

1 MR. PONTON: That's all we have, Your Honor.

2 MR. MOODY: Nothing further.

3 THE COURT: Thank you, Mr. Garcia. Mr.
4 Garcia, you may go on about your job or go home,
5 wherever. I thank you for coming down.

6 Good morning. Have a seat in the witness
7 chair, please. Would you please raise your right
8 hand?

9 Thank you, ma'am.

10

11 MARIA R. LOPEZ,

12 having been first duly sworn by the Court to tell the
13 truth, the whole truth, and nothing but the truth,
14 was examined and testified as follows:

15

16 DIRECT EXAMINATION

17 BY MR. PONTON:

18 Q. Would you please state your name?

19 A. Maria R. Lopez.

20 Q. Were you a member of the September term of
21 the 34th Judicial District Grand Jury in September of
22 1984 for El Paso County, Texas?

23 A. I was.

24 Q. Were you a member of the grand jury that
25 returned a capital murder indictment against Henry

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Lee Lucas?

A. I was.

Q. Do you remember when Henry Lucas came and testified before your grand jury?

A. Do I remember that?

Q. Yes.

A. Yes, sir.

Q. Prior -- After Mr. Lucas testified, the grand jury returned an indictment against him that night, didn't they? Do you recall?

A. I don't recall if it was that night.

Q. It was shortly after he testified, though? Please tell me, if you can recall, and I'm not asking you to tell me what you-all deliberated about.

A. No, I'm just trying to remember if we went back there and -- I don't remember.

Q. Before Mr. Lucas testified before your grand jury or any time before you returned the indictment, was the grand jury told that Mr. Lucas had previously confessed to killing a woman in eastern Louisiana the day before that Mrs. Apodaca was killed?

A. Sir, I don't remember that.

Q. In other words, that he had confessed to killing a woman within a day of the time that Mrs. Apodaca was killed but 1,000 miles away?

1 A. No, I don't remember discussing that.

2 Q. Were you told that Henry Lucas' fingerprints
3 were not found at Mrs. Apodaca's house?

4 A. I don't remember fingerprints.

5 Q. You don't remember whether they told you
6 about that?

7 A. No.

8 Q. Do you recall being told that Mr. Lucas'
9 blood and semen type did not match the blood and
10 semen type found on Mrs. Apodaca's panties?

11 A. No.

12 Q. Do you recall being told that several other
13 suspects had either confessed to this crime or had
14 been implicated by other people in this crime?

15 A. No.

16 Q. Besides Mr. Lucas?

17 A. No.

18 Q. And that some of those suspects were known
19 to the victim?

20 A. No.

21 Q. When Mr. Lucas came and testified before
22 your grand jury, were there some law enforcement
23 officials present in the grand jury room when he
24 testified?

25 A. Law enforcement?

1 Q. Yes, ma'am.

2 A. You mean, sitting with us in the --

3 Q. Yeah, when Mr. Lucas was present, were there
4 some law enforcement, Texas Rangers or deputy
5 sheriffs and things like that there when Mr. Lucas
6 testified?

7 A. Yes.

8 Q. Were there quite a few?

9 A. I remember two of them.

10 Q. Do you remember them by name or do you
11 remember --

12 A. No.

13 Q. Do you remember whether there were more than
14 two or do you recall?

15 A. No, I don't remember their names. I know
16 there was two sitting by him.

17 Q. Uh-huh. Do you recall whether there were
18 others present there other than those two?

19 A. No, I don't think so.

20 Q. Do you recall whether the grand jury heard
21 any other witnesses in the Lucas matter other than
22 Mr. Lucas?

23 A. No.

24 MR. PONTON: Pass the witness, Your Honor.

25 MR. MOODY: No questions.

1 THE COURT: Thank you, Ms. Lopez. You may
2 go on home or to work or something.

3 A. Okay.

4 THE COURT: Thank you for coming down.

5 A. Okay.

6 Q. (BY MR. PONTON) One other question, if you
7 could just answer it.

8 Was the grand jury told that the man who
9 investigated the death of Librada Apodaca was the
10 nephew of Librada Apodaca, that the police sergeant
11 in charge of the investigation and the police
12 sergeant who took Mr. Lucas' confession was Librada
13 Apodaca's nephew? Was the grand jury told that?

14 A. I don't think so. I learned that afterwards.

15 MR. PONTON: Okay. That's all.

16

17 DANIEL C. PETRY,

18 having been first duly sworn by the Court to tell the
19 truth, the whole truth, and nothing but the truth,
20 was examined and testified as follows:

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22 DIRECT EXAMINATION

23 BY MR. PONTON:

24 Q. Please state your name.

25 A. Daniel C. Petry.

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