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## Local News *Greater Palm Beaches and Treasure Coast*

# Doctor counters starvation claim in Alzheimer's death; says shrunken appearance no surprise

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WEST PALM BEACH — Her skin-and-bones corpse looks like a petrified mummy plucked from a tomb, rather than the newly deceased in a suburban Boca Raton home, igniting what would become a controversial alleged starvation death.

The caretakers of 89-year-old Elly Lorey, her daughter, Kerstin Fenn, and husband Toby, are on trial, charged with first-degree murder in the death of the woman, who suffered Alzheimer's disease.

Tuesday came a line of defense witnesses, chief among them Dr. John H. Fullerton, a California-based internist, board certified in geriatrics, who in part of his practice works with Alzheimer's patients and certifies patients for palliative Hospice care.

Defense attorney Michael Salnick asked Fullerton about the Lorey's appearance in death.

"Have you seen other patients that look like this in death?"

"Oh, yeah...I've seen this many times. This is no surprise to me," the doctor answered.

Fullerton, at least the sixth medical doctor called to testify, opined that Lorey was in a very advanced stage of Alzheimer's and the manner the Fenns managed her dementia - including locking her in a bedroom to keep from wandering, a room found smeared with feces - met an acceptable level of care.

"I've seen this very similar style of care - trial and error," Fullerton testified.

The case against the Fenns is a duel of doctors: two medical examiners for the state saying she died of dehydration and starvation and a prominent medical examiner for the defense, Dr. Michael Baden of HBO series "Autopsy," saying she died of multiple natural causes including her Alzheimer's, her body just shutting down.

Closing statements in the case are scheduled for Thursday morning.

The Fenns face mandatory life in prison if convicted as charged.

Their defenders are arguing they cared for Lorey in their home, as was her wish, trying their best to manage an unmanageable disease.

Assistant State Attorney Angela Miller, in cross examining Fullerton, a sleight tone of outrage in her voice, questioned if leaving a still-hungry woman locked in the room, smearing her feces, eating her feces, depriving her of food and water was an acceptable standard of care he would encourage.

Fullerton answered he would offer help to caregivers in such a situation.

At issue is the precise stage of Alzheimer's Lorey was in: how debilitated she truly was.

Prosecutors are arguing she wasn't in an advanced stage of the disease, still eating and drinking days before her death. They have had slices of Lorey's brain examined by Dr. Juan Troncoso, co-director of the Alzheimer's Disease Research Center Johns Hopkins Alzheimer's Disease Research Center, who opined so.

Miller quizzed Fullerton on conflict between his and Troncoso's diagnosis of her stage of the disease.

"I don't need the post-mortem information to know what I know and say what I say," answered Fullerton.

Also Tuesday came neighbors of the Fenns to testify in their defense, offering a glimpse into the suburban life of the couple.

The neighbors, including a trained social worker and nurse, testified they noticed nothing wrong with Lorey in the months before her death in September 2005.

Prosecutors allege Lorey died of dehydration and starvation, withering to 80 pounds, due to the neglect of the Fenns who never sought medical care for her.

Social worker Nicole Waller, a neighbor, testified that sometime in fall 2004, Lorey ended up at her house. Waller took her frail hand and led her home.

"She was a tiny woman ... she was thin. It didn't seem unusual to me because a lot of old people are really thin. She seemed okay to me," Waller testified. "They were a very nice family."

Prosecutor Miller countered, placing an autopsy photo of Lorey's wizened hand, feces crusted on the fingernail, asking Waller if her hand appeared like that.

"No," Waller said, glancing at the Fenns at the defense table.

Next came, their next-door-neighbor, registered nurse Kristen Thorpe, testifying as to noticing nothing wrong with Lorey. Thorpe also described Toby Fenn's demeanor the day he knocked on her door reporting Lorey had died in the home.

"He was visibly saddened, eyes red, a little disheveled, putting his hand through his hair," Thorpe said.

Again, Miller showed Thorpe an autopsy photo of Lorey, of her face, shoulders, sunken abdomen, arms like toothpicks, asking Thorpe if when she last saw her, she looked like that.

"No," Thorpe said, also glancing over to her former neighbors.

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