

*Trial on the Merits*  
*October 25, 2013*

1                   THE COURT: Let's bring out the jury.

2                   *(Jury enters courtroom)*

3                   THE COURT: Good morning, ladies and  
4 gentlemen.

5                   All right. State, you may proceed.

6                   MS. LOGAN: Thank you, Judge. The State  
7 will call Sergeant Booth to the stand. And for the  
8 record, this witness has already been sworn.

9                                   **WILLIAM BOOTH,**  
10 having been first duly sworn, testified as follows:

11                                   **DIRECT EXAMINATION**

12 BY MS. LOGAN:

13           Q.     Sergeant Booth, would you please introduce  
14 yourself to the folks on the jury?

15           A.     Yes, ma'am. I'm William Booth. I'm a sergeant  
16 with the Houston Police Department. I've been with the  
17 department for twenty-eight years and worked Homicide  
18 for about eight years.

19           Q.     All right. Now what is your current assignment  
20 with HPD?

21           A.     I'm assigned to the Auto Theft Division.

22           Q.     How long have you been doing auto theft?

23           A.     About seven months now.

24           Q.     Okay. Now you said that you were in Homicide  
25 about how long?

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1 A. Eight years.

2 Q. Okay. While you were in Homicide, did you work  
3 with a detective by the name of Alan Brown?

4 A. Yes, ma'am.

5 Q. And is he still employed with the HPD Homicide  
6 Unit?

7 A. No, ma'am. He's retired.

8 Q. Is that the same Alan Brown that we see on  
9 "Cold Justice" every now and again on TNT?

10 A. Yes, ma'am, that's him.

11 Q. So he's headed for greener pastures?

12 A. Much greener.

13 Q. Okay. Now I want to talk to you about a case  
14 that you and Detective Brown worked back in 2006,  
15 specifically June of 2006. Do you remember being  
16 dispatched out to a convenience store on Veterans  
17 Memorial June 15th of 2000?

18 A. Yes, ma'am.

19 Q. Can you tell us about what time of the day it  
20 was that you-all went out there?

21 A. It was in the morning time. I'm not positive.  
22 Maybe around 11:00 o'clock. And we're not actually  
23 dispatched. We're advised by our supervisor or  
24 lieutenant will tell us that they had a scene that was  
25 called in and that we have to go make that scene.

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1                   In this particular case, I remember en  
2 route to the scene we were being advised that there was  
3 kind of a fluid situation where there was a secondary  
4 scene where patrol officers were looking for some  
5 suspects from that original scene.

6           Q.    Okay.  So as you're arriving to that scene,  
7 you're receiving updates; is that right?

8           A.    Yes, ma'am.

9           Q.    Did you-all make a decision as to how it was  
10 you were going to handle this particular crime scene?

11          A.    Yes.  In a normal homicide investigation, one  
12 of the investigators will be assigned to do what we call  
13 the interview side of it, talking to witnesses, and so  
14 forth; and the other officer will do the scene side of  
15 it, trying to describe what the scene looked like, what  
16 was going on when we got there, and so forth.

17                   I took the witness side of it at that  
18 particular -- on this particular case, and Alan Brown  
19 took the scene side of it.  The original scene was the  
20 convenience store.  The secondary scene was a few miles  
21 away from the convenience store, the convenience store  
22 itself being contained.  We decided that we could wait  
23 on that scene to be processed by our Crime Scene Unit  
24 and we go to the other scene, which was outdoors, to  
25 make sure we didn't lose any evidence and things like

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1 that. So, Alan proceeded to the other scene to process  
2 that one first.

3 Q. All right. Now as the scene side officer for a  
4 homicide investigation, would that officer work closely  
5 with the Crime Scene Unit as far as determining what  
6 evidence was important to collect and what evidence  
7 didn't need to be collected?

8 A. Very closely. A lot of times it's the  
9 investigators suggesting on things being, you know,  
10 taken for possible processing. And sometimes it's the  
11 investigator. It could go either way, because they both  
12 work so closely.

13 Crime Scene Units -- once the investigator  
14 identifies something they want to be, you know, taken in  
15 for evidence, the Crime Scene Units will then process  
16 that evidence, the tagging of it.

17 Q. Now we talked about how you-all kind of divide  
18 the labor on a homicide investigation. But are you,  
19 nonetheless, working very closely with one another,  
20 discussing information that you received to try to solve  
21 the crime?

22 A. Yes, ma'am. Just because we're working two  
23 different sides of it, we're getting together and  
24 talking about what it is we learned; because sometimes  
25 it's relevant to know what happened on the scene side of

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1 it to know what the witnesses may tell us. So as  
2 partners, we're telling each other everything that we  
3 learned and, you know, back and forth.

4 Q. All right. So you mentioned that you had the  
5 witness side. Do you recall observing a statement being  
6 taken from Dung Nguyen, the widow in this case, and also  
7 her son, Darrion Nguyen?

8 A. Yes, ma'am.

9 Q. Were those statements taken with the benefit of  
10 an interpreter?

11 A. Yes, ma'am.

12 Q. Did you, personally, also take statements from  
13 other witnesses that were there at the scene?

14 A. Yes, ma'am, I took several statements.

15 Q. And we can't talk about what those people told  
16 you because that would be hearsay; but based on the  
17 statements that you took at the scene and the  
18 information that Mrs. Nguyen and her son provided, were  
19 you all -- did you have some descriptions as far as what  
20 the suspects might look like that was helpful in your  
21 investigation?

22 A. Yes. We had descriptions of what the suspects  
23 looked like, what they were wearing, what they were  
24 driving and when they left the scene, what they left in.

25 Q. Okay. Now in your experience as a homicide

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1 investigator, are people maybe in high stress situations  
2 very good at determining a person's height?

3 A. No. And there is a lot of factors that come  
4 in. An individual's height will affect how tall they  
5 think someone else is. The distance that they are from  
6 the individuals can affect the perception of height.  
7 Without having something to compare to, it's difficult  
8 for a lot of people to accurately guess a height.

9 Q. So if a witness at a scene like this tells you,  
10 I saw them, they were, I think, six feet tall, are you  
11 only going to look at people who are six feet tall as  
12 possible suspects for that case?

13 A. We wouldn't look at people that are only six  
14 feet tall. That might be our jumping off point where we  
15 say, okay, if they're correct in this, then this is what  
16 we're looking for. But knowing, again, like I said, if  
17 you're at a distance from when you're observing someone  
18 or when you're -- if you're a shorter person, then  
19 people seem taller, and things like that. So just  
20 because someone gives a height, we wouldn't eliminate  
21 anybody from possibly being involved.

22 Q. Okay. And correct me if I'm wrong, but is it  
23 sort of a totality of the information process that  
24 you're using when you're trying to determine who a  
25 suspect might be on a homicide?

