

**A True and Correct Copy**

**of the**

**Trial Testimony of**

**ALEX SANCHEZ**

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THE WITNESS: Okay.

THE COURT: You're excused temporarily.

MR. FEAZELL: Thank you, Karim. Mr. Murphy will take you back.

Your Honor, the State calls Mr. Alex Sanchez.

THE COURT: Alex Sanchez.

MR. HOLLIS: He's not out here.

MR. FEAZELL: Your Honor, the testimony has gone a little faster than we thought. Some of them have been going over and drinking coffee.

THE COURT: Why don't you go and look.

MR. FEAZELL: Ned's going now.

THE COURT: All right.

(Whereupon Court stood at ease momentarily.)  
Mr. Sanchez, if you will just have a seat. You've already been sworn.

ALEX SANCHEZ,  
having previously been sworn to tell the truth, the whole truth, and nothing but the truth, testified on his oath as follows:

DIRECT EXAMINATION

MR. FEAZELL: Have you been sworn?

THE COURT: Yes, sir. He was sworn the first day, were you not?

THE WITNESS: Yes, sir.

BY MR. FEAZELL:

1 Q Can you state your name for the record, please?

2 A Alex Sanchez.

3 Q Okay. Mr. Sanchez, everything you and I say will be

4 written down by the lady sitting between us. So we have

5 to, when I ask a question, wait until it's over and then

6 answer out in words rather than head nods. All right?

7 A Yes, sir.

8 Q Thank you.

9 How are you employed right now, Mr. Sanchez?

10 A I'm a school teacher at Connally High School.

11 Q At Connally. Do you do some coaching, or are they going to

12 get you to coach?

13 A Yes, sir.

14 Q How were you employed, sir, during the summer month -- in

15 particular, June and July of 1982?

16 A I sold insurance for Southern Life and Health, and John

17 Hancock.

18 Q What kind of insurance did you sell?

19 A Well, with Southern Life and Health it was the accident

20 insurance, and with John Hancock it's all kinds of

21 insurance.

22 Q Okay. Let me ask you, sir: Did you in the summer of 1982

23 have an occasion to meet a man by the name Muneer Mohammed

24 Deeb?

25 A Yes, sir.

1 Q How did you come in contact with Mr. Deeb?  
2 A The mother of one of the -- the business partner, Mr. Karim  
3 Qasem, his wife, Maria's mother had insurance with us; and  
4 she indicated to our company that her daughter needed  
5 insurance.  
6 Q Okay.  
7 A So since it was my area of the city, I had the occasion to  
8 call upon them and about the insurance.  
9 Q You contacted Maria and Karim first?  
10 A Yes, sir.  
11 Q What happened then?  
12 A While I was there talking to them about hospitalization  
13 insurance, Mr. Muneer Deeb asked me about -- first of all  
14 he asked me about insuring the store.  
15 Q He asked you about insuring the store?  
16 A Right, sir.  
17 Q Did you carry that kind of insurance?  
18 A No, sir. I told him we did not do that kind of business,  
19 but I would find somebody in the insurance business that  
20 would take care of that for him.  
21 Q Then what did he ask you about?  
22 A He asked me about employee insurance.  
23 Q Uh-huh.  
24 A And I told him that we only had accidental insurance that  
25 would serve in lieu of kind of like workmen's compensation,

1 accident insurance.

2 Q Okay. Did he buy anything that day?

3 A No, sir.

4 Q All right. Did you have an occasion to call on him later?

5 A Yes, sir. I had to return back and get some information

6 from the Qasem family, and we discussed a little bit off

7 and on about the insurance. He said he was going to to buy

8 some.

9 Q Okay. Now, the first time you talked to him, did you talk

10 to him any about life insurance?

11 A No, sir.

12 Q Not the first time. How about the second time?

13 A No, sir.

14 Q Did he buy anything the second time?

15 A I don't recall, sir, if it was second time or third time.

16 Q Okay. So you saw him several times, then, before he

17 actually bought some insurance?

18 A Yes, sir.

19 Q When did you sell the insurance to Karim and Maria?

20 A I don't recall the exact date, sir, because -- I don't

21 recall exactly.

