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MR. FEAZELL: We've got one more, Judge.

THE COURT: Another one. All right. Let's do another one.

Just have a seat there, sir.

Raise your right hand.

(Whereupon, the witness was sworn.)

ROBERT DAVID SNELSON

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

VOIR DIRE EXAMINATION  
(OUT OF THE PRESENCE OF THE JURY)

BY MR. HUNT:

O Mr. Snelson, will you state your name, please?

A Robert David Snelson.

O Mr. Snelson, I'm Russell Hunt, and I'm one of the attorneys for David Spence. I'm going to ask you a series of questions. What I will ask you to do is, to go ahead and speak outloud, answer up, and use that microphone, okay?

A Yes, sir.

Q Now, my understanding is, that you are here to testify to some information that you claim David Spence gave you when he was incarcerated with you, is that correct?

A Yes, sir.

O Can you tell me when those conversations, or that

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conversation took place?

A Shortly after he came to the Eastham Unit.

O Okay. When would that be?

A I can't remember the date, exactly.

O Okay. Can you narrow it down to a month?

A I would say the first part of '83.

O Okay. Can you tell me whether there was one conversation, or more than one conversation?

A Well, I had more than one conversation -- I wouldn't say conversation -- you know, he spoke to me, just briefly, you know. But the part that you're talking about was a conversation.

O Okay. One conversation. And, specifically, I will narrow it down. I'm talking about any conversations that you had with David Spence, that had something to do with the lake murders. That is, the murders that happened here in Waco in July of 1982, that occurred at Lake Waco?

A I have only had one conversation, just me and him, about that.

O Okay. But have you witnessed, or been a party to other conversations, is that what you're telling me?

A Yes, sir.

O Okay. Can you tell me what period of time that took

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place in?

A I couldn't say exactly. I would estimate, maybe, around November, or somewhere, that year.

Q Okay. From the time that he got in there sometime early in '83, until the time that he left, you had conversations, or heard conversations, all during the time, is that what you're saying?

A Yes, sir.

Q Okay. Before the first conversation with David Spence, did you talk to any peace officer at all -- "peace officer" meaning Sheriff's Deputies, Highway Patrol, Texas Ranger, any peace officer, even an employee of the prison -- did you have any conversation with them about David Wayne Spence or the lake murders?

A No.

Q When is the first time you had a conversation with any law enforcement officer about David Wayne Spence or the lake murders, that combination?

A I talked to Mr. Butler, after I came here.

Q Okay. When was that?

A I came here, I think, the 6th of that month, or the 7th. Somewhere around the first part of the month.

Q Okay. So, June the 6th or June the 7th is the first conversations you had with any peace officer -- and that

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includes folks in the District Attorney's Office --  
about David Wayne Spence, is that correct?

A Yes, sir.

Q Okay. You came here on a bench warrant from TDC?

A Yes, sir.

Q Okay. Prior to coming here on a bench warrant from  
TDC, you didn't talk to anybody about Spence or the  
lake murders?

A No.

Q You didn't talk to any prison personnel?

A No, sir. I didn't even know where I was going.

Q Your testimony to the Court is, that you came up here  
on a bench warrant, without anybody from TDC knowing  
that you even had anything to do with Spence?

A No, sir. I asked them where I was going, and they said  
I was going on a bench warrant, was all they knew, to  
McLennan County.

Q Okay. And you have not had any conversations with Spence  
from that time forward, is that correct?

A No, sir.

MR. HUNT: Pass the witness, Your Honor.

THE COURT: Does the State have any questions?

MR. BUTLER: No questions.

THE COURT: All right.

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The Defense, what is your specific objections to this witness?

MR. HUNT: Your Honor, based on his testimony, we can't have any objections. Don't have any, is probably a better word.

THE COURT: We need to bring the jury back in.

(Whereupon, the jury was returned to the courtroom, and the trial continued in the presence and hearing of the jury as follows, to-wit:

THE COURT: All right, we're ready to proceed.

DIRECT EXAMINATION

BY MR. BUTLER:

Q State your name for the record, please?

A Robert David Snelson.

Q All right. And, Mr. Snelson, have you previously been sworn and placed under oath in this cause?

A Yes, sir.

Q How old are you, Mr. Snelson?

A Thirty-seven.

Q And where do you live?

A Eastham Unit, Texas Department of Corrections.

Q All right. And where is that?

A Lovelady, Texas, Box 16.

