

FBI agent: hair from car matches victim's

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An FBI agent from Washington, D.C., testified Wednesday for the prosecution that hair removed during an autopsy from the body of Joshlyn Annette Calvin matched hair samples removed from the car of Joe Leaming, 42, of Waco.

But the defense called a witness who said she saw Ms. Calvin get in a car with "a black dude" several hours before daylight on Aug. 4.

Leaming, who is white, is on trial for

murder in 54th State District Court in the death of Ms. Calvin, 27, of Waco.

Her body was found about 7:15 p.m. Aug. 4, 1984, floating in a pond at a gravel pit in the vicinity of South University Parks Drive and Loop 40. Ms. Calvin had an arrest record for prostitution.

Previous testimony placed Ms. Calvin and Leaming together on the night of Aug. 3.

Michael Malone, a special agent assigned to the Washington crime laboratory of the Federal Bureau of Investiga-

tion, gave the jury of five women and seven men a short course in hair analysis, and said comparisons are based on 15 to 20 different microscopic characteristics.

"The key is how these things are arranged, because they're arranged differently in different people," Malone said. Hair comparisons are not as accurate as fingerprints, he said, but the hair sample in Leaming's car would have to be from a black woman who had been in his car, and she would have to have hair with the

same microscopic characteristics as Ms. Calvin's.

Only one study has been done on the chances of hair from two different people being indistinguishable from each other, Malone said, and that study indicated the chance of two people having similar microscopic hair characteristics as one in 4,500.

But Malone said he has analyzed 10,000 hair samples and has had two people's

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hair match only once.

Malone said his analysis in this case indicated the tuft of hair found in Leaming's car had been ripped from the head of the individual. "Force was applied to the hair," he said.

After Malone's testimony, the prosecution rested its case.

Attorney Ken Ables called four witnesses when the defense began its case Wednesday afternoon, including Margaret McGowan, who currently is serving an eight-year term in prison for forgery and theft.

Ms. McGowan said she and Ms. Calvin were prostitutes, and that she had seen Ms. Calvin at the 7-Eleven store at Elm and Garrison sometime before daybreak on Aug. 4.

"It was after midnight on the fourth," she said. "I saw her getting in a car (with) a black dude." She said she had never seen the man before.

Ms. McGowan said she asked Ms. Calvin if she wanted to go to a truckstop and "make some more money."

"She said, 'No. I'm going in. I'm tired.'" Ms. McGowan recalled.

During questioning by Ables, she

said she knew Ms. Calvin had been in a fight with another prostitute on Elm about two weeks before her death, and that she had been cut in the fight.

In an effort to discredit a state's witness, Ables called Robert G. Watts, the clerk in the 10th Court of Appeals, who said he had hired Leaming to paint his house in May 1984. Leaming had a black man helping him paint, but the black man worked only the first week, he said, adding that he did not know who the black man was. The painting took two weeks to complete, he said, and Leaming had a white man helping him the second week.

Ray Charles Stone, a black man, testified Tuesday that he had been hired by Leaming to paint Watts' house, and that he had not been fired but had worked the entire two weeks.

On Tuesday, Stone testified he saw Leaming on Aug. 3, and that Leaming had pointed to Ms. Calvin and, "He said tonight would be her last night," and "There's gonna be some blood flowing tonight."

Stone had also said he saw Leaming on Aug. 6, and that Leaming had said, "I kept my promise." Stone said when he asked Leaming

what he meant, Leaming said, "Well, you don't see her on the street no more." Leaming did not indicate to whom he was referring, Stone said.

Also testifying Wednesday were Bill Miller, who owns a car lot at 515 East Waco Drive, and Boyce Carroll, who is a paint salesman for Sherwin Williams. Miller said he knew Leaming because he had sold him a car and had hired him to paint some of his rental property. Carroll said he knew Leaming because he had sold him paint.

Both testified of a serious wound to Leaming's foot. Miller said he first saw the wound on the morning of Aug. 3. "It was so bad that he (Leaming) had to have crutches," Miller said.

Carroll said Leaming called him to take him to the hospital one night between 10:30 and 11:30, but that he wasn't sure what night it was. He said it was either Aug. 1, 3, 4 or 5. He said he did not take Leaming to the hospital, but packed his foot in ice.

Judge George Allen recessed the trial at 3 p.m. Wednesday because a subpoenaed defense witness could not be found. Testimony is scheduled to resume at 9 a.m. Thursday.