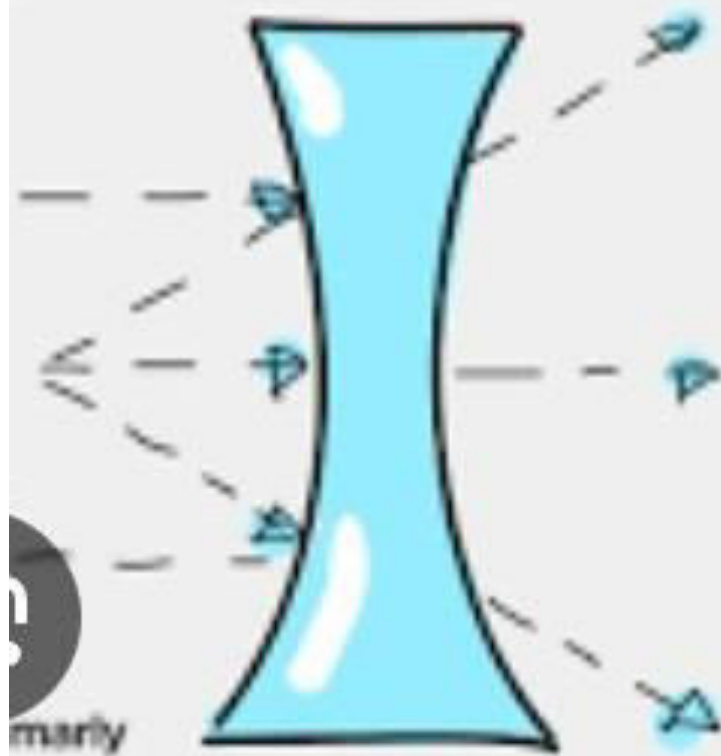


Exhibit 12



Mat Tubes

Category: [Accessories](#)

Description
Description Never discard the Mat Tubes that come with your mat. They're an integral part of the

Exhibit 13

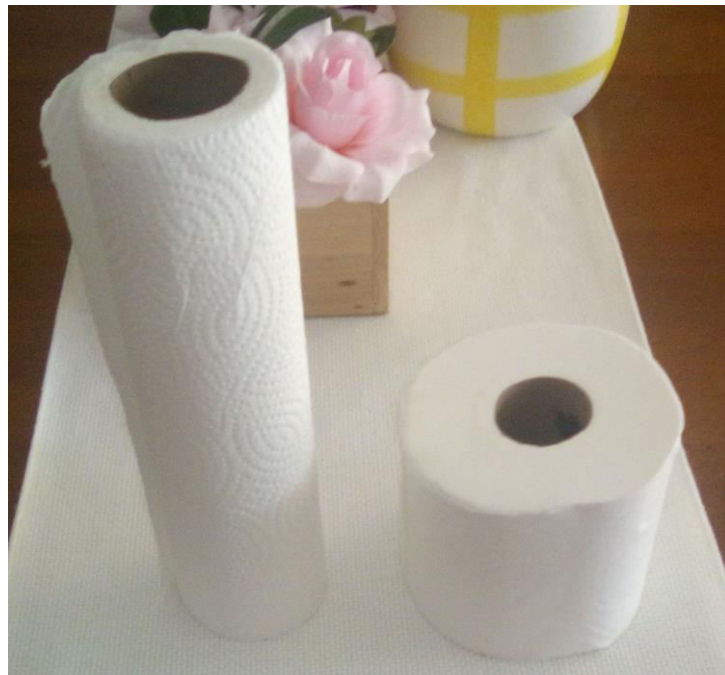


Exhibit 14

