

1 IN RE:

\*

NOVEMBER-DECEMBER TERM

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2 MURDERS OF RAYLENE RICE,  
3 JILL MONTGOMERY AND  
4 KENNETH FRANKS

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McLENNAN COUNTY GRAND JURY

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McLENNAN COUNTY, TEXAS

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5 GRAND JURY PROCEEDINGS

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7 A P P E A R A N C E S

8 FOR THE STATE:

McLENNAN COUNTY DISTRICT ATTORNEY  
McLENNAN COUNTY COURTHOUSE  
9 WACO, TEXAS 76701

10 BY: HON. VIC FEAZELL, District  
11 Attorney, and HON. NED BUTLER,  
Assistant District Attorney

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12 MEMBERS OF THE GRAND JURY:

13 Eric Hooker, Foreperson

14 Austin L. Dunn

15 Frank Nix

16 Max L. Seirer

17 Lester Ivy

18 Billy R. Edwards

19 Carl D. McIntosh

20 John Dawson

21 Joe A. Wolf

22 Bob A. Johnson

23 Natalie Gonzales

24 Ralph G. Webb

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1 BE IT REMEMBERED that on the 21st day of November, A.D.,  
2 1983, the November-December Term of the McLennan County Grand  
3 Jury reconvened, Mr. Eric Hooker, Foreperson presiding, where-  
4 upon the following testimony was elicited, to-wit:

5 MR. BUTLER: Christine, if you would, raise  
6 your right hand and face the Foreman and be sworn in,  
7 please.

8 (Whereupon, the witness was sworn.

9 CHRISTINE ANN JUHL

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

12 EXAMINATION !

13 BY MR. BUTLER:

14 O All right, now, for the record, my name is Ned Butler.  
15 I am an Assistant District Attorney for McLennan County.  
16 Christine, as I explained to you yesterday, it is now  
17 necessary for me to read your rights to you before we  
18 proceed. The rights are your constitutional rights.  
19 First, that you have the right to remain silent and not  
20 make any statement at all. That any statement you make  
21 may be used against you, and probably will be used against  
22 you at your trial. Any statement you make may be used  
23 as evidence against you in court. You have the right to  
24 have a lawyer present to advise you prior to and during  
25 any questioning. If you are unable to employ a lawyer,

1 you have the right to have a lawyer appointed to advise  
2 you prior to and during any questioning. However, in a  
3 Grand Jury process, the lawyer would not be in the room  
4 with you, he would have to remain outside. And you have  
5 the right to terminate this interview, at any time. All  
6 right, do you understand all of those rights?

7 A Yes, sir.

8 Q Okay. Would you initial right here.

9 A (Marking on paper.)

10 Q Thank you. All right, if you would, please, would you  
11 state your name for the record? Your full name and spell  
12 it?

13 A Christine Ann Juhl, C-h-r-i-s-t-i-n-e A-n-n J-u-h-l.

14 Q All right. Now, Christy, everybody here all the way to  
15 the back is going to have to hear everything you say, so  
16 you're going to have to speak up a little bit.

17 A Okay.

18 Q Are you acquainted with a person named David Spence?

19 A Yes. I am.

20 Q When did you first become acquainted with David Spence?

21 A In July of '80 -- wait, hold it. August of '81.

22 Q And what was the nature of your relationship?

23 A I was his girl friend, I lived with him.

24 Q All right. Where did you first meet him?

25 A At a house behind Taco Bell. It belonged to Tim Crayon,



1 my manager. And I was to be living there at the top floor,  
2 renting it out. And David was there partying with Tim  
3 Crayon and some of his friends.

4 Q And when did you become boy friend and girl friend?

5 A On the 18th I moved in with him. The 18th of August.

6 Q All right. And you had known him for how long, at the  
7 time you moved in with him?

8 A Four days.

9 Q Are you acquainted with a person named Muneer Deeb?

10 A Yes.

11 Q When did you meet him?

12 A Before -- well, I had met him the first time in '80-'81,  
13 when I worked for Taco Torch out at Hewitt. And he worked  
14 at Datapoint and would come in to eat. And, then, I seen  
15 him, well, kind of a long time later, and ended up working  
16 for his store, Rainbow Drive-In.

17 Q When did you start working for Muneer Deeb at the Rainbow  
18 Drive-In?

19 A In March of '82.

20 Q Okay. In March of '82, when you first started working for  
21 Muneer Deeb, where did you live?

22 A I lived at 1901 North 15th, with David Spence, in his  
23 mother's house.

24 FRANK NIX: What was that address?

25 A 1901 North 15th.

1 O All right. You were living with David Spence at his  
2 mother's house, at that time?

3 A Yes, sir.

4 O All right. How long did you continue living there after  
5 you started working for Deeb? And where did you move to  
6 from there?

7 A Let's see. In late June or early July, we moved to a  
8 little house that is located behind Rainbow Drive-In, in  
9 front of Burke Aluminum. Or behind Burke Aluminum, kind  
10 of catty-cornered. And, let's see. And we lived there.  
11 And I was still working at the drive-in.

12 Q How long did you live there?

13 A For about two weeks. Two or three weeks, at one time.  
14 It wasn't very long. The lease had not -- I mean, our  
15 rent was not due yet when we moved out. And we moved into  
16 the big Northwood Apartments.

17 Q How long did you live in the Northwood Apartments?

18 A Me myself?

19 Q Uh-huh.

20 A Let's see. We moved in the 10th.

21 Q The 10th of what?

22 A Of July. And I left the 20th of July. Which is on a  
23 Tuesday. We had a fight the night before, and I left the  
24 next morning. Well, I left that night and came back and  
25 got my clothes the next morning, the morning of the 20th.

1 Q Where did you move to from there?

2 A To J. D. -- hold it. D. J. Leverich's out on 15th. It

3 was beside the store. Beside Rainbow Drive-In.

4 Q And how long --

5 A On 15th and Lyle, or 15th and Herring.

6 Q And how long did you stay with the Leverich's?

7 A Until the 7th of August.

8 Q Where did you go on the 7th of August?

9 A Moved to Fort Worth to live with my sister.

10 Q All right. At the time you lived at the Leverich's from

11 July 20th until August the 7th, were you still going

12 with David Spence?

13 A No. I was not.

14 Q When was your final breakup with David Spence?

15 A The 20th.

16 Q And you moved to Fort Worth on August the 7th of 1982?

17 A Yes.

18 Q How long did you stay in Fort Worth?

19 A Until the 18th. I had been going off and on with a man

20 named Maher Tamimi, and I went back to marry him.

21 Q Came back where to marry him?

22 A Waco.

23 THE REPORTER: Could I get the spelling on that

24 name?

25 A M-a-h-e-r T-a-m-i-m-i.

1 Q And that wedding took place August the 22nd? Or August  
2 the 18th?

3 A August the 18th.

4 Q August the 18th, 1982. How long did you stay married to  
5 Maher Tamimi?

6 A I'm still married to Maher Tamimi.

7 Q How long did you live with him after you got married?

8 A Until -- let's see. The 4th or 5th. It was the 5th of  
9 September, I left to go back up to Fort Worth, because we  
10 had had a little argument and I had a really bad day.  
11 So, I went to see my sister. And I left about 9:00 o'clock  
12 in the morning.

13 Q And since that time, have you lived with your husband  
14 any more?

15 A Oh, yes.

16 Q All right.

17 A I came back down when I got messages that ya'll wanted to  
18 talk to me. And I took like a 12:30 bus that night. And  
19 I stayed with him while I was down here.

20 Q Would that have been on the 14th day of September --

21 A Yes.

22 Q -- of 1983?

23 A The 14th of September.

24 Q Do you recall your occasion for coming here?

25 A Yes. I got a phone call. Well, my sister got a phone call

1 at her work from my mother, stating that I was supposed  
2 to call the police down here and ask for a Detective  
3 Baier. And, so, I called and they asked me to come in on  
4 the next bus down, to talk to them about Muneer Deeb.

