(Whereupon the oath was given to counsel by the Court.)

THE COURT: Call your first witness.

MR. HIGGINBOTHAM: I call Mr. Parker

McCollough.

PARKER McCOLLOUGH

appeared as a witness on behalf of the Defense and, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. HIGGINBOTHAM:

- Mr. McCollough, you were appointed -- were you or were you not appointed in the case to defend Henry Lee Lucas?
- A Yes, I was.
- Q In the case that's on trial here today?
- A Yes, I am.
 - At any time did you receive notification from Sheriff Boutwell or any other law enforcement officer, Clayton Smith or others, that there was any taping session, as you have seen here in the court today, to be conducted with Henry Lee

Lucas on or about, I believe it was February the 16th of this year? No, I wasn't. Are you familiar with an order that was issued by this Court on the 14th day of November of 1983 and signed on the 21st day of November, 1983, concerning interrogation, orders concerning interrogation of Henry Lee Lucas by law enforcement officers, only if he consents and only after the Sheriff of Williamson County has advised the attorneys for the Defendant that he is to be interrogated? Yes, I am. I prepared that order. Once again, were you notified as to the taping session that we're concerned with here? No, I was not. All right. Were you notified that Henry Lee Lucas was going to be questioned or interrogated concerning the matters that are sought to be introduced into evidence? Α No, I was not. MR. HIGGINBOTHAM: Pass the witness.

CROSS-EXAMINATION

BY MR. WALSH:

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- A Mr. Higginbotham. That notified me?
- Q That notified you or Mr. Higginbotham.
- A Yes. At the very -- let's see. That order, I believe, was on the 14th, or when we had the hearing?
- Q This was --

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- We had the hearing, I believe, on the 14th. I would say for about a week, perhaps longer -- I can't recall -- the sheriff did contact us. He either contacted Mr. Higginbotham or myself.
- Q At some point in time, you all decided you all didn't want to be there all day with Lucas; isn't that right?
- A That's correct, certainly.
- So you all at least had an informal agreement that the sheriff didn't have to notify you every time somebody wanted to talk to Lucas, didn't

you?

- I don't recall an agreement that I made, per se, with the sheriff, Mr. Walsh. I perhaps acquiesced by not showing up, but I don't recall a statement. I may have made one; I just do not recall.
- Q And you were aware of officers talking to Lucas every day, were you not?
- A Certainly.
- Q And did you ever object to any of those interviews?
- A I don't recall.
- Now, this -- as I understood that hearing on prohibiting questioning, the end result of that hearing was that Lucas couldn't be questioned on this case here; is that right?
- A I believe that's what the order said.
- Q But if he wanted to talk about any other case, he could; isn't that right?
- A I believe that's what -- I think that's right.
- Q Where on this tape does Lucas talk about this case here?
- A Well, I don't think that there is any reference to this particular case. However, this evidence is being introduced into this case. But I don't