

1 MR. BUTLER: If you would, Clifford, raise your  
2 right hand and be sworn.

3 (Whereupon, the witness was sworn by  
4 (the Foreman of the Grand Jury.

5 CLIFFORD FRANKLIN OLIVER

6 produced as a witness by the State of Texas, and having been  
7 first sworn, testified as follows, to-wit:

8 EXAMINATION

9 BY MR. BUTLER:

10 Q Mr. Oliver, in case you don't know who I am, my name is  
11 Ned Butler. I am an Assistant District Attorney with  
12 McLennan County.

13 A Yes, sir.

14 Q Before we start, I need to read you your rights. This is  
15 not to say that we are making any accusations against you  
16 it's just something that's necessary before we start.

17 A Yes, sir.

18 Q You have the right to remain silent and not make any  
19 statement at all, and that any statement that you may  
20 make may be used against you, and probably will be used  
21 against you at your trial. Any statement you make may  
22 be used in evidence against you in court. You have the  
23 right to have a lawyer present to advise you prior to  
24 and during any questioning. If you are unable to employ  
25 a lawyer, you have the right to have a lawyer appointed

1 to advise you prior to and during any questioning.

2 However, in the Grand Jury proceeding, the lawyer would  
3 not be allowed to be inside the Grand Jury room. You  
4 have the right to terminate the interview, at any time.

5 Do you understand those rights?

6 A Yes, sir.

7 Q Would you initial right there, please?

8 A (Marking on card.)

9 Q Okay. To begin with, would you please state your name?

10 A Clifford Franklin Oliver.

11 Q And how are you employed, Mr. Oliver?

12 A United States Navy, aviation mechanic.

13 Q All right. Now, Mr. Oliver, everybody in the room is  
14 going to have to hear you, all the way to the back. So,  
15 you need to speak up, if you would, please. How long  
16 have you been in the Navy?

17 A I have been in a year and a month. I went in October the  
18 1st of 1982. I was on a delayed entry for nine months,  
19 and I went into active duty on October the 1st.

20 Q Where did you do your basic training?

21 A In Great Lakes, Illinois.

22 Q Prior to going to the Navy, were you living here in Waco,  
23 McLennan County, Texas?

24 A Yes, sir.

25 Q And how long had you lived here?

1 A Off and on, all my life. The last time, I had been here  
2 a little over two years.

3 Q Where did you go? You said, "The last time" you were here  
4 Where did you live prior to coming back here?

5 A I lived in California. I lived in Baltimore, Maryland.  
6 Off and on, between the three states.

7 Q How old are you, Mr. Oliver?

8 A Twenty-three.

9 Q Now, at the time you were here immediately preceding your  
10 induction into the United States Navy, you were here for  
11 about two years?

12 A Yes, sir.

13 Q During that period of time, did you become acquainted  
14 with a man named David Spence?

15 A Yes, sir.

16 Q Had you known him a long time or a short time?

17 A I've known him since I was 15 years old. I hadn't seen  
18 him for at least four years until this last time I was  
19 here. I hadn't seen him for quite some time. I went to  
20 school with him and I knew him when I was younger. And I  
21 ran into him after I came back this last time. And that  
22 was the first time I had seen him in a long time.

23 Q All right. Where and when did you run into him?

24 A It was about -- let's see -- it was about, either late  
25 '81 or early '82. I met him at a Dairy Queen when I went

1 to pick my wife up at work. And I saw him and he saw me,  
2 and he thought he recognized me and he came over, and I  
3 recognized him. And that was the first time I had seen  
4 him in about four years.

5 Q And this was in late '81 or early '82?

6 A Yes, sir.

7 Q And did you start seeing him on a pretty regular basis  
8 after that?

9 A Not entirely regular. Just every once in awhile I would  
10 drop by and see him. I went by and saw his mother and  
11 his brother. I knew them, also.

12 Q How often would you say that -- assuming this was January  
13 of '82 when you ran into him -- between then and July of  
14 '82, that six months period, how often would you say you  
15 saw David Spence?

16 A I would say about five times, six times.

17 Q About once a month?

18 A Approximate, or maybe.

19 Q Where would you go when you would see him? Did you go  
20 out with him?

21 A Mostly, just went around where he was at and drank beers.  
22 And every once in awhile we would go out and go riding  
23 around or something.

24 Q All right. Where was it that you went with him where he  
25 was?

1 A Just riding around, mostly. Just -- oh, I can't think,  
2 offhand.

3 Q Did you ever go to the Armadillo with him?

4 A Yeah. I think.

5 Q Did you ever go to Pinocchio's with him?

6 A Yeah. I went to Pinocchio's. I think he went up there  
7 with me one time.

8 Q Where else did you go with him? Did you ever go out to  
9 the lake with him?

10 A Well, that one morning that we went out to get my car.

11 Q Is that the only time you had ever been out at the lake  
12 with David Spence?

13 A This last time that I seen him, I believe so.

14 Q Would you consider him a good friend, an acquaintance?  
15 Tell us how you would classify your relationship with  
16 David Spence?

17 A At one time when I was younger, we were pretty close, we  
18 were going to school. We hung around pretty much. And  
19 like I said, I hadn't seen him for a lot of years, and it  
20 wasn't as quite -- we weren't as tight as we used to be,  
21 I guess you would say. We were still friends, you know.  
22 We were still friends. I was married, I had a wife to  
23 worry about, you know. And it wasn't real close like it  
24 used to be.

25 Q Well, would it be a fair statement to say that when you

1 were in junior high school with him, ya'll were good  
2 friends?

3 A Yes, sir.

4 Q And four years later, when you ran into him, you weren't  
5 as good friends as you had been?

6 A True.

7 Q Did you know that he had been to the penitentiary?

8 A Yes. I did.

9 Q Did that bother you at all?

10 A Well, I just thought -- I thought, you know, I hated to  
11 see him messing up like that. You know, that was my first  
12 thought about it was, that it was pretty stupid for him  
13 to rob a 7-Eleven -- which is what it was for -- and get  
14 thrown in jail for something as stupid as that. You know,  
15 that's the way I felt, was that, you know. The way he  
16 talked to me this last time was, that he was trying to  
17 straighten up and he was trying to better hisself, you  
18 know, it seemed like, from his conversation. That's --  
19 you know -- that's -- he knew that I was settled down,  
20 I guess you would say. I didn't run around as much as I  
21 used to. At the time, this last time I seen him, I was  
22 just getting divorced from my wife. And I shouldn't have  
23 been out in the first place, but I was out drinking and  
24 running around, you know, old crowds and people that I  
25 should have been home not doing.