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1           A.     Right.  There is several sources of information  
2 that you go by.  There is several things you look at.  
3 There is not just any one thing.  There is -- there is a  
4 combination of things that you look at, yes.

5           Q.     Do you recall speaking with some folks that  
6 worked at the Quick Tune Auto service store that was  
7 directly adjacent to the convenience store?

8           A.     Yes, ma'am.  I talked to several people that  
9 worked there.

10          Q.     And did those individuals provide you with  
11 information that was helpful to your investigation?

12          A.     Yes.

13          Q.     Did you also have a conversation where y'all  
14 come into contact with Kendra Bonner?

15          A.     Yes, ma'am.

16          Q.     And was she able to provide you-all with  
17 information that was helpful in your investigation?

18          A.     Yes, she did.

19          Q.     Did you, likewise, speak with a lady by the  
20 name of LaShandra Gooden?

21          A.     I don't recall the name, but we did speak to a  
22 lot of people.  I don't recall the name off the top of  
23 my head.

24          Q.     Okay.  Do you recall speaking with Kendra's  
25 mother?

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1 A. Yes.

2 Q. And so, based on the information that you had  
3 from Mrs. Nguyen, her son, the folks at the Quick Tune  
4 Auto store, Kendra and her mother, were y'all able to  
5 develop the names of some possible suspects who may have  
6 been involved in the shooting death of Thi Nguyen?

7 A. Yes.

8 Q. Tell us what names you developed.

9 A. I was given the name, Kevin Chaney. And there  
10 was a -- someone who had a nickname of Dumpling.

11 Q. At that point in time when you're talking to  
12 these folks, is it right after the capital murder, or  
13 did it take you some time to get all of these statements  
14 taken?

15 A. Some of the statements are right after the  
16 incident. Some come in later on. Some may be a couple  
17 of days or could even be a couple of weeks that people  
18 finally decide that they want to come forward and say  
19 something. The people at the mechanic shop, obviously  
20 they were right there; and we took their statements  
21 right away. Some of the other statements came several  
22 days later.

23 Q. Now did you-all, as Homicide investigators, do  
24 anything to get information out to the public in the  
25 hopes that someone would come forward and help you



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1 develop suspects in this case?

2 A. Yes. There were several articles of clothing  
3 and some items that appeared to be used to kind of mask  
4 the suspects' identity that were found at the secondary  
5 scene. Those items were photographed, and then a press  
6 conference was held where the items that were recovered  
7 were shown on TV to see if anybody recognized any of the  
8 items or possibly knew anybody that might have been  
9 wearing the items.

10 Q. All right. And specifically, was the wig that  
11 was recovered from the scene -- this jury's already  
12 heard about the wig -- was that one of the items that  
13 was shown on TV to try to get some help in solving this  
14 crime?

15 A. Yes, ma'am, it was.

16 Q. Now, did you speak with individuals who had --  
17 who felt like they recognized that wig?

18 A. Yes.

19 Q. And who was that?

20 A. Kendra Bonner, specifically.

21 Q. And after speaking with her, you told us that  
22 you now had the name and nicknames of two people that  
23 you were going to focus your investigation on; is that  
24 right?

25 A. Two people that we were going to at least look

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1 into, right.

2 Q. Weren't ready to charge anybody at this point?

3 A. No.

4 Q. Okay. Now with respect to the scene  
5 investigation, you mentioned that there was a car, there  
6 was a convenience store, and then there was the area  
7 near the bayou that evidence was located in, right?

8 A. Yes.

9 Q. Did you-all make an attempt to get fingerprint  
10 evidence from those locations, to your knowledge?

11 A. There were numerous items that were submitted  
12 for fingerprints, right.

13 Q. Now let's start with the car, the white  
14 Integra. Based on your review of the offense report, as  
15 one of the Homicide investigators in this case, did you  
16 ever become notified as to whether or not we could make  
17 a fingerprint identification from the white car?

18 A. I never had anything indicating there was  
19 results, positive results from the fingerprints obtained  
20 from the car, no.

21 Q. Okay. And so, certainly, had there been  
22 suspects that -- whose fingerprints were in that car,  
23 would those have been people you wanted to go and talk  
24 to with respect to this case?

25 A. Definitely. If there were fingerprints found

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1 in the car and we developed a possible suspect from  
2 those, we would have followed up on that side of it,  
3 yes.

4 Q. Okay. But that didn't happen in this case?

5 A. No.

6 Q. All right. Now let's talk about -- and before  
7 I move on, in the white car, do you recall there being  
8 an Aquafina water bottle in there?

9 A. I recall seeing in the report that there was an  
10 Aquafina water bottle, yes.

11 Q. And we swabbed that water bottle and sent those  
12 swabs off to the lab, right?

13 A. Yes.

14 Q. Do you recall that?

15 A. I know that the items in the car were tested,  
16 yes.

17 Q. And was there any information given to you, as  
18 the Homicide investigators, that gave you information  
19 about possible suspects in this case?

20 A. No.

21 Q. Now with respect to the evidence from the scene  
22 that was fingerprint tested, did you-all develop any new  
23 suspects based on fingerprint testing from those items?

24 A. No.

25 Q. And, likewise, with respect to those pieces of

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1 evidence, did you ever come across anything that made  
2 you want to exclude Charles Jones or Kevin Chaney as  
3 possible suspects in your case?

4 A. No.

5 Q. Now based on your training as a Homicide  
6 investigator, when a person wears gloves, does that  
7 affect whether or not they leave fingerprints on items?

8 A. Yes, it would. And it's usually done to  
9 prevent leaving fingerprints on items.

10 Q. Now at some point in your investigation, were  
11 you able to determine who the person that you initially  
12 knew as Dumpling was?

13 A. Yes.

14 Q. And what is that person's name?

15 A. Charles Jones.

16 Q. Were you, during your investigation, ever able  
17 to establish a connection between Kevin Chaney and  
18 Charles Jones?

19 A. Yes.

20 Q. Tell us what that was.

21 A. We determined that Mr. Chaney and Mr. Jones  
22 both had children with the same mother.

23 Q. Now with respect to Charles Jones, do you  
24 recall an address that was listed in your offense report  
25 that he was, at least, known to live at -- I don't know

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1 if it's from a driver's license or what -- but do you  
2 recall an address?

3 A. Yes.

4 Q. Okay.

5 MS. LOGAN: May I approach the witness  
6 briefly, Judge?

7 THE COURT: You may.

8 Q. (By Ms. Logan) I'm going to show you Page,  
9 looks like, 72 of the report. And have you looked at  
10 the address? Can you read it?

11 A. Yes, ma'am.

12 Q. Now, are you familiar with the address of 131  
13 West Parker?

14 A. Yes, ma'am.

15 Q. Can you tell us what part of town that's in?

16 A. It would be considered in the area of Acres  
17 Homes, north side.

18 Q. Okay. And is that in the vicinity of, you  
19 know, Interstate 45 and Gulf Bank?

20 A. Yes, ma'am.

21 Q. Okay. In the area of Gulf Bank and Veterans  
22 Memorial?

23 A. Yes.

24 Q. Now in your discussions with the witnesses in  
25 this case, were you able to identify Dumpling as Charles

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1 Jones?

2 A. Yes.

3 Q. And do you recall taking a statement from Kevin  
4 Chaney in September -- on September 5th of 2006?

5 A. Yes.

6 Q. Okay. Now, based on your conversations with  
7 him, did you develop any new suspects besides Kevin  
8 Chaney and Charles Jones in this case?

9 A. I didn't develop any new suspects. He did  
10 mention --

11 MR. EASTERLING: Object to nonresponsive.  
12 He answered the question.

13 THE COURT: Sustained.

14 Q. (By Ms. Logan) Once again, I'm sorry. My  
15 question may not have been clear. But we can't talk  
16 about what Kevin Chaney told you because that would be  
17 hearsay. But after that conversation with him, did you  
18 continue your investigation with the two suspects that  
19 you originally believed might have been involved?

20 A. Yes.

21 Q. Now despite having information as to who it was  
22 you thought might have been involved in the case, did  
23 you ever have information enough at this point in time,  
24 2006, 2007, to actually go and arrest anybody?

25 A. No.

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1 Q. Why not?

2 A. At that time there was no confirmatory  
3 information. There was nothing from the crime scene  
4 that was linking them to it at that time.

5 Q. Okay. And was it your understanding -- tell us  
6 what your understanding was as far as whether the folks  
7 that did the robbery/murder of the Happy Food Store on  
8 June 15th, 2006. Were they wearing disguises?

9 A. Yes, they were.

10 Q. Did that affect the ability of the folks that  
11 came into contact with them -- did that affect their  
12 ability to make an identification?

13 A. Yes, it did.

14 Q. In certain cases, are we able to positively  
15 identify suspects by photospread?

16 A. Yes, ma'am.

17 Q. By live lineup?

18 A. Yes, ma'am.

19 Q. Was that an option for you in this case?

20 A. It was -- we attempted, but there was no  
21 positive identifications.

22 Q. Okay. And is that common, uncommon?

23 A. It's not uncommon.

24 Q. So at that point, does the case sort of go  
25 cold?

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1           A.     There -- when you run out of direction to go,  
2 then it can sit until something new comes up, yes.

3           Q.     And did that very thing happen in this case?

4           A.     Yes.

5           Q.     All right. Tell us about that.

6           A.     Well, we didn't have any more information  
7 leading -- you know, leading to -- enough evidence to  
8 charge anyone. And then we had -- we were notified that  
9 the DNA came back to some -- two hits on two different  
10 suspects.

11          Q.     And you've already mentioned that Charles Jones  
12 and Kevin Chaney were your original suspects. Once you  
13 got this information about the DNA, did that change who  
14 your suspects were?

15          A.     No.

16          Q.     And was it approximately October 15th of 2007  
17 when you received that notification about the DNA?

18          A.     I believe we got one before the other, but yes.

19          Q.     Now once you had the information with respect  
20 to a possible CODIS hit on one piece of evidence for one  
21 suspect and another piece of evidence for another  
22 suspect, did you obtain any documentation as far as a  
23 Court order?

24          A.     Yes.

25          Q.     Okay. Tell us what that was.



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1           A.     We got a Court order to do -- to get a -- you  
2 know, a buccal swab, which is basically getting a DNA  
3 sample directly from the individual that we suspect was  
4 involved so we could match it to the evidence that we  
5 recovered.  Because even though we had a hit, we wanted  
6 to make sure that the person that the hit came back on,  
7 this CODIS hit came back on, was actually the person  
8 that we had.  So we got Court orders to get swabs from  
9 the suspects.

10          Q.     Now, do you recall on January 22nd of 2008,  
11 again meeting with Kevin Chaney?

12          A.     Yes.

13          Q.     Now why -- I mean, it sounds like at this point  
14 you knew who your two suspects were.

15                   MR. EASTERLING:  Objection, leading.

16                   THE COURT:  Sustained.  Rephrase.

17                   MS. LOGAN:  Sorry.  I was just trying to  
18 set it up.

19          Q.     *(By Ms. Logan)*  Why did you decide to meet with  
20 Kevin Chaney first?

21          A.     Based on the DNA results, their blood evidence  
22 from the complainant, the victim, was found on the pants  
23 of one of the suspects, which would indicate since they  
24 were in two different sections of the store that that  
25 suspect had to be the one that was close to the victim

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1 when they were killed.

2                   The other suspect, not being the actual  
3 shooter, or at least our belief that he was not the  
4 actual shooter, would be more likely to tell what  
5 happened based on the fact that he didn't do the  
6 shooting; the other guy did. So we want to go to the  
7 person that we did not believe did the shooting and get  
8 a statement from them first.

9           Q.     So that's why you ended up meeting with Kevin  
10 Chaney first?

11           A.     Yes.

12           Q.     At that point in time, do you recall how many  
13 statements did you take from him?

14           A.     Recorded statements, we took two.

15           Q.     Okay. And based on the information that you  
16 gathered during that statement -- we can't talk about  
17 what was said -- but did your focus ever change or  
18 exclude Charles Jones as your second suspect?

19           A.     No.

20           Q.     Did you gain information that was consistent  
21 with the rest of your investigation at that point in  
22 time?

23                   MR. EASTERLING:  Objection.  Calls for  
24 hearsay, Judge.

25                   THE COURT:  Sustained.

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1 Q. (By Ms. Logan) All right. So January 22nd of  
2 2008, you meet with Kevin Chaney. Was it the very next  
3 day, January 23rd of 2008, that you met with the  
4 defendant, Charles Jones?

5 A. Yes.

6 MS. LOGAN: May I approach the witness,  
7 Judge?

8 THE COURT: You may.

9 Q. (By Ms. Logan) Let me show you what I've  
10 marked as State's Exhibit 116 and ask you whether or not  
11 you recognize it?

12 A. Yes.

13 Q. And does State's 116 fairly and accurately  
14 depict the way that Charles Jones looked when you met  
15 with him January of 2008?

16 A. Yes.

17 MS. LOGAN: Offer into evidence State's  
18 Exhibit 116. I'm tendering to defense counsel for  
19 inspection.

20 MR. EASTERLING: No objection, Your Honor.

21 THE COURT: Okay. State's 116 is  
22 admitted. You may publish.

23 MS. LOGAN: Thank you, Judge.

24 Q. (By Ms. Logan) Now when you met with Charles  
25 Jones, did you give him an opportunity to give a

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1 recorded statement to you?

2 A. Yes.

3 Q. And during your conversations with him, did you  
4 confront him and tell him about some of the evidence  
5 that you had in this case?

6 A. Yes.

7 Q. Now based on that encounter, did you learn  
8 anything new with regard to your investigation in this  
9 case?

10 MR. EASTERLING: Objection. Calls for  
11 hearsay again, Judge.

12 THE COURT: Sustained.

13 Q. (By Ms. Logan) At that point in time, when you  
14 were with Charles Jones on January 23rd of 2008, did you  
15 obtain a known DNA sample in the form of a buccal swab?

16 A. Yes, ma'am.

17 Q. And tell us how that is done.

18 A. We -- in this case, we had a Court order to get  
19 a buccal swab. We took the swabs to the -- with us when  
20 we met with Mr. Jones and had Mr. Jones swab the inside  
21 of his mouth with the swab. There was two -- there is  
22 two different swabs in the container. And then he  
23 returned them to the container, which we then sealed and  
24 turned in to be tested.

25 Q. And at some point in time between when you took

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1 those known samples of his DNA and when they were  
2 submitted to the lab for testing, did they ever leave  
3 your custody?

4 A. No.

5 Q. Now during your investigation, did you have an  
6 opportunity to compare the height of Charles Jones  
7 versus the height of Kevin Chaney?

8 A. In a written form, I guess you'd say, where you  
9 can see how, on paper, how tall they are, yes.

10 Q. All right. And can you tell us which of the  
11 two is taller?

12 A. Mr. Jones is taller than Mr. Chaney.

13 Q. Is that by several inches?

14 A. I think it's four or five inches, something  
15 like that.

16 MS. LOGAN: I pass the witness, Judge.

17 THE COURT: Your cross, Counsel.

18 **CROSS-EXAMINATION**

19 BY MR. EASTERLING:

20 Q. Hello, Mr. Booth. How are you doing?

21 A. I'm fine, sir. How are you?

22 Q. Pretty good. What are you doing in Auto Theft  
23 now?

24 A. Reactive investigations. When somebody gets  
25 their car broken into or gets their vehicle stolen and

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1 there is any type of leads to follow, they send it to  
2 the Reactive Unit.

3 Q. Were you in Homicide for about eight years, did  
4 you say?

5 A. Yes, sir.

6 Q. All right. When you and Officer Alan Brown  
7 were first called out to the store, did you get briefed  
8 from the primary patrol officer about what you had?

9 A. That would be the normal procedure, yes, sir.

10 Q. And you remember an Officer Baldwin, a  
11 long-time patrolman in that area -- was he the primary  
12 officer y'all met there?

13 A. Yes, sir.

14 Q. Okay. And was the -- was the surviving wife,  
15 Thi Nguyen (sic), and the eleven-year-old son, Darrion  
16 Nguyen -- were they still at the scene there when you  
17 first arrived?

18 A. Yes, sir.

19 Q. And where were they? Do you remember?

20 A. I don't recall.

21 Q. Did you or your partner interview those two  
22 witnesses before you went to that Tarberry scene?

23 A. I never went to the Tarberry scene. Alan Brown  
24 did. And I don't know if he spoke with them prior to  
25 going over there or not. I did not.

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1 Q. Do you remember when you first spoke to the  
2 mother and the son?

3 A. I don't recall offhand whether it was at the  
4 scene or not until we got down to the Homicide Office  
5 itself.

6 Q. Eventually, both of those persons went with  
7 y'all to the Homicide Division and gave formal  
8 statements?

9 A. Yes, sir.

10 Q. A little bit later in the day?

11 A. Yes, sir.

12 Q. Okay. Now how many, if you remember, people do  
13 you remember talking to at that store scene that were  
14 nearby whenever this happened?

15 A. I know that I took statements from at least  
16 four people from the mechanic shop that's kind of next  
17 to the store, adjacent to it.

18 Q. Quick Tune, I think it's called?

19 A. I don't really recall the name of the shop; but  
20 if that's what the report says, then that's what it is,  
21 yes, sir.

22 Q. Do you remember talking to two of those  
23 witnesses that actually claim that they followed this  
24 white car?

25 A. Yes, sir.

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1 Q. Okay. Where did you talk to them about that?

2 A. I talked to them at the -- at their shop.

3 Q. Okay. So I assume when you talked to them at  
4 the shop, that them following this car and everything  
5 had already happened and now they were back at their  
6 shop?

7 A. Yes, sir.

8 Q. Is that your understanding?

9 A. Yes, sir.

10 Q. Okay. Now what did you have from Thi Nguyen  
11 (sic), if you remember, when she first talked to you at  
12 the scene about a description of the suspects?

13 MS. LOGAN: The only reason I'm objecting  
14 here is because Thi Nguyen is the deceased, and it's  
15 Mrs. Dung Nguyen.

16 Q. (By Mr. Easterling) Dung Nguyen. I'm sorry.  
17 The surviving wife, Dung Nguyen. I had the wrong name.

18 A. Off the top of my head, I can't remember what  
19 she might have said at the scene, if I even spoke with  
20 her at the scene. I'm not positive about that. I know  
21 that the formal statement that she gave was not until we  
22 got down to the Auto Theft Division -- I'm sorry, the  
23 Homicide Division. I think I said Auto Theft.

24 Q. Okay. Then I'll get to the witnesses at the  
25 Quick Tune here in a little bit. Let's switch to the



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1 other scene you didn't go to where the car was allegedly  
2 abandoned. That was Officer Brown's job?

3 A. Yes.

4 Q. Okay. So you stayed at the Happy All scene for  
5 a long time, I assume?

6 A. Yes.

7 Q. Okay. When you went in the store, did you see  
8 where the body was in the store?

9 A. Yes, sir.

10 Q. Okay. And did you work around that area to see  
11 the blood, the three blood drops or deposits there on  
12 the floor in one of the aisles?

13 A. No, sir. I didn't have the scene side of it,  
14 so in a lot of cases I might just go in and take -- just  
15 maybe look overall, but not really be focusing  
16 specifically on anything since my partner is going to be  
17 doing that side of the investigation.

18 Q. Did you learn of any neighbors or customers of  
19 the store that saw anything happen --

20 A. If you --

21 Q. -- at the store when the robbery was happening?

22 A. Inside the store?

23 Q. Or outside.

24 A. I took statements from the gentlemen at the  
25 shop across the way who, I guess, if you consider

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1 neighbors as in, you know, business neighbors. I took  
2 another statement from someone that was passing by at  
3 the time of the robbery.

4 Q. Okay. Now, I meant other people besides the  
5 Quick Tune employees.

6 A. I believe I took one statement from a person  
7 who lived in the neighborhood. I believe he was a  
8 juvenile.

9 Q. Okay. And was he able to give you any  
10 positive, specific identification of anybody?

11 A. You say positive, as in I know who the person  
12 is? No. But if I got descriptions similar to the other  
13 individuals that gave descriptions, meaning they gave a  
14 description, also, now I don't recall off the top of my  
15 head how he described the suspects as opposed to the  
16 others, but yes.

17 Q. It's generally two black males, right?

18 A. Yes.

19 Q. Okay. But this witness couldn't see their face  
20 well, right?

21 A. Off the top of my head, I don't recall exactly  
22 what he said about his ability to identify him or what  
23 they saw; but my recollection is that he didn't -- there  
24 was something covering their face, I believe, from his  
25 statement.

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1 Q. Now, him saying nothing was covering the face  
2 would be inconsistent with what everybody else said;  
3 because everybody else said they had disguises, like  
4 bandanas or something black across their face, right?

5 A. I don't recall what he said in his statement;  
6 but my recollection was that there was something  
7 covering the face, is what I just said, that there was  
8 something covering their face.

9 Q. I'm sorry. I thought you said nothing was  
10 covering their face. I'm sorry.

11 A. I apologize.

12 Q. Just about everybody -- everybody, from your  
13 memory and from your report, said there was a lot of  
14 disguise on these guys, right? A wig, hat, something  
15 covering the face, maybe gloves?

16 A. I'll say to the best of my recollection, the  
17 majority of people I spoke to, if not all, said there  
18 was some type of disguise.

19 Q. And as the prosecutor said, that makes it  
20 difficult for people to make positive identifications  
21 later on, right?

22 A. Yes.

23 Q. So you did -- you eventually worked with  
24 Officer Brown about this white car, the Integra that was  
25 found abandoned, correct?

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1 A. Yes.

2 Q. And y'all ran the VIN number, what's called the  
3 vehicle identification number, in your system because it  
4 didn't have any license plates, right?

5 A. Yes, sir.

6 Q. And that car came back stolen that day,  
7 correct?

8 A. It came back stolen, yes, sir.

9 Q. Okay. And it appears that that car -- you did  
10 some research -- was stolen June 8th, 2006, correct?

11 A. Yes, sir.

12 Q. Now the date of this offense was June 15th. If  
13 you do the math, that was exactly one week before this  
14 incident we're here for, right?

15 A. Yes, sir.

16 Q. Okay. And it's common for a vehicle like that  
17 that get abandoned by some suspects, to be towed down to  
18 the Vehicle Examination Building for the Houston Police  
19 Department and closely examined and evidence documented,  
20 evidence tested? All of those things happen,  
21 particularly on a capital murder, right?

22 A. Yes, sir.

23 Q. And that was done by one of y'all's police  
24 officers, correct?

25 A. Yes, sir.

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1 Q. Okay. Now, the -- I want to go through some of  
2 the items that are listed, typical items that can be  
3 found in a car. There was a water bottle, correct?  
4 Remember that?

5 A. I don't recall all the items in there, yes.  
6 But yeah, I recall a water bottle, yes, sir.

7 Q. And real quick. Hang on. It's common for the  
8 vehicle examination officer to list any items that he  
9 tags and that are sent to the lab for processing,  
10 correct?

11 A. Yes, sir.

12 Q. Out of all the items that were taken from the  
13 car and processed, there was no fingerprints that could  
14 be identified, correct?

15 A. That's my understanding, yes, sir.

16 Q. And there was definitely no fingerprints that  
17 were identified to Charles, that were matched to Charles  
18 Jones, correct?

19 A. No, sir.

20 Q. And there were DNA swabbings on the bottle and  
21 other items found in the car, just typical items; and  
22 none of those DNA swabs matched Charles Jones, correct?

23 A. No, sir.

24 Q. And if we use common sense and we assume that a  
25 suspect is in a stolen car possibly for a whole week, or

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1 at least some of that time, they're going to touch  
2 things -- and they're not wearing a glove -- they're  
3 going to touch things in that car. That's pretty common  
4 sense, right? You understand?

5 A. I understand what you're saying.

6 Q. Do you agree with me?

7 A. I don't know what -- is it common sense to say  
8 that it couldn't happen?

9 Q. No, that it could happen.

10 A. That they can be in a car and not touch  
11 anything?

12 Q. No, that they are touching things in a car.

13 A. If a person was in a car for a week, I would  
14 say it would not be unlikely that they would touch  
15 things.

16 Q. Even for a few days, they're going to touch  
17 things, to get in the car, like the door handle.  
18 They're going to close with the door handle. If they're  
19 driving, they're going to touch the steering wheel, the  
20 gearshift. Or if they're getting in as a passenger,  
21 they're going to touch the same the item over there on  
22 the door. Sometimes they can touch the window, correct?

23 A. If they're in the car, they can touch a lot of  
24 things, yes, sir.

25 Q. And so, out of all the DNA swabs for the car on

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1 the items, as well as the car, none of them came back to  
2 Charles Jones, correct?

3 A. Nothing came back to Charles Jones. I don't  
4 know if they did any DNA swabs on the car itself, so --

5 Q. That would be common in a capital murder case,  
6 wouldn't it?

7 A. I wouldn't venture to guess exactly what they  
8 do in the Dart lot. That's not my area.

9 Q. Okay. At the store scene, Officer West, the  
10 Crime Scene Unit, processed that scene, correct?

11 A. Officer West is one of the CSUs that was  
12 involved in the investigation, yes, sir.

13 Q. Same questions there. Out of all of the items  
14 that he tried to fingerprint or get fingerprinted,  
15 dusted for fingerprints, he was not able to get any  
16 identifiable fingerprints that matched Charles Jones in  
17 the store, correct?

18 A. Yes, sir.

19 Q. Out of all the swabbings that Officer West did  
20 on items and things in the Happy All Store, none of that  
21 DNA came back to Charles Jones, correct?

22 A. There was no DNA that came back from the store,  
23 no, sir.

24 Q. So is it a fair statement that you and all the  
25 other officers never developed a single scintilla piece

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1 of evidence matching Charles Jones to inside of that  
2 store during this robbery, physical evidence?

3 A. From inside the store, at the time, no, sir.

4 Q. There appears to be a camera near the front  
5 register area. That wasn't working; and there is no  
6 surveillance video for evidence in this case, is there?

7 A. No, sir.

8 Q. So we don't have any type of video for the jury  
9 to see, correct?

10 A. Correct.

11 Q. Some stores have them working and some don't,  
12 correct?

13 A. That is correct.

14 Q. Okay. The items of clothing that you put out  
15 on the press conference were the wig, some pants and  
16 some shirts, correct?

17 A. Yes, sir.

18 Q. Okay. And just in case the jury doesn't  
19 understand what is Crime Stoppers, the tips line, what  
20 is that?

21 A. It's basically an organization that you can  
22 call in tips to Crime Stoppers where your identity is  
23 kept confidential. And if your tip leads to a  
24 development of a suspect or something of that nature,  
25 could possibly reward you for your tip.



