



5. Dr. King's memorialized statements of Mr. Sneed, in part, included his "deni[al] [of] any psychiatric treatment in his history and [that] [he] said he has never been hospitalized or had outpatient counseling . . ." Mr. Sneed also told Dr. King that he was "currently taking lithium at the jail and said it was administered after his tooth was pulled." Dr. King further noted that Mr. Sneed "[did] not think he has serious mental problems." Mr. Sneed admitted to using a "variety" of drugs including "marijuana, crank, cocaine, and acid." Apparently prior to his recent lithium treatment, Mr. Sneed had gotten "angry quite often," "yelled at teachers," engaged in fights with others, and tended to "reject everyone." Dr. King's impression was that Mr. Sneed was "depressed to a moderate degree" and that medication was "probably helpful." Edith King July 19, 1997 Competency Report at p. 2. Dr. King was not clear as to whether the "medication" to which she referred was the noted lithium, or whether she was recommending another course of drug treatment for Mr. Sneed's depression.
6. During my time on the case, we knew from Dr. King's report that Mr. Sneed had been given lithium. We were also generally aware that lithium was often prescribed as a mood stabilizer. However, according to Dr. King's competency evaluation, Mr. Sneed reported that lithium was given to him after a dental malady and that Mr. Sneed denied receiving any form of psychiatric care. Edith King July 19, 1997 Competency Report at p. 2.
7. Dr. King neither corrected, elaborated on, nor apparently investigated, Mr. Sneed's claims concerning why he was given lithium or his denial of ever receiving psychiatric treatment. Relying on the face of Dr. King's report and to my best recollection, our actual knowledge of these matters was limited to Mr. Sneed's self-report of taking lithium for a purpose other than psychiatric need (*i.e.*, a toothache), and that he had never received psychiatric care.
8. Lawrence Trombka, M.D., was generally known by lawyers and investigators in the criminal law community as the treating psychiatrist at the Oklahoma County Jail during the late 1990s.
9. To verify Dr. Trombka's, or any other doctor's, diagnosis and treatment of an inmate's medical/psychiatric condition, we would have needed access to medical records. Medical/psychiatric records of an inmate were generally only available to appellate defense counsel pursuant to a signed release by that inmate or a court order.
10. We did not have Mr. Sneed's medical/psychiatric records during Mr. Glossip's direct appeal.
11. I do not know whether the State, at either of Mr. Glossip's trials, obtained a release for Mr. Sneed's medical/psychiatric records, or otherwise had evidence that Mr. Sneed had in fact been treated by Dr. Trombka for a diagnosed psychiatric illness. I do not recall the State ever disclosing this type of information to us while I was assigned to the case.

12. I have also refreshed my memory with Oklahoma County District Court Judge Twyla Mason Gray's 2001 remanded hearing and resulting *Findings of Facts and Conclusions of Law After Evidentiary Hearing on Remand from the Court of Criminal Appeals*. I was personally present during this remanded hearing. My recollection is that the State forcefully, and successfully, argued against our request to admit Dr. King's competency evaluation report concerning Mr. Sneed in that hearing.
13. Judge Gray found that Mr. Sneed's statements to Dr. King "were privileged and it is highly unlikely Sneed would have waived his privilege to be impeached." Ultimately, Judge Gray ruled that the "report is not admissible for trial, nor to establish the claim of ineffective assistance of trial counsel." Case No. D-98-948/CF-1997-244, March 18, 2001 Order at p. 5.
14. To my best recollection, at no time prior to February 2023 was I aware that Mr. Sneed had in fact been evaluated by a psychiatrist, had seen a medical doctor for mental health issues, had seen Dr. "Trumpet" (or Dr. Trombka) while incarcerated, or that Mr. Sneed was given lithium because he had been diagnosed with bipolar disorder by a physician. Verifying those facts would have required medical/psychiatric records that we did not have.
15. In February 2023, Reed Smith/Jackson Walker investigators shared with me documents from the Oklahoma County District Attorney Case File Box 8 (Box 8) that had been released by Oklahoma Attorney General Gentner Drummond. It is my understanding that Box 8 contained prosecutors' interview notes of Mr. Sneed from October 2003 taken by Oklahoma County Assistant District Attorneys Connie Smothermon and Gary Ackley. This was the first time I have heard the name "Dr. Trumpet" or heard that name in connection with Mr. Sneed or Mr. Glossip's case.

I have had the opportunity to review the foregoing three (3) pages. The foregoing is true and correct to the best of my knowledge, and executed under penalty of perjury pursuant to the laws of the United States and the State of Oklahoma on the 3<sup>rd</sup> day of July, 2023.

Further, Affiant, sayeth not.

  
 Matthew D. Haire, OBA #14916

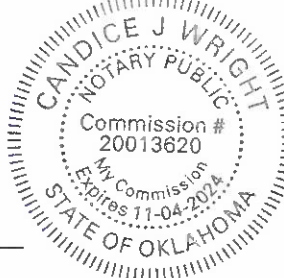
Subscribed and sworn before me on this 3<sup>rd</sup> day of July, 2023.

My commission number is:

20013620

Signature:

Candice J Wright



My commission expires:

11/04/2024