

Forensic Scientist Says Prosecution's Theory That Adrian Nixon Shot Jeremy Clark From Inside Challenger Is Not Possible

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Private Forensic Scientist Jay Jarvis testified Friday morning rejecting prosecutors' claim that Jeremy Clark was shot from the driver's seat of a white Dodge Charger where Adrian Nixon was sitting. Instead, the defense witness, who mostly worked with firearms and residues, said there is no way that could be possible.

"There was no evidence of gunshot residue (GSR) or stippling on the victim," said Mr. Jarvis. "If he was shot at a close range, there would be evidence of that."

He said when he looked at the totality of the evidence, it does not support the driver being the shooter. Mr. Jarvis said the shooter had to have been outside the vehicle because GSR rarely travels more than four to five feet. For context, there were four gunshot shells found at the crime scene but five shots were fired according to the victim's autopsy.

"The amount of particles (10) found in the car was an awful small amount for five shots," said Mr. Jarvis. "I would expect a cloud of particles all over the car if the shot was fired from inside." Mr. Jarvis testified further on how the investigation should have been conducted. He said particles should have been labeled and shown where they were found. He also briefly mentioned that particles should have been stored separately. He concluded his testimony by saying the most likely scenario was that the shooter stood near the car hood on one of the sides.

Prosecutor Cameron Williams asked about his pay on the case and who normally hires him in an apparent attempt to show possible biases. But when asked about a witness, who allegedly said the shot came from inside the vehicle, Mr. Jarvis said he trusts the evidence more than a witness statement.

"I don't put a lot of faith in witness statements because sometimes they get it wrong," said Mr. Jarvis. "And obviously they were wrong because the evidence doesn't support what they said." Mr. Williams repeatedly put pressure on Mr. Jarvis to agree that there is a possibility that the driver could have shot the victim. Judge Don Poole even had to remind Mr. Williams a few times to "stop arguing" with the witness. But Mr. Jarvis stayed true to his professional opinion throughout cross examination.

"I'll reiterate it for you again," said Mr. Jarvis to Mr. Williams. "There is absolutely no possibility, based on the evidence, that he was shot from the driver's seat and I'm sorry that doesn't support your scenario."

Mr. Williams later referred to his statement advising jurors to "be careful" of people who give absolutes. But following Mr. Jarvis' testimony, the defense rested their case and prosecutors kicked off closing arguments. They highlighted Nixon's alleged actions immediately after the shooting.

"Evidence shows Nixon shot him and fled the scene," said Mr. Williams. "He goes to the police 12 hours later because he knows they don't have evidence because he got rid of it."

Mr. Williams said Nixon went missing for 12 hours to change clothes and clean himself up and his girlfriend cleaned the Dodge. Defense attorney Bill Speek, however, said it's normal that

Nixon's girlfriend washed her car because she was leaving to go out of town for her birthday. He also said Nixon had a reason to flee the scene because he was in a dangerous situation.

"The white Dodge Challenger is not on trial here," said attorney Speek. "The state makes the inference that Nixon's girlfriend is the best cleaner that ever was, but the fact is that she just went to a three-hour car wash."

Prosecutor Williams told jurors even smart people do dumb things, referring to Nixon's education at Notre Dame private Catholic school. He encouraged the jury to look at the evidence both factual and circumstantial.

Attorney Speek nonetheless, told jurors to remember that the government has the "highest burden" of proof while the defense just has to prove reasonable doubt.

"Never put the burden on the defendant of proving his innocence when it's the government's job to prove the guilt," said the attorney. "The prosecutors are running into testimony issues with witnesses and science issues with experts. Inference of guilt is not proof of guilt, so even if you do agree with the state's theory, it's not enough to convict someone of murder."

The jury began deliberations Friday afternoon in the case in which Nixon is charged with first-degree murder.