

1 MR. WALSH: No further questions.

2 THE COURT: May this witness be excused?

3 MR. HIGGINBOTHAM: Yes, Your Honor.

4 THE COURT: You're excused.

5 (The witness, J. R. Urbanovsky, was excused.)

6 THE COURT: Mr. Walsh and Mr.

7 Higginbotham, approach the bench, please.

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

13 MR. WALSH: The State calls Joe Davis.

14 THE COURT: You have been previously
15 sworn, have you not?

16 THE WITNESS: Yes, sir.

17

18 JOE DAVIS,

19 being called as a witness on behalf of the State and
20 after having been duly sworn, was examined and testified
21 as follows:

22 DIRECT EXAMINATION

23 BY MR. WALSH:

24 Q State your name.

25 A Joe Davis.

1 Q How are you employed?

2 A I'm a Texas Ranger employed by the Department of
3 Public Safety.

4 Q How long have you been employed as a Texas Ranger
5 with the Department of Public Safety?

6 A Approximately fourteen and a half years.

7 Q Where are you stationed now?

8 A I'm currently stationed in Kerrville.

9 Q How long have you been in Kerrville?

10 A Since 1980.

11 Q Do you also live in Kerrville?

12 A Yes, sir, I do.

13 Q Back in 1979, in October of 1979, where did you
14 live?

15 A I was stationed in Austin at that time.

16 Q Is Williamson County one of the counties that you
17 were responsible for?

18 A Yes, it was.

19 Q Ranger Davis, I show you what has been marked as
20 State's Exhibit 22 and ask you if you can identify
21 that exhibit.

22 A Yes, I can.

23 Q On -- first of all, from whom did you receive this
24 exhibit?

25 A From Sheriff Boutwell.

1 Q Now, the case we're trying here today is alleged to
2 have occurred on October 31st of 1979. Were you at
3 the crime scene at that case?

4 A No, I wasn't.

5 Q So you obtained this from the Sheriff's Office
6 after the investigation at the scene had taken
7 place.

8 A That's correct.

9 Q What did you do with this exhibit after you got it
10 from the Sheriff's Department?

11 A I took it to DPS and submitted it to the lab there.

12 MR. WALSH: Pass the witness.

13

14 CROSS-EXAMINATION

15 BY MR. HIGGINBOTHAM:

16 Q You say -- Ranger Davis, I'm Don Higginbotham. I
17 think we've met.

18 A Yes, sir.

19 Q You say that you received that particular item from
20 Sheriff Boutwell?

21 A Yes, I did.

22 Q And you took it where?

23 A To our lab located in Austin at DPS.

24 Q Did you see it again after that until now?

25 A No.

1 Q So after you took it to the lab and turned it over
2 to them, you don't know what happened to it after
3 that.

4 A No, I do not.

5 MR. HIGGINBOTHAM: Pass the witness.

6 MR. WALSH: Nothing further.

7 THE COURT: Ranger, you can step down.

8 MR. WALSH: May we excuse this witness?

9 THE COURT: Ranger, you are excused.

10 (The witness, Joe Davis, was excused.)

11 THE COURT: All right. Ladies and
12 gentlemen of the jury, that is going to conclude
13 our day. We are going to quit a little earlier in
14 our schedule; we feel this is the best thing to do.
15 You can go home early to beat the traffic. I
16 notice that you all don't have that much traffic.
17 I wished I lived in a town that didn't have much
18 traffic.

19 I want to remind you about the
20 instructions I have previously given you. Don't
21 watch any television concerning the subject of this
22 trial here today. Don't listen to any radio
23 broadcasts; don't read any newspapers, magazines,
24 periodicals, or any other written material
25 whatsoever. Don't seek any information from any

1 reference material of any sort, dictionaries,
2 encyclopedias or anything like that.

3 Don't talk about this case with your
4 spouse, your husband or wife. Don't talk about it
5 with anyone else. Don't discuss it with each
6 other. Remember to keep an open mind as we proceed
7 through this trial.

8 We will allow you to go home and be with
9 your families tonight, but you need to follow these
10 instructions; follow them extremely closely. If
11 you come across anyone discussing this case, stay
12 out of earshot and get away from them. I've
13 explained all of this in detail during jury
14 selection process, and I told it to you this
15 morning, during the break, and I'm going to tell
16 you at the next break. It is very, very important
17 that you do this. I'm sure all of you probably
18 will remember to do that. The only problems that
19 seems to come up, it seems to be from spouses. And
20 if your spouses just insist they have to know about
21 the case, you say I told you to call me. And thus
22 far I haven't had any telephone calls. Otherwise,
23 be very careful.

24 All right. I'm going to excuse you.
25 We'll start at 9:00 o'clock tomorrow morning in the

1 same place.

2 (Whereupon the trial was recessed,
3 to reconvene at 9:00 a.m.,
4 April 3, 1984.)
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