Q How long have you lived there, Mr. Snelson?

A A little better than six years.

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Q How much longer do you have to live there?

A A little better than a year.

Q All right. And what sentence are you under presently?

A Thirteen years.

Q Is that the first time you have been to the penitentiary?

A No, sir. It is my fourth time.

Q When did you go for the first time?

A 1966. Or -- yes, sir, '66.

Q And what was that for?

A Burglary.

Q And when did you go for the second time?

A '69.

Q And what was that for?

A Burglary.

Q What sentence did you get in those cases?

A Three years on both of them.

Q When was the third time?

A '71.

Q And what did you go for then?

A Burglary.

Q What was your sentence that time?

A Eight years.

Q Now, where were you in the summer of 1982?

A In the Eastham unit.

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Q Did you ever have occasion to hear anything, see anything, read anything, or know anything about the triple murder that occurred near Lake Waco in McLennan County, Texas, in July of 1982?

A No, sir.

Q Now, directing your attention to the months of August, September, October and November of 1983, were you at the Eastham Unit, at that time?

A Yes, sir.

Q Did you have occasion to meet a person named David Wayne Spence, at that time?

A Yes, sir.

Q Is he present in the courtroom today?

A Yes, sir, he is.

Q Would you identify him, please?

A Sitting right there.

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

THE COURT: The record will so reflect.

BY MR. BUTLER:

Q And how did you meet him?

A He was assigned to my cell.

Q And how long did he stay in your cell?

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A Just half a day.

Q Do you know why he was moved?

A No, sir, I don't.

O All right. Did you have occasion to become good friends with him?

A No, sir, I didn't.

O When is the next time you saw him?

A Well, the same day they moved him, I seen him in the dayroom that night.

O All right.

A Or, maybe, it might have been the day after.

O All right. Now, where was this, at that time? Where in the Eastham Unit?

A On Kayline.

O On Kayline?

A Yes, sir.

Q Did you ever have occasion to talk to him about the reason they moved him?

A Well, you know, we was in a -- like I said, we was in a dayroom. And I brought up -- he asked me -- you know -- we was talking about why they moved him. And I said, "Well, I don't know why they moved you." And he said, "It might have something to do with my case."

O All right. At that time, did he tell you why he was in



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TDC?

A He asked me if I had heard why he was down there. And I told him, "Well, I heard he was down there for cutting up some kids."

O All right. And what did he say to that?

A He said, "That's why I'm down here for, but there ain't nobody ever going to prove it."

Q Did you have occasion to talk to him about legal help?

A Yes, sir. He asked me if there was anything I could do with his case.

O Why would he be asking you, Mr. Snelson?

A Well, I have got a reputation as a writ writer.

Q Would you explain to the jury what a "writ writer" is?

A It is a person that works on other people's cases, you know. Usually, what it is, somebody files writs against the State. But I was just trying, maybe, working on people's cases.

O What kind of work are you talking about?

A Legal work.

O All right. Do you have a law library down there?

A Yes, sir.

O Do you have time to study the law?

A No. They call out law. You know, they call it every night -- every night of the week.

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2 Q And --

3 A Some people have books in their cells, you know.

4 Q Do you have books in your cell?

5 A I did.

6 Q What's your reason for studying the law, Mr. Snelson?

7 A Well, I got started trying to get myself out of here.

8 You know, sometimes there's people worth helping.

9 Q Were you able to get yourself out?

10 A I got my case reversed once, but it didn't do any good.

11 Q All right. So, when was this occasion that he came to  
12 you and asked you about legal help?

13 A Well, it was -- I'm not for sure, but I think -- I  
14 would say it was the latter part of the year.

15 Q How long after you had met him?

16 A It was a few months. I can't say for sure. It was a  
17 few months after I first met him.

18 Q All right. Did he tell you anything about his case?

19 A Well, I asked him, you know, what kind of -- I said --  
20 I asked him what kind of evidence they had. And he  
21 said, well, as far as he knew, they didn't have anything.  
22 Except, he was afraid -- he said, "I was afraid Gilbert  
23 would snitch on me."

24 Q All right. Did you know who Gilbert was?

25 A No, sir.

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Q What did you tell him, at that time?

A I told him there was nothing I could do until he was indicted.

Q Did you have any other conversation with him, regarding whether or not you would be able to help him in legal matters?

A I asked him -- well, I told him -- I asked him -- you know -- I said, if he had any money.