5 Q Do you know what Deeb's circumstances were, at that time?

6 A He had been arrested for the murders out at Speegleville  
7 Park.

8 Q All right. At what -- you say you started working for  
9 Deeb in March of 1982?

10 A Yes, sir.

11 Q When did you terminate your employment there?

12 A August 6th was my last day. I told him I was quitting  
13 and going up to Fort Worth.

14 Q During the time you worked for him, what were your duties?

15 A It was cashier. I would open the store in the morning.  
16 I would help them count money at the evening. I worked  
17 just odd shifts, maybe the morning, sometimes night,  
18 maybe both. I would relieve one of them so they could go  
19 do their responsibilities to the store, or so Karim could  
20 go home to his wife. More or less, I was just their  
21 Girl Friday.

22 Q All right. You say "they". Who was "they"?

23 A Muneer Deeb and Karim Oasem

24 Q Can you spell those for the Court Reporter, please?

25 A Which one? I can't spell either one.

1 Q Do you know how to spell Muneer Deeb?

2 A I know Deeb.

3 THE REPORTER: I can spell that one. It's the  
4 other name that I need.

5 Q How about Karim Qasem?

6 A Q-u-s-e-m, I think. Or Q-s --

7 Q K-a-r-m Q-u-a-s-m. And you said Karim Qasem was married?

8 A Yes.

9 Q Who was he married to?

10 A His wife, Lisa.

11 Q Lisa?

12 A Uh-huh.

13 Q And what was his relationship with Muneer Deeb and the  
14 store?

15 A They were partners and friends.

16 Q Of what extraction or nationality is Karim Qasem, if you  
17 know?

18 A I think he is from Saudi Arabia.

19 Q What about Muneer Deeb?

20 A I'm not sure. Saudi Arabia, Jerusalem, somewhere right  
21 in there. Jerusalem or Saudi Arabia.

22 MR. BUTLER: Can ya'll hear all right?

23 A GRAND JUROR: Just barely.

24 BY MR. BUTLER:

25 Q You need to speak up a little bit,

1 A Saudi -- I think both of them were from Saudi Arabia, or  
2 somewhere right in there.

3 Q During the time that you worked at the store, did David  
4 Spence frequent that store?

5 A Yes. He did.

6 Q How often did he go there?

7 A At least once a day. Usually he would take me to work  
8 and pick me up. And he would come in to visit and stand  
9 around and talk and help us out, you know, putting things  
10 on the shelves and things like that.

11 Q Was he working during this period of time?

12 A Let's see. In September or October he went to work for  
13 Burke Aluminum. Which was right next door to the store,  
14 so he came over for lunch, and before he went to work in  
15 the morning and when he got off.

16 Q Now, you said this was in September or October?

17 A No. July or August.

18 Q July or August?

19 A Yes.

20 Q When he went to work for Burke Aluminum?

21 A Uh-huh.

22 Q Did he become acquainted with Muneer Deeb?

23 A Well, yeah. They became -- well, I wouldn't know if they  
24 were really close, but they were friends and they got  
25 along okay. They talked a lot, joked around a lot.

1 Q Did he become acquainted with Karim Qasem?

2 A Yes. He did.

3 Q Would you say he was better friends with Deeb than he was  
4 with Qasem?

5 A At certain times, you know, it seemed like he got along  
6 better with Karim. But, then, other times, it seemed  
7 like him and "Lucky" were pretty close and they were more  
8 or less, you know, pretty good friends.

9 Q Describe for the Grand Jury, if you would, please, what  
10 condition the store was in during the time you worked  
11 there? Would you call it successful?

12 A No. Not really. I wouldn't. I mean, it was very  
13 unorganized. They didn't really know exactly what they  
14 were doing. They weren't making their bills on time,  
15 they were having problems with that. They were always --  
16 they were losing more money taking things from the store  
17 home and, you know, giving things away, than they were  
18 making money. They were very uncoordinated.

19 Q Okay. Explain what you mean by "giving things away"?

20 A Well, like they would -- you know -- if they had a friend  
21 that was out of gas or something, they would give him gas  
22 on credit. Or their friends could come in and eat, and  
23 stuff like that. Or they would give them quarters to play  
24 the games from the register. Usually, they took things  
25 home with them to eat. You know, things from the store.



1 They used to let us -- you know -- we could get gas on  
2 credit and they would take it out of our check. Or we  
3 could eat whatever we wanted to there free, or take what  
4 we needed.

5 Q Who was -- was there any one person who was in charge of  
6 the books or the business end of it more than the other?

7 A Not really. Karim was more coordinated than "Lucky" was.  
8 But, more or less --

9 Q Now, when you say "Lucky", who are you refering to?

10 A Muneer Deeb.

11 Q Okay. "Lucky" was his nickname?

12 A Yes, sir.

13 Q Is that how most people referred to him, was "Lucky"?

14 A Yes, sir.

15 Q Do you recall ever hearing a conversation between "Lucky",  
16 Muneer Deeb, and David Spence, regarding a Triumph auto-  
17 mobile?

18 A Yes. I do.

19 Q Do you recall when that was?

20 A It was July 4th of '82.

21 Q How do you remember it being that date?

22 A Because we all went riding around together. Well, "Lucky"  
23 was in his car, Karim was in his car, and me and David  
24 were in the Malibu.

25 Q All right. What car was "Lucky" in?

1 A In the little yellow car, the Triumph.

2 Q And what was that conversation that you recall overhearing?

3 A Well, we were in the store and we had just fired a bunch  
4 of fireworks. And Muneer Deeb, "Lucky", he asked David  
5 if he would wreck his car for pay? He would pay him to  
6 wreck his car, so he could collect the insurance to put  
7 on the store.

8 Q All right. Which car are you talking about?

9 A The little yellow Triumph.

10 Q And what did David Spence tell him?

11 A He said, Yeah. Sure. He would make sure that it got  
12 wrapped around a telephone pole or a tree. They were  
13 planning to do it the next week, I'm not sure where, or  
14 how they were going to go about it. But David said he  
15 would rig it where it would run into a tree.

16 Q And did you ever hear any other conversation regarding  
17 that particular transaction?

18 A Only that they were -- started kidding around after that.  
19 And "Lucky" just goes, "Will you kill somebody for me?",  
20 you know. And David says, "Sure." You know. And I was  
21 going "No. You won't." And it was more of a joking  
22 around kind of thing. I thought they were playing.

23 Q And this was July the 4th?

24 A Yes, sir.

25 Q 1982?

1 A Yes, sir.

2 Q Now, do you recall the events that occurred some nine  
3 days later, on the 13th day of July, 1982?

4 A I recall some events. Yes.

5 Q All right. And what do you recall happening, at that time?

6 A Well, I do recall getting off work late at night and  
7 going home, and David had come to bed. And, then, he  
8 got up and was talking to some friends that had came over.  
9 And, then, the next morning he took me to work and we got  
10 into a great big fight, because he hadn't come to bed all  
11 night after that.

12 Q All right. Now, you say you got off work late that night?

13 A I think so, sir.

14 Q And what time would that be?

15 A 11:00.

16 Q And was David Spence home at the time you arrived?

17 A No, sir. He -- well, he picked me up, I think. But, see,  
18 that's one thing I wasn't really sure of. Because some-  
19 times "Lucky", Muneer Deeb, or Karim Qasem would take me  
20 home. But I do remember we went to bed together, and then  
21 someone came over late that night. Well, a bunch of  
22 people. And we got into a fight the next morning about it.

23 Q All right. Now, you say you are not sure about whether  
24 he picked you up. Isn't it true that you told me in an  
25 earlier conversation that you were already home and you

1           were already asleep and he came in drunk and woke you up?

2   A       On one night, yes. But I wasn't for sure if it was that  
3           night.

4   O       All right. And on that particular occasion, didn't you  
5           tell me that he came in drunk and, I think, "raising  
6           hell," is the way you put it, and made you wake up and  
7           made love to you? And, then, somebody knocked on the  
8           door and stayed at the house the rest of that morning?  
9           That they came in about 2:00 o'clock?

10   A      Well, I wasn't -- I know we made love that night, because  
11           then he got up and he went and answered the door. Okay.  
12           And he did not come back into the bedroom after that  
13           until he took me to work the next morning. And we had a  
14           big fight about it. Because -- you know -- I don't know  
15           if he was at the house or not, because I was asleep. And  
16           I was really upset about it. And him -- we -- when we  
17           got to the store, some friends pulled up in a pickup  
18           truck and they bought some beer. Well, they didn't buy  
19           any beer, they put a case of beer on my tab, and some  
20           food, Dr Peppers, Cokes and cigarettes and things like  
21           that on my tab, and then they left.