1 Q Well, isn't it true that he bragged about being in the  
2 penitentiary?

3 A At times he would talk about -- not really bragging, I  
4 guess you would say.

5 Q Well, he was talking about how tough he was, wasn't he?  
6 How well he handled himself in the joint?

7 A Yeah. Things like that.

8 Q What a bad dude he was?

9 A Pretty much that attitude.

10 Q How he could take care of himself down there or anywhere  
11 else, right?

12 A Yeah. It wasn't a constant thing, but, you know, he had --

13 Q Well, he would do it around you, he would do it around  
14 strangers, wouldn't he?

15 A He was always talking about bosses on horses and all of  
16 this stuff, you know.

17 Q Sort of a status symbol with him, wasn't it? Everybody  
18 else was gone to college, or everybody else has finished  
19 high school, and David Spence has finished a hitch in the  
20 pen? Wasn't that pretty much the way it was?

21 A Yeah. I guess you could look at it that way.

22 Q Well, I don't want to put words in your mouth. I wasn't  
23 there.

24 A Well, at times, he would act like that. And, then, at  
25 times, like I say, he would act like -- you know -- his

1 little brother is a Christian and, you know, he was tell-  
2 ing me that he was trying to get hisself straight, you  
3 know. And, then, at other times, you know, he would act  
4 like that. You know, just kind of wild, like he was a  
5 bad ass.

6 Q He told you his brother was a Christian and he was trying  
7 to straighten his life out, too. Did he tell you anything  
8 about worshipping the devil?

9 A No.

10 Q Did he ever mention any kind of black arts or devil  
11 worship at all?

12 A No. I was telling Detective Simons, the only thing I  
13 heard that he ever said that was really odd to me was,  
14 the last time I saw him, and I was over there and he was  
15 talking about something about the ways of Mohammed, or  
16 something off of the wall. And I thought he was -- I  
17 thought he was just drunk, or something. He was talking  
18 something about the ways of Mohammed, or something about  
19 you've got to learn, or something like that. I mean, he  
20 was talking kind of crazy, so I left, you know. And I  
21 left him sitting in the chair the next morning, he was  
22 asleep. And that was the last time I saw him. Which,  
23 it was right after all of this happened.

24 Q Did you ever tell anybody, Mr. Oliver, that David Spence  
25 was a real good friend of yours?

1 A Yeah. I did. He was, at one time.

2 O All right. Now, on the 13th day of July, 1982, you had

3 an occasion to see David Spence?

4 A Yes, sir.

5 O Okay. Would you --

6 A I guess I did.

7 O You guess you did?

8 A Well, was it the 13th? That was the day that all of this

9 happened. It was that night, or I guess you could call

10 it early morning.

11 Q All right. Let's assume that on the 13th day of July,

12 1982, you picked up your car from the police impound.

13 A Yes, sir.

14 O So, that would be --

15 A That would be that morning.

16 Q That would be the day that you had the occasion to see

17 him, right?

18 A Yes.

19 O Now, where were you in the evening hours of the 12th,

20 before you went over to David Spence's house?

21 A Okay. The evening hours of the 12th, I was at

22 Pinocchio's, I guess, from about 9:00 o'clock at night,

23 something like that -- 8:00 o'clock, 9:00 o'clock at

24 night -- playing foozball, because I play foozball a lot.

25 I have been playing about two years. And some friends of

1 mine were up there. And from that time, we went down to  
2 what they call "little circle."  
3 Q Who are "they"?  
4 A That is Cal. I can't remember their last names. There  
5 is John Arnett and Todd.  
6 Q You don't know what Cal's last name is?  
7 A I think it is Frazier.  
8 Q What about Todd?  
9 A I just -- I don't know him that good. That's about the  
10 first time I had seen him.  
11 Q How about Childers? Would that satisfy you? Would you  
12 quarrel with that?  
13 A If that's his last name. And we went to the lake out  
14 there at the little circle, where my car was.  
15 Q Where is little circle?  
16 A It's in Midway Park.  
17 Q Okay. What did you go out there for?  
18 A To drink beer.  
19 Q What time?  
20 A I would say about 10:30 or 11:00 o'clock.  
21 Q Was it dark?  
22 A It was dark.  
23 Q And how did you get out there?  
24 A I drove. I drove my car and they had their truck. I  
25 don't remember if they went with me, or I met them down

1           there, or what. I don't remember that part. But I  
2           remember we were drinking beer. We left my car, took  
3           their truck and left my car there.

4   Q       Why did you do that?

5   A       Well, we ran out of beer and it was getting close to  
6           midnight and we wanted to get some more beer. So, I left  
7           my car there. He said, "Let's all get in the truck."  
8           So, we all got in the truck. And I locked my car up. I  
9           locked my keys in the car, too. And we left and went  
10          and tried to get some beer at a 7-Eleven on Valley Mills.

11   Q       Were you able to do that?

12   A       No. It was after 12:00 by the time we got there and they  
13          wouldn't sell it to us.

14   Q       Okay.

15   A       So, we knew of another place, a Zippy over toward East --  
16          more East Waco -- that would sell beer to us at times  
17          after hours. So, that's why we headed in that direction.  
18          And we went down there and we got some beer. We went  
19          by Cal Frazier's girl friend's house.

20   Q       Is that the only place you went to try to find beer? Or  
21          did you stop several places in between there?

22   A       I think that's the only place. Because were were talking  
23          about, where could we get some, and I knew that we had  
24          bought it there before after hours. Because the guy  
25          that worked there, sometimes would sell beer after hours.

1 Q How did you get from Valley Mills over to where you  
2 bought the beer?

3 A In the truck.

4 Q Well, what street did you drive down?

5 A Let's see, we went down -- we went down the street that  
6 Cal Frazier's girl friend lives on, I know that. What  
7 is it? I can't remember exactly, I haven't been here in  
8 so long. I believe it was the one right along beside the  
9 Zippy -- that goes right along down beside there. Because  
10 his girl friend lives right near there.

11 Q All right. How much beer did you buy, when you were  
12 finally able to buy some beer?

13 A I think two six-packs. I'm not sure.

14 Q Okay. How much beer had you already had to drink?

15 A I would say a couple of six-packs. I can't really  
16 remember. It might have been a case.

17 Q Were you drunk?

18 A I was pretty well -- pretty well buzzed. I wouldn't say  
19 I was staggering drunk, or in a stupor, or anything. I  
20 was pretty well drunk.

21 Q All right. You had somewhere between two six-packs and a  
22 case of beer?

23 A Yes, sir.

24 Q And you started drinking -- were you drinking at  
25 Pinocchio's?

1 A No. They don't have anything there. I didn't have any-  
2 thing in my car. So, I guess, just when we got down to  
3 the lake.

