

## MEMO

TO: FILE

FR: MC

DATE 2-3-97

RE: HEATH STOCKS: communications with co-counsel and paralegal Sara

Received return call from Sara.(2-3-97) She informed me that she was going to call Billy Burris of the state hosp. and request that Heath's eval. be expedited. When I asked her why she would want to do that she replied that she wasn't sure why but the judge wanted her to. I told her that we did not want to get in a hurry to try the case as there is much mitigation to discover if the prosecutor is going for DP.

Sara also wanted the name of psychiatrist I sent down for initial interview with client. She also informed me that the client was trying to "snow" me into thinking that he was all upset and that actually client was faking. I told her that I was not qualified to make that determination and that we cannot assume things and must rely on our experts to inform us of the facts and any diagnosis. I then attempted to explain to her the mitigation investigation and work up that must go into a death penalty case in order to prepare for an adequate defense. She told me that the prosecutor was not going to make determination of whether not he was seeking DP until the file was put together.

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