

 3 6 2 7 0	<b>FILED</b> No. <u>35.279-C</u> 2011 AUG -5 P 1:19 <b>EX PARTE</b> * * * * * * <b>BRIAN KEVIN TROUPE</b> *  <b>IN THE 27TH JUDICIAL DISTRICT COURT, BELL COUNTY, TEXAS</b> <b>DISTRICT ATTORNEY, BELL COUNTY, TEXAS</b> <b>BELL COUNTY, TEXAS</b>
<p style="text-align: center;"><b><u>Affidavit</u></b></p> <p>State of Nevada * County of Clark *</p> <p>1 Before me the undersigned authority, personally appeared <b>Samuel A. Mujica-Trenche</b>, 2 who, after being by me duly sworn, deposed as follows:</p> <p>3 "My name is Samuel A. Mujica-Trenche. I am over the age of 21 years, of sound mind 4 and body, capable of making this affidavit and personally acquainted with the facts herein stated.</p> <p>5 "I am currently employed as a Pediatric and Neonatal Hospitalist ("PNH") physician in Las 6 Vegas, Nevada. I graduated from the University of Puerto Rico in San Juan, Puerto Rico, with a 7 bachelor's degree in Chemistry and then obtained a medical degree from their medical school. I 8 entered the United States Army and in 1984, completed my Internship and Residency in the area 9 of pediatrics at Brooke Army Medical Center in San Antonio, Texas. I was first stationed at Fort 10 Leonard Wood in Missouri from 1984-1985 as a staff pediatrician and then moved on to the 11 Department of Pediatrics at Darnell Army Community Hospital in Killeen, Texas in 1985. I 12 completed my Army commitment there in June 1987.</p> <p>13 "While at Brooke Army Medical Center in San Antonio, Fort Leonard Wood in Missouri</p>  A P F I	

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1 and Darnell Army Community Hospital in Killeen, Texas, I examined many children who had  
2 been physically and/or sexually abused. In addition, while stationed at Darnell Hospital, I  
3 testified in Bell County District Courts as a physician familiar with child physical and/or sexual  
4 abuse cases.

5 "With regard to the Beverly Troupe case, my involvement began in December of 1986  
6 while I was still stationed at Darnell. I refreshed my memory with my statement to the police and  
7 my trial testimony. Beverly, who was 8-years-old at the time, was brought into the Pediatric  
8 Clinic at Darnell by her mother, Lavern Troupe, the morning of December 10, 1986, because she  
9 was complaining of burning on urination. She was screened by the physician on duty and a urine  
10 culture was done. The results were negative indicating that she had no urinary tract infection.

11 Parenthetically, Beverly was a military dependent and her family had previously been stationed in  
12 Germany. While in Germany, her medical records indicated that she was taken to a military  
13 hospital and screened for a urinary tract infection because she was complaining of burning upon  
14 urination. A urine culture was negative indicating that no infection was present. The records  
15 further indicated that she did not receive a physical examination at that time.

16 "That night, both parents brought Beverly back to the Darnell Hospital Emergency Room.  
17 She was still complaining of the same burning sensation. I was the pediatrician on call and I was  
18 called by the physician on duty, to come by and examine Beverly. I conducted a physical  
19 examination and my first unusual impression was that Beverly did not have a hymeneal

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1 membrane at the opening of her vagina. She had a gapping vaginal entrance, and a distended  
2 vaginal canal. Perhaps some sort of trauma could explain the absence of a hymen, but an  
3 accident could not explain why Beverly had a distended vaginal canal.

4 "I attempted to talk to Beverly before the examination, but as I recall, she was very  
5 reserved and seemingly exhibited a 'flat affect.' A flat effect is a behavior often manifested by  
6 children who have been sexually abused. Basically, it is characterized by a lack of, or a stoic  
7 facial expression discordant to the gravity of the situation at hand.

8 "After examining Beverly I decided that she needed to be admitted to the hospital to  
9 further investigate the possibility of sexual abuse. I went to her parents and told them of my  
10 findings during the examination and my intention to admit her to the hospital to find out what  
11 was going on. I did tell the parents that I felt Beverly could have been sexually abused. As I  
12 noted in my statement (which I have attached to this affidavit as Exhibit-A and it is incorporated  
13 by reference for all purposes) Lavern Troupe, the mother was very quiet. She seemed though  
14 very distressed but the father, Brian Troupe, seemed very calm and did not ask too many  
15 questions.