22 Q Was that the first time you met Deeb?

23 A Oh, yes. Yes, sir.

24 Q So on that first time when Deeb was there, he was listening

25 to you talk to Karim and Maria?

1 A Yes, sir.

2 Q What kind of insurance did Karim and Maria buy?

3 A They bought hospitalization insurance, sir.

4 Q Did they buy any other kind at that time?

5 A No, sir.

6 Q How about the second time you saw them?

7 A I don't remember. Just the hospitalization is all I

8 remember.

9 Q Now, the time that -- the first time that you recall Mr.

10 Deeb bought insurance from you, did he buy from you on more

11 than one occasion, or just once?

12 A Once.

13 Q What kind of insurance did he purchase?

14 A Accidental insurance on himself.

15 Q Okay. Did that accidental policy have any death benefits?

16 A Yes, sir. In case of accidental death, it pays 20 thousand

17 dollars.

18 Q Did you explain the death benefits to Mr. Deeb?

19 A Yes, sir.

20 Q Did you explain the other benefits of the policy to Mr.

21 Deeb?

22 A Yes, sir. It's part of the training procedure that you go

23 through.

24 Q Why did you talk to Mr. Deeb about the death benefits?

25 A Because that's the way we're trained to do so.

1 Q Part of the pitch?

2 A Yes, sir.

3 Q Natural. It's in the manuals that you study?

4 A Yes, sir.

5 Q And he was buying some insurance on himself?

6 A Right, sir.

7 Q Do you recall who he named as the beneficiary on the

8 insurance he bought for himself?

9 A No, sir. I don't.

10 Q But in your training in your manuals, the sales pitch, so

11 to speak, you explain to people what a beneficiary is, do

12 you not? I mean, you explain to them that if you die,

13 somebody is going to get the money?

14 A Yes, sir.

15 Q And the person that gets the money is the beneficiary?

16 A Yes, sir.

17 Q Did Mr. Deeb understand that?

18 A Yes, sir.

19 Q Now, you say he bought that from you first?

20 A Yes, sir.

21 Q Did he buy some more insurance from you?

22 A Later. Yes, sir.

23 Q Okay. Later that day or later at another time?

24 A Another time.

25 Q And what kind of insurance did he buy from you at that time

1 later?

2 A Hospitalization, which was never never paid the premium.  
3 We just wrote it up.

4 Q Wrote it up, and he never paid it?

5 A No, sir. He paid the first premium, and never paid the  
6 second one. It was with John Hancock.

7 Q And do you recall who that hospitalization was on?

8 A Deeb Muneer.

9 Q So he bought some hospital insurance for himself?

10 A Yes, sir.

11 Q Did he buy anything else at that time?

12 A No. Before he bought what I thought was employee insurance  
13 on a young girl that was there.

14 Q Okay. Now, when was that?

15 A That was before he bought -- way back -- Well, that's the  
16 time that he paid for his accidental policy also.

17 Q Okay. The time -- the same day he bought the policy on  
18 himself with the 20 thousand dollar death benefit --

19 A Yes, sir.

20 Q -- is the day he bought it for a girl?

21 A Yes.

22 Q Bought one for the girl too. Did he buy the one for  
23 himself first?

24 A Yes, sir. He paid the premium then.

25 Q And you explained to him about all the benefits?



1 A Yes, sir.

2 Q Then after that did he have occasion to purchase one on a  
3 girl who was there at the store?

4 A Yes, sir.

5 Q Do you remember that girl's name?

6 A Not exactly. I remember her name Deandra, but they called  
7 her Gayle.

8 Q Deandra, but they called her Gayle?

9 A Best I remember. Or Deanne, or something like that.

10 Q All right. Whose idea was it, Mr. Sanchez, for Gayle or  
11 Deandra to have some insurance?

12 A Mr. Deeb Muneer.

13 Q Mr. Deeb's. Okay. Did you suggest it to him first that he  
14 buy it for Gayle, or did he suggest it to you?

15 A No, sir. He said -- he suggested it.

16 Q All right. Do you remember -- well, anyway, it was his  
17 idea?

18 A Yes, sir.

19 Q All right.

20 (Whereupon the hereinafter described  
21 (instruments were marked for identification as  
(State's Exhibit Numbers 37 and 38.