4 Q So, you didn't start drinking until 10:30?

5 A Yes, sir.

6 Q Approximately?

7 A Yes, sir.

8 Q And between 10:30 and midnight, the four of you drank up  
9 whatever beer you had?

10 A Uh-huh.

11 Q Then you bought another two six-packs?

12 A Yes, sir.

13 Q Do you remember stopping at a store on Waco Drive and  
14 they wouldn't sell you any?

15 A I'm not really sure. A 7-Eleven? We may have. That  
16 sounds familiar. I don't really know. Seems like we  
17 just went straight to the Zippy's, but we may have.

18 Q At any rate, you were finally able to purchase a couple  
19 of six-packs?

20 A Yes, sir.

21 Q Where did you go from there?

22 A From there we went to Cal's girl friend's house. Where,  
23 she wasn't home, nobody was there. So, we were only  
24 there a few minutes.

25 Q What's her name?

1 A Vicky, I think.

2 Q How about Julie?

3 A Julie. Okay.

4 Q Julie Jenkins.

5 A Okay.

6 Q Would you go for that?

7 A Sounds good. I didn't know her that good either.

8 Q All right. What time was it, if you know, when you went

9 to her house?

10 A It was after midnight. It had to be 12:30, 1:00 o'clock,

11 somewhere in that. The time frame, I'm not really sure.

12 Q And where was her house located?

13 A It was right over there by that Zippy's somewhere. It's

14 down one of those streets. It doesn't run like Valley

15 Mills does, it crosses. But I don't remember what it is.

16 Q Well, what part of town was it in?

17 A It's in -- what is it? Northeast?

18 Q What's it close to?

19 A It's close to that Zippy's.

20 Q Well, so far, the Zippy's is on the house where she lives,

21 and the Zippy's is close to her house. But we don't know

22 where in Waco they're located, other than Northeast. Is

23 there anything else in this town that you can think of

24 that's close to where they are?

25 A It's on the other side of 25th Street.

1 Q The other side. You mean going out?

2 A Going towards East Waco.

3 Q Okay. So, it would be on this side of 25th Street, then,

4 right?

5 A Right.

6 Q How much on this side of 25th?

7 A It would be between here and 18th. Or between 25th and

8 18th.

9 Q Okay. Would it be north of Waco Drive? Or toward the

10 lake from Waco Drive?

11 A It would be north. Yes.

12 Q Okay. Toward the lake from Waco Drive?

13 A Right.

14 Q Okay. How far. Would it be past Colcord?

15 A Let's see. Realize, I haven't been here for awhile.

16 That's why I can't remember. I think it's --

17 Q How many blocks from Waco Drive, approximately? Half a

18 mile?

19 A I would say ten blocks, I think.

20 Q Okay.

21 A Somewhere in there.

22 Q All right. Where did you go after you found out she

23 wasn't home?

24 A We left there and went to David's mother's house.

25 Q All right. Did Cal Frazier stay with you, or did he stay

1 at the girl's house?

2 A No. He stayed with us.

3 Q Then you went to David's mother's house. Where is that  
4 located?

5 A That's over on -- it's off Colcord. It's on -- it's on  
6 about 15th, I think.

7 Q 1901 North 15th Street?

8 A Yeah.

9 Q What time was it when you arrived there?

10 A 1:30 or 2:00. Same general area. We went straight  
11 there.

12 Q What did you do when you arrived at David Spence's  
13 mother's house?

14 A Well, I woke his little brother up and asked him where  
15 David was at, because I thought David was staying there.  
16 And we were looking for something to do, so that is why  
17 we went there, in the first place, to see if he was there.  
18 And they said that he had moved out to Northwood  
19 Apartments. So, Steve went back to sleep and we decided  
20 we would go on over to Northwood and see if he was there.

21 Q Okay. Now, this is the same David Spence that you didn't  
22 see for four years, and then in the last six months, you  
23 have seen him five or six times. Yet, at 2:00 o'clock  
24 in the morning, you're going over to his house to wake  
25 him up?

1 A Yes, sir.

2 O To see if there is anything to do, is that correct?

3 A (Nodding head.) Because, like I said, at the time, I was  
4 splitting up with my wife, and I just felt like getting  
5 drunk. And I knew David was always partying, so that's  
6 why I went over there.

7 O Well, you didn't see any problem with going over and  
8 waking him up at 2:00 o'clock in the morning?

9 A No.

10 Q And, so, you did go from David Spence's mother's house to  
11 the Northwood Apartments?

12 A Yes, sir.

13 O What did you do when you got there?

14 A Well, we knocked on the door, and the lights were out.  
15 So, David came to the door, and I asked him what he was  
16 doing.

17 O How was he dressed when he came to the door?

18 A I think he was in his shorts. I can't remember.

19 O Did he have a shirt on?

20 A It's hard to remember.

21 O Had he been asleep?

22 A He looked like he had been asleep. He looked tired, you  
23 know, like, I guess, if you just got up, or something.  
24 And the lights were all out, so I figured he had been  
25 asleep.

1 Q Did you ask him what he had been doing?

2 A Yeah. I asked him, you know, "What have you been doing

3 earlier?" And I think -- I'm not really positive on

4 that either -- that he said something about he had been

5 with Tony earlier, which was the guy that used to live

6 with him.

7 Q He had been with Tony where?

8 A At the lake, I think, is what he said. I'm not sure.

9 Q Well, in your sworn statement that you gave to Naval

10 Intelligence, you told them under oath that he said he

11 had been at the lake with Tony.

12 A I also told them that I wasn't sure.

13 Q Okay.

14 A All of my -- you know -- it's foggy. All of my things,

15 it's something that I'm not sure of. When I went up

16 there, I asked him, "What are you doing?" But it

17 probably went in one ear and out the other. And I just --

18 you know -- I can't definitely say that that's what he

19 said. But it seems like that I remember him saying that.

20 And somebody else said that they remember him saying

21 that, too.

22 Q Okay. Then what happened?

23 A We went inside and we sat there and drank beer. And

24 Christy, his girl friend, was in there asleep.

25 Q Did she get up?

1 A No. She stayed in the bed.

2 Q How do you know she was there?

3 A I had to go to the bathroom. And when I went in there

4 to use the bathroom, she was in the bed asleep. That's

5 when I saw her. And I think he mentioned that she was

6 asleep, or something. I might have asked. I don't

7 remember exactly all of the conversations.

8 Q All right. What happened then?

9 A We sat there all night drinking and listening to music

10 and until the next morning, and that was about it.

11 Q All right. You had the two six-packs that you had

12 purchased?

