

# Judge says dental specialist may testify in Spence murder trial

By TOMMY WITHERSPOON

Tribune-Herald Staff Writer

A forensic dental specialist who reportedly can link dental specimens taken from David Wayne Spence to bite marks found on two teen-age homicide victims will be allowed to testify against Spence when his capital

murder trial begins on May 22.

Court-appointed defense attorneys Russ Hunt and Hayes Fuller had asked 54th State District Judge George Allen to prohibit the testimony of Dr. Homer Campbell, a forensic odontologist from Albuquerque, N.M.

But Allen rejected that request

Wednesday and said the doctor will be allowed to testify against Spence, 25, who is charged with three counts of capital murder in the July 1982 stabbing deaths of teen-agers Jill Montgomery, Raylene Rice and Kenneth Franks.

Also Wednesday, Allen scheduled a

change of venue hearing for May 7 to determine if Spence's trial should be moved to another county because of publicity spawned by the triple homicide.

In the motion asking that Campbell's testimony be excluded, Hunt and Fuller claimed that it will be a

"travesty of justice" if the dentist is allowed to testify.

The attorneys charged that forensic odontology, the study of the anatomy of the teeth, is not universally recognized in the medical community as a reliable science. They also claimed that Spence's rights were violated when he was forced to give dental samples without the presence of an attorney.

Campbell, who is in Waco this week to testify in the murder trial of Jacqueline Euna Warren, said Wednesday that he contributed to an article about forensic odontology that appears in a recent edition of the *World Book Encyclopedia* and contributed to the book, *Outline of Forensic Dentistry*.

Campbell also assisted law enforcement officials in their investigation of convicted mass murderer Theodore Bundy, he said.

Hunt and Fuller told Allen that if he allows Campbell to testify against Spence, the defense will have to seek

additional funds to employ "the finest forensic odontologist available" to refute Campbell's statements.

Allen has not ruled on their request for additional funds to hire the dentist.

Campbell testified Wednesday that his normal fee for assisting prosecutors is \$100 an hour.

If Spence's trial remains in Waco 500 potential jurors will be summoned to appear in court in an attempt to seat a jury. District Clerk Joe Johnson said Wednesday that 500 is a record number of people asked to appear for jury duty. He said 400 people usually are summoned each Monday to fill jury panels in Waco's four state district courts.

Court officials have said that jury selection and testimony could last six to eight weeks.

Muneer Mohammad Deeb, 24, Anthony Melendez, 24, and his brother Gilbert Melendez, 23, also are charged in the deaths. They will be tried separately at later dates.