

1 MS. PALMER: No, Your Honor.

2 THE COURT: May this witness be
3 excused?

4 MR. HAYNES: Yes, Your Honor.

5 THE COURT: You may step down. Thank
6 you.

7 THE WITNESS: Thank you.

8 THE COURT: State, call your next.

9 MS. PALMER: Officer Kenneth Bigger.

10 THE BAILIFF: This witness has not
11 been sworn in, Judge.

12 THE COURT: Officer, would you raise
13 your right hand.

14 **(Witness Duly Sworn)**

15 THE COURT: Thank you. You can have a
16 seat.

17 MS. PALMER: May I proceed?

18 THE COURT: Yes.

19 **KENNETH BIGGER,**
20 having been first duly sworn, testified as follows:

21 **DIRECT EXAMINATION**

22 **BY MS. PALMER:**

23 Q. Would you please state your name?

24 A. My name is Kenneth Bigger.

25 Q. How are you employed?

1 A. I'm an officer with the Houston Police
2 Department.

3 Q. How long have you been with the Houston
4 Police Department?

5 A. A little over 14 years.

6 Q. Are you trained in collecting prints
7 identification?

8 A. Yes.

9 Q. And when did you become trained in doing
10 that?

11 A. I took some training in the academy and
12 shortly after I got out of the academy, I rode with
13 some print officers and they personally showed me how
14 to do things. And I have been doing it for ten years
15 and just -- a lot of it is you just learn by hands-on
16 experience.

17 Q. On April 8th, 2010, you were called out to
18 5500 Yale to collect some prints. What time did you
19 get there?

20 A. I got there -- let's see. I have it
21 written down here at 6:14. Yes, 6:14 on, what?
22 April 8th, 2010.

23 Q. And that location, 5500 Yale, is that in
24 Harris County, Texas?

25 A. Yes.

1 Q. Now, once you got to that location, what
2 was your role?

3 A. The units that originally arrived there,
4 they just wanted to help with evidence collection.
5 And they needed somebody to lift fingerprints. I
6 believe their unit that usually helped them was not
7 on duty that day. So they called me from central to
8 come up and help them in the North Shepherd area.

9 Q. How often are you called to scenes to
10 collect print identification information?

11 A. Oh, every day, on a daily basis, sometimes
12 several times a day. Sometimes I won't have any
13 print calls, but typically, it's usually a daily
14 basis for me. I'm a print unit at central patrol.
15 That's what I do.

16 Q. So, have you ever gone to a scene and not
17 been able to collect any print information?

18 A. Oh, that's probably the -- that's more
19 normal to not find anything than it is to actually
20 find evidence.

21 Q. Why is that?

22 A. It's just the -- you know, just the way
23 furniture, if you are at a burglary of a residence or
24 something like that, the way stuff is designed,
25 they -- a lot of the finishes are designed to not

1 show fingerprints or look dirty. Just whatever the
2 surfaces are, it's just -- a lot of time, it's
3 difficult. It's not like Hollywood on TV, like, they
4 could find it.

5 Q. So when you go to a scene and specifically
6 when you went to this scene at 5500 Yale, what is
7 your -- tell us about your steps in collecting or
8 looking for prints.

9 A. Basically, I will ask the complainants or
10 officers, you know, where was the suspect standing,
11 where did the incident happened, did they sit down,
12 did they touch anything that they can remember, were
13 they wearing any gloves or what they remember. And
14 they will tell me where people were sitting and -- or
15 standing and if there is video, I will try to watch
16 the video and see if I can find out where somebody --
17 if you can watch them, where they touch something.

18 And then I will just -- where I look
19 at a surface, if it's not, you know, if it's smooth
20 and a surface that I know I can lift fingerprints
21 from, I will look at it with my light and try to find
22 stuff or I will have to powder surfaces and just try
23 to find anything I can see on there.

24 Q. Did you review the video in this case?

25 A. I think I did. Looking around and I

1 believe I did, and try to find stuff. I know I
2 fingerprinted a desk in Mr. -- I don't know how to
3 say his name very good. I know Mr. Ghaznavi, I know
4 his desk I collected one lift card with some possible
5 evidence on it from the, I guess, the -- not his side
6 of the desk where he would sit but like a customer
7 side of the desk.

8 Q. When you say "lift card," what is that?

9 A. It's going to be -- I mean, I'm going to
10 powder the surface. The oils from the fingerprint or
11 the pads or whatever from the palm or from the
12 fingerprints, I will dust it with print powder.
13 Usually it's going to stick to it. And then I will
14 use a tape to rub on the powder to lift the powder
15 and I will put it on a lift card. Just a clear
16 four-by-six -- I mean a white four-by-six index card.

17 Q. How many print cards did you collect from
18 this scene?

19 A. One from inside the business and one from
20 Mr. Morales' vehicle, his BMW, from inside his car on
21 a cigarette -- cellophane cigarette wrapper that
22 around the cigarette box.

23 Q. Where was Mr. Morales' car found? Do you
24 know.

25 A. Another officer, I think, what is it?

1 Mr. Mosely, Officer Mosely and his partner found it
2 down the -- several blocks away and they had -- end
3 up they had a wrecker hook it up and bring it back to
4 the scene for me to look at it.

5 Q. So the print card that you collected from
6 inside the business, where was that collected from?

7 A. The lift card from inside the business was
8 on the -- it was on the customer's side of a desk in
9 Mr. -- I guess it's Mr. Ghaznavi's desk in his
10 office.

11 Q. And the print card from inside the vehicle,
12 the cigarette box, were those the only two print
13 cards that you collected?

14 A. That's correct.

15 Q. And did either of these prints return to
16 the defendant in this case, Cordero Stevenson?

17 A. No, ma'am.

18 MS. PALMER: I pass the witness.

19 THE COURT: Mr. Haynes?

20 **CROSS-EXAMINATION**

21 **BY MR. HAYNES:**

22 Q. So Officer Bigger?

23 A. Yes, sir.

24 Q. I'll just make it perfectly clear. There
25 are no fingerprints or any other biological evidence

1 that connects Cordero Stevenson to this particular
2 crime; is that correct?

3 A. As far as I know on my evidence, the latent
4 evidence, none of my evidence matched him.

5 MR. HAYNES: Pass the witness, Your
6 Honor.

7 THE COURT: Any further questions,
8 Ms. Palmer?

9 MS. PALMER: No, Your Honor.

10 THE COURT: May this witness be
11 excused?

12 MS. PALMER: Yes.

13 THE COURT: Mr. Haynes, any objections
14 to him being excused?

15 MR. HAYNES: No objections.

16 THE COURT: You may step down.
17 State, call your next.

18 MS. PALMER: Rosendo Morales.

19 THE BAILIFF: Your Honor, it is
20 unknown if this witness is sworn or not.

21 THE COURT: He has not --
22 Mr. Morales, you have been sworn?

23 THE WITNESS: Yes, ma'am.

24 THE BAILIFF: This way, sir. Watch
25 your step.