13 A Yes, sir.

14 Q And now there's five of you drinking?

15 A Uh-huh.

16 Q Instead of four?

17 A Uh-huh.

18 Q Did he have some beer at his apartment?

19 A He had some in the refrigerator. I think he had maybe

20 a six-pack, or some of those tallboys, or something.

21 Q And you drank beer until when?

22 A Until early the next morning. We sat there until day-

23 light. Because the security guard come over and told

24 Todd that he had to move his truck, because it was

25 parked -- you know -- it was the next morning, and it was

1 parked in a space. And he came over and told him to move  
2 his car, because it was blocking, you know, a space.

3 Whenever he moved his car, at that time, David was get-  
4 ting ready to take Christy to work. So, we followed him  
5 up there to drop her off at the store. And, then, we  
6 got some more beer at the store. David went --

7 O Now, just a minute, Mr. Oliver. You're getting kind of  
8 ahead of me here. When you're at the apartment, at some  
9 time around 2:00 o'clock?

10 A Yes.

11 O Or maybe shortly after?

12 A 2:00 or 2:30, somewhere in there.

13 Q When you first arrived there?

14 A Yes, sir.

15 Q And you stayed there at the apartment until what time?

16 A 6:30. 6:00. Before 7:00. It was daylight, the sun was  
17 coming up.

18 Q Okay. She had to go to work at 7:00, didn't she?

19 A I guess. I think. It was real early.

20 Q All right. So, you're talking about some four and a half  
21 hours there that ya'll were there?

22 A About three and a half. Three and a half or four hours.

23 O Okay. What did you talk about?

24 A That's what's hard for me to remember. Because we were  
25 just talking about general -- I don't know, just general

1 talk. I can't remember anything out of the ordinary,  
2 or anything, because I wasn't looking for anything out of  
3 the ordinary.

4 O Do you remember David talking about how he had been in  
5 the pen?

6 A Yeah. I think maybe he was talking about that.

7 Q Did you talk about "crank"?

8 A Yeah.

9 O Did you talk about going to Fort Worth and getting some  
10 "crank"?

11 A Yeah. We talked about that.

12 Q Talked about the guy that he knew in Fort Worth that made  
13 good "bathtub crank"?

14 A Yeah.

15 Q Now you remember it. You didn't remember it before I  
16 refreshed your memory?

17 A Well --

18 O Tell the Grand Jury what "crank" is?

19 A It's "speed".

20 Q Methamphetamine, first degree felony, right?

21 A Uh-huh.

22 Q And ya'll were talking about going to Fort Worth and  
23 getting some, weren't you?

24 A Yes.

25 Q Were you smoking any "weed" that night?

1 A Yeah. Well, let's see. We tried to get some earlier.  
2 Q Doing any "crank" that night?  
3 A Yeah. Some.  
4 Q Who all was doing "crank"?  
5 A Let's see. It was me and Cal and -- I think Cal. I  
6 don't know if Cal did or not. And David.  
7 Q How about John Arnett?  
8 A Yeah.  
9 Q How about Todd Childers?  
10 A I'm not sure. I think Todd did. I'm not sure.  
11 Q So, everybody was doing "crank"?  
12 A I think so.  
13 Q You took Christy to work at 7:00 o'clock?  
14 A Uh-huh.  
15 Q Any particular problem between her and David?  
16 A Let's see. I think they were arguing a little bit. But  
17 they were always arguing, anyway. So, they was pretty  
18 much fighting all the time.  
19 Q Did you see anything in that apartment while you were  
20 there that would be considered unusual or out of the  
21 ordinary?  
22 A I saw one thing that was unusual. That was the only  
23 thing that really caught my eye, you know. Like I said,  
24 I wasn't looking for anything. There was some type of  
25 a devilish looking figurine or something. I don't like

1 things like that. I looked at it and I just thought --  
2 I thought about it, because I don't like stuff like that,  
3 you know. It kind of bugged me because it was there.  
4 But I don't remember exactly what it was, if it was a  
5 candle holder, or... I don't know what it was, but it  
6 had a devil looking head on it, you know, and I just  
7 didn't like it. So, I remember that.

8 Q Did you see anything else in that apartment out of the  
9 ordinary?

10 A No. Just...

11 Q You didn't see any bloody clothes, or anything like that?

12 A No. There were clothes on the floor when I went to the  
13 bathroom, but they were, you know, just general bedroom  
14 mess, I guess you would call it.

15 Q Did you ever tell anybody, at a later time, that you had  
16 seen evidence in that apartment that could convict David  
17 Spence?

18 A No. I didn't.

19 Q Did you ever tell anybody, at any time, that you saw any-  
20 thing in that apartment that could be considered as  
21 evidence in that case?

22 A No. I didn't.

23 Q All right. You and Todd and Arnett and Cal followed  
24 David and Christy to work?

25 A That's right.

1 O And when you got to the store, what happened?

2 A Christy went inside, David went inside. I think they  
3 were arguing. And later on, David came out. He had a  
4 couple of cases of beer with him in his hand, put it  
5 in the back of the truck. We were still planning on  
6 going to Fort Worth. Then we started talking and decided  
7 that we weren't going to go to Fort Worth. And we were  
8 going to go get my car, so, you know, I could get it out  
9 of impoundment. Of course, at the time, it was at the  
10 lake. We decided we would go get my car. So, we drove  
11 over to find my car and my car was gone.

12 Q All right. What did you do with David Spence's car?

13 A He took it over to this guy right over next to the store  
14 to have him do some work on it, or something.

15 Q Do you know what was wrong with it?

16 A Brakes, I think, or something. I forget what it was.  
17 But it was a guy right across from the store. He dropped  
18 it off and he said he was going to fix it for him and he  
19 could pick it up later, I think he said, about 5:00, or  
20 something. I don't know.

21 O All right. Then, did you go out to the lake to get your  
22 car?

23 A Yes, sir.

24 Q What did you find when you get to the lake?

25 A I didn't find my car. There was nothing there. I thought

1 somebody stole it, so I went to Todd's house. We left  
2 there. I used his phone. We dropped David and Cal off  
3 at a Dairy Queen, because Todd didn't want to take him  
4 over to his house.

5 Q Why?

6 A His mother was there and he didn't want to bring a bunch  
7 of people over there.

8 Q A bunch of skuzzy looking people?

9 A Right. And, so, we went in and I used the phone and  
10 called the Police Department and reported it stolen. And  
11 they told me that somebody, you know, had broken into it  
12 and that it was impounded. So, I found out it was over  
13 at impoundment and went to get it and picked it up.

