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MR. BUTLER: We pass the witness, Your Honor.

MR. HUNT: We have no questions, Your Honor.

THE COURT: You may step down, sir.

Call your next witness.

MR. BUTLER: Melissa Sims.

MR. HUNT: Your Honor, as the witness is approaching the witness stand, I would object to any testimony relative to the general character of David Spence from this witness, on the basis that any question and responses are a violation of David Spence's Sixth, Eighth and Fourteenth Amendment rights to due process and the confrontation of witnesses and cruel and unusual punishment. I would object to any testimony, on that basis.

THE COURT: I overrule the objections.

Ms. Sims, you have already been sworn. If you will, just have a seat, ma'am.

MELISSA SIMS

recalled as a witness on behalf of the State of Texas, and having been previously sworn, testified further, as follows, to-wit:

DIRECT EXAMINATION

BY MR. BUTLER:

Q State your name, please.

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A Melissa Sims.

Q How are you employed?

A I'm a detective with the City of Waco Police Department.

Q How long have you been so employed?

A Seven years.

Q Do you know a person named David Wayne Spence?

A Yes, I do.

Q Is he present in the courtroom today?

A Yes, sir. He is.

Q Would you identify him, please?

A He is sitting next to Mr. Hunt, in the grey suit.

MR. BUTLER: Your Honor, may the record reflect that the witness has identified the Defendant?

THE COURT: The record will so reflect.

BY MR. BUTLER:

Q Detective Sims, are you familiar with his reputation in the community in which he resides, and among the people with whom he associates, for being a peaceful and law-abiding citizen?

A Yes. I am.

MR. HUNT: Your Honor, again, I would object to the question, on the basis that the question and the anticipated reponse violate David Spence's right under the Sixth, Eighth and Fourteenth Amendments of the United

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States, on the basis of due process and confrontation of witnesses and cruel and unusual punishment, and it calls for a hearsay response from this witness.

THE COURT: I overrule the objections.

MR. HUNT: Your Honor, I'm going to make the same objections to all of the questions and all of the responses, and I would ask the Court to give me a running bill on those bases.

THE COURT: I will do so.

MR. HUNT: Thank you, Your Honor.

BY MR. BUTLER:

Q You may answer the question.

A Yes. I do.

Q All right. And is that reputation good, or is it bad?

A It's bad.

MR. BUTLER: We pass the witness.

MR. HUNT: Your Honor, we have no questions of this witness.

THE COURT: You may step down, Ms. Sims.

Thank you.

MR. BUTLER: Ramon Salinas.

MR. FEAZELL: May this witness be excused, Your Honor?

THE COURT: You may be excused.

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MR. HUNT: Yes, sir.

THE COURT: Thank you, Ms. Sims.

MR. HUNT: Your Honor, again, as the witness is approaching the witness stand, the Defense would object to any questions or responses, based on the fact that we believe this witness will testify to the general character of the Defendant in the community. We would object to any such questions or testimony, on the basis of it being a violation of the Defendant's Sixth, Eighth and Fourteenth Amendment rights to due process and confrontation of witnesses and cruel and unusual punishment.

THE COURT: Overrule the objection.

MR. HUNT: Your Honor, again, if we could have a running bill on this, with the understanding that we are not only objecting on this basis, we are also moving the Court for a mistrial, based on any kind of responses he would make to these questions.

THE COURT: All right. And I will grant you your running bill.

MR. HUNT: Thank you, Your Honor.

THE COURT: All right.

RAMON SALINAS

recalled as a witness on behalf of the State of Texas, and