16 "The next day, which I noted in my statement was December 11, 1986, I examined  
17 Beverly using Toluidene blue. Toluidene blue is a dye that when placed on the patient's skin,  
18 will reveal abrasions or lacerations that may not be visible with the naked eye. This test revealed  
19 that Beverly had multiple abrasions of the introitus, which is the area right around the vaginal

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1 entrance. After observing the results of this test, I went to the parents and told them that Beverly  
2 had very possibly been sexually abused. At that time as I noted in my statement Brian  
3 Troupe told me that, according to Beverly, her two-year-old brother had been inserting his fingers  
4 into her vagina. Lavern Troupe came to me that day and told me that Beverly sat on a neighbor's  
5 swing which had broken glass on it implying that Beverly may have cut herself on the glass. In  
6 addition, Brian Troupe told me that his wife told him, that Beverly had been involved in sex play  
7 with neighborhood children her own age and younger. I recall that none of these explanations  
8 provided a complete explanation for Beverly's injuries.

9 "The next day, which I noted was December 12, 1986, I arranged a more thorough pelvic  
10 examination on Beverly using the Toluidene blue. This time, I assisted Dr. Brad Miller an  
11 obstetrician at Darnell Hospital. The findings were the same. Beverly had no hymeneal  
12 membrane, her vagina was the size of a sexually active adult female and there were many small  
13 laceration or abrasions at its entrance. There was also a one and one-half inch laceration on the  
14 inside of her labia majora. I noted in my statement that Helen Paramore, the Department of  
15 Human Services worker assigned to the case, tried to talk to Beverly after the examination on  
16 December 12, 1986, but Beverly had been sedated for the examination and was too sleepy. I  
17 noted that Ms. Paramore did come back the next day, December 13, 1986, and talk to her.  
18 Beverly told her that her father was the one who was sexually abusing her. Ms. Paramore then  
19 called me and told me what Beverly had said, and I immediately made arrangements to have

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1 Brian and Lavern Troupe barred from the Beverly's hospital room.

2 "Although I have only a vague recollection of it now, I noted in my statement that I went  
3 to the hospital the evening of December 13, 1986 and spoke to Beverly myself. At that meeting  
4 she was much more relaxed and upon questioning, she told me that her father was the one who  
5 was hurting her. She said she told her mother what had been going on but she did not do  
6 anything. The next day I received a call from Lavern Troupe who was very upset about the fact  
7 that she could not see Beverly. She added that Beverly was 'lying' and not telling the truth and  
8 that I others were trying to destroy her family.

9 "I do recall that Brian Troupe was later indicted for the sexual abuse of Beverly, and I  
10 was subpoenaed by the State to testify at his trial. I testified consistent with my statement to the  
11 police.

12 "Not long after the trial in April of 1987, I left Texas and moved to Nevada. I had no  
13 contact with anyone about the case until a few years ago, when I got a mysterious telephone call  
14 from a woman. My impression was the woman was an attorney investigating Beverly's case. I  
15 do not recall the name that she gave or her specific questions. Her conversation seemed to be  
16 aimed at calling into question my opinion that there was sexual abuse in Beverly's case. I do not  
17 recall my specific answers but, I do recall, that she called back two or three more times over the  
18 last few years. It was during one of these subsequent calls that she identified herself to me as  
19 Beverly Troupe. I now think that these calls were is some way preparation for challenging Brian

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1 Troupe's conviction, and Beverly was apparently assisting in this effort.

2 "I still believe, as I testified at trial, that Beverly Troupe was sexually abused over some  
3 period of time, and that her parents provided no reasonable explanation for the injuries that she  
4 suffered. My statement at the time reflects that Beverly told me her father, Brian Troupe, was the  
5 person who was sexually abusing her and that is the way I testified at trial. Nothing I have  
6 reviewed or learned since that time has caused me to change my opinion that Beverly was  
7 repeatedly sexually abused back then. Beverly told me at the time that her father was the culprit.

"Further affiant saith not."

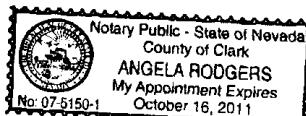
  
Samuel A. Mujica-Trenche, M.D., Affiant

SWORN AND SUBSCRIBED to before me the undersigned authority on this the

4<sup>th</sup> AUGUST  
day of July, 2011.

  
NOTARY PUBLIC IN AND FOR  
THE STATE OF NEVADA

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