

**Table 4****14 Inconsistencies Between Facts of Bailey's Murder and his Behavior and Blaise**

(Based on the second trial testimony and not considering the differences between Blaise's statement and the facts of Bailey's murder. See Tables 1 and 2 for those differences.)

<b>Inconsistency</b>	<b>Bailey</b>	<b>Blaise</b>
Drug motive	Regular crack cocaine user, and cocaine was in his system at his time of death. He didn't use methamphetamine.	Used methamphetamine in Las Vegas. There was no evidence she had ever used crack cocaine, and none was reported in her system from tests of her blood on July 5 and her urine on July 7.
Geographical	Murdered in a Nevada State Bank's trash enclosure on Las Vegas' west side.	No witness, surveillance video, bank receipt, or other evidence that Blaise had ever at any time been to the Nevada State Bank.
Bloody shoeprints	Bloody shoeprints leading away from Bailey's body were made by a man's size 9 athletic shoe.	Wears woman's shoe (size 7-1/2) equal to man's size 6 to 6-1/2.
DNA evidence	Bailey's DNA is on crime scene evidence.	No crime scene evidence has Blaise's DNA, and none of Blaise's personal items or her car has any of Bailey's DNA.
Blood evidence	Bailey lost two quarts of blood at the crime scene. Bloody shoeprints were both leading away from his body, and on the cardboard on top of his body.	None of Bailey's blood was found on any personal item of Blaise or in her car.
Baseball Bat	Simms testified that Bailey's injuries were inconsistent with being caused by a baseball bat.	Blaise kept a baseball bat in her car for self-defense that tested negative for the presence of any blood
Tire treads	A set of undisturbed tire tracks was found next to the trash enclosure where Bailey's body was found.	The tires on Blaise's car don't match the crime scene tire tracks.
Injuries	Beaten severely. Stabbed multiple times prior to and after death. Penis severed and anus cut after death.	Blaise had no injuries to her hands, or elsewhere on her body attributable to violently assaulting a person – such as Bailey was assaulted.
Eyewitnesses	No witness to Bailey's murder has come forward.	Thirteen alibi witnesses saw or talked with Blaise in Panaca on July 8 from about 12:30 a.m. until after Bailey's body was first seen by the police at 10:50 p.m.
Homosexual overtones	Sexual mutilation of Bailey after his death was described by M. E. Simms and defense expert Turvey as associated with male homosexuality. Simms testified that none of the dozen or cases of male mutilation after death that he had personal experience with involved a woman, and he had never heard or read of any such case in the professional literature. Turvey wrote in his pre-trial report that researching male mutilation after death resulted in him finding only one that allegedly involved a woman – Blaise's case.	Blaise is a woman.
Time of death	Although Simms has testified to different opinions about Bailey's times of death that range from minutes before discovery of his body between 10 and 10:30 p.m. to 3:50 a.m. – the common denominator of all of them is that Bailey died on July 8. Post-conviction three forensic entomologists have opined that to a reasonable scientific certainty Bailey died after 8:01 p.m. (sunset) on July 8. A forensic pathologist opined that Bailey died within two hours of his body's discovery around 10 p.m., which means he died after 8 p.m.	Thirteen alibi witnesses saw or talked with Blaise in Panaca on July 8 from about 12:30 a.m. until after Bailey's body was first seen by the police at 10:50 p.m. Two other alibi witnesses said that they didn't see Blaise's car moved on July 8.

**Table 4 (Continued)**

<b>Inconsistency</b>	<b>Bailey</b>	<b>Blaise</b>
Location	Murdered in Las Vegas on July 8.	No evidence of any kind – no eyewitness, surveillance video, gas receipt, etc. – that Blaise was in Las Vegas on July 3 to July 8.
Personally acquainted	A person or persons acquainted with Bailey murdered him based on the expert opinion of Simms and Turvey that the crime scene and Bailey’s injuries strongly suggest homosexual overtones.	No evidence that Blaise knew Bailey – or had ever had any contact of any kind with him.
Circle of acquaintances	People in the area of the Nevada State Bank were acquainted with Bailey, and these people included Richard Shott (who discovered Bailey’s body), Diann Parker (who was raped and beaten by Bailey), and the Mexicans (who warned Bailey to stay away from Parker).	No evidence that Blaise knew any of Bailey’s circle of acquaintances, or even that any of Blaise’s Las Vegas acquaintances knew Bailey or any of his circle of acquaintances.



Looking toward the desert from the driveway of the Lobato’s Panaca house. Three non-relative eyewitnesses have testified Blaise was four-wheeling in front of her house and in the desert on Sunday, July 8, 2001, from about 11:30 a.m. until early afternoon. One of those witnesses is Michelle Austria who was four-wheeling with Blaise.



Blaise’s bright red 1984 Fiero where it was parked in front of her parents’ house in Panaca from July 2, 2001, when she arrived from Las Vegas, until it was towed away by the LVMPD on July 20, 2001.