22 Mr. Sanchez, I'll show you what's been marked as State's  
23 Exhibit Number 37 and ask you if you recognize that.

24 A Yes, sir. That's the policy I sold Mr. Muneer on himself.

25 Q That was actually an application for a policy correct?

1 A Yes.

2 Q Is this your signature on the bottom?

3 A Yes, sir.

4 Q And is this the one that you sold to Mr. Deeb on himself.

5 A Yes, sir.

6 Q Is there a place on there where the name of the beneficiary

7 is written in?

8 A Up in the right-hand corner.

9 Q In the right-hand corner. And whose name is written up

10 there?

11 A Mohammed Deeb's father.

12 Q Mohammed Deeb, relationship, father?

13 A Yes, sir.

14 Q Okay. So now does that refresh your memory that the father

15 was the beneficiary?

16 A Yes, sir.

17 Q From what you explained to Mr. Deeb, were you confident

18 then that he understood if he died in some type of

19 accident, his dad would get 20 thousand?

20 A Yes, sir.

21 Q Mr. Sanchez, I'll show you what's been marked as State's

22 Exhibit number 38. I'll ask you if you recognize that

23 document.

24 A Yes, sir.

25 Q And what is that?

1 A It's the policy I sold the young girl that time he paid the  
2 premium on his policy also.

3 Q Now, you say this is the application on the one you sold  
4 the young girl?

5 A Right, sir.

6 Q Now, actually, the young girl is the insured; is that  
7 correct?

8 A Right, sir.

9 Q But is it your testimony, sir, that it was Mr. Deeb that  
10 purchased the policy?

11 A Right, sir.

12 Q Is this the same kind of policy that he had purchased on  
13 himself with his father as beneficiary?

14 A Yes, sir.

15 Q I ask you to look up in the top part there where it says  
16 "named beneficiary" and tell me who is the beneficiary on  
17 this policy?

18 A Muneer Deeb.

19 Q Muneer Deeb. And do you see the name of the insured?

20 A Right, sir.

21 Q And what is that?

22 A Deandra G. Kelly.

23 Q Deandra G. Kelly. And that's the girl that you later found  
24 out was called Gayle?

25 A Yes, sir.

1 Q Now, on relationship where it says there "beneficiary,  
2 Mohammed Deeb," what relationship is put down there?  
3 Now, just tell me what's says.  
4 A Husband, common-law.  
5 Q Husband, and then in parentheses "C.L."?  
6 A Common-law.  
7 Q That stands for common-law?  
8 A Yes, sir. We put that on the application when --  
9 Q Okay. Now, Mr. Sanchez, who was giving you the information  
10 here when you filled out this form?  
11 A Well, I asked for the address.  
12 Q Uh-huh.  
13 A And Mr. Muneer answered that and said, "Put down the same  
14 address as I have."  
15 Q Okay. Where was the girl? Do you remember?  
16 A The girl was sitting behind the counter.  
17 Q Okay.  
18 A Best I remember, sitting on something kind of standing  
19 high.  
20 Q Did that give you any feelings about the girl, about her  
21 relationship to the store or anything?  
22 A Well, I felt at the time that it was employee -- buying  
23 employee insurance.  
24 Q Right. You thought she was probably --  
25 A Works for him or something like that, because we had

1 discussed it at the beginning.

2 Q And you said -- asked for the address, and Deeb said, "Put  
3 down mine."?

4 A He said, "Put down my address."

5 Q Where did you get the information from that -- was the girl  
6 paying a whole lot of attention to what was going on?

7 A No, sir.

8 Q Acted like she didn't care; wasn't really listening?

9 A I would say so, sir.

10 Q Okay. Where did you get the information from, Mr. Sanchez,  
11 that she was Deeb's common-law wife?

12 A I asked her for the address. He said, "Put down mine. She  
13 lives with me."

14 Q Deeb said, "She lives with me."?

15 A Uh-huh.

16 Q You say Mr. Deeb paid the premium on this one?

17 A Yes, sir.

18 Q Who paid the first premium on this one?

19 A Deeb did.

20 Q Deeb paid this one also?

21 A Yes, sir. Yes, sir.

22 Q You didn't think anything was unusual about that?

23 A No, sir.

24 Q Seemed like a perfectly normal transaction?

25 A Yes, sir.

1 Q Do you know whether or not a policy was actually issued on  
2 this?

3 A I don't remember, sir.

4 Q All right.

5 A I don't remember.

6 Q That's okay.

7 Mr. Sanchez, when you sell a policy like this, do you  
8 collect the payments yourself, or are they mailed into the  
9 company?

