

the Jasuta / Schulman report

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TIBA's Case of the Week

Fourteenth Court of Appeals

[Case Name]: **Jared Holton Seavey v. The State of Texas**

- **OFFENSE:** Murder
- **COUNTY:** Tarrant
- **C/A CASE No.** 14-22-00513-CR
- **DATE OF OPINION:** August 4, 2026 **OPINION:** [Justice Brad Hart](#)
- **DISPOSITION:** Conviction Affirmed
- **TRIAL COURT:** 432nd D/C; Hon. Ruben Gonzalez
- **LAWYERS:** [William Biggs](#) (Defense); [Anne Grady](#) (State)

[Background Facts]: Appellant was tried for the murder of Vanessa Mayfield (“Mayfield”) and it was alleged that Appellant stomped her to death. Originally, Susan Roe, M.D. (“Dr. Roe”), a deputy medical examiner at the Tarrant County Medical Examiner’s Office, performed Mayfield’s autopsy. However, the State called a different deputy medical examiner, Richard Fries, M.D. (“Dr. Fries”), to testify at trial about Mayfield’s injuries and cause and manner of death after Dr. Roe moved out of state. Appellant objected both pre-trial and at trial to the use of Dr. Fries as a witness based on Confrontation Clause grounds, which the trial court overruled each time. Dr. Fries testified in the pre-trial hearing that “[m]y review included the autopsy report, the photographs of the autopsy, [] the radiographs . . . and the toxicology.” He testified that Mayfield’s injuries were “well documented,” and that her cause of death was traumatic injuries to her head and neck from a homicide. He conceded in the pre-trial hearing that Dr. Roe had not videotaped or audiotaped the autopsy. He was unaware of whether Dr. Roe had made handwritten or dictated notes. Though he was familiar with her general approach to autopsies and did not see deviations from that approach notated in her autopsy report, Dr. Fries also conceded he did not personally know whether there were any deviations in this particular autopsy. Finally, Dr. Fries opined that the cause of Mayfield’s death was “traumatic injuries to the head and neck,” and the manner of her death was homicide.

[68] 292 Hearsay & Confrontation (Testimony by Substitute Coroner): On original submission, in an unpublished opinion, this Court affirmed the denial of Appellant's Confrontation Clause challenge to the testimony of a substitute medical examiner. The Court of Criminal Appeals declined to grant discretionary review in 2024. In Seavey v. Texas, No. 24-5118 (October 15, 2024), however, the Supreme Court of the United States vacated the Court of Appeals' judgment and remanded for further consideration in light of its opinion in Smith v. Arizona, 602 U.S. 779 (2024).

[Holding]: In Smith v. Arizona, the Supreme Court addressed the testimony of a substitute expert witness who restated an absent lab analyst's findings to support his own opinion testimony. The case involved a large quantity of what appeared to be drugs, which police sent to a state-run crime lab for analysis. There, a lab analyst ran the requested tests, documented her lab work and results, and prepared a signed, final report. In the final report, the lab analyst concluded that among the substances she analyzed, eight contained useable amounts of illegal drugs. However, for trial, the prosecution replaced the lab analyst with a substitute expert witness who had no prior connection to the case. *** Having noted the confusion sown by Williams v. Illinois, 567 U.S. 50 (2012), about the Confrontation Clause's application to expert opinion testimony, the Court then explained that the Confrontation Clause's prohibition against such absent witnesses "applies only to testimonial hearsay -- and in that two-word phrase are two limits." First, the absent expert's statements must be admitted as hearsay, i.e., offered for the truth of the matter asserted. *** Second, the absent expert's statements must be testimonial, i.e., made with the primary purpose for use at a later trial. *** In this case, the absent expert's autopsy report was not admitted in evidence at trial. Its content was not published to the jury in any exhibit. Nor was it admitted for any purpose in the pre-trial hearing or the hearing outside the jury's presence. Unlike in Smith, the substitute expert, Dr. Fries, did not quote a single line from the autopsy report in his testimony. Nor did the State ask him to testify about the absent expert's conclusions (such as cause of death), her description of the injuries she observed, or whether he agreed with any portion of the autopsy report. In fact, Dr. Fries did not testify at trial about any information whatsoever from the autopsy report. *** Dr. Fries did testify at trial that he reviewed the autopsy report -- which a substitute medical examiner may do. Paredes v. State, 462 S.W.3d 510 (Tex.Cr.App. 2015)[see 68, Vol. 23, No. 23; 06/08/2015]. He also testified that he reviewed photographs of the autopsy, radiographs, and the toxicology. When asked, however, to explain the injuries to Mayfield he had discerned, Dr. Fries specifically and exclusively referred to "injuries documented in photographs." He directed the jury's attention to particular images and described what the pictures showed, repeatedly couching his testimony in terms such as "we can see," "I can see," and "it appears." That phrasing indicates he was drawing his conclusions from what he himself saw in the photographs admitted at trial, rather than relaying statements from Dr. Roe's autopsy report. *** The only "basis evidence" the jury heard consisted of the autopsy photographs -- nontestimonial evidence. Several of these photographs, depicting Mayfield's external injuries, were in evidence and so available for the jury to evaluate directly. On this record, Dr. Fries did not "convey an absent analyst's statements" as required for the first prong of Smith's

two-step test. *** Because no testimonial hearsay from the absent medical examiner's autopsy report reached the jury, we overrule Appellant's Confrontation Clause challenge.

Sidebars

[\[David A. Schulman\]](#) Appellant's successful trip to the Supreme Court of the United States notwithstanding, this seems like a pretty straight forward and simple analysis. The autopsy report by the missing examiner was never admitted and a deputy medical examiner is permitted to review the original autopsy report. Although the Court of Appeals' analysis may not have exactly comported with [Smith v. Arizona](#), the result was always correct.

[\[John G. Jasuta\]](#) Good job in state courts and at SCOTUS by defense counsel, but this ride is over.