14 Q Where did you go to get it?

15 A At the city impoundment over on LaSalle.

16 Q And where did you go from there?

17 A From there, Arnett and Todd went ahead and took the truck  
18 and they went back to, I guess, Todd's house. And me and  
19 David and Cal took my car, which was all -- the windows  
20 were all busted out and everything was stolen out of it --  
21 you know -- took my car and started going -- let's see.  
22 We went -- first of all, we went to the lake, to Koehne  
23 Park, to the little --

24 Q Was that before or after you met the girls?

25 A I think it was before. Let's see. Yeah. It was before.

1 We went out there and we went to the little circle that's  
2 right there by Koehne Park and went to the picnic table.

3 Q Whose idea was it to go to Koehne Park?

4 A I don't know.

5 Q Was it your idea?

6 A It may have been.

7 Q What time was it?

8 A It was early morning. It was, I would say, 8:30 or 9:00  
9 o'clock, or something, I guess.

10 Q Had you ever been to Koehne Park at 8:30 or 9:00 o'clock  
11 before to drink beer?

12 A No. But I haven't been out at 8:30 or 9:00 o'clock in  
13 the morning drinking beer. It was just something that  
14 just happened. We were still drinking. You know, we  
15 were "wired" all night and were still drinking and  
16 decided that we were going to go down there and, you know,  
17 drink some. I don't remember who said go there. I may  
18 have, I don't know.

19 Q All right. And when you got to Koehne Park, whose idea  
20 was it to go to that particular area where you went?

21 A I don't know. I know, the first time when we were down  
22 there earlier, me and Cal -- this was before we ever  
23 went and got David. I remember now we went there. But  
24 we went to the other side, over toward the right, and we  
25 were trying to get a "joint" from these guys in a truck

1 down there. There was a truck with about three guys in  
2 there, and we stopped and were trying to get a "joint"  
3 from them. And they were going to go drink some more  
4 beer, I guess. It was a -- God, I can't remember. But  
5 the second time, I don't know why we went down there. I  
6 don't. I can't remember who said it, but we went to the  
7 little picnic table. I do remember seeing the little  
8 car sitting down there.

9 Q What little car?

10 A It was a small car, a Pinto, or something.

11 Q What color was it?

12 A I don't remember. A light color, I think. Anyway, it  
13 had -- the seat was folded forward. I can't remember if  
14 the dome light was on. There was something that  
15 attracted our attention to it. I don't know if it was  
16 just the seat being forward, or it just being there by  
17 itself. I don't remember. But, you know, we mentioned  
18 it. I don't know who said anything about it, either,  
19 but I remember mentioning it. We got out and sat on the  
20 picnic table. We drank a couple of beers and decided  
21 that we were going to go. We left and went back up  
22 Waco Drive. That's when we ran into the girls.

23 Q Do you recall anything unusual about David Spence's  
24 manner, or what he was talking about, or anything regard-  
25 ing the little orange car, or anything around that circle,

1 or the picnic tables? Anything that drew your attention  
2 to being out of the ordinary?

3 A Not really. It was hard -- you know -- it would be hard  
4 for me to see anything out of the ordinary, when I wasn't  
5 looking for it. You know, it was just an average night,  
6 because there was nothing that I knew anything about any  
7 of this until the next day, you know. And I was just --  
8 we were just partying and I wasn't looking for anything  
9 strange, you know. He just acted the way he normally  
10 does. He didn't really -- you know -- like you said,  
11 maybe he acts like he is bad from prison, or something.  
12 But he just acted the way he always does, that I can  
13 remember.

14 Q Okay. What happened after you got back up on Valley  
15 Mills?

16 A Oh, we went down Valley Mills and we went to Waco Drive.

17 Q Did you go anywhere but that little circle and the picnic  
18 tables while you were at Koehne Park?

19 A No, sir. That was it. Except for whenever me and Todd  
20 was there earlier.

21 Q I'm talking about when David Spence was there with you?

22 A No. Huh-uh.

23 Q Did he stay right there at the picnic table the whole  
24 time, or did he get up and walk around anywhere?

25 A No. He stayed right by the table, I believe.

1 O Did he walk around the orange car at all?

2 A No. I don't remember him walking around the car.

3 O Did he walk out in the trees at all?

4 A Not that I recall. I think we just all sat on the table  
5 and were drinking beer. We didn't stay long, you know.  
6 We just stayed a few minutes and then we got -- you know  
7 -- what are we going to do? I guess the reason we went  
8 there, because we were trying to find something to do  
9 at 9:00 o'clock in the morning. We weren't ready to go  
10 home, because we were still -- we had all of this beer  
11 and we were all "wired out" and we just were going to  
12 party through the day.

13 O So, where did you go?

14 A We went back -- headed back down Waco Drive. I don't  
15 remember where we were headed. I guess we were heading  
16 back over to David's. I was probably going to take him  
17 home. I don't know. But we went up Waco Drive. And as  
18 we were going along, some girl drove by in a car and  
19 David started waving at her and they started talking  
20 and everything. And she said, "Pull over up here." So,  
21 we went to this computer place there on Waco Drive, and  
22 she asked us to come in and drink a beer in there, you  
23 know. And she was working with some kind of microfilm,  
24 or microchips, or something. And we sat in there and  
25 talked to her, I guess, for a couple of hours, you know,

1 a long time. And I don't know, somehow or another, he  
2 talked her into going out with him, or something, and  
3 was supposed to come back later. And we were supposed  
4 to come back later that night and take her -- I think,  
5 her and a friend out, or something like that. And after  
6 awhile we left, and I think I took him back. I can't  
7 remember after that. Cal was still with us. Anyway, we  
8 ended up dropping him off eventually. And, then, Cal --  
9 let's see, I think I took Cal home then and I went home.

10 Q And when did you next see David Spence?

11 A I don't know. It was when I went over there with Josie.

12 Q Josie who?

13 A I can't remember her last name. Scionti.

14 Q Who is she?

15 A Well, she was the girl that I was dating, at the time.

16 Q When was it that you went over there with Josie?

17 A Well, it was after that. It was like two or three days  
18 after, or four days after.

19 Q What was your reason for going over to David Spence's  
20 apartment?

21 A Just going by there to see him again. I guess, I had  
22 no inclination that he had anything to do with this until  
23 later on. You know, I wouldn't go over there. I wouldn't  
24 take her over there either, you know. I was just going  
25 over there to see him again. And, then, that day he was

1 acting strange. That day, I would say he was acting  
2 pretty weird.

3 Q Like how?

4 A He was -- that's when he was talking about the way of  
5 Mohammed, or something. He was talking off the wall,  
6 crazy stuff. And that's why I took her and I left.

7 Q How long did you stay over there?

8 A We stayed -- again, I think it was late. It was late.  
9 We left him sitting in the chair asleep. It was after  
10 dark.