10 A No, sir. I collect the payments myself.

11 Q The first one, or the first one and all subsequent  
12 payments?

13 A All subsequent payments.

14 Q So this is sort of a -- What do they call it? A debit?

15 A Yes, sir.

16 Q Debit. You go around and collect it.  
17 Did he continue to pay the premiums on this policy?

18 A I don't remember, sir. I don't remember.

19 Q I'm going to ask you to look at the date there. And tell  
20 me what was the date of this transaction?

21 A 6/22/82.

22 Q June the 22nd, 1982?

23 A Yes, sir.

24 Q How long does it usually take before a policy is delivered  
25 after the first premium?

1 A Oh, about a week.

2 Q About a week?

3 A Week and a half at the most or two for this type of policy.

4 Q This type of policy, is this whole life or term life? What

5 do you call it?

6 A Accidental insurance. Term is strictly life insurance.

7 Q Okay. So person dying from this would have to die from

8 some type of accident?

9 A Right, sir. It has to be an accident.

10 Q Other than an act of war?

11 A Yes, sir.

12 Q If a nation declares war, it wouldn't count?

13 A Yes, sir, to my knowledge.

14 Q So to the best of your knowledge, within about a week after

15 June 22nd, '82, which would put us around close to the

16 first of July?

17 A Yes, sir.

18 Q Are the policies mailed to the individual, or do you

19 deliver them?

20 A We have to deliver it to them. We have to hand-carry it to

21 them.

22 Q And do you remember whether or not you hand carried this

23 policy?

24 A No, sir. I don't remember. I carry so many and do so many

25 of it that I don't remember whether each one of them that I

1 hand to them.

2 Q It's hard to keep them separate?

3 A Yes, sir.

4 Q Counting grace periods and everything, Mr. Sanchez,  
5 assuming this was the only payment that was made, how long  
6 would the policy have been in effect?

7 A Thirty days.

8 Q Thirty days beyond what? Beyond the next premium?

9 A You have a 30-day grace period thereafter which you have to  
10 pay.

11 Q Okay.

12 A In other words, he could pay one premium and go another  
13 thirty days before he has to pay the next before it  
14 elapses.

15 Q All right. So off of one premium you could have about  
16 sixty days' worth of insurance?

17 A Yes, sir.

18 Q Does it show on here anywhere what the effective date of  
19 the policy would have been?

20 A The effective date is the day that they sign. This date  
21 right here.

22 Q The day they sign it?

23 A Yes, sir.

24 Q Okay.

25 A That's the effective date.



1 Q Is there any notation on there that would show when the  
2 policy was delivered or when the company received --

3 A Right here, I would say. This --

4 Q July 1.

5 A Yes, sir. I don't know who did that. But I would assume  
6 that's when they received it.

7 MR. FEAZELL: Your Honor, we would offer State's  
8 Exhibits 37 and 38 into evidence.

9 MR. HUNT: We have no objection, Your Honor.

10 THE COURT: State's Exhibit 37 and 38 are  
11 admitted.

12 MR. FEAZELL: We'll pass the witness, Judge.

13 THE COURT: All right.

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CROSS EXAMINATION

16 BY MR. HUNT:

17 Q Mr. Sanchez, we have just a few questions for you, I  
18 promise. When you sold Muneer Deeb this policy on the life  
19 of Deandra Gayle Kelly, I want you, if you would please,  
20 explain to the folks on the Jury as best you can as far as  
21 who told you what to fill in on that initial application  
22 blank. Okay?

23 A Well, sir, I directed my questions at the young lady  
24 because it's on her.

25 Q Okay.

1 A And I had to get an address.

2 Q Sure.

3 A And beneficiary.

4 Q Okay.

5 A And the best I can recall, when -- well, I know so. When I  
6 asked her for the address, Deeb -- I was looking at her.

7 Q Okay.

8 A When I asked for an address, Deeb answered, "Put down my  
9 address."

10 Q Okay. Where did the relationship, the common-law, where  
11 did that answer come from?

12 A I have to do it at the very last. If you live together, we  
13 have to put that on the top of the --

14 Q So did Muneer tell you that, or did you put that in because  
15 they had given you the same address?

16 A Yeah. "She lives with me."

17 Q Okay. So because they said that, you put down common-law  
18 relationship; is that correct?

19 A Yes, sir.

20 Q Muneer didn't say she's my common-law wife or anything like  
21 that?

22 A No, sir. No, sir.

23 Q Okay. As part and parcel of explaining this to Muneer, did  
24 you explain to Muneer the difference between the life  
25 insurance policy and this accidental death policy?

1 A Yes, sir.

2 Q Okay. So then did Muneer understand that this policy was  
3 for accidental death? In other words, if somebody trips  
4 and falls or something like that, then they are covered?

5 A Correct, sir.

6 Q Does that cover somebody if they are murdered?

7 A I have only heard -- Now, this is not -- I can't verify  
8 this. In our company talk, I remember one time that I heard  
9 if a person was shot in a bar, I think --

10 Q Okay.

11 A -- and the person was sitting there and was accidentally  
12 shot --

13 Q Okay. If he was accidentally shot.

14 A If he was sitting at a bar stool and somebody shot somebody  
15 and accidentally hit somebody sitting back at the back.

16 Q Then they collected?

17 A Because that's an accident. Yes, sir.

18 Q Did you and Muneer talk about the fact -- did you and  
19 Muneer talk anything about whether or not if somebody got  
20 murdered, intentionally murdered, whether somebody could  
21 collect under that policy?

22 A No, sir. We didn't.

23 Q The subject didn't come up?

24 A No, sir.

25 Q Because that's not the kind of usual subject that would

1           come up, is it?

2       A     Right.

3       Q     At the same time, you made perfectly clear to him that that  
4           was not a life insurance policy; it was an accidental  
5           policy in case somebody accidentally died; is that correct?

6       A     Yes, sir. Because the initial conversation that initiated  
7           the sale of the insurance was employee insurance.

8       Q     Okay..

9       A     And I explained to him that this was in lieu -- it was not  
10          employee insurance, but in case somebody was sweeping -- I  
11          used the example of sweeping the floor and knocked a bottle  
12          down -- a bottle of oil or something -- and it breaks in  
13          the floor and it cuts their leg, it will take care of the  
14          days at the hospital, \$75.00 a day, and stuff like this.  
15          If she should die from an infection, or something like  
16          that, it would pay twenty thousand.

17      Q     An accidental policy.

18      A     Yes, sir.

19                         MR. HUNT: We'll pass the witness, Your Honor.

20                         THE COURT: Any other questions?

21

22

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REDIRECT EXAMINATION

23     BY MR. FEAZELL:

24     Q     Mr. Sanchez, who was it that told you to put the name Muneer  
25     Deeb down there as beneficiary?

1 A He did.

2 Q He did.

3 A I asked the young lady right after I asked for her address,  
4 and she looked to me like she didn't understand what the  
5 word "beneficiary" was. And he said, "put me down."

6 MR. FEAZELL: That's all, Judge.

7 MR. HUNT: We don't have any other question, Your  
8 Honor.

9 THE COURT: You may step down, Mr. Sanchez.  
10 Is this witness excused?

11 MR. HUNT: Yes, Your Honor.

12 THE COURT: You're excused. Thank you very much.

13 MR. BUTLER: May we approach the Bench, Judge?

14 (Whereupon Counsel for the State and Defense  
15 (approached the Bench where a discussion was  
16 (had out of the hearing of the Reporter.

17 THE COURT: Ladies and gentlemen of the Jury, I  
18 think we'll just recess now, and we'll stand recessed until  
19 1:30. It's about 12 or 12 minutes until 12:00.

20 If every body will remain seated to allow the jury to clear  
21 the Courtroom.

22 (Whereupon the noon recess was had, afterwhich  
23 (the trial continued as reported by the  
24 (Official Court Reporter, Mr. Morris Bowen, as  
25 (follows, to-wit: