

Abuse expert, Lewis testify in Linn case

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Members of a Linn County District Court jury have heard from Matthew Lewis what his defense attorneys wanted them to hear - and little else.

Lewis, the 23-year-old Cedar Rapids man charged with murdering his girlfriend's 2-year-old daughter, testified Thursday afternoon, sharing the high point of the day with a prominent University of Iowa medical expert.

Lewis, not required to testify, took the witness stand ostensibly to show jurors he is willing to take on all questions.

But one of his attorneys asked him just a few brief ones.

"No, I never harmed Rylee Gray," said the chubby and boyish-looking Lewis.

In support of his attorneys' argument that Rylee's mother may have harmed her own child, Lewis then said he did not know if Rylee was injured when she returned to his apartment with her mother about 3 a.m. Dec. 23.

Rylee appeared to be sleeping on her mom's shoulder, he testified, but he added he couldn't really tell because the girl was wearing a hooded winter coat.

With that, Lewis' attorneys, Faye Hoover-Grinde and Duane Rohovit, sat back, hurling objections to most of prosecutor Todd Tripp's attempts to question Lewis.

District Court Judge Kristin Hibbs sided with the defense: Tripp could explore with Lewis only what little Hoover-Grinde had asked in her few minutes of direct questioning.

Still, Tripp noted a discrepancy in Lewis' brief testimony and his statement to police on Dec. 28, the day of his arrest.

In that statement, Lewis told police Rylee seemed fine when she and her mother, Elise Gray, arrived back at the apartment.

Tripp also had Lewis acknowledge that he remained awake and in the apartment the entire time between 3 and the time Lewis discovered Rylee comatose about 8:30 a.m.

In that time, Rylee's mother has testified she slept for a time on the couch and then left sometime around 8 to purchase milk for breakfast.

To convict Lewis, the defense attorneys contend Tripp must prove by medical testimony that Rylee was violently shaken and her head likely slammed into something in the time Gray was at the store.

Defense attorneys, to be sure, will have more of their own medical experts testify before testimony ends, now likely Monday.

But Tripp earlier emphasized to the jury to weigh qualifications carefully, and it now seems he will ask the jury to conclude that the testimony of one medical expert - Dr. Wilbur Smith 2 - matters more than the rest.

Smith is interim chairman of the radiology department at the University of Iowa medical school and a prominent pediatric radiologist and child-abuse expert. He is one of only 18

physicians nationwide certified in the subspecialty of pediatric radiology.

Smith told the jury point by point about the brain scans and spinal X-rays made of Rylee before she died Christmas Day at St. Luke's Hospital.

Smith said the images showed the child's brain injury, the brain's swelling and how much of the brain had died between the first scans, shortly after her arrival at the hospital Dec. 23, and ones taken early Dec. 24.

"This is a major injury. Most probably incompatible with life," Smith said.

Smith also noted four fractured vertebrae in her spine, which he said resulted from the violent "jack-knifing" of her torso as she was shaken.

Smith concluded Rylee "most likely" sustained her severe injury Dec. 23 sometime between 7 a.m. and 8 a.m., the time prosecutor Tripp is trying to prove Lewis was alone with the child.

Smith testified that in shaken-infant cases of this severity, the injury almost instantly sends the child into a coma. Then the injured child experiences seizures and rigidity of the body and rolling of the eyes.

Rylee was comatose and some of her extremities were rigid when Lewis said he heard her stirring in bed and checked on her after 8 a.m.

Defense attorney Rohovit attacked Smith on the timing of the child's injury. He asked Smith how he could have concluded that in early January, days after Rylee died, without talking to the physicians who cared for her and without reviewing the medical history of the case. Smith said the brain scans reveal much.

Prior to Thursday, a radiologist, a pathologist and pediatrician have said they could not pinpoint the time of Rylee's injury to a few hours. A neurosurgeon thought the injury likely happened in the two hours before Rylee arrived at the hospital.

Defense attorneys Thursday called David Russell, a Cedar Rapids radiologist, who also testified that he could not time Rylee's injuries to the hour.

Caption: PHOTOS

Matthew Lewis Accused of murder Dr. Wilbur Smith Testified on Thursday

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