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1 Q. So a lot of these people are motivated to get a  
2 reward when they call in, right?

3 A. A lot of people are, yes.

4 Q. And sometimes they make it into a report and  
5 can be a possible witness, where they go from being  
6 confidential to being a witness, right?

7 A. The same person that calls in could end up  
8 being a witness, but not based on the Crime Stoppers  
9 tip, because they don't -- I don't know who the tipster  
10 is unless, of course, later on during our investigation  
11 they telephone me, yeah, I called Crime Stoppers. But  
12 Crime Stoppers doesn't tell me who it is that calls.

13 Q. Yeah, I understand. I was just trying to  
14 explain to the jury that sometimes they will tell you  
15 later on that they did it, right?

16 A. Sometimes, yes, sir.

17 Q. Now, the ladies that Miss Logan talked about,  
18 Kendra Bonner and LaShandra Gooden, they looked at these  
19 items and told y'all that they thought they looked  
20 familiar. Remember that?

21 A. I believe, specifically, the wig is what they  
22 thought looked familiar.

23 Q. You've seen the wig, right --

24 A. Yes.

25 Q. -- many times, and you've seen the photograph

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1 of the wig. And the wig's right over here in this box.  
2 It's a black hair, you know, moderate length wig, right?

3 A. Yes, sir.

4 Q. I mean, there is nothing unusual about the wig  
5 or distinctive about that wig, is there?

6 A. Not to me.

7 Q. Okay. In other words, it doesn't have any  
8 colored, striped hair, or it doesn't have a hairband all  
9 the way around it or stripes or something unique. It's  
10 just a standard-looking wig where there is thousands of  
11 them out there, right?

12 A. I believe there was -- I believe there was  
13 something in the wig, like a ribbon or a bow or a tie.

14 Q. A tie.

15 A. So --

16 Q. Yeah. There is like an orange tie on it,  
17 right?

18 A. Yes, sir.

19 Q. Was there anything distinctive about an orange  
20 hair tie that would make that any different than the  
21 thousands of other orange hair ties that are out there  
22 in the City of Houston?

23 A. Not to me.

24 Q. Okay. The shirt, the T-shirt, the short  
25 T-shirt, had a large photograph of the face of a rap

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1 singer, Tupac. Remember that?

2 A. Yes, sir.

3 Q. Was there anything unusual about that T-shirt  
4 that's any different than the thousands of other  
5 T-shirts with Tupac on the front?

6 A. I haven't seen others, but I would assume not.

7 Q. It looked like a standard issue kind of  
8 photograph with him on it. I mean, again, there is  
9 nothing unusual or distinctive about it except the face  
10 itself?

11 A. Yes, sir.

12 Q. And he's, I don't know, into rap music; but he  
13 was a very huge rap star when he was alive; so there is  
14 probably thousands of those T-shirts out there, right?

15 A. I would assume so.

16 Q. The black sweatshirt, pullover sweatshirt, it  
17 had Polo in letters on the front of it, correct?  
18 Remember that?

19 A. Yes, sir.

20 Q. Again, anything distinctive about a Polo  
21 sweatshirt that makes it any different than the  
22 thousands of other black Polo sweatshirts out there in  
23 the world?

24 A. No, sir.

25 Q. Okay. The jeans that look like they -- kind of

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1 like cargo pants that would have the pants with the  
2 pockets, anything uncommon about those kind of cargo  
3 pants that make them any different than the thousands of  
4 others out there?

5 A. No, sir.

6 Q. So these women that you talked to, they talked  
7 about Kevin Chaney. Because I believe was it Kendra  
8 Bonner that was -- had a baby with Kevin Chaney?

9 A. I don't know if they had a baby together. I  
10 know I was told that they had been together, I guess, a  
11 couple or --

12 Q. All right. But you did learn that Kevin  
13 Chaney, this one other suspect, and Charles Jones, they  
14 both had a child with the same mother? You learned  
15 that, right?

16 A. Yes.

17 Q. I assume you didn't learn any other details  
18 about whether that same woman having the same child  
19 created any drama or friction with the family or not?  
20 You didn't get that deep into it, did you?

21 A. No, sir.

22 Q. All right. Were you asked -- anytime in your  
23 investigation, do you remember anything about asking to  
24 look into some clothes, about whether some clothing had  
25 been stolen from Mr. Jones by this group of people, like

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1 Kevin Chaney or any of these women?

2 A. No.

3 Q. Okay. You typically, and did in this case --  
4 after you got some names that you developed, Kevin  
5 Chaney and Dumpling, that then led to Charles Jones'  
6 real name, you conducted a photo. Excuse me. You  
7 created a photospread, correct?

8 A. Yes.

9 *(Brief recess)*

10 *(Jury enters courtroom)*

11 *THE COURT:* You may proceed, Counsel.

12 Q. *(By Mr. Easterling)* I believe right before the  
13 break I was asking you about how you create a  
14 photospread. And so, I'm going to repeat that last  
15 question because I believe the court reporter needs to  
16 get it.

17 You get photographs, facial photographs of  
18 six people that look similar, you put them onto like a  
19 sheet of paper or a cardboard file like this in order to  
20 do what's called a photospread or photo array  
21 identification, right?

22 A. Yes, sir.

23 Q. And you go show that to an eyewitness or crime  
24 victim to try to see if they recognize somebody,  
25 correct?

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1 A. Yes, sir.

2 Q. And you did that in this case. You do that in  
3 a lot of cases. And, of course, you did that in this  
4 case, right?

5 A. Yes, sir.

6 Q. And you put Charles Jones' photograph that  
7 we've seen there -- you put that photograph in a  
8 photospread with five other black males, correct?

9 A. Yes, sir.

10 Q. And then you took that, I believe, in the early  
11 part of September, you met with Dung Nguyen, the  
12 surviving wife of the deceased, to see if she could  
13 recognize Charles Jones in that photospread, right?

14 A. Yes.

15 Q. And she was not able to make an identification  
16 or pick him out in there, correct?

17 A. Yes, sir, you're correct.

18 Q. Now, you also did some investigation and looked  
19 up the owner of the white Integra automobile that was  
20 abandoned and stolen, correct?

21 A. Yes, sir.

22 Q. And you met with him, did the same thing with  
23 him. You showed him the photospread with Charles Jones'  
24 photo in it and see if he could identify the person that  
25 had robbed him at gunpoint and stolen his car from him,

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1 correct?

2 A. Yes, sir.

3 Q. And that person was not able to identify or  
4 recognize Charles Jones in that photospread, correct?

5 A. Yes, sir.

6 Q. And Charles Jones was not charged with stealing  
7 that car from that man, correct?

8 A. As far as I know, that's a County case; but no,  
9 sir.

10 Q. Well, he wasn't, all right?

11 A. Okay.

12 Q. All right. Lastly, I want to cover some  
13 descriptions. Whenever you take the formal statements  
14 at your office where everything kind of calms down, you  
15 want to know from the witnesses, the eyewitnesses, what  
16 did the guys look like, right?

