

PRESS CLIPS  
TEXAS  
PRESS  
ASSOCIATION

718 WEST 5th ST. AUSTIN, TEXAS 78701 PHONE 477-6755

Tribune-Herald  
Waco, Texas

APR 25 1988

# Graf's defense says 20 to testify

294  
By TOMMY WITHERSPOON  
Tribune-Herald staff writer

Attorneys for Edward E. Graf Jr. say they will continue to present witnesses who will contradict prosecution testimony as Graf's capital murder trial enters its third week today.

Attorneys Lynn Malone and Charles M. McDonald called three defense witnesses Friday afternoon after McLennan County District Attorney Vic Feazell rested his case against Graf Friday morning.

Graf, 36, is charged with two counts of

capital murder in the August 1986 fire deaths of his stepsons, Jason, 8, and Joby, 9. The boys' bodies were found in a storage shed behind their residence at 505 Angel Fire Drive in Hewitt.

Feazell, who is prosecuting the case with First Assistant District Attorney Karen Amos, presented 25 witnesses during the first eight days of testimony, including Graf's ex-wife, Clare Gerdes, the mother of the boys.

McDonald said Friday that he and Malone intend to call about 20 witnesses. He would not say if Graf will testify.

Last week, Charles King, an expert arson investigator from New York, testified for the prosecution that he could determine by studying fire scene photographs and investigators' reports that two fires were deliberately set in the shed and that a flammable liquid was poured on the floor.

Both doors to the shed were closed, King said, and the "relaxed" face-up positions of the bodies indicated the boys were unconscious when the fire started. They apparently made no attempt to flee or to protect themselves from the flames, he said.

Jerry Gilmore, a former captain of the Dallas Fire Department arson unit, testified for the defense, however, that he could determine little from the photos and said he doubts that enough evidence was available for anyone who made no investigation at the scene to make a positive determination on the cause and nature of the fire.

Gilmore said about all he could say for sure is that there definitely was flammable liquid present in the shed.

Testimony will continue at 9 a.m. in Waco's 54th State District Court.