Q What was your reason for wondering if he had money, Mr. Snelson?

A Well, I wasn't going to do it for nothing.

Q What did he tell you?

A He said, he only -- he had -- he had part interest in a convenience store, or grocery store, or something like that. Because I asked him, you know, if he had any way of getting any money. And he said, well, you know, I own part of a grocery store, or convenience store, or something.

Q Did he ever give you any money?

A No, sir.

Q All right. When was the next time you had an opportunity to discuss the case with him?

A Well, it was -- it was a few days -- a few days after this. I don't remember exactly when. But I was in the

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dayroom and he was in the dayroom and a guy come to the -- called him through the bars, you know.

O Now, you say "a guy called him to the bars." Who was that, if you recall?

A Jesse Ivy.

Q And what was his reason for calling him to the bars?

A Well, Jesse -- I think Jesse was -- he was asking Jesse for help, or Jesse had said something to him about me doing law work. And, anyway, they had had some conversation. And Jesse called us up to the bars, and he said, "Well, if you want us to help you, you're going to have to level with us."

Q All right. So, he called you up to the bars and he called Spence up to the bars. Now, where was he? You say "He called you up to the bars." Where was he in relation to where you were?

A Well, the dayroom is located right at the end of one row. And there is a water fountain there that has a little metal step on it. And I was standing -- I was kind of squatted down by the bars, and David was on the little bench by the water fountain. And Amorella was standing around there by me somewhere, I don't know where he was at.

O All right. And where was Jesse Ivy?

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A He was outside the bars on One Row.

Q All right. Is this One Row kind of like a hallway?

A Yes, sir.

Q All right. And there's nothing but just a wall and bars separating it from the dayroom, is that correct?

A And there's a door there. You know, it's just some bars.

Q And ya'll were standing there, and he was on one side of the bars, and you and this Defendant, David Spence, were on the other side of the bars?

A Yes, sir.

Q All right. What took place then, after he called you up to the bars?

A Well, like I said, Jesse told Spence, he said, "If you want us to help you, you're going to have to level with us."

Q And what, if anything, did Spence say?

A Well, he said -- you know -- he started talking to Jesse about the crime. And at that time, I was kind of -- you know -- I was trying to stay out of the conversation, but I didn't want Jesse to think I was trying to stay out of it, you know, because Jesse had called me up there, too. I was trying to look off in the dayroom and watch a television. I was trying to pay as less attention to the conversation as I could. But I -- you know -- I heard

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part of it.

Q All right. Now, what I want you to do for the jury, Mr. Snelson, is to tell this jury the parts of the conversation that you heard, in the words of David Wayne Spence, the same words he used, if you can remember.

A He said that -- he said, "We were looking for these fucking punks that fucked over us on a dope deal." And we went to this -- he said -- he mentioned a park, and I don't know what the name of it was. He said, "We went to the park we thought they was at and we seen them at the park." And let's see...

Q Did he have occasion to tell you whether they were boys or girls?

A He said it was two girls and a boy.

Q All right. Did he describe any of those kids to you?

A No, sir.

Q Did he say anything about how any of them were built?

A Well, he just said that one of them had a nice body and some nice tits.

Q Did he say anything about what he decided to do with her?

A He said, "I had made up my mind to get some of that."

Q All right. Now, did you hear the entire conversation that took place between this Defendant and Jesse Ivy?

A No, sir. Just parts of it.

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Q All right. Did you hear anything about where the killing happened?

A Well, my understanding, it was -- they said they met them at a park, and then they went to a boat dock, or something. I don't know whether it was the same park, or where it was at. I just heard the name "boat dock." And, then, he said that, you know, well, they got to the boat dock. And I think he said Gilbert got out of the car. And, then, you know, something was said, something that I didn't hear word for word. And, then, he said, "I stabbed that bitch in the throat."

Q Did he say anything about where the others were while this was happening? Where the other kids were?

A I don't believe he did.

Q All right. Did he ever say anything about anybody being tied up?

A He said, we tied -- I don't remember his name -- but he said, "We tied the dude up, so he could watch."

Q Did he tell you, or did you hear him say anything about what he did to the girl that he was talking about that had the nice body?

A He said, "I got her --" He said, "When I got her out of the car," he said -- he said, "I had her on the ground." And he said, "I was kissing her body." And

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he says, "I was kissing her tits." And he said, "I just bit her nipple off."