11 Q Who else was there?

12 A It was just me and Josie. Me and Josie and David.  
13 Christy, I don't think was there, or she was gone. No.  
14 Christy wasn't there, I'm sure. I'm not exactly sure  
15 how much longer it was after that, but it was within a  
16 few days, or a week, or something like that. Because  
17 all of this time I was on this little partying spree, I  
18 guess you would say, you know, because of problems at  
19 home. And that's why I was there, in the first place  
20 and I was running around with Josie. And that's about  
21 it.

22 Q Now, you stayed there for more than an hour?

23 A Yeah.

24 Q More than two hours?

25 A Let me think for a minute. I would say a couple of hours.

1 Not much more than that, if more than that.

2 Q Okay. You told us that, in this time period, he was  
3 talking about crazy stuff, off the wall stuff, that it  
4 bothered you?

5 A Yes, sir.

6 Q And you told us that he was saying something about the  
7 ways of Mohammed?

8 A Uh-huh.

9 Q What else was he saying?

10 A Oh, he was talking about -- something about, you've got  
11 to learn, or something. He wanted us to come and live  
12 over there, and all of this stuff. And he was talking  
13 about, you've got to learn, or something. I can't  
14 remember exactly what he was saying. It was dumb.

15 Q You've got to learn what?

16 A The ways of Mohammed, or something like that. I don't  
17 know what he was saying.

18 Q Well, we're talking about two hours worth of conversation.

19 A You're talking about a year ago. I can't remember  
20 exactly what. You know, I can't remember a conversation  
21 that I had a year... All I remember is like that.  
22 Because that was something that he said that was crazy,  
23 you know. Because I got her and I left. I said, you  
24 know, "He's acting weird."

25 Q All right. When is the next time you saw him?

1 A I think that was the last time I saw him. Yeah. It was.  
2 O That was the last time you saw David Spence?  
3 A (Nodding head.)  
4 O And when did you go to California?  
5 A I left on -- let's see. It was sometime in August.  
6 O Sometime in August when you went --  
7 A The beginning of August.  
8 O Who went to California with you?  
9 A This other guy, Terry Gutierrez. He was from  
10 Pinocchio's. Another guy that I knew.  
11 O Is that the same Terry Gutierrez that was going to help  
12 you steal your car and rip off the insurance company?  
13 A Yeah. And we went up there to try to get some work. And  
14 I had to get away from my wife. You know, I just wanted  
15 to get away for awhile.  
16 O How long did you stay in California?  
17 A Oh, I stayed there until just before I had to go in the  
18 Navy. Which was October the 1st, I had to report for  
19 active duty. And I was on delayed entry, I was trying to  
20 decide if I wanted to go in the Navy. I still had the  
21 option to get out, you know, if I could have got work.  
22 And I thought, if I go to California, I can make some  
23 money. I was in debt really bad, I had to get some  
24 money together to try to save what I did have. And I  
25 thought, if I went up there, you know, there is more money

1 up there. I've got three uncles and cousins up there  
2 that are electricians, general electricians. And I  
3 thought I could go to work with one of them and make some  
4 good money real fast, catch everything up and come back  
5 and patch up stuff with my wife, and all of that, and get  
6 back to normal.

7 Q How much of that did you get done?

8 A Not much.

9 Q You went to California?

10 A There was no work up there.

11 Q You didn't save your stuff, you didn't patch up with  
12 your wife, and you didn't get back to normal?

13 A No. So I came back and I joined the Navy and that's what  
14 I'm doing now.

15 Q When did you come home on leave the first time?

16 A Right after boot camp. Let's see, that was December,  
17 approximately, the 9th or 10th, or something like that.  
18 I stayed here for two weeks.

19 Q During that period of time, do you recall going out to  
20 the parks around Lake Waco with Josie and Harold and  
21 Diane Windham?

22 A Yeah.

23 Q Daytime or nighttime?

24 A Daytime, I think. Yeah. I think it was.

25 Q All right. Tell us about that?

1 A I just remember going out there. We were just -- I  
2 remember riding around with them one night. Harold and  
3 all of them were in the car. I don't remember, really,  
4 exactly what we did.

5 Q Do you remember what you were talking about?

6 A No. I remember -- if you are referring to the part  
7 when I told them that I knew David really good, we were  
8 sitting there in front of Josie's apartment. Her dad's  
9 apartment. Because he come out there and was sitting in  
10 the car. And we were talking.

11 Q Who did?

12 A Harold. And we were talking. Josie went up to get some-  
13 thing, or something, and we were talking about who we  
14 knew, or something. I don't remember exactly how we got  
15 on the subject. And I said, "Well, do you know David  
16 Spence?" I said, you know, "I have known him for a long  
17 time." I guess we were talking about who we knew and  
18 everything.

19 Q What did you talk about right after you talked about that?

20 A I just -- he said something. I think that's when they  
21 told me that he had something to do with that -- you  
22 know -- he was supposedly involved. And he said something  
23 about that they had him as a suspect, too. And that --  
24 said something about David was involved in it. And I  
25 said, well, that that night, that I was with him that

1 night. And that's why I -- that's why they called me,  
2 in the first place. I told them, I said, well, you know,  
3 we were with him that night, I don't see how he could've,  
4 you know.

5 O Well, when were you called in on this?

6 A It was when I came back on leave that first time, I  
7 think, for Christmas leave. It was during Christmas.

8 O And you were supposed to meet with Deputy Simons and you  
9 didn't show up?

10 A That's right.

11 O Is that right?

12 A (Nodding head.)

13 O Why didn't you show up?

14 A Well, I did show up, but I didn't show up right when he  
15 wanted me to.

16 O Well, you showed up the next day, didn't you?

17 A Right.

18 O How come you waited so long to come in?

19 A Because they were telling me things, that because of  
20 political reasons, they were trying to find somebody to  
21 pin this on, and all of this kind of stuff. And I  
22 thought, well, you know, if they think -- they're going  
23 to think I was involved, because, you know, of the  
24 circumstances. Which it did look like I was involved.  
25 And it really scared me.

1 Q Who was telling you this?

2 A Harold and his girl friend, Diane. The way they were  
3 talking was like they thought that I had something to do  
4 with it, and that -- you know -- they told me that the  
5 cops are looking for you, and all of this. And, you  
6 know, I just -- it shocked me, because -- you know -- I  
7 didn't know what for. I said, "Why?" And they said,  
8 "Well, because it is a murder case," and all of this and  
9 that, "and they think that you had something to do with  
10 it, or something." And, you know, it just shocked me.  
11 I was scared. I didn't know whether they were trying --  
12 what I felt like was, that they were trying to frame me,  
13 or something, because they were trying to get the reward.  
14 They had this \$10,000 reward out, and they were talking  
15 about that. And I thought, well, they're trying to pin  
16 this crap on me, so they can get the reward, you know.  
17 And that's why it scared me. And I just -- I didn't  
18 know what to do. And I said, "Well, I'm going to go in  
19 there and talk to them," you know. And I went in the  
20 next day. But it took me awhile to adjust to it.

