

BOBBY DONALDSON

1  
2 being called as a witness on behalf of the State and  
3 after having been duly sworn, was examined and testified  
4 as follows:

DIRECT EXAMINATION

5  
6 BY MR. WALSH:

7 Q State your name.

8 A Bobby Donaldson.

9 Q How are you employed?

10 A With Southwestern Bell in Austin, Texas.

11 Q Where do you live?

12 A 1811 Terry Lane in Georgetown.

13 Q Mr. Donaldson, did you serve as the foreman of the  
14 January 1984 grand jury for Williamson County?

15 A Yes, sir.

16 Q Was one of the cases the grand jury considered  
17 entitled "the State of Texas versus Henry Lee  
18 Lucas"?

19 A Yes, sir.

20 Q And was a capital murder indictment returned in  
21 that case?

22 A Yes, sir.

23 Q And that is the case we are here on, trying today.

24 A Yes, sir.

25 Q The indictment in this case alleges that the name

1 of the victim in this case was unknown to the grand  
2 jury; is that correct?

3 A Yes, sir.

4 Q In that connection, did the grand jury attempt to  
5 determine the identity and name of this victim?

6 A Yes, sir.

7 Q Were you successful in arriving at her true  
8 identity?

9 A No, sir.

10 Q The indictment in this case describes this person  
11 as being a white female with brown hair,  
12 approximately five foot, nine inches in height and  
13 weighing 158 pounds, and approximately 20 to 25  
14 years of age. Is that the way the grand jury  
15 described this victim?

16 A Yes, sir.

17 Q The indictment reflects that the sheriff, Jim  
18 Boutwell, was the witness who presented this case  
19 to the grand jury; do you recall that?

20 A Yes, sir.

21 Q Do you recall Sheriff Boutwell explaining to the  
22 grand jury his attempts to identify this victim?

23 A Yes, sir.

24 Q Do you feel the grand jury exercised all the  
25 diligence it could in attempting to arrive at her

1 name?

2 A Yes, sir.

3 MR. WALSH: Pass the witness.

4

5 CROSS-EXAMINATION

6 BY MR. McCOLLOUGH:

7 Q Mr. Donaldson, my name is Parker McCollough. I  
8 would like to ask you just a few questions, if I  
9 could.

10 Concerning Sheriff Boutwell's testimony,  
11 did he testify as to any recent attempts to  
12 determine the identity of this unidentified female?

13 A Yes, sir.

14 Q What was the substance of that concerning the  
15 identity?

16 A You mean did he -- I don't understand your  
17 question, sir.

18 Q Well, I'm talking about any recent attempts. This  
19 incident occurred over four years ago at the time  
20 the grand jury heard it. Was there any testimony  
21 from Sheriff Boutwell concerning any recent  
22 attempts, perhaps within the last year?

23 A Yes, sir, there was.

24 Q All right. What was that; what were those  
25 attempts?

1 A I don't remember all the details, sir.

2 Q Do you remember any of them?

3 A Other than just that -- no, sir, I do not.

4 Q But the grand jury was satisfied that the Sheriff's  
5 Office had done everything they could to try to  
6 identify this woman?

7 A Yes, sir.

8 Q But you can't recall any of the testimony that the  
9 sheriff gave the grand jury on this issue of  
10 identity?

11 A No, sir, I cannot.

12 MR. MCCOLLOUGH: Pass the witness.

13

14 REDIRECT EXAMINATION

15 BY MR. WALSH:

16 Q Mr. Donaldson, is it correct that this case was one  
17 of probably a hundred the grand jury heard during  
18 your term?

19 A Yes, sir, that is correct.

20 Q And though you can't specifically recall exactly  
21 what the sheriff testified, you were satisfied that  
22 the name of this victim could not be determined?

23 A Yes, sir, we were.

24 MR. WALSH: Pass the witness.

25 MR. MCCOLLOUGH: I have no further

1 questions.

2 THE COURT: May the witness be excused?

3 MR. McCOLLOUGH: Yes, sir.

4 MR. WALSH: May I approach the bench --  
5 may we approach the bench?

6 THE COURT: Yes, you may.

7 MR. WALSH: Mr. Donaldson, wait  
8 just a second.

9  
10 (Whereupon a discussion was had at  
11 the bench, between Court and  
12 counsel, out of the hearing of the  
13 the jury, after which proceedings  
14 continued as follows:)

15 (The witness, Bobby Donaldson, was excused.)

16 MR. WALSH: The State calls Jim Wilson.

17 THE COURT: Mr. Wilson, I remind you that  
18 you are under oath.

19 THE WITNESS: Yes, sir.  
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