Q What did you do when you heard that?

A I got up and left.

Q Why?

A That was all I wanted to hear.

Q Did you ever have any other conversations with him regarding what happened out at the lake that night?

A No, sir.

Q Would you describe for the jury what he looked like when he was talking about this?

A Well, he was -- you know -- it didn't look like it bothered him. It looked -- you know -- in his eyes, he looked like he got kind of -- well, maybe, I would say excited.

Q Did you get the impression that he enjoyed what he was talking about?

A Yes, sir, I did.

Q Is there anything else that he said regarding this, that you overheard, that you can remember?

A No, sir. Not that I can remember.

Q Now, Mr. Snelson, you have told this jury about the times that you have been to the penitentiary, about the fact that you're there now on a 15-year sentence. What county

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did you get that sentence from?

A Potter County.

O Where is that?

A Amarillo.

Q Amarillo. At any time, did any member of law enforcement ever come to you and say, we will help you with your case? Did they ever offer you anything, promise you anything, threaten you with anything, or in any way try to get you to come here and testify?

A No, sir.

O The first conversation, or the first contact you had with anybody from this office, or from any member of law enforcement regarding testifying, tell the jury when it was?

A It was -- the first conversation was with you.

O And when was it?

A If I'm not mistaken, it was last week, or maybe the weekend before that. But I think it was last week.

O Have you ever been to Waco before in your life?

A No, sir.

O Why are you testifying, Mr. Snelson?

A Because I've got an 18-year-old daughter. You know, I feel like -- I feel like I should.

O Have you ever testified in a courtroom before?

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A No, sir.

Q Have you always pled guilty on your cases?

A No, sir.

Q Had a jury trial?

A Yes. One time.

Q Have you ever given information against -- in all of the years since 1966 or '67, have you ever given information against anybody before?

A No, sir.

MR. BUTLER: Pass the witness.

CROSS EXAMINATION

BY MR. HUNT:

Q First of all, it's your testimony to the jury here, that you never told anybody that you knew any information, before you got bench warranted back up here to McLennan County, is that right?

A No, sir.

Q Just to make sure the record is right --

A Yes, sir.

Q That is what you're saying, is that correct?

A Yes, sir.

Q Okay. Now, you said that you are a writ writer.

Generally, I think that means that you know more about the law than most of the other folks down at TDC, is

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that correct?

A Yes, sir.

O Okay. I'm going to ask you this, how much of your sentence have you served on this present sentence?

A Well, I've got a little better than a year to discharge.

O Okay. You've got a year to discharge. Then when you discharge, you will discharge and be up there in Potter County again, is that correct?

A I don't have any idea where I will be.

O You don't know where you're going to go?

A No, sir.

O Let me ask you this -- and this is a legal question, to test your legal abilities kind of. Is there any way that somebody could help you, or you could help yourself, if you were to do a favor for somebody, and them want to do a favor in return? Is that possible?

A I don't believe it is.

O You don't believe it is?

A No, sir.

O What about if they were to re-examine your indictment and find a defect in it?

A Who do you mean by "we"?

O I didn't think I said "we," but let me rephrase the question, perhaps, that will clear it up. You're serving

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a sentence, you've got about a year left before you are ready to discharge, is that correct?

A Yes, sir.

O If somebody was to re-examine the indictment on which you went down to TDC --

A Yes, sir.

O -- and find a defect in that indictment, what would be the result of that? What would happen, if they did that?

A Then, it would depend on how harmful it was defective.

O Okay. Let's say that it was a reversible kind of defect, a major defective in your indictment. What would happen?

A It would be reversed and remanded.

O So, you would be bench warranted -- for instance, you would be bench warranted back to Potter County, is that correct?

A Yes, sir.

O Then they would look at it and find, if there was a defect in your indictment, then you're saying that -- and if it was a fatal defect -- you would be discharged to Potter County, is that correct?

A No, sir.

O What would happen?

A I would be re-indicted.

O You would be re-indicted, if the District Attorney

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wanted to re-indict you, is that correct?

A Well, I've already -- I've already -- that's what I got my case reversed on.

Q Okay. And they re-indicted you?

A Yes, sir.

Q So, that if you worked something out with the District Attorney, for whatever reason, and they bench warranted you up there, after finding a defect in your indictment, and chose not to re-indict you, you would be released, wouldn't you?

A Yes, sir.

Q So, your earlier statement about nothing could be done, at this point, is not correct, is it?

A Well, we'll put it like this, legally, there's nothing can be done.

Q Okay. We probably better explain that to the jury. If there really wasn't a defect in your indictment, such a procedure would be technically illegal, wouldn't it?

A Yes, sir, it would.

Q It's still possible it could be done, though, isn't it?

A I guess it could.

Q Have you ever heard anybody use a hypothetical like that, in making an offer to somebody, if they wanted them to help them?

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A No, sir.

Q Okay. Now, you said that you were being paid in TDC by folks for whom you wrote writs, is that correct?

A No, sir, I didn't.

Q You didn't. I'm sorry. I maybe misunderstood you.

Did you do it out of the goodness of your heart, if you wrote a writ for somebody?

A Yes, sir, I did.

Q You didn't charge them anything for it?

A No, sir, I didn't.

Q Not cigarettes?

A Not nothing.

Q Just did it because you wanted to?

A Yes, sir.

Q Now, you said that it didn't do you any good to find a defect in your indictment, because it got reversed and, apparently, got re-indicted, is that correct?

A It didn't get me out, I'll put it like that, I guess.

Q Okay.

A I got two years knocked off of my sentence.

Q Okay. You also said that when you were called up to the bars by Jesse Ivy to listen to the story, I assume, is that correct?

A Uh-huh.

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Q Why did Jesse Ivy call you up to the bars?

A He called me and David Spence.

Q All right. Why did he call you and David Spence up to the bars?

A I guess, you know, for that reason. He told David, said, "You're going to have to level with me, if you're going to..." And, see, I think that Jesse had spoken to David about getting legal help from me, or something.

Q Okay. Now, you would have done that out of the goodness of your heart?

A No, sir, I wouldn't.

Q If you thought he was not guilty, would you do it out of the goodness of your heart?

A If I thought he was not guilty.

Q What if you thought he was guilty and there was a defect some place in the indictment?

A Really, I never intended on working on helping him, because I don't know him and I didn't know that much about his case.

Q You only worked on cases for people you knew?

A Yes, sir.

Q Okay. Why did Jesse Ivy call you up there?

A I couldn't say.

Q Was he Jesse Ivy's friend, or something?

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A I've known Jesse Ivy for a long time.

Q Okay. So, apparently, Jesse Ivy and Spence were good friends, and he just wanted to help out?

A I don't believe they were good friends.

Q Well, why would Jesse Ivy want you to come up there and listen to him?

A I don't know.

Q You just don't know?

A No, sir, I don't.

Q Okay. So, you went up there to listen, so that you could see if you could find out some way you could help, is that correct?

A I was just there because Jesse asked me to.

Q Okay. Why did you go up there for Jesse asking you?

A I can't say. When a friend of yours hollers at you and tells you to come here, usually, you go there.

Q So, you and Jesse are tight?

A No, sir, we're not. We're acquainted. I have known him for a long time.

Q Just acquaintances?

A Yes, sir.

Q How long have you known Jesse?

A Since -- I've known him since back in the '60's. But I'll say we have known each other fairly well since



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'78.

Q So, you have been acquainted since the '60's, but you have been tight since '78?

A No, sir. We haven't been tight. I don't understand what you mean by that word.

Q Just friends.

A We're friends.

Q Acquaintances since the '60's, but friends since '78?

A Well, I call an acquaintance somebody I'm going to talk to as a friend.

Q Well, then, what is the difference between the '60's and '78?

A Well, I don't know. You're asking me.

Q Uh-huh. That's what I want to know.

A Well, I mean, we really didn't live on the same tank together, but I knew him, you know, here in the hall.

Q Okay.

A We have been in the penitentiary together, I'll put it like that.

Q Since sometime in the '60's?

A Yes, sir.

Q Okay. Then you said you overheard a whole lot of a conversation, except you said, you really weren't listening. Why did you go up there, if you weren't going

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to listen?

A Well, I was -- I went up there --

MR. BUTLER: Judge, I'm going to object. He's already said it three times, he went up there, because his friend called him up there.

THE COURT: Sustained.

MR. BUTLER: It's repetitious.

THE COURT: I sustain it.

BY MR. HUNT:

Q If you went up there because your friend called you up there, in order for you to listen so that you could help this man's case, why did you not listen? How can you possibly help the guy's case, if you didn't listen?

A The reason I didn't listen -- the reason I was trying to act, you know, like I wasn't listening -- I was trying to draw my attention to the television, or anybody in the dayroom - because everybody -- most of the people there on the farm knew what he was down there for.

Q Okay.

A Didn't want to associate with him, and they didn't want to have anything to do with anybody that did associate with him.

Q Okay.

A And I didn't want it to look like I was --

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Q You didn't want it to look like you were helping him?

A That's right.

Q Okay. Do you think you could have? Well, were you going to help him?

A No, sir, I wasn't.

Q In spite of what Jesse Ivy asked you to do?

A Jesse Ivy didn't ask me to do anything.

Q Except listen?

A That's all.

Q And you weren't going to do that?

A I did listen to part of it.

Q Okay. Now, the best you can recall, is what you just testified to, everything that you heard? Or was there something else?

A No, sir. Just what I testified to.

Q Okay. I noticed you didn't say anything about Anthony Melendez in that story. Did David ever say anything about Anthony or Tony?

A I heard the name Tony, but I don't remember exactly when.

Q Okay. So, it's possible that he might have, you just don't remember?

A I don't remember.

Q Okay. Did he say anything else about the dope deal?

A He just said what I just now testified to.

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2 Q Okay. Did he say where it happened? Where the murders  
3 were supposed to have happened?

4 A No, sir.

5 Q Did he say how they were supposed to have gotten the  
6 bodies from the place where they were killed to the  
7 place where they were found?

8 A No, sir.

9 Q Did he say whether they used a car or not?

10 A No, sir. I just took it for granted they were in a car.

11 Q Why did you take that for granted?

12 A Well, he said, "We went to a park." Most people -- well,  
13 I take it back. Somewhere during that conversation, he  
14 said, "Gilbert got out of the car to piss."

15 Q "Gilbert got out of the car to piss."?

16 A Yes, sir.

17 Q Okay. Did he say when that happened?

18 A I believe it was -- it was after they had met them in  
19 the park.

20 Q Okay. Did he say whether that happened before or after  
21 the kids were murdered?

22 A No, sir. But I took it for granted that it was before.

23 Q Sounded like it happened before. Okay. Did he say  
24 what kind of car it was?

25 A No, sir.

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Q Did he say whose car it was?

A No, sir.

Q Did he say what they used to tie the kids up with?

A No, sir.

Q Did he say if he did anything besides just raping them and killing them?

A No, sir.

Q Did he say anything about jewelry?

A No, sir.

Q Did he say anything about what they tied them up with?

A No, sir.

Q Say anything about the kids hollering?

A No, sir.

Q Did he say anything else besides, that he claimed that he bit her nipple off? Did he say what he did with the nipple?

A No, sir.

Q Did he say why he did that?

A He said she had some nice tits.

Q And you left after that conversation?

A Yes, sir.

Q Did you hear anything else?

A No, sir.

Q And you came up here, without telling anybody you had

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any information? You were bench warranted back up here, and this is the first time you have talked to anybody up here?

A Yes, sir.

Q Did you know Mr. Butler before?

A No, sir.

Q Not from Potter County?

A No, sir.

Q The first time you met him was here?

A Yes, sir.

Q Did you ever talk to Truman Simons?

A Yes, sir.

Q When?

A When we first come in, when they brought us in here.

Q Okay. Did you talk to Truman Simons before or after you talked to Mr. Butler?

A Before.

Q How long did you talk to Truman before you talked to Mr. Butler?

A Just a few minutes.

Q How many minutes?

A I don't know. Maybe five minutes.

Q Was there anybody else around?

A We were all in that room, you know, everybody that came

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back.

O Several other inmates in your cell?

A We were not in a cell. We were in a little room down there by where, you know, they bring you in."

O Okay.

A We asked him -- I asked him why? Said, "What am I doing here?"

O Okay.

A He said, "The D.A. wants to talk to you."

O Did you give a written statement?

A Sir?

O Did you give a written statement?

A No, sir, I didn't.

O Do you know Dick Stokes or Dean Roper from Potter County?

A I don't believe I do.

O Okay.

MR. HUNT: Pass the witness, Your Honor.

REDIRECT EXAMINATION

BY MR. BUTLER:

O Mr. Snelson, are you saying -- all of those questions that Mr. Hunt asked you about, did you hear this, and did you hear that, or did he say this, or did he say that, are you saying he didn't say it, or you didn't hear it?

A I'm saying, I didn't hear it.