21 Q As a matter of fact, where did you go that night, when  
22 you were supposed to meet down here with Simons?

23 A I stayed with Josie that night.

24 Q Where did you and Josie go?

25 A We stayed there all night at that apartment.

1 Q Did you go over to Cal Frazier's house?

2 A That night; no. I don't think so. Not that night.

3 Q You didn't go over Cal Frazier's house and talk about  
4 what you were going to tell the cops? What did we do  
5 that night?

6 A No. That was afterwards. After I had talked with Mr.  
7 Simons, I went over and talked to Cal. And I asked him  
8 if he could remember anything that I couldn't remember,  
9 because I was trying to remember things that he might  
10 have said, or something. And, as a matter of fact, when-  
11 ever, you know, I was trying to -- whenever I went up to  
12 get my car, I told them -- I believe I told a detective  
13 then -- I told him that I knew something about the case.  
14 Because, I said I was out at the lake. I didn't know  
15 David was involved in it. But I told them, I said, "I  
16 was out at the lake that night." I said, "I don't know  
17 if I could help you or not." I was trying to tell them  
18 of the cars I saw. You know, because everybody was going  
19 down there and telling them. I was trying to tell them  
20 about the cars that I saw there, and everything, trying  
21 to help them out. I went back. What happened, I went  
22 back to pay a check, after I got my car impounded, because  
23 the check I wrote was hot. So, I had to go back and get  
24 my check. And when I did, that was when I went in and  
25 told them that I was out at the lake that night. And I

1 talked to the detective that was handling it and told him  
2 all of the cars I saw and all of that. But, at the time,  
3 I still didn't know that David was involved.

4 Q Well, do you know it now?

5 A It looks that way. But when I went to Cal's, I just  
6 wanted to see if he knew -- if he could remember what he  
7 said or, you know, if he said anything like that. You  
8 know, because I couldn't. Like I said, I was pretty  
9 loaded, and my memory is pretty short at times, anyway.  
10 I just -- you know -- it's hazy.

11 Q Do you know where the bodies were found?

12 A No. I don't. All I know is Speegleville Park. That's  
13 all I heard, Speegleville Park.

14 Q Did you go out to Speegleville Park with Josie the day  
15 after the kids were found out there?

16 A No.

17 Q And did --

18 A The only time I go to Speegleville, was to go fishing  
19 off of that pier. And that's the only time I've ever --

20 Q The night that you and Josie and Harold and Diane went  
21 riding, did you go to Speegleville Park that night?

22 A No. Huh-uh. I don't remember exactly where we went to.

23 Q Did you go to Koehne Park that night?

24 A I'm not sure. I'm not sure. It might have been Airport  
25 Park. I'm not sure. I know I didn't go to Speegleville,

1 because I never go to Speelevator. That's never been a  
2 place that I really go to that much. The only time I  
3 go there is, like I said, to go fishing.

4 Q Did David Spence ever tell you about killing the kids at  
5 the lake?

6 A No. He didn't say anything to me about it. There was  
7 nothing, that I can remember, that he said. You know,  
8 if he said anything that night, it's not -- I don't know.  
9 I don't remember him saying anything about killing any-  
10 body, or anything like that.

11 Q Did you ever tell Josie anything about getting drunk and  
12 throwing up that night?

13 A Getting drunk and throwing up?

14 Q Yes.

15 A About what? Me getting drunk and throwing up?

16 Q That's right.

17 A No. I don't think so.

18 Q Do you have any information that could help this Grand  
19 Jury in finding who committed that crime out there?

20 A Not other than what I've told you. That's all that I can  
21 remember. Unless it's locked back there somewhere and I  
22 just can't remember it. Like I said, it was such a --  
23 it was a crazy night, anyway, because I was drunk and I  
24 just -- you know -- I can't -- it has been a year ago.  
25 I can't remember conversation, or anything. That's why I

1 wanted to talk to Cal, because he wasn't quite as messed  
2 up as the rest of us, I guess.

3 THE REPORTER: How do you spell this girl's  
4 last name?

5 THE WITNESS: Scionti?

6 THE REPORTER: Yes.

7 THE WITNESS: S-c-i-o-n-t-i, I think.

8 MR. FEAZELL: Let's go off the record a minute.

9 (Whereupon, an off the record discus-  
10 sion was had, following which the  
11 proceedings continued as follows,  
(to-wit:

12 BY MR. BUTLER:

13 Q When you had Harold and Diane and Josie in the car with  
14 you --

15 A Uh-huh.

16 Q -- you were in your mother's car. And you started talk-  
17 ing to Harold --

18 MR. FEAZELL: Do you remember that?

19 A No. That's the part that's hazy to me.

20 BY MR. BUTLER:

21 Q Well, you had better clear it up.

22 A I'm not sure about that.

23 Q All right. You started talking to Harold Windham about  
24 your best friend, David Spence?

25 A This was in front of Josie's apartment, when I was talking

1 about that.

2 Q That's correct. Then ya'll went out --

3 A Nowhere around the lake.

4 Q That's correct. But you went from there out to the lake  
5 that evening. And you drove down Valley Mills and you  
6 turned into the first little road before you get down to  
7 Koehne Park. There is a big house that sits right here  
8 on the corner. And there is the lake right there by the  
9 golf course. And you parked the car right there, and you  
10 and Harold got out and walked down here to these trees?

11 A Naw. Huh-uh. Didn't neither.

12 Q Okay. Then you went on to Midway Park and you drove  
13 around in little circle, over there where your car was,  
14 and you drove around that area for awhile. And, then, you  
15 went to Speegleville Park. You went out here where they  
16 were having a keg party. Back on this side of Highway 6.  
17 Then you went back in down in here, around by the picnic  
18 tables, and you went down there and you parked your car  
19 and ya'll sat there and you smoked a "joint" under a  
20 great big tree?