22   O      You say "some friends." Do you recall who any of those  
23           people were?

24   A      I know that Clifford Oliver was one of them. And I think  
25           that was the only one I knew.

1 Q Do you know who it was that knocked on your door that  
2 night?

3 A No. I do not. I did not get out of bed.

4 Q Now, what time did you work that day? You opened the  
5 store that morning?

6 A Yes.

7 Q Is that correct?

8 A Yes.

9 Q David Spence took you to work and ya'll were arguing all  
10 the way. What time was it that you opened the store?

11 A 7:00 A.M.

12 Q Do you know whether or not he did anything with his car  
13 after he took you to work?

14 A I think he took it to D. J.'s to have the oil changed.  
15 Or something was wrong with the car and he was having it  
16 worked on by D. J. Leverich. He was a mechanic and  
17 lived right across the street. Now, I'm not for sure if  
18 he left the car there, or if he took it over there.  
19 Because it usually was -- you know -- kind of -- we do  
20 one or the other. Because Leverich did live right across  
21 the street.

22 Q All right. And, then, he went on with Clifford Oliver  
23 and whoever else was in the pickup?

24 A Yes.

25 Q Did you know any of those other people that were in the

1 pickup with Clifford Oliver?

2 A Not that I can remember, sir.

3 Q Was Clifford Oliver driving the pickup?

4 A No. He was not. He was sitting in the back.

5 Q You're talking about in the bed?

6 A Yeah. The bed of the pickup truck.

7 Q How many people were in the front seat, if you recall?

8 A I think there was two in the front seat. There was a man  
9 I know I didn't know sitting on the wheel rib in the bed  
10 of the truck. And I know I didn't know him.

11 Q Okay. So, there were two people in the cab of the pickup?

12 A I think so.

13 Q And Clifford Oliver and one other person in the back of  
14 the pickup?

15 A Yes.

16 Q And David Spence left with them?

17 A Yes. He jumped in the back of the truck.

18 Q They charged a case of beer?

19 A Yes. A case of beer.

20 Q Cigarettes?

21 A Cigarettes, Cokes, food. You know, I'm not really sure  
22 all they charged, but they charged an awful lot on my  
23 bill.

24 Q Did they tell you what they were going to do with all of  
25 this?

1 A No. They were just going to go out. I mean, there wasn't  
2 really a whole lot I could say.

3 Q Do you recall what it was that you were having this fight  
4 with David Spence about?

5 A Him not coming in later on, staying up all night. The  
6 fact that he did charge the beer on my account. And I  
7 didn't think it was fair that he could go out and run  
8 around, and yet leave me sitting, or leave me wondering  
9 where he was and making me worry.

10 Q When did you next see David Spence, if you recall?

11 A If I remember correctly, he did pick me up at 2:00 and  
12 brought me back at 6:00 to work and I closed that night.

13 Q Did anything unusual occur when you got back to the store  
14 at 6:00 o'clock on that day?

15 A To the best of my knowledge, that was the day that Muneer  
16 Deeb came into the store and said that they had killed  
17 the son of a bitch. That's the way they put it, that  
18 "They did him in good." And, then, he was just ranting  
19 and raving about it going across the store, you know,  
20 into the back, and making sure the Cokes were all pulled  
21 up. And he said, "They killed him." And I kept saying,  
22 "Who?" And, then, I finally figured out, when he said,  
23 "Well, I feel sorry for Gayle, that it had to be Gayle's  
24 boy friend." And I don't remember hearing anything else  
25 about it until the next day.

1 Q Did you look in the paper, to see if there was anything  
2 about it in the paper?

3 A Yes. I did. And I didn't see anything in the newspaper  
4 about it.

5 Q Did you have a radio in the store?

6 A Yes. We do. And it's on all day.

7 Q Did you hear anything about it on the radio?

8 A No. I did not.

9 Q Do you have a television in the store?

10 A We do have one, but it was never hooked up. It was in the  
11 back.

12 Q And did you hear -- were there other people in the store  
13 that evening?

14 A Yes. We always have the kids from the Methodist Home  
15 coming over and people coming in buying beer who lived  
16 in that neighborhood that, you know, more or less knew  
17 most of the kids from the Home, or went to school with  
18 them, or something. We did usually have a lot of people  
19 that would know something like that.

20 Q Do you recall hearing anybody saying anything about any  
21 murders, or anybody getting killed?

22 A Not that day I didn't.

23 Q All right. When did you first read or hear anything else  
24 about the murders at the lake?

25 A The next morning when I came in to work, I opened the



1 store and the radio was on. And then sooner -- later on  
2 that day, the kids started coming in from the home and  
3 they were all talking about it. And they said that it was,  
4 you know, a couple of girls and a guy, and one of the  
5 guys was Gayle's boy friend. A couple, in particular, I  
6 knew, you know, from Gayle, hanging around with Gayle.  
7 And they were all talking about it and were real upset  
8 about it. And it was on the radio.

9 Q All right.

10 A So, I was also hearing it.

11 Q Now, when you first heard Deeb say anything about it was  
12 when you came back to work at 6:00 o'clock?

13 A Yes.

14 Q He said, "They did it, they killed the son of a bitch,  
15 they did him in good."?

16 A Yes, sir.

17 Q All right. And you said, very shortly thereafter, you  
18 realized who he was talking about, when he mentioned  
19 Gayle's name?

20 A Uh-huh. Saying it was Gayle's boy friend.

21 Q Have you ever heard Muneer Deeb talk about Gayle's boy  
22 friend prior to that?

23 A Yes. Mohammad -- Muneer Deeb, he got an apartment --  
24 which is the Northwood Apartment that me and David looked  
25 at -- he had bought the apartment, or rented the apart-

1           ment for Gayle. And he came home on one particular  
2           evening and caught Gayle and Kenneth together, and he was  
3           very, very upset about it and pretty mad. And he kicked  
4           Gayle out, and then he rented the apartment out to us.  
5           And that's about the only thing I ever really remember  
6           about him distinctly saying anything about Kenneth Franks.

7   Q       All right. Do you recall what exactly it was that he  
8           said about Kenneth Franks?

9   A       Not really. He was very upset and he was mad and he felt  
10          that Gayle was cheating on him. Which really couldn't be  
11          true, because they weren't girl friend and boy friend.  
12          He was not, I think, threatening me, but I don't remember  
13          any certain words that he said, like, "I'm going to kill  
14          you." Now, he might -- you know -- might have said that.  
15          Or like, "I'm going to kill him," rather. But I'm not  
16          for sure, and I would not say that I did hear that. But  
17          he was very, very upset and very angry.

18   Q       Did he get upset often?

19   A       No. Not very. He was a pretty go lucky guy.

20   Q       Had you ever heard him talk about Kenneth Franks on any  
21          other occasions?

22   A       Not that I can remember. I heard Gayle talk about him.

23   Q       Did you ever hear Muneer Deeb talk about the killings at  
24          the lake on any other occasion?

25   A       Just after that, everyone talked.

1 Q Do you recall anything that Muneer Deeb said after that?

2 A No. He seemed pretty -- I can't really say glad. But he  
3 didn't really seem too upset that Kenneth Franks was  
4 killed.

5 Q All right. Would you describe Muneer Deeb's state of  
6 health up until July the 13th of 1982? Was he in good  
7 health or bad health?

8 A Pretty good. He limped every once in awhile. He laughed  
9 a lot and joked around.

10 Q Did you notice any unusual changes in his health after  
11 July the 13th, 1982?

12 A Yes. Because when I came back from Fort Worth to marry  
13 Maher, he would come out to the house and pick me up after  
14 he got off work, because we were really good friends.  
15 Okay, I mean, not really, but we got along good. We  
16 would go out partying together and we would go out and  
17 have a drink and ride around in the little car and he  
18 would come out to the house and pick me up. And on one  
19 particular night, we went in to eat at Taco Bell. And  
20 before we could ever get out of the parking lot, he was  
21 getting sick at his stomach. And he had been like this,  
22 you know, for a couple of days, and was like this for,  
23 you know, just for a little while. He said his stomach  
24 was really upset and everything and was having problems  
25 with that. And he was also limping an awful lot. I mean,

1 he was limping worse and everything and he was acting  
2 jittery and kind of upset and everything. But I kind of  
3 figured it was because maybe of the store, because they  
4 were doing really bad at the store.