17 A. Yes, sir.

18 Q. You want to try to get a description of their  
19 general size, generally what they were wearing, their  
20 race, those kind of things, correct?

21 A. Yes, sir.

22 Q. You talked to two Quick Tune witnesses that  
23 day. One of them is Bryant Thlang, T-H-L-A-N-G. And he  
24 was an employee of Quick Tune, correct?

25 A. Yes, sir.

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1 Q. And he saw these black males run out to the car  
2 after, I believe, the son had come over and notified  
3 them, right?

4 A. Yes, sir.

5 Q. Okay. In his statement to you that day, he  
6 give a description of the two black males being in all  
7 black, right?

8 A. I don't remember their -- his statement off the  
9 top of my head; but if that's what it says in the  
10 report, then that's the description they gave, yes.

11 Q. I'm looking at it. And he also told you that  
12 both of these suspects were six feet tall and were big,  
13 correct?

14 A. Yes, sir.

15 Q. Okay. And then you interviewed that same day  
16 another Quick Tune employee that also had the same  
17 viewpoint from across the street, had seen --

18 MS. LOGAN: May I provide the witness with  
19 the report so that he can be sure?

20 THE COURT: Yes.

21 MS. LOGAN: Thank you, Judge. I think  
22 that has all the statements he's talking about.

23 Q. (By Mr. Easterling) It's just on Page 2.026  
24 with Mr. Thlang, if that's how you pronounce it --

25 A. Yes, sir.



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1 Q. And now I'm to the next page, Page 2.027. You  
2 also interviewed the same type of employee across the  
3 street at Quick Tune that had the similar viewpoint  
4 where he saw these two guys run out to the car. And his  
5 name was Quoc, Q-U-O-C, Nguyen, correct?

6 A. Yes, sir.

7 Q. And when you asked him about a description, he  
8 said they were in all black, right, right there in the  
9 middle?

10 A. Yes, sir.

11 Q. And he stated the suspects were both six feet  
12 to six-foot-one tall, correct?

13 A. Yes, sir.

14 Q. And the last statement on that second paragraph  
15 there, you say the driver appeared to be wearing black  
16 gloves, correct?

17 A. Yes, sir.

18 Q. Y'all never found any black gloves in this  
19 case, did you?

20 A. No, sir.

21 Q. Okay. Okay.

22 MR. EASTERLING: I'm almost finished,  
23 Judge, if I can just have a minute.

24 THE COURT: Okay.

25 Q. (By Mr. Easterling) The last two witnesses we

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1 discussed, Mr. Nguyen and Mr. Thlang, their vantage  
2 point, that Quick Tune store is correctly across the  
3 street from the side of that store, correct?

4 A. From the side, yes. There is a cross street.  
5 It's on the other side of the cross street.

6 Q. Yeah. It's a residential street that goes down  
7 into that neighborhood there?

8 A. Right.

9 Q. All right. Do you remember whether they told  
10 you that they got closer to the Happy Store whenever  
11 they observed this or whether they were across the  
12 street at their shop?

13 A. From my recollection, everyone that -- from  
14 that store that gave a description was from across the  
15 street at the store.

16 Q. Okay. Mr. Jones cooperated with you and  
17 allowed you to take the buccal swab in his mouth with  
18 the Q-tips, correct?

19 A. Right. He cooperated when he came to the  
20 buccal swabs.

21 Q. All right. Okay.

22 MR. EASTERLING: I believe that's all I  
23 have, Judge. I pass the witness.

24 THE COURT: All right.

25 MS. LOGAN: Brief redirect, if I may,

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1 Judge.

2 THE COURT: Okay.

3 MS. LOGAN: Thank you.

4 REDIRECT EXAMINATION

5 BY MS. LOGAN:

6 Q. When you met with Charles Jones during your  
7 investigation in this case, did you tell him about the  
8 DNA results on the clothing?

9 A. Yes.

10 Q. And did you, likewise, tell him about the DNA  
11 results on the glove?

12 A. Yes.

13 Q. Did you show him photographs of the evidence  
14 that you all collected in this case?

15 A. Yes.

16 Q. And did you show him a photograph of Kevin  
17 Chaney, the other suspect in the case?

18 A. Yes.

19 Q. Now in your investigation, in your experience  
20 as a Homicide investigator, if you get information about  
21 a possible suspect having an alibi, let's say, is that  
22 something you're going to want to check out --

23 A. Yes.

24 Q. -- if you get information?

25 MR. EASTERLING: May we approach, Judge?

1                   THE COURT: Yes.

2                   (At the bench)

3                   MR. EASTERLING: Judge, that is a  
4 violation of Article 38.22. This was not a recorded  
5 statement by my client. This is a way to try to get out  
6 information from that interview that is inadmissible  
7 that I've talked to the State about before. And she's  
8 going into some things that are obviously trying to get  
9 the jury to presume that he didn't give any alibi, that  
10 he didn't give the officers any evidence.

11                   THE COURT: Hold on a second. Let me  
12 excuse the jury for a second.

13                   (Continuing in jury's hearing)

14                   THE COURT: All right. Ladies and  
15 gentlemen, we need to take up a legal issue. So, please  
16 step out. And remember your admonitions from the Court.

17                   (Outside jury's hearing)

18                   THE COURT: Okay.

19                   MR. EASTERLING: Judge, when the officers  
20 interviewed Charles Jones that day, they didn't record  
21 the statement. So, therefore, as the Court is  
22 well-aware, Article 38.22, Code of Criminal Procedure  
23 requires any statements made by the defendant to be  
24 admissible have to be recorded or in writing and signed  
25 by him.

1           The question she's going into now -- I  
2 allowed her to ask a few questions about what they  
3 showed him. That's getting close. But now she's asking  
4 questions that are purely designed to put into the mind  
5 of the jury that my client didn't give an alibi to these  
6 officers, all right, which is clearly improper.

7           She can't leave the impression that he  
8 didn't give certain information in his statement,  
9 because that's letting the jury know the contents of his  
10 statement. And it's clearly objectionable. It's  
11 prejudicial, and it's inadmissible; because they know  
12 they can't get the evidence in any other way. So this  
13 is a back door attempt to try to get out some of the  
14 things that he said to the officers that were not  
15 recorded. So any questions about, did he give an alibi,  
16 or did he investigate an alibi are clearly improper,  
17 Judge.

18           *THE COURT:* Okay.

19           What's the State's response?

20           *MS. LOGAN:* That was the only question I  
21 intended to ask on that. And the reason that I asked  
22 it, first of all, it does not go into the content of the  
23 statement, which I know and agree would not be proper to  
24 offer. But it does pertain to their investigation with  
25 respect to the suspects in this case.

