

1 truth, was examined and testified as follows:

2  
3 DIRECT EXAMINATION

4 BY MR. PONTON:

5 Q. Mrs. Moore, let me show you what what has  
6 been marked and admitted into evidence as Defendant's  
7 Exhibit 66. Can you identify that?

8 A. Yes, I can.

9 Q. What is that?

10 A. It says \$60 to Henry.

11 Q. Okay. Is that from a steno pad or memo book  
12 that belonged to you?

13 A. Yes.

14 Q. Is that the original steno pad that you had?

15 A. Yes.

16 Q. And is that in your handwriting?

17 A. Yes, it is.

18 Q. And what is the last date before the \$60 to  
19 Henry?

20 A. The last date is 5 and 29 of '83.

21 Q. Okay. Now, I also want to ask you about the  
22 Sunday, May 29th. If you need to, you can refer to  
23 this exhibit up here and it shows on May 29th, 1983,  
24 that was a Sunday. That would have been church-  
25 services at your House of Prayer. Is that correct?

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1 A. That's right.

2 Q. Do you recall whether Henry Lucas was  
3 present there that morning?

4 A. He wasn't present in church, but he would  
5 have been out to breakfast before church.

6 Q. At the House of Prayer, at the cook shack?

7 A. At the cook shack.

8 MR. PONTON: We pass the witness, Your Honor.

9

10 CROSS-EXAMINATION

11 BY MS. PENNOCK:

12 Q. Mrs. Moore, we didn't have the ability to  
13 look at this book the other day when I was asking you  
14 some questions about it. That date, 5-29-83, that is  
15 not in the same ink pen as your note, "\$60 to Henry,"  
16 is it?

17 A. Right.

18 Q. And you also have a little line between the  
19 information that goes with that date and the next  
20 information?

21 A. That's right.

22 Q. Okay. Now, the thing that I'm curious about  
23 when I look through this book is you have testified,  
24 if I remember correctly, that you can remember that  
25 the \$60 was crossed off, which indicated to you that

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1 you had given the \$60 to Henry?

2 A. That's right.

3 Q. Now, when you mailed this book to us and I  
4 got to look through it, sometimes -- most of the time  
5 you don't mark things off. Sometimes you mark things  
6 off.

7 A. Sometimes I do.

8 Q. But most of the time you don't. And that  
9 \$60 is also again not marked off in ink but with a  
10 pencil at some other time. Isn't that correct?

11 A. It could have been.

12 Q. Okay. Now, below this there is a list of  
13 different people, and I think that is \$5?

14 A. Uh-huh.

15 Q. \$2, \$20. None of that is marked off.

16 Correct?

17 A. Right.

18 Q. Do you know what these notations below that,  
19 the notation in regards to Henry refer to?

20 A. Yes.

21 Q. What do those refer to?

22 A. We had a little thrift store or secondhand  
23 store, and this is items bought by people and I put  
24 them down. At the end of the year we added it up to  
25 see how much the store had brought in.

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1 Q. So these are items sold?

2 A. Right.

3 Q. In the thrift store?

4 A. Right.

5 Q. Is the thrift store open on Sunday?

6 A. Any time anybody wanted to go in they just  
7 went down --

8 Q. Any time?

9 A. They just went and picked up their items,  
10 usually. If nobody was there, then they came by and  
11 paid for them any time.

12 Q. You don't have a date actually next to these  
13 items as to when these things were sold?

14 A. No.

15 Q. Do you know when those things were sold?

16 A. No. No more than it would be after the 29th.

17 Q. And actually there isn't a date on the next  
18 several days to kind of box it in from the other end,  
19 is there?

20 A. No.

21 MS. PENNOCK: Pass the witness.

22 MR. PONTON: No further questions, Your  
23 Honor.

24 THE COURT: Thank you. May Mrs. Moore be  
25 excused?

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1 MR. PONTON: She may, Your Honor.

2 THE COURT: Thank you, Mrs. Moore. Who will  
3 be your next witness?

4 MR. PONTON: Ron Miller.

5 Mrs. Moore, we are going to make a copy of  
6 this book and mail this book back to you. Okay?

7 THE WITNESS: Sure.

8 MR. PONTON: And if that is -- Carol, will  
9 that be all right with you--all for us to get a copy  
10 of this into evidence?

11 MS. PENNOCK: Your Honor, I don't have an  
12 objection to them using copies in evidence at this  
13 hearing because I know that you're listening to the  
14 testimony, but I would like for this original to be  
15 available at a time of trial because I don't think a  
16 copy is going to show different colors of ink and  
17 pencil versus pen and those sort of things. And  
18 that -- Who knows what will be important?

19 THE COURT: Go ahead, Mr. Ponton.

20 Raise your right hand.

21 RONALD MILLER,

22 having been first duly sworn by the Court to tell the  
23 truth, the whole truth, and nothing but the truth,  
24 was examined and testified as follows:

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