5 Q And you stated earlier that Muneer Deeb and David were,  
6 if not real close friends, at least pretty good friends?

7 A Yes, sir.

8 Q And talk together a lot and joked a lot?

9 A Yes, sir.

10 Q And that on July the 4th, Muneer asked David to wreck his  
11 car for him for insurance purposes?

12 A Yes, sir.

13 Q Would you describe whether or not their relationship  
14 changed after July the 13th, 1982?

15 A Well, I left the 7th of August to go to Fort Worth. And  
16 after the time of the 20th, when I left David, Karim and  
17 Muneer Deeb were both very glad that I left him and told  
18 me not to go back, and they did not want me back with him.  
19 But, yet, they got along with him okay. They would allow  
20 him in the store to upset me, and they seemed to still  
21 be good friends. And, then, the day that I did leave,  
22 they were begging me to stay with David, because David  
23 was so upset and crying and throwing a great big tantrum  
24 in the middle of the store. And they asked me to stay  
25 with him, because they felt that he would change and try

1 to straighten up, if I would stay. But there was no  
2 really big, you know, difference in the way they treated  
3 him, but they felt that I should not go back to him and  
4 that I should stay away from him.

5 Q Now, you stated that you went to Fort Worth on August  
6 the 7th?

7 A Yes, sir.

8 Q And you stayed there for approximately two weeks?

9 A Yes, sir.

10 Q You came back and married Maher Tamimi?

11 A Yes.

12 Q Stayed with him for approximately two and a half weeks  
13 and went back to Fort Worth on the 4th or 5th of  
14 September, 1982, is that correct?

15 A That's correct.

16 Q All right. Do you recall going over to the Rainbow  
17 Drive-In the night before you went back to Fort Worth  
18 the second time?

19 A Yes, sir. I did.

20 Q Would you describe that transaction or that situation  
21 for the Grand Jury, please?

22 A Okay. Well, the day started out about 9:00 o'clock. I  
23 went to help a girl named Sharon and get her inspection  
24 sticker for her Cadillac -- for the yellow Cadillac. We  
25 were having trouble. I mean, we had some trouble with

1 getting the money together to get a headlight. So, I  
2 went up to the store early in the afternoon and borrowed  
3 \$10 from Karim Qasem, and I told him I would bring it  
4 back that evening, and he said, "Fine." So, we went and  
5 ended up not getting the inspection sticker. And we ran  
6 out of gas and it was after 5:00. Around 6:00 -- between  
7 6:00 and 7:00, I would probably say, -- or 6:00 and 8:00  
8 -- we went back up to the store to give Karim back the  
9 \$10. So, I walked in and Lisa and Sharon were sitting  
10 out in the car with her little boy. And I walked into  
11 the store and I went up and I was going to buy something,  
12 a sandwich or something. And "Lucky", you know, came up  
13 and I handed him the \$10 and said, "Give this to Karim,  
14 because I borrowed it today." And, then, he started  
15 yelling at me. He kept telling me, "I don't want you in  
16 the store, get out now." You know, "I just don't want you  
17 anywhere around here. Don't you ever step foot in this  
18 store." And, then, I was going, "Why? Why? Why? Because  
19 I'm going to call the cops now." I says -- I mean, I got  
20 mad and I said, "Well, go ahead. You're the one that is  
21 harassing me." I said, "I have done nothing to you, I am  
22 in here as a paying customer." And, so, I ended up, I  
23 just walked out and got back in the car and I went home  
24 and I cried, because I didn't understand why he was mad  
25 at me, because we had had no fight. A couple of days

1 before I had been up at the store, I had spent the day up  
2 there helping them out, and Maher had come up and picked  
3 me up and everyone was getting along fine. Karim that  
4 day had acted like there was nothing wrong. I mean,  
5 nothing at all. So, I didn't really understand why  
6 Mohammad was mad -- well, Mohammad -- Deeb was mad at me,  
7 or "Lucky".

8 Q Did you ever find out why he was mad at you?

9 A No, sir. I didn't.

10 Q Did he, in fact, threaten to call the police?

11 A Yes. He did.

12 Q And what did you reply?

13 A I replied, I said, "You can call the police, because I'm  
14 going to call the police, too." I says, "You're the one  
15 harassing me." I said, "I'm a paying customer, I have  
16 done nothing wrong." And I was very upset, because I  
17 just did not realize or understand.

18 Q All right. At the time you were in there, did you  
19 purchase anything in that store?

20 A I was going to. I think it was either a sandwich, or  
21 going to buy a package of cigarettes or something. And  
22 I ended up not paying for it. I ended up, you know,  
23 just giving him the \$10 and leaving.

24 Q Do you not recall telling us on an earlier occasion that  
25 you paid for it with two one dollar bills and got your

1 change from him?

2 A No, sir. I don't.

3 Q Do you recall, when he gave you change you dropped part  
4 of it on the floor?

5 A No, sir. I don't.

6 Q Was anyone else in the store, at that time?

7 A As I recall, there was someone playing a game. He was  
8 playing games with someone in the back of the store when  
9 I walked in, because he had to walk up to the front of  
10 the store.

11 Q Do you recall him threatening to call the police?

12 A Yes, sir.

13 Q And what did you reply?

14 A I replied, I said, "Why? I haven't done anything to you."  
15 He said, "I'm going to call the cops now." I said, "Fine.  
16 I'll call them, too." I said, "Because you're harassing  
17 me." I said, "I've done nothing to you." It was more  
18 or less, I didn't say, you know, that -- I mean, I was  
19 trying to stay calm, and I could not figure out why, and  
20 it just upset me, and I had had a bad day. And when  
21 I've had a bad day, I cry like that. I get very upset.  
22 I mean, somebody can look at me and smile and I cry.  
23 Q Did you or did you not say, "Fine. Call the cops. I bet  
24 you would. Because when I get through telling them what  
25 I know about you, they're going to put you away for life."?



1 A No, sir. I don't ever remember saying that.

2 Q Is it possible you said that and don't remember?

3 A No, sir. I mean, I have no reason to say that to him,  
4 because up until that time, we were friends.

5 Q Up until that time you were friends. But did you know  
6 any thing about him, with which you could threaten him  
7 like that?

8 A The only thing I knew about Deeb was, that he did -- that  
9 was against the law was -- he would sell drugs to kids  
10 at the Methodist Home. And that's nothing, you know,  
11 that I would go, you know, calling the cops and telling  
12 them. Because, then -- you know -- what good would that  
13 do? I mean, seriously? I mean --

14 Q What kind of drugs did he sell to kids?

15 A Mostly pot and things like that.

16 Q By "pot," do you mean marijuana?

17 A Marijuana. Yes, sir.

18 Q Did he use marijuana himself?

19 A Not that I know of. I think, maybe, on one or two occa-  
20 sions I have seen him smoke a joint. But to be honestly  
21 truthful, the only person that I really knew that smoked  
22 pot was Karim. Because me and Karim and David went out  
23 and smoked a joint, and that was at Karim's house. But  
24 I never knew "Lucky" to.

25 Q On any other occasion, do you recall making a threat

1       against Muneer Deeb, or David Spence, or both of them,  
2       that you knew enough about them to put them away for  
3       life?

4   A    No, sir. Well, I know enough about David to put him  
5       away for awhile for what he did to me, you know. But as  
6       far as putting them away for life, no.

7   Q    What did he do to you?

8   A    Like beating me, chaining me up, accusing me of driving  
9       him completely bananas -- he would beat me all the time.  
10       I'm talking about, literally, you know, with his fists.  
11       He chained me at times to him and to tables and left me  
12       sitting there. He has been known to try to suffocate me.