1           The defense has brought forth evidence  
2 during cross-examination that there was no evidence  
3 linking this defendant to the crime inside the  
4 convenience store. And information as to whether or not  
5 an alibi was investigated, whether or not other suspects  
6 were developed and this officer's investigation, is  
7 relevant for this jury to consider, given the fact that  
8 DNA is the way the identification was made in this case.

9           Now, I don't intend to ask any additional  
10 questions; but I believe that the question that I've  
11 asked and the answer elicited is proper and within the  
12 rules.

13           *THE COURT:* Okay.

14           *MR. EASTERLING:* Could we have exactly  
15 what the question was -- what your question of proffer  
16 will be so I'll know exactly what it is, Judge? I think  
17 I heard what it is, but I might have cut her off a  
18 little bit.

19           *THE COURT:* Yes.

20           *MS. LOGAN:* The question I asked this  
21 officer was with respect to, in his experience as a  
22 Homicide investigator during investigations, if a  
23 suspect provides information regarding an alibi, would  
24 that be something that they would look into? Not with  
25 respect to this defendant, but with respect to his

1 procedure as a Homicide investigator.

2 MR. EASTERLING: Judge, that question was  
3 asked directly after she asked questions: Did you show  
4 him this? Did you show him this? It's clearly related  
5 to the statement being taken at the time. You got to  
6 put it in context, Judge. It's clearly asked directly  
7 after questions, what happened, what were you showing  
8 him in the statement?

9 And it also shifts the burden. It's not  
10 our burden to give an alibi to the State of Texas or to  
11 police officers for them to investigate or to disprove a  
12 case. So that's also prejudicial, also.

13 So the way the context is and the timing  
14 of this is improper, and it's not necessary. It's  
15 clearly designed to try to get in evidence that he  
16 didn't give them an alibi when he talked to them. And  
17 that's not proper; and it's clearly reversible error if  
18 you allow this, Judge.

19 THE COURT: Okay. The defense's objection  
20 is sustained.

21 MS. LOGAN: Okay, Judge.

22 THE COURT: All right.

23 *(Off-the-record discussion)*

24 THE COURT: Let's bring them out.

25 *(Jury enters courtroom)*

WILLIAM BOOTH - October 25, 2013  
Redirect Examination by Ms. Logan

1                   THE COURT: All right. Please be seated.  
2                   You may proceed.

3                   MS. LOGAN: Thank you, Judge.

4           Q.     (By Ms. Logan) Sergeant Booth, in the  
5 investigation that you and Officer Brown conducted in  
6 the shooting death of Thi Nguyen at the Happy Food  
7 Store, were you able to ascertain a motive for the death  
8 of Thi Nguyen?

9           A.     Robbery.

10          Q.     And what made you believe that?

11          A.     There was a demand for money.

12          Q.     Now on cross-examination, you were asked by the  
13 defense counsel as to whether or not there was any  
14 evidence from inside the Happy Food Store that linked  
15 this defendant to the shooting death of Thi Nguyen. I  
16 believe your answer to that question -- do you recall  
17 what your answer to that question was?

18          A.     Not inside the store, I believe.

19          Q.     All right. Was there evidence that you located  
20 in your investigation, whether from inside the Happy  
21 Food Store or outside the Happy Food Store, that  
22 connected the defendant, Charles Jones, to the shooting  
23 death of Thi Nguyen?

24          A.     Yes. The DNA evidence off the pants had the  
25 victim's blood on the pants, that the DNA came back to



1 Mr. Jones.

2 Q. And on cross-examination you were, likewise,  
3 asked about whether or not the wig that's evidence in  
4 this case was distinctive to you. And I believe you  
5 told us that it was not distinctive to you.

6 A. Correct.

7 Q. Now when you were speaking with Kendra, did you  
8 get the impression as to whether or not there was  
9 something about that wig that was distinctive to her?

10 A. She believed -- what she said is she believed  
11 the wig was hers and that the tie, or whatever it is  
12 that goes -- the knot that goes in it was, I believe she  
13 said, her niece's. She seemed more positive about the  
14 knot itself than the wig itself.

15 MS. LOGAN: May I approach the exhibits,  
16 Judge?

17 THE COURT: You may.

18 Q. (By Ms. Logan) I'm going to hold up what is  
19 entered into evidence as State's Exhibit No. 101, the  
20 wig. And when you're referring to the knot --

21 A. Yes.

22 Q. -- are you talking about this orange hair tie  
23 right here?

24 A. Yes, ma'am.

25 Q. Okay.

1 MS. LOGAN: I'll pass the witness, Judge.

2 THE COURT: Okay. Any recross?

3 **RECROSS-EXAMINATION**

4 BY MR. EASTERLING:

5 Q. Is Kendra --

6 MS. LOGAN: Bonner.

7 Q. (By Mr. Easterling) Kendra Bonner. Now, you  
8 never learned that there was any specific relationship  
9 between Kevin -- excuse me -- between Charles Jones and  
10 Kendra Bonner, correct?

11 A. When you say specific relationship --

12 Q. Yeah.

13 A. -- they knew each other.

14 Q. Boyfriend/girlfriend?

15 A. No. As far as I know, they were just  
16 acquaintances.

17 Q. It was a more close connection between Kevin  
18 Chaney and Kendra Bonner; they were  
19 boyfriend/girlfriend, right?

20 A. Yes, sir.

21 Q. Okay. How tall do you think I am? And I have  
22 cowboy boots on, so that's another inch and-a-half. But  
23 how tall do you think I am?

24 A. I'd say you're probably about  
25 six-one-and-a-half.

WILLIAM BOOTH - October 25, 2013  
Recross-Examination by Mr. Easterling

1 MR. EASTERLING: Can you stand up?

2 Q. (By Mr. Easterling) How tall do you think this  
3 gentleman is to my right?

4 A. Well, I already have previous knowledge of it.

5 Q. I'm not asking about that right now. How tall  
6 do you think he is?

7 A. I'd say he's probably about five-eight.

8 Q. Okay. Thank you.

9 MR. EASTERLING: That's all I have, Judge.  
10 Pass the witness.

11 MS. LOGAN: I'm all through with this  
12 witness, Judge.

13 THE COURT: You are excused.

14 All right. Ladies and gentlemen of the  
15 jury, we are going to recess for lunch. We're going to  
16 take a forty-five-minute recess. Well, actually, we'll  
17 take a little bit longer. We'll start back at 1:00.  
18 Please remember your admonitions from the Court. Do not  
19 discuss this case with anybody, not even among  
20 yourselves.

21 Court's in recess.

22 (Lunch recess)

23 (Jury enters courtroom)

24 THE COURT: Thank you. Please be seated.

25 Did you guys enjoy your lunch?