21 A I think somebody is lying to you besides me. Because  
22 that's not true.

23 MR. FEAZELL: How many people were in the car  
24 with you?

25 A When I was supposed to be doing all of this?

1 MR. FEAZELL: Yeah.

2 A Me and Diane and Harold. I don't remember going --

3 BY MR. BUTLER:

4 Q And Josie?

5 A Yeah. And Josie. But I don't remember going.

6 Q Well, they remember it.

7 A Well, they have been -- you know --

8 MR. FEAZELL: Were you doing drugs?

9 A -- trying to do this stuff to me. At that point, no.

10 MR. FEAZELL: Clifford, were you doing "crank"  
11 that day?

12 A At that time, when I was supposed to do this; no.

13 BY MR. BUTLER:

14 O All right, right here, that has a great significance, Mr.  
15 Oliver. Why did you stop right here and ya'll get out  
16 and walk down?

17 A I didn't do that. I was -- I went there to the road that  
18 goes down to Koehne Park.

19 O There wasn't a road that goes to Koehne Park. Down here  
20 is the road that goes to Koehne Park.

21 A I didn't --

22 O This is the road above it that goes into the golf course.

23 A I didn't go down that road.

24 O Well, there's three people that say you did.

25 A They're lying. I did not go down that road.

1 Q And it's your testimony, your sworn testimony under oath,  
2 that you didn't go over to Speegleville Park, either?

3 A That's right.

4 MR. FEAZELL: Now, you think about it real  
5 clear, Mr. Oliver, remembering that you have taken an  
6 oath to tell the truth. You think about that and you tell  
7 Mr. Butler right now if that's the truth or not, or if  
8 there is anything you want to change. Because this is  
9 going to be typed up and I plan to use it against you in  
10 your trial. Now, tell them right now.

11 A I've told you everything I know. This is true. I swear  
12 to it. I don't know anything about it, other than just  
13 being with him that night, and drinking with him. And I  
14 didn't even know anything about it until the next damn  
15 day when I read the paper, that there was two people  
16 killed. I didn't know -- all I read was Speegleville  
17 Park. I didn't even know this guy Mohammed that worked  
18 in the store. I don't know shit about none of that stuff.

19 BY MR. BUTLER:

20 Q You didn't read anything in the paper the next damn day,  
21 Mr. Oliver.

22 A The day after.

23 Q It was two days later before it got in the paper. Is your  
24 memory hazy because of some involvement on your part?

25 A No. My memory is hazy because I was drinking, and like I

1           said.

2       Q     Well, everybody --

3       A     If I was involved in something like that -- if I saw  
4           somebody trying to kill somebody, or something, I'm not  
5           going to stand there and let them do it. I'm not -- you  
6           know -- I wouldn't protect somebody like David -- to  
7           protect him, if he killed two or three people. I'm not --  
8           you know -- no way. I think Harold and Josie and all of  
9           them are trying some kind of -- I don't know why they're  
10          saying -- they're the first ones that started saying this  
11          stuff about trying to get me involved in it, in the first  
12          place. I don't know. They were wanting the reward money,  
13          or something, \$10,000. And, you know, they started trying  
14          to get me into this. And I'm not lying to you. I didn't.  
15          I didn't get out and walk to that place, or any of that  
16          stuff.

17       Q     Mr. Oliver, they said you came over and stopped under a  
18           big old tree and ya'll all lit up a "joint" and smoked a  
19           "joint." Then you got out and drove down the road about  
20           150 or 200 feet and stopped and said, "Hey, I think I've  
21           got a flat." And you got out and walked around the car  
22           to see if you had a flat.

23       A     I don't remember that.

24       Q     And there wasn't a flat. And, so, you drove on off and  
25           ya'll went on deeper into Speegleville Park.

1 MR. FEAZELL: Did you know anybody at the keg  
2 party?

3 A I don't even remember going to the keg party.

4 BY MR. BUTLER:

5 O So, it's your testimony that none of this happened? This  
6 is all just a bald-face, absolute lie?

7 A (Nodding head.) That's something --

8 MR. FEAZELL: Please answer outloud for the  
9 record.

10 A Yeah. I guess so. I don't remember.

11 BY MR. BUTLER:

12 O Well, do you guess so? Or do you know so? All right,  
13 Mr. Oliver --

14 A I didn't. Because I --

15 O You started out from right over here. You went from  
16 there over to Midway Park. You went from Midway Park to  
17 the keg party. Then you went over here and you stopped  
18 at two places in Speegleville Park?

19 A Huh-uh. No. I didn't.

20 O And one of the places you stopped was where the kids  
21 were killed. And two of the places you stopped were  
22 where the bodies were?

23 A I've got no idea where they were at.

24 O Now, you told us that the only time after the killings  
25 that you ever saw David Spence was when you and Josie

1           went over to his apartment? Just the two of you?

2    A    Yes, sir.

3    Q    What about the time you and Josie and David Spence went  
4           out to Speegleville Park?

5    A    When was that?

6    Q    Ya'll went out there and parked over there by the picnic  
7           table over here down in this area?

8    A    Huh-uh.

9    Q    That didn't happen either, huh?

10   A    No. I told you, I haven't been out to Speegleville,  
11           except where the little dragstrip is right there where  
12           you go fishing down on the pier. That's the only place  
13           I've even been at Speegleville. I don't know what's up  
14           there. That's not a part that I'm familiar with. I  
15           don't know anything about it. I go to Koehne, I go to  
16           Airport, or I go to Little Circle. But I have -- the  
17           only time I've been to Speegleville, is to go over there  
18           where I fish at. That's it.

19   Q    So, your only explanation as to why these three people  
20           would --

21   A    If I had done that, it was because somebody else was  
22           directing me. Because I don't know even where all of that  
23           stuff is at.

24   Q    Mr. Oliver, is it possible that David Spence directed you  
25           to all of those places and told you about it?

1 A David Spence. I haven't been out there with him. And I  
2 don't remember going out there with Harold and them either.  
3 And I don't turn in at that first turn. When I go to  
4 Koehne Park, I always go right up to that little bridge  
5 and go down, just like everybody else does. That's a lot  
6 of bull, I guess. I don't remember any of that.

7 Q And your only explanation, as to why they would tell a  
8 story like that, is because they're trying to frame you  
9 for the reward money?

10 A I really don't know what the explanation is. I know, you  
11 know, it may look bad, but I'm telling the truth. I'm  
12 not going to protect him, you know, for... I'm not trying  
13 to protect him at all. I'm just telling you, I don't  
14 know anything. There's nothing. I've been telling them,  
15 ever since this whole thing started, there's nothing that  
16 I can really help with, because there's nothing that I  
17 really knew.

18 Q Are you afraid of David Spence?

19 A Not really. No. I don't know. If he's that crazy, I  
20 guess I am now.

21 MR. BUTLER: Questions? No questions?

22 Do you want to have Mr. Oliver wait outside for  
23 awhile?

24 FOREMAN OF THE GRAND JURY: Yes.

25