13   Q    Chained you with what kind of chain?

14   A    A dog chain.

15   Q    Could you have gotten aloose from it?

16   A    Well, yeah. But he threatened to kill me, if I did.

17   Q    Did he ever actually do any physical harm to you?

18   A    Yes, sir.

19   Q    What?

20   A    Well, see, he chipped one of my back teeth one day with  
21       the phone one day, he hit me with the phone. On one  
22       particular occasion, which was last Thanksgiving, or two  
23       Thanksgivings ago, he had hit me across the face and  
24       busted my eye open at the corner and the whole side of  
25       my face was black. And I remember I left and I went up

1 to my mother's. And she wanted to take pictures and have  
2 him arrested and I said, "No." And my stepfather just  
3 plain wanted to go and blow his head off. He was pretty  
4 upset about it too. But, I mean, as far as breaking  
5 bones, he never did that. He left bruises, he bit me.

6 Q Where did he bite you?

7 A Usually on the neck.

8 Q When?

9 A Usually when we were making love.

10 Q All right. Point out to the Grand Jury, if you would,  
11 please, where he would bite you?

12 A Usually right here on the muscle of the top of the  
13 shoulder by the neck.

14 Q Anywhere else?

15 A Well, on the titty sometimes, you know.

16 Q All right. How hard would he bite you?

17 A Hard enough to draw blood. I remember I went around for  
18 a long time with just his teethprint, you know, scab from  
19 where he would bite me. And it would hurt and the muscle  
20 would be sore for weeks in there, because he just, I mean,  
21 really hard.

22 Q Is there any other way in which he abused you?

23 A Well, such as what?

24 Q Such as any artificial devices?

25 A Yes, sir.

1 Q And what was that, please?

2 A It was a stick about this long. And it was like a broom  
3 handle cut off. You know, a broom handle, very smooth.  
4 And he had black tape, like electrical tape, around one  
5 end halfway up. And he called it his "love stick." And  
6 whenever he felt like I needed to prove to him that I  
7 would do anything for him, he used that on me.

8 Q How many times did he do that?

9 A Not often, you know. But often enough to -- I don't  
10 know. Probably six, or seven, or eight times.

11 Q Now, when you said he used that stick on you, do you  
12 mean that he would hit you over the head with it?

13 A No.

14 Q Would you describe for the Grand Jury what it was that he  
15 would do with that stick?

16 A He would make love to me with the stick. I mean, he used  
17 it as kind of like a dildo, or whatever you want to call  
18 them.

19 Q You're talking about, he would place the stick inside  
20 your vagina?

21 A Yes.

22 Q Was he gentle about it?

23 A Not really.

24 Q Did he ever cause you any injury?

25 A Not -- you know -- I mean, he caused me to be sore. And

1 I would cry, because it would hurt. But there wasn't no  
2 injury, as to going to the doctor for. I mean, he always  
3 used the side that had the black tape on it, to keep it  
4 from splintering off, maybe, or hurting me with the wood  
5 itself.

6 Q All right. I showed you some pictures yesterday. Let  
7 me show you these two pictures again. For purposes of  
8 the record, these pictures depict Kenneth Franks hands  
9 tied behind his back. And, also, a front view of Kenneth  
10 Frank's body. Specifically depicting or directing your  
11 attention to the towel used to tie his hands and the  
12 towel that is tied around his mouth as a gag, let me ask  
13 you, have you had a chance to look at these pictures?

14 A Yes. I have.

15 Q Have you had a chance to examine the pictures of the  
16 towel, specifically?

17 A Yes. I have.

18 Q And does that look familiar to you at all?

19 A Yes, sir. We had a towel that was like that. Also, this  
20 morning, I was given a chance to see the towel itself,  
21 and it looked like a towel we had at the house.

22 Q And do you know whether that towel is, in fact, the one  
23 that you had?

24 A Well, I can't say that it would be, you know, from look-  
25 ing at it. We could go through the house and find out if

1 the towel is still there. But I'm sure that if -- you  
2 know -- if it was David that did it, it was our towel.  
3 I mean, the towel is -- you know -- because I remember  
4 dancing around in that towel. That sounds weird to  
5 remember. But I am part color blind, and there was a  
6 comment made about the towel being, you know, one of two  
7 colors; but it was like three, and I didn't see the colors  
8 clearly. And I had to hold it up and we had a little  
9 argument, because I said, "No. It's not that color."  
10 And I remember that towel.

11 MR. BUTLER. Let's go off the record just a  
12 minute.

13 (Whereupon, an off the record discus-  
14 sion was had, following which, the  
15 (proceedings continued as follows,  
(to-wit:

16 MR. BUTLER: Back on the record.

17 BY MR. BUTLER:

18 Q What color was it, do you remember?

19 A It was a rust colored, kind of an orange. And, then, it  
20 was a darker brown, and then a lighter orange or a beige  
21 color. And as I said, I am color blind partly, you know,  
22 at times. It is kind of like, I can see colors, but then  
23 I can't. And I seen the towel this morning and it looked  
24 just like the towel that we did have.

25 MR. BUTLER: Off the record.

(Whereupon, an off the record discussion was had, following which, the proceedings continued as follows, (to-wit:

BY MR. BUTLER:

Q Do you recall, specifically, ever seeing that towel? Or do you recall, specifically, when was the last time you saw that towel?

A The last time I really remember the towell was, it was at Nita's house, his mother's house. And I guess, really, the last time -- the only time I really remember it, was when we were living at the house, which was probably -- you know -- April, May, June.

Q Do you recall whether or not David ever carried that towel around in the car?

A I remember he carried several towels in the car. He would use for, like wiping off grease with and cleaning the car, you know, to use them for waxing. I'm not really for sure, but I thought that the towel was in the car. But I can't say it was.

Q All right. Now going back to July the 13th of 1982. You told us that approximately 6:00 o'clock when you went back to the store, that at that time was when Deeb told you that Kenneth Franks had been killed?

A Yeah.

Q Do you recall whether or not Karim was there?

1 A I relieved Karim.

2 O Okay.

3 A I mean, when I went into the store... Okay, when I went  
4 into the store, I relieved Karim, so that he could go  
5 home and eat. And if I recall correctly, I was the only  
6 one in the store. Because Karim had just left, and he  
7 said that "Lucky" would be there, you know, in order to  
8 help me out for the rest of the night. Because, usually,  
9 toward the late evenings we got pretty busy, with people  
10 coming in buying lots of beer to go partying. And, you  
11 know, it was more busier between noon and 2:00 and about  
12 8:00 to 10:00.

13 Q Do you recall where Karim's wife was, at that time?

14 A I'm not for sure. I know she went to Mexico around that  
15 time, and she had to come back, because her mother was  
16 put in the hospital. And the next morning after she got  
17 back, I babysitted the baby for her at the store, while  
18 she went to the hospital to see her mother, because they  
19 would not let her up there with the baby.

20 Q Do you recall whether or not the day that Muneer Deeb  
21 told you that Kenneth Franks had been killed was the day  
22 that she was gone to Mexico?

23 A No, sir. I don't really recall if it was the day or not.  
24 No. It wasn't. Because... Okay, Karim -- during this  
25 time, Karim worked a lot at nights, because Lisa was in



1 Mexico. And I was always teasing him about, "Why don't  
2 you go out? Why don't you go out?" You know, because  
3 she always accused him -- he never -- she always accused  
4 him of cheating on her, and yet he wasn't, he would always  
5 be at the store. And she didn't like him working late at  
6 night, so, usually, "Lucky" closed. But when she was in  
7 Mexico, Karim was usually closing, in order for "Lucky"  
8 to be able to have nights off, while Lisa was gone. But  
9 on this night, "Lucky" did come in and relieve Karim.  
10 I'm not sure if he was to come back that night, or what.  
11 But I relieved Karim to go to eat.

12 Q All right. Now, at sometime prior to July the 4th, do  
13 you recall purchasing an insurance policy?

14 A Yes, sir. I do.

15 Q And where were you when you bought it?

16 A At the store. A man came in, and Muneer Deeb and me both  
17 purchased an insurance policy. My beneficiary was David,  
18 and he bought an insurance policy on Gayle, and "Lucky"  
19 to be the beneficiary.

20 Q Do you know what kind of insurance it was?

21 A It was accidental death. It was insured for \$10,000, as  
22 long as -- you know -- you could collect, as long as it  
23 wasn't by your own hand, that you did not kill yourself.

24 Q You bought one for yourself?

25 A Uh-huh.

1 Q With David as beneficiary?

2 A Yes.

3 Q And Muneer Deeb bought one for Gayle Kelly?

4 A Yes.

5 Q Why did he buy one for Gayle Kelly?

6 A I'm not sure, sir.

7 Q Did he ever tell you why he did?

8 A No.

9 Q Did you ever have any conversation with him about that

10 insurance policy?

11 A No, sir. Not that I can recall.

12 Q Did you ever hear him mention it, in any way, after the

13 day that ya'll purchased those policies?

14 A No, sir. Not particularly.

15 Q At any time, did you ever hear David Spence mention the

16 killings at the lake?

17 A No, sir. I didn't. I remember one day -- I don't know

18 when it was, this was a long time after, though -- and I

19 was riding around with him in a car and we were talking.

20 And, then, I said, "Well, where were you the night they

21 got killed?" And he goes, "Why, I don't know," you know,

22 like that. But that was it. You know, I mean, it wasn't

23 nothing, no big deal, because like all of the news, or

24 something.

25 Q Why did you ask him where he was the night they got killed?

1 A Just kidding around. We were just talking, you know. I  
2 was trying, I guess, to break the monotony of the whole  
3 situation between me and him.

4 Q Did David Spence ever talk to you about killing anybody?

5 A He said that when he was in the joint he had killed some-  
6 body. And he'd threaten, you know, say, well, I could  
7 have killed this dude, and I could have killed that dude.  
8 And, you know, he more or less talked about all the people  
9 he beat up. And he spoke one time on the thing, that he  
10 had a piece of glass when he was in the joint and he put  
11 it through some guy's eye, or something. But that's  
12 about all.

13 Q Did he ever mention any kind of weapon, when he was talk-  
14 ing about killing people?

15 A No, sir.

16 Q Did he ever carry any kind of weapon with him, habitually?

17 A Yeah. He carried a knife.

18 Q Did he ever threaten to cut anybody with that knife?

19 A Yes. Oh, I wasn't there. This is hearsay, what he said  
20 to me. He said that he pulled up into a 7-Eleven one  
21 night and that there was three black guys in a pickup  
22 truck and they were saying something to him. And he  
23 reached in the pickup truck and grabbed the guy in the  
24 middle and put the knife up against his throat and said  
25 he was going to kill him. And the person that he was

1 with -- and I don't remember for sure who that was --  
2 but he said that he was acting like a completely fool,  
3 because the guys would have killed him right there, you  
4 know. But I'm not even sure if that was true. That was  
5 just what he said.

6 Q All right. Do you recall when David Spence was arrested?

7 A Yeah. I was up in Fort Worth.

8 Q And did you ever have occasion to visit him in jail?

9 A I visited him for a little while, I didn't visit him all  
10 of the time.

11 Q How many times did you come to see him in jail?

12 A I came on Tuesdays and Thursdays. And it was for, like --  
13 I don't know -- maybe two months. Sometimes, if I could  
14 get out of it, I wouldn't go.

15 Q Do you know what he was in jail for?

16 A Aggravated Sexual Assault.

17 Q On who?

18 A On another man. I don't know the man's name.

19 Q Did he ever talk to you about that?

20 A A little bit. He had just said that he did not sexually  
21 assault the guy, and that he had just knicked his leg.  
22 He said that he just -- he said that it wasn't really  
23 enough to really bleed, or anything. And I never heard --  
24 you know -- I never read anything in the newspaper about  
25 it, because that came out when I was in Fort Worth. And

1 I wasn't allowed into the courtroom. So, the only time I  
2 heard about it was afterwards. And after he had done  
3 been sentenced and stuff, I heard that from the detective.

4 Q Did he ever mention being a suspect in any other case?

5 A Not for a long time, until all that came out, or I was  
6 coming up here to see the detectives about it, and a  
7 little bit about, you know, Muneer Deeb had then started  
8 asking questions about David. And it was really -- and  
9 first, it was, you know, more or less, did he know any-  
10 thing about it? And it started out, something about I  
11 was told, that if I could find any information out, that  
12 they would help David out. Okay, this come through the  
13 grapevine. It was really seriousness in it, I guess.  
14 But, then he got to the fact where David was becoming a  
15 suspect, and he would talk about it and everything. But --  
16 I mean, he would say, you know "I'm a suspect." And I  
17 said, "Well, did you do it? No," you know. Of course,  
18 he told me he didn't do that thing to the guy's leg either.

19 Q Okay. Did you say that Muneer Deeb was asking you about  
20 David?

21 A On what occasion?

22 Q After David was in jail, Muneer Deeb would ask you about  
23 him and why he was in and that sort of thing? Is that  
24 what you said?

25 A Yeah. He asked me one night, you know, if David was doing

1           okay, and if I had talked to him.

2   Q       Okay. When was that?

3   A       I'm not -- that's when I was over -- it was the second  
4           occasion I talked to him, when he had come over to  
5           "Sparky's" house, Jerrell's. He also worked at the store  
6           at the time "Lucky" was arrested. He was a black guy,  
7           skinny. But he just asked me, you know, how David was  
8           doing and, you know, wanted to know what the story was.  
9           And I really didn't talk to him all that long, but I did  
10          ask him if he had our time cards, because I wanted to pick  
11          up my income tax. And he didn't have them, or so he  
12          said. But that's about the length of it.

13   Q       How many times did you see him? Was this before or after  
14          Muneer Deeb had been arrested for it?

15   A       This was after.

16   Q       How many times did you see him after he was arrested?

17   A       After he was arrested. You mean, when he got out of  
18          jail?

19   Q       Uh-huh.

20   A       Twice, that I can really recall. The first time I had  
21          seen him, I seen him at Zippy's food store. I had come  
22          down from my apartment to get something to eat, or a  
23          package of cigarettes, or something, and he drove up in  
24          a white car. And he just asked me how I was doing, you  
25          know. And that's about all. And, then, he left.

1 Q Did he ever discuss the fact with you that he had been  
2 arrested?

3 A Not really. I mean, we never really talked about it. I  
4 knew, and I guess he thought I did know. But I don't  
5 remember us ever really, you know... The one day that he  
6 was up at Sparky's, he was talking about suing for slander  
7 or false arrest.

8 Q Talking about suing who?

9 A The McLennan County and the Police Department, "anyone he  
10 could get money from." That's the way he put it.

11 Q At any time other than the times you already related to  
12 the Grand Jury, did you ever hear Muneer Deeb talk about  
13 the killings at the lake, or anything about being arrested,  
14 or anything about being a suspect in that case?

15 A No, sir. As far as I knew -- I mean, when I did talk to  
16 him -- like, the only time I really got to sit down -- I  
17 didn't really get to sit down and talk to him either --  
18 was the day at "Sparky's" house. And he just said he  
19 was thinking about suing. And he didn't really talk about  
20 the case itself, or anything else. He just said that he  
21 was going to sue them for false arrest and stuff like  
22 that, kind of blabbering off at the mouth. And that's  
23 about all, I guess, as far as I can recollect.

24 MR. BUTLER: Off the record.

25

(Whereupon, an off the record  
(discussion was had, following which,  
(the proceedings continued as  
(follows, to-wit:

MR. FEAZELL: Let's go back on, and I'll ask  
her these questions.

EXAMINATION

BY MR. FEAZELL:

Q When was the last time, Christy, that you visited David  
in jail?

A February, I think.

Q Of this year?

A Of this year.

Q And that would be after your marriage to Mr. Tamimi?

A Yes.

Q Why did you go visit with David in February of this year?

A Well, at the time, me and Maher were not really split  
up, but we -- we weren't fighting, we just were not kind  
of getting along. As a couple -- we got along fine  
separate, but as a couple --

Q You and who?

A Me and Maher Tamimi. And I was living at David's  
mother's house, and one of the conditions of me living  
there was, that I had to go see David, to calm him down.

Q Who put that condition on you?

A Mrs. Spence, David's mother, Mrs. White.



1 Q How did you come to be living with David's mother?

2 A I was working at -- let's see -- no. I was working at  
3 Villa Capri. And, then, after I had got laid off there,  
4 I was living at Primrose Apartments -- or on Primrose  
5 Drive -- in a house across the street from Melody Ranch.  
6 And David would call me up and talk to me and write me  
7 letters and stuff. And he wanted me to move back in with  
8 Nita, because he just --

9 Q Did he call you from the jail?

10 A Yes.

11 Q All right. And wanted you to move in with who?

12 A With Nita, his mother. He just thought I would be safer  
13 there and --

14 Q Safe from what?

15 A From -- I guess from other guys. You know, at this time,  
16 you know, as I said, me and Maher were not getting along.  
17 We were not really fighting, but we were not together.  
18 And me and Maher were trying -- I mean, me and David were  
19 trying to work things out. And we were talking, you know,  
20 and I was kind of helping him cool down and give him  
21 someone to talk to while he was in jail, because he was  
22 very lonely. And I guess I felt sorry for him.

23 Q How long did you live with David's mother?

24 A I'm not quite sure. About three months.

25 Q What three months were they?

A November, December... Well, no. November, December,

1 January, and I left in February.

2 Q Were you still living with his mother when you visited  
3 him the last time?

4 A Yes.

5 Q What did you and David talk about when you would talk  
6 after he was in jail?

7 A Stupid stuff, really. I mean, you know, we would argue  
8 a lot, because I was not allowed to leave the house, I  
9 was not allowed to go out and look for a job for a long  
10 time. I had to stay there late at night, so he could  
11 call me late at night. He talked about sex an awful lot  
12 and he was -- you know -- accusing me an awful lot of  
13 screwing around on him. Because I did have a friend that  
14 was a guy that would come over with his friend. He was  
15 my best friend's boy friend. And I got accused an awful  
16 lot of screwing around with him. And not really a whole  
17 lot. We talked about the past a lot and about the  
18 problems we had, about the few good times.

19 Q What did he say about Deeb?

20 A About Deeb? Not a whole lot.

21 Q What did he tell you about the money?

22 A About what money?

23 Q About the money he was supposed to have gotten from Deeb?

24 A I didn't know there was any money he got from Deeb.

25 Q No. That he was supposed to get? He was supposed to get.

1 A I don't know nothing about that either. Because they  
2 never wrecked the car or anything.

3 Q What did he tell you about his boots?

4 A His boots?

5 Q Uh-huh.

6 A The occasion that he came home and they were dirty? I  
7 mean, they had that stuff all over them?

8 Q No, ma'am. After he was in jail.

9 A That they were downstairs.

10 Q Okay. And what did he tell you about when he came home  
11 and they were dirty?

12 A On one occasion he came home at night and they had like  
13 stains all over the top of them. And, you know, we were  
14 kidding around and I said, "Well, that looks like blood."  
15 And he goes, "No. It's oil or something." And they had  
16 done been messed up an awful lot, so I didn't bother to  
17 clean them, because they were already, you know, all  
18 scuffed up. And they were good boots and he just trashed  
19 them out. I didn't bother with them any more after that.

20 Q When was that?

21 A When we lived in the big apartment.

22 Q Over at Northcrest?

23 A Northcrest.

24 Q Right before you moved out, or about the time you moved in?

25 A I'm not really sure.

1 Q How well did you know Gilbert Melendez?

2 A Not -- well, he used to live with me and David in  
3 November of '81. And I just know he was a really good  
4 friend of David's, but I was not allowed to talk to him.

5 Q Why not?

6 A Because every time I said a word to any man, I was  
7 accused of screwing around on him; and I learned my  
8 lesson. One night Gilbert -- I mean, not Gilbert -- Tony  
9 had come into the kitchen and was asking me about how I  
10 made something and we were talking about food. And David  
11 accused me of wanting to screw him, so he was going to  
12 make me screw him. And he took a hatchet and he would  
13 hold it over my head and said he was going to cut my head  
14 off if I didn't screw the guy.

15 Q Screw who?

16 A Tony.

17 Q Tony, Gilbert's brother?

18 A Gilbert's brother.

19 Q So what happened?

20 A So, Tony told David, he goes, "Give me five minutes with  
21 her," you know. "Just give me five minutes with her and  
22 I'll talk her into it," you know. So, David left the room  
23 and Tony, you know, said, "Hit the door." And he goes,  
24 "I'll meet you at Tim's house." So, I hit the door and I  
25 was walking down the road. And it was kinda cold and I

1 was wearing shorts and a T-shirt, no shoes. So, Tony  
2 finally got away and he walked me up to Tim's house, which  
3 was my boss, and I stayed there that night. But Tony, I  
4 knew a little better than Gilbert, because Gilbert was  
5 more of a closed in kind of person, he never really  
6 talked all that much. And he was -- I thought he was a  
7 scuzzbag.

8 Q Gilbert?

9 A Yeah. He was just dirty, to me. I mean, he was just --  
10 I don't know how to describe it. He just looked like  
11 someone you would find on a street corner, you know,  
12 drinking booze and everything. But I really didn't know  
13 him all that well. What I did know of him was, that, you  
14 know, him and David went to school together. And I'm not  
15 sure which one, or who it was, but they had been in the  
16 joint together, or he had been in the joint with somebody.  
17 But that's all I really know.

18 Q Was David's mother concerned that the police might find  
19 out that David did the killings?

20 A I don't think she knew.

21 Q She didn't discuss that with you?

22 A No. You know --

23 Q Did you know David's brother?

24 A Yes. Steve.

25 Q Did he discuss it with you?

1 A No. I think the only thing I ever remember Nita saying  
2 about it was, that it was a bunch of "bull shit." They  
3 were just trying to hang somebody for it. But she never  
4 acted like she would believe it, or anything.

5 Q You said you hadn't been allowed in the courtroom during  
6 the sex abuse case?

7 A Yes.

8 Q Who didn't allow you in?

9 A Well, I was subpoenaed.

10 Q Who subpoenaed you?

11 A I'm not sure.

12 Q Were you ever called to testify?

13 A No. I was not.

14 FURTHER EXAMINATION

15 BY MR. BUTLER:

16 Q Did a lawyer talk to you about your testimony?

17 A No. I never knew I was going to get subpoenaed. I mean,  
18 I was never talked to, really, about it. I talked to  
19 David's lawyer once on the phone, and we didn't even  
20 discuss, you know, me ever going up on the stand. And I  
21 was served a subpoena, but I was not allowed in. They  
22 didn't even have me come up to the courtroom, or anything,  
23 to sit and wait, or nothing, or tell me that I was going  
24 to go on. I was just served with a subpoena, and that  
25 was it.

FURTHER EXAMINATION

BY MR. FEAZELL:

O What did you do after you were served with the subpoena?

A Nothing.

Q Did you show up at the court?

A No. I didn't know what time I was supposed to be there,  
or nothing.

Q It didn't say what time you were supposed to show up?

A No. I did not even talk -- well, at the time, I was in  
jail. Okay, and I had got the subpoena while I was in  
jail.

Q Where were you in jail?

A In McLennan County.

Q What for?

A A misdemeanor.

Q What?

A Shoplifting.

Q So, you were in jail the whole time?

A Uh-huh.

Q Were you in jail during his trial?

A I got out like 8:00 o'clock in the morning -- 8:30 or  
9:00 o'clock in the morning -- and the trial was that day

Q Okay. Where did you get the idea, Christy, that if you  
got subpoenaed, you weren't allowed in the courtroom?

A That's what I was told.

1 Q By whom?

2 A Just by people in general, that you weren't allowed in,  
3 until after you testified.

4 Q Who did you ask?

5 A I think I talked to J. L. Crawford about it, but I'm not  
6 sure if he is the one that told me. That was just the  
7 impression that I was given, you know, by people in the  
8 jail and like that.

9 MR. BUTLER: Anybody have any questions?

10 BY MR. FEAZELL:

11 Q Whatever happened to David's love stick?

12 A I don't know. The last time I remember seeing it, it was  
13 underneath the bed.

14 Q Underneath what bed?

15 A The bed in the front bedroom, when you first walked into  
16 the front door.

17 Q Well, I mean which house?

18 A Oh, the big house.

19 Q And when did you live in the big house?

20 A November, December, January and early February.

21 MR. BUTLER: Are you talking about his mother's  
22 house?

23 A Yeah. His mother's house. But I don't remember if I seen  
24 it there then, because I had no use for it.

25 Q When is the last time that you remember seeing it?



1 A I'm trying to think. I believe the last time I really  
2 remember really seeing it, I think we took it to the  
3 small apartment with us. Because I remember David put it  
4 in the car and he said, "This is going to come in handy,"  
5 you know. But he didn't use it on me after we moved out  
6 of the big apartment. I mean the house, Nita's house.  
7 Q Which was November or December of '81?  
8 A It was after that. It was in -- when we moved into the  
9 little apartment, which was June.  
10 Q June of '82?  
11 A Uh-huh.  
12 Q And that is the last time you remember seeing it?  
13 A Uh-huh.  
14 Q I don't suppose you ever asked him about it, did you?  
15 A No.  
16 Q When David came in the night of the 13th, was he wearing  
17 a shirt?  
18 A I don't, you know, really remember.  
19 Q Do you remember him coming in?  
20 A I remember him coming in and waking me up, or bringing...  
21 I don't really remember if it was that night that he  
22 came home and -- well, brought me home, or if it was the  
23 night, you know... Because, see, usually, I mean, one or  
24 the other thing happened. I mean, either he picks me up  
25 from work and brings me home, or he comes in late and

1 wakes me up and makes love to me and then rolls over and  
2 goes to sleep, you know. But one night in particular, I  
3 do remember him waking me up and, you know, making love  
4 to me, and then going up to the front door to answer the  
5 front door, you know.

6 Q And you never knew who was at the front door?

7 A No. I never did talk to them. I didn't even get out of  
8 bed.

9 O Now, you said David didn't like for you to talk with other  
10 men. But, now, you talked with Deeb a lot, didn't you?

11 A Yeah. When David wasn't there. I mean, you know, David  
12 could understand he was my boss. I'm talking about, there  
13 was one occasion that I went to a party, and it was held  
14 by my work, it was a Halloween party, and I was working  
15 for Taco Torch. And my manager, the head manager walked  
16 in, and I looked up and said, "Hi" to him, and David  
17 reached over and knocked the shit out of me and accused  
18 me, I wanted to sleep with the guy and other guys. And,  
19 then, you know, it was just that fact that he would  
20 accuse me of it. And if I see a little kid going down  
21 the road, a 12 or 13-year old kid, I'd say, you know,  
22 "That sure is cute," you know, a little baby. It's a,  
23 "Do you want to fuck him?" I mean, excuse my language,  
24 but that's what he would say. As far as "Lucky" and  
25 Karim, he never said anything about, you know, because

1 he pretty well trusted me with them, when I was at the  
2 store.

3 Q Why did Deeb change his mind about you going back with  
4 David?

5 A I don't know. I guess it was just the state that David  
6 came in that morning.

7 Q Now, was that before or after you and Deeb had your  
8 argument at the store?

9 A That was away before.

10 Q Away before?

11 A Uh-huh. That was the 7th of August when I left. And  
12 David had come into the store and he was crying and, I  
13 mean, he was throwing his little temper tantrum. And he  
14 kept begging me to say and I kept saying, "No." And my  
15 sister pulled up, she had come down from Fort Worth to  
16 pick me up. And both Karim and "Lucky" were begging me,  
17 you know, why don't you stay with him? He'll change. He  
18 promised he would change, you know. And I said, "No."  
19 And, then, David grabbed me and he kept saying he loved  
20 me. And my brother-in-law had -- you know -- had to pull  
21 him off me, so that I could get in the truck to leave.  
22 And that was the first time they ever acted like they  
23 wanted me to get back with him.

24 Q Have you met David's brother's preacher?

25 A Mr. Russell; yes.

1 Q Had occasion to talk with him before?

2 A Yeah.

3 Q Did they ever come to the apartment while you were there?

4 A No.

5 Q The preacher?

6 A Not that I remember. Mr. Russell, no. I remember one  
7 night David had called me, and that was after we had  
8 split up. And he called me up and said he was going to  
9 kill himself, or something, and he was going nuts. And  
10 I told him, I said, "Don't call me, call your brother,"  
11 you know. And that was it. You know, "I just don't want  
12 to have any more to do with you." I had just had it.

13 Q So, you weren't around David back when he was getting  
14 saved on and off with his preacher?

15 A Off and on. You know, he did that, you know, every time  
16 he knew I would leave him, I guess, is the way he put it.

17 FURTHER EXAMINATION

18 BY MR. BUTLER:

19 Q Tell the Grand Jury about his devil worship.

20 A Well, I'm not really sure about him worshipping the devil.  
21 But I knew on an occasion when we lived at the small  
22 apartment, he came in and he had been drinking an awful  
23 lot. He jumped on the bed and he had a lighter and he  
24 was holding it underneath his face and he said, "I'm the  
25 devil, I'm going to make you sell your soul to the devil."

1 And he said about drawing this thing on the floor and  
2 everything. And he was just acting really nutty. He was  
3 saying something, but it wasn't in a language, really.  
4 It was like, you know, googoo talk, or something. And he  
5 would always -- he would say this one phrase over and over  
6 and over and over and over and over. And he locked me in  
7 there with him, and he was chasing me around the room and  
8 I was screaming. And I just went berzerk, because I did  
9 not know what to do, and everything, and I didn't under-  
10 stand it, or anything. But, you know, that's really the  
11 only thing he really did about worshiping the devil. You  
12 know, he was saying that he was going to make me sell my  
13 soul to the devil and everything. But that's all.

14 Q Did he have any artifacts, or objects, or anything that  
15 were used in devil worship?

16 A The only thing that I could think of that he had was a  
17 wooden, like skull head, that used to sit in the bedroom.  
18 And it was made out of wood and it was really wicked  
19 looking. It was wicked looking, I don't even turn it  
20 around. But that's about the only thing I can remember  
21 that he really had that reminded me of anything like that,  
22 besides his lighter.

23 FURTHER EXAMINATION

24 BY MR. FEAZELL:

25 Q How about his knife.

1 A You want me to describe it?

2 Q Yes.

3 A Okay. It was just a regular, you know, fold down knife.  
4 It had a brown handle, kind of like wood, kind of like.  
5 And it had silver at each end, and it folded out and  
6 clicked. And folded out, it was about like this long.  
7 Because I remember I made a remark to him, it was bigger  
8 than his hand. It wasn't that much bigger, but it was a  
9 little bigger than his hand. And I said, "That's illegal,"  
10 you know, to have -- something about having a knife or a  
11 weapon that is bigger than your hand, or something like  
12 that. But there was something about his hand that I  
13 remember remarking to him about, it was a little bigger  
14 than his hand. And folded, it was like this. And it had  
15 a little case that he would snap on back here and that  
16 he could put the knife in it, and then it buckled down or  
17 across, to keep it in. One night he came home he had  
18 lost -- we were still living in the house -- he had lost  
19 the case. And, then, sooner or later, he ended up losing  
20 the knife, too.

21 Q When was that?

22 A I'm not sure. I know it was around the time that we  
23 lived in the big apartment. Right before we moved in, or  
24 right after we moved into the big apartment, he had lost  
25 his knife.

1 O Sometime in July of '82?

2 A Uh-huh.

3 Q How about the knife he had that looked like it was made  
4 out of a screwdriver?

5 A (Shaking head.)

6 Q You don't remember that one?

7 A Uh-uh.

8 FURTHER EXAMINATION

9 BY MR. BUTLER:

10 Q Do you remember a knife he had that had sort of a home-  
11 made leather sheath that said "The Outlaw" on it?  
12 "David" on one side and "The Outlaw" on the other?

13 A No.

14 Q You don't remember that?

15 A I never knew he owned a knife like that. Because, like  
16 David was really mad when he lost the one knife, because  
17 the knife in the case was not his, it was his brother's,  
18 Steve's. But that's the only knife that I ever knew  
19 about him carrying.

20 MR. FEAZELL: Let's go off the record for a  
21 little bit.

22 (Whereupon, an off the record discus-  
23 sion was had, and during said off the  
24 (record discussion, the witness was  
25 (excused and the Grand Jury was  
(recessed for the lunch hour, follow-  
(ing which, the Grand Jury proceedings  
(continued as follows, to-wit: