

1 THE WITNESS: Thank you.

2 THE COURT: Call your next witness.

3 MS. HARVEY: State calls Deputy Glover.

4 THE BAILIFF: This witness has not been
5 sworn, Judge.

6 (Witness sworn)

7 THE COURT: You may be seated.

8 THE WITNESS: Thank you, ma'am.

9 THE COURT: You may proceed.

10 MS. HARVEY: Thank you, Your Honor.

11 **ROY GLOVER,**

12 having been first duly sworn, testified as follows:

13 **DIRECT EXAMINATION**

14 **BY MS. HARVEY:**

15 Q. Would you tell the jury what your name is?

16 A. My first name is Roy. My last name is Glover.

17 Q. Are you currently employed?

18 A. Yes.

19 Q. How are you employed?

20 A. I'm employed with the Harris County Sheriff's
21 Office as a sheriff's deputy.

22 Q. How long have you been a sheriff's deputy with
23 the Harris County Sheriff's Department?

24 A. Fifteen years.

25 Q. What are your current duties?

1 A. Right now I'm assigned to the Crime Scene Unit
2 as a crime scene investigator.

3 Q. How long have you been with the Crime Scene
4 Unit?

5 A. Ten years.

6 Q. As a member of the Crime Scene Unit, what are
7 your duties?

8 A. Well, as a crime scene investigator, basically,
9 what I do is I go out to crime scenes and I document
10 what I see as far as report writing, videography,
11 photography, also collect and process any evidence
12 that's related to the scene.

13 Q. What specialized training, if any, must you
14 have in order to be a Crime Scene Unit?

15 A. There are specialty courses in the field of
16 forensic science that we take, classes such as
17 fingerprinting, video, photography, latent process, and
18 evidence collection, DNA collection, just to name a few.

19 Q. Back on March 20th of 2011, were you employed
20 as a Crime Scene Unit?

21 A. Yes.

22 Q. And did you make a scene?

23 A. Yes.

24 Q. Where did you make that scene at?

25 A. That scene was at 12911 New Cypress Drive.

1 Q. Is that a location in Harris County, Texas?

2 A. Yes.

3 Q. What time did you make the scene?

4 A. I arrived at the scene at approximately 4:53.

5 Q. Who was there when you got there?

6 A. Deputy Bair, Deputy Faulkner, Deputy Berry,
7 Gamboa, Myers, Deputy Overstreet, Deputy Wolford, Deputy
8 Quintanilla, Deputy Brown, and Sergeant Beall.

9 Q. When you arrived on scene, who did you
10 initially make contact with?

11 A. With Deputy Bair.

12 Q. And what was -- what did you do after meeting
13 with Deputy Bair?

14 A. After speaking with Deputy Bair, he basically
15 walked me through the scene.

16 Q. Have you prepared -- or, actually, let me
17 approach and show you what's been marked as State's
18 Exhibit 9. Do you recognize that (indicating)?

19 A. I do.

20 Q. And did you create that?

21 A. Yes.

22 Q. And is it a fair and accurate depiction of the
23 location on New Cypress Drive?

24 A. It is.

25 MS. HARVEY: State offers State's Exhibit 9

1 and tenders to opposing counsel.

2 **(State's Exhibit No. 9 Offered)**

3 MR. VARELA: No objection to 9, Your Honor.

4 THE COURT: It's admitted.

5 **(State's Exhibit No. 9 Admitted)**

6 Q. (By Ms. Harvey) So, as we look at the diagram
7 of the house, can you show the jury where the front door
8 would be?

9 A. (Witness complies).

10 Q. And did you take photographs of the front and
11 back of the front door?

12 A. The exterior side, interior side?

13 Q. Yes, sir.

14 A. Photographs were taken, yes.

15 Q. I'm showing you State's Exhibits 10 and 11. Do
16 you recognize those (indicating)?

17 A. Yes.

18 Q. And are they fair and accurate depictions of
19 the location?

20 A. It is.

21 MS. HARVEY: State moves to admit State's
22 Exhibits 10 and 11 and tenders to opposing counsel.

23 **(State's Exhibit No. 10 and 11 Offered)**

24 MR. VARELA: No objection to 10 and 11,

25 Your Honor.

1 THE COURT: They're admitted.

2 (State's Exhibit No. 10 and 11 Admitted)

3 Q. (By Ms. Harvey) You know what, Deputy Glover,
4 we have a whole bunch of pictures we're going to go
5 through, so why don't I show them to you all at once.

6 I'm showing you State's 12, 13, 19, 20, 21,
7 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39,
8 40, 41, 43, 44, 45, 46, 47, 49, 50, 51, 52, 54, 55, 57,
9 58, 59, 60, 61, 62, 63, 64, 65, 69, 70, 72, 74, 75, 76,
10 77, 79, 80, and 81. Why don't you go ahead and look
11 through those photographs for me, please (indicating).

12 A. (Witness complies).

13 Q. Are all of those photos fair and accurate
14 depictions of the scene on New Cypress Drive?

15 A. Yes.

16 MS. HARVEY: State offers the exhibits and
17 tenders to opposing counsel.

18 (State's Exhibit No. 12, 13, 19 through 21,
19 26 through 41, 43 through 47, 49 through
20 52, 54, 55, 57 through 65, 69, 70, 72, 74
21 through 77, 79 through 81 Offered)

22 MR. VARELA: May I have a moment, Your
23 Honor?

24 THE COURT: Yes.

25 MR. VARELA: No objections, Your Honor.

1 THE COURT: They're admitted.
2 (State's Exhibit No. 12, 13, 19 through 21,
3 26 through 41, 43 through 47, 49 through
4 52, 54, 55, 57 through 65, 69, 70, 72, 74
5 through 77, 79 through 81 Admitted)

6 MS. HARVEY: Thank you.

7 Q. (By Ms. Harvey) So, beginning here at the front
8 door in State's Exhibit 10, can you tell us what that is
9 (indicating)?

10 A. That would be the exterior side of the front
11 door -- I mean interior. Excuse me. And, also, that is
12 the foyer area.

13 Q. Was there anything notable about the interior
14 of the front door?

15 A. There was a yellow sticky message on the front
16 door.

17 Q. And is that the yellow sticky that we see in
18 State's Exhibit 11?

19 A. Yes.

20 Q. Now, as we travel down the hallway to, I
21 believe, what you-all are calling the south side of the
22 house, we see two bedrooms --

23 A. Yes.

24 Q. -- is that correct?

25 Can you describe for us the first bedroom?

1 A. The first bedroom, it had a bed inside of it,
2 but also it appeared to be also used as a study.

3 Q. Okay. And then the second bedroom, is that the
4 one we see here in State's Exhibit 12 (indicating)?

5 A. Yes.

6 Q. As you went through the bedroom in State's
7 Exhibit 12, here in State's Exhibit 13, did you find
8 anything notable in the nightstand?

9 A. Yes.

10 Q. And what was it that you-all found in the
11 nightstand in the bedroom on the south side of the
12 house?

13 A. There was a loaded handgun in the drawer of the
14 nightstand.

15 Q. Now, before testifying today, did you and I
16 meet?

17 A. Yes.

18 Q. And did you bring me the evidence in this case?

19 A. I did.

20 Q. And is this one of the items that you brought
21 for me?

22 A. Yes.

23 Q. And all of the evidence in this case, how is it
24 kept?

25 A. The evidence is tagged, it's marked. Some of

1 the evidence is placed in these boxes or the evidence is
2 placed in paper bags.

3 Q. And then where is it stored?

4 A. After the evidence has been processed and
5 tested, the evidence is forwarded to the property room,
6 Harris County Property Room.

7 Q. And each and every piece of evidence that you
8 tag, is it marked with a unique identifying number?

9 A. It is.

10 Q. And what is the unique identifying number in
11 this case?

12 A. The case number?

13 Q. Yes, sir.

14 A. The case number is 1136403.

15 Q. And all of the evidence that you -- that you
16 brought to me in this case, is the initials of the
17 officer who collected it on that evidence?

18 A. Yes.

19 Q. And in cases where you were that officer, your
20 initials appear; is that right?

21 A. That's correct.

22 Q. Okay. I am showing you what has been marked as
23 State's Exhibit 14 --

24 MS. HARVEY: Actually, Your Honor, because
25 we're dealing with a firearm, I'm going to tender it to

1 the deputy first so he can check that it is clear and
2 safe.

3 THE BAILIFF: It's clear, Judge.

4 THE COURT: Thank you.

5 Q. (By Ms. Harvey) I'm showing you what has been
6 marked as State's Exhibits 14, 15, 16, 17, and 18. Were
7 all of those items found by you (indicating)?

8 A. Yes.

9 Q. And where were they discovered?

10 A. The handgun, magazine, and the rounds were
11 found in a drawer. The box of live rounds were found in
12 a box that was on top of the nightstand.

13 Q. And when we're talking about this handgun, when
14 we're talking about State's Exhibits 15 and 17, were
15 those actually located inside the weapon itself?

16 A. Yes.

17 Q. And where specifically in the weapon? I guess
18 the question is: Was there one in the chamber?

19 A. Yes, there was one round in the chamber.

20 MS. HARVEY: State offers State's 14, 15,
21 16, 17, and 18, and tenders to opposing counsel.

22 **(State's Exhibit No. 14 through 18 Offered)**

23 MR. VARELA: No objection, Your Honor.

24 THE COURT: They're admitted.

25 **(State's Exhibit No. 14 through 18**

1 **Admitted)**

2 Q. (By Ms. Harvey) As you continue throughout that
3 bedroom, did you make observations as to the television?

4 A. Yes.

5 Q. And what observation did you make as to the TV
6 in the bedroom on the south side of the house?

7 A. Well, there was a program that was on pause.
8 The program was "Sex In The City."

9 Q. Did you photograph that to preserve it?

10 A. Yes.

11 Q. And is that what we see in State's Exhibit 19?

12 A. It is.

13 Q. Also, in that same bedroom in State's Exhibit
14 20, what did you locate?

15 A. Exhibit -- excuse me. Evidence Item No. 1 is a
16 small pile of wet clothes. Evidence Item No. 2, the
17 item is a large brown towel.

18 Q. Okay. So, what we see here in State's Exhibit
19 20, where we've got the Marker 1, that's a pile of
20 clothes (indicating)?

21 A. Yes.

22 Q. And is that a close-up that we see of that in
23 State's Exhibit 21?

24 A. Yes.

25 Q. And what was the state of those clothes at the

1 time that you discovered them?

2 A. The clothes were wet.

3 Q. And then looking back at State's Exhibit 20,
4 you also mentioned your Evidence Marker No. 2.

5 A. Yes.

6 Q. What is it that we see in State's Exhibit 26
7 (indicating)?

8 A. You see the exterior side of the bedroom door.
9 The towel is along the north wall of the bedroom.

10 Q. And if we go back to State's Exhibit 21, did
11 you actually tag those clothes into evidence?

12 A. Yes.

13 Q. I'm showing you what has been marked as State's
14 Exhibits 22, 23, 24, and 25, each of which is a sealed
15 bag with -- containing items. Do you recognize each of
16 these bags (indicating)?

17 A. I do.

18 Q. And the items inside, have we previously opened
19 these to look at those?

20 A. We have.

21 Q. Do each of these bags contain your initials?

22 A. Yes.

23 Q. I thought I had a pair of scissors.

24 And you and I have previously verified that
25 what the outside of the bag says is what's actually in

1 the bag, correct?

2 A. Yes.

3 MS. HARVEY: At this time, State offers
4 into evidence State's 22, 23, 24, and 25.

5 **(State's Exhibit No. 22 through 25 Offered)**

6 THE COURT: Are you also offering the
7 contents?

8 MS. HARVEY: The contents, yes, ma'am.

9 MR. VARELA: We don't have any objection to
10 those exhibits, Your Honor, to the contents of the bags.

11 THE COURT: They're admitted.

12 **(State's Exhibit No. 22 through 25**

13 **Admitted)**

14 MS. HARVEY: Permission to publish to the
15 jury, Your Honor?

16 THE COURT: Granted.

17 Q. (By Ms. Harvey) Now, inside of these bags, in
18 addition to the clothes, we also located items that are
19 marked with the Institute of Forensic Sciences' number;
20 is that correct?

21 A. Yes.

22 Q. And have these clothes actually been over to
23 the Institute of Forensic Sciences?

24 A. Yes.

25 Q. And as we look at State's Exhibit 22, can you

1 tell the jury what that is (indicating)?

2 A. That is a white blouse that was located in the
3 small pile.

4 Q. Did it appear to have any staining?

5 A. Yes.

6 Q. And the markings that have been made on this
7 blouse, were they there when you collected it?

8 A. The circle of markings?

9 Q. Yes, sir.

10 A. No, they were not.

11 Q. Are those markings also marked by the Institute
12 of Forensic Sciences when they tested them?

13 A. Yes.

14 Q. In State's Exhibit 23, what did you collect?

15 A. A pair of white panties.

16 Q. And did this item also appear to have some
17 staining on it?

18 A. It did, yes.

19 Q. In State's Exhibit 24, what did you collect?

20 A. Two white socks.

21 Q. Did these white socks appear to have any
22 staining on them?

23 A. Yes.

24 Q. And, again, the markings that have been made on
25 the pair of white socks, were those markings on them

1 when you collected them?

2 A. No.

3 Q. State's Exhibit 25, what did you collect?

4 A. Those are the black floral pajama pants.

5 Q. As we continue through the house, you mentioned
6 State's Exhibit 26, Evidence Marker No. 2, is a towel.

7 Do you know or did you come to learn the significance of
8 the towel?

9 A. Yes.

10 Q. And what is that?

11 A. I was informed that the defendant was wearing a
12 towel.

13 Q. In State's Exhibit 27, what's pictured in that
14 photograph (indicating)?

15 A. It is the hallway bathroom.

16 Q. And when you say "the hallway bathroom," are
17 you talking about the one over here on the south side of
18 the residence (indicating)?

19 A. Yes.

20 Q. Continuing to travel through the house, in
21 State's Exhibit 28 what do we see (indicating)?

22 A. That is a photograph of the living room.

23 Q. And State's 29 (indicating)?

24 A. It's another photograph showing a different
25 angle of the living room.

1 Q. And State's Exhibit 30 (indicating)?

2 A. It is also a living room, showing a different
3 angle.

4 Q. And as we look here, is where -- where is the
5 living room located on your diagram?

6 A. (Indicating).

7 Q. State's Exhibit 31, what's depicted there?

8 A. It is the door to the garage.

9 Q. And on State's Exhibit 9, can you show us where
10 that door would appear?

11 A. (Witness complies).

12 Q. State's Exhibit 32, what do we see?

13 A. That is the kitchen dining room.

14 Q. And as we look at State's Exhibit No. 33, was
15 there anything notable about the dining room?

16 A. There were double patio doors that also had a
17 yellow sticky on it and also the photograph that showed
18 the items that were on top of the dining room table.

19 Q. What kind of items do we see there on top of
20 the dining room table?

21 A. A bottle of wine, some glasses, and a little
22 rack of season, and a fruit basket.

23 Q. In State's Exhibit 34, is that those patio
24 doors that you were talking about?

25 A. Yes.

1 Q. And in State's Exhibit 35, do we again see a
2 sticky note noting to lock the doors?

3 A. Yes.

4 Q. As we travel into the kitchen, which if we look
5 back at your diagram, can you show us where the kitchen
6 is?

7 A. (Witness complies).

8 Q. All right. So, as we travel through the
9 kitchen in State's Exhibit 36, was there anything
10 notable about the kitchen or what was on the counters in
11 the kitchen?

12 A. Yes.

13 Q. And what was that?

14 A. Well, the kitchen was situated in a way that it
15 showed someone was preparing to cook something.

16 Q. Preparing to?

17 A. Cook something.

18 Q. Cook something. Okay.

19 And what is it that we see on the counter
20 there in State's Exhibit 36?

21 A. Near the sink, there is a large bowl of shrimp
22 that is covered with a paper towel.

23 Q. In State's Exhibit 37, what do we see?

24 A. You're going to see the back of the sink area.
25 Along this area, the east wall, you have the counter

1 stove area and also the oven and the microwave.

2 Q. As you look at State's Exhibit 38, a close-up
3 of the stove, what did you notice, if anything, about
4 the stove?

5 A. As I mentioned earlier, there are items laid
6 out in preparation to prepare a dinner.

7 Q. And in -- we have one pan that's covered with
8 foil. Do you know the contents of that pan?

9 A. I cannot remember. I think it was rice, but
10 I'm -- I can't remember.

11 Q. And was that rice like cooked rice or like dry
12 rice?

13 A. It was cooked rice.

14 Q. And the pan that's next to it that's uncovered,
15 what was located in that pan?

16 A. That was the étouffée base that came from the
17 box.

18 Q. And is that the box that we see there back on
19 State's Exhibit 38?

20 A. Yes.

21 Q. In that pan was there anything other than just
22 the dry mix?

23 A. I believe it was just the dry mix.

24 Q. And then as we travel on through the house back
25 to the master bedroom, can you show the jury where the

1 master bedroom would be?

2 A. (Witness complies).

3 Q. Back in here (indicating)?

4 A. Yes.

5 Q. In State's Exhibit 40, what, if anything, was
6 notable about the bed in the master bedroom?

7 A. The bed was neat. It was made. On top of the
8 bed was a TV remote, a telephone, and a large knife.

9 Q. And as we look at State's Exhibit 41, is that
10 the knife that you're referring to?

11 A. Yes.

12 Q. Did you also tag that knife into evidence?

13 A. Yes.

14 Q. And how is the knife packaged?

15 A. It's inside of a plastic tube. The tube is
16 placed inside of the paper bag.

17 Q. And does the paper bag bear the case number and
18 your initials in this case?

19 A. Yes.

20 Q. We're not going to enter the bag itself, but we
21 have marked -- we're actually entering the knife, but we
22 have marked the tube on the outside of the knife so the
23 court reporter can transport it without stabbing
24 herself. Can you open -- or is this the knife that you
25 recovered?

1 A. It is.

2 MS. HARVEY: At this time, State offers
3 into evidence State's Exhibit 42 and tenders to opposing
4 counsel.

5 **(State's Exhibit No. 42 Offered)**

6 MR. VARELA: No objection to 42.

7 THE COURT: It's admitted.

8 **(State's Exhibit No. 42 Admitted)**

9 Q. (By Ms. Harvey) And is this the knife that you
10 located?

11 A. Yes.

12 Q. Now, did you eventually learn where that knife
13 came from?

14 A. Yes.

15 Q. And when you -- did you know it immediately
16 upon seeing the knife or did it require an investigation
17 later?

18 A. It required an investigation later.

19 Q. And where did you end up going to investigate
20 the knife?

21 A. The kitchen.

22 Q. And were you able to locate where that knife
23 came from?

24 A. Yes.

25 Q. And how were you able to do that?

1 A. The lower cabinets of the kitchen were
2 searched.

3 Q. And upon searching the lower cabinets of the
4 kitchen, how do you know that that knife came from --
5 from this set?

6 A. You can't tell in the picture, but it shows
7 that there's a knife missing.

8 Q. Let's see. State's Exhibit 44 is a --

9 A. Right here on top (indicating).

10 Q. So, there's a hole in the knife block where
11 it's missing?

12 A. Yes.

13 Q. Could you tell the brand name of the knife from
14 looking at the knife?

15 A. Once I picked up the knife I was able to.

16 Q. And is the brand name of the knife the same as
17 the brand name of this knife block and the remaining
18 knives in that knife block?

19 A. Yes.

20 Q. Also in the master bedroom was there anything
21 notable on the nightstand?

22 A. The cell phones on the nightstand.

23 Q. A cell phone that's still plugged in and
24 charging; is that right?

25 A. Yes. And the cell phone case. Excuse me.

1 Q. Okay. Previously we've introduced a photograph
2 of a door in the master bedroom. And that was
3 introduced as State's Exhibit 6. So, as we -- can you
4 show us where on your diagram that door in the master
5 bedroom is located?

6 A. (Witness complies).

7 Q. If you walked out of that door, would you be
8 inside the enclosed fence around the home or outside the
9 enclosed fence?

10 A. Inside.

11 Q. As you took a close look at the dog crate, was
12 there evidence of how long that dog kennel had been
13 sitting there?

14 A. It was.

15 Q. And what was the evidence that you were able to
16 see how long the dog kennel had been sitting there?

17 A. There was indentation markings in the carpet
18 (indicating).

19 Q. As we continue to look into the back area of
20 the home and make our way into the master bedroom
21 closet, can you show us where that is located?

22 A. (Witness complies).

23 Q. And the door of the master bedroom closet opens
24 into what room?

25 A. The bath.

1 Q. As we look at State's Exhibit 47, does that
2 show us the floor of that closet?

3 A. Yes.

4 Q. Were there any notable items laying on the
5 floor of that closet?

6 A. In this particular photograph, it shows the
7 black flip-flop, a small white bloodstained towel.

8 Q. So, here we've got a black flip-flop
9 (indicating). Am I correct?

10 A. Yes.

11 Q. And next to it just to the right is a small
12 bloodstained towel?

13 A. Yes.

14 Q. Did you also collect that towel for later
15 analysis?

16 A. Yes.

17 Q. And here I've got what's marked as State's
18 Exhibit 48. And that would be the bag and its contents.
19 Does this bag also contain the unique case number
20 identifier for this --

21 A. Yes.

22 Q. -- for this case?

23 And was it kept in the property room in a
24 secure location until you brought it here to me?

25 A. It was.

1 MS. HARVEY: At this time, State offers
2 into evidence State's 48 and tenders to opposing
3 counsel.

4 (State's Exhibit No. 48 Offered)

5 MR. VARELA: No objection to 48.

6 THE COURT: It's admitted.

7 (State's Exhibit No. 48 Admitted)

8 MR. VARELA: 48 is the towel itself?

9 THE COURT: She offered the bag and the --

10 MS. HARVEY: The bag and its contents.

11 MR. VARELA: No objection to 48.

12 Q. (By Ms. Harvey) Did that towel have obvious
13 staining on it?

14 A. Yes.

15 Q. As you look at State's Exhibit 49 deeper into
16 the closet, what other items were there of note?

17 A. This photograph is showing the north end of the
18 closet. Clothes along the west wall, clothes along the
19 east wall. At the north end of the closet, there's a
20 large white gun safe.

21 Q. And was there anything notable about that gun
22 safe?

23 A. Yes.

24 Q. And what was notable about the gun safe?

25 A. There was a bullet strike right above the door

1 of the safe.

2 Q. And as we look at State's Exhibit 50, is that,
3 in fact, the bullet strike that you were referring to?

4 A. Yes.

5 Q. And looking back to State's 49. Is the bullet
6 strike -- can you see the bullet strike in State's 49?

7 A. Yes.

8 Q. And where is it located?

9 A. (Indicating).

10 Q. Also on the floor of the closet in front of the
11 gun safe in State's Exhibit 51, what is it that we see?

12 A. To the left of the placard, there is a bullet
13 fragment (indicating).

14 Q. And if we look at the close-up of that fragment
15 in State's 52, was that actually collected?

16 A. Yes.

17 MS. HARVEY: Your Honor, again, this
18 contains a firearm. I'm going to ask the deputy to
19 check it and make sure that it is clear and safe.

20 THE BAILIFF: It's clear.

21 THE COURT: Thank you.

22 Q. (By Ms. Harvey) Now, as we're going to get to
23 everything in the closet and items that were recovered
24 there, I am showing you what has been marked as State's
25 Exhibits 66, 53, 56, 67, 82, 78, 71, 68, 83, 111, and

1 112. Do you recognize each of those items (indicating)?

2 A. I do.

3 Q. Were they all collected by you at the scene?

4 A. Yes.

5 Q. Were they appropriately secured and marked?

6 A. Yes.

7 Q. And have they been kept in a secured location
8 pending trial?

9 A. They have.

10 MS. HARVEY: Your Honor, at this time,
11 State offers the exhibits and tenders to opposing
12 counsel.

13 (State's Exhibit No. 53, 56, 66 through 68,
14 71, 78, 82, 83, 111, and 112 Offered)

15 MR. VARELA: No objections, Your Honor.

16 THE COURT: They're admitted.

17 (State's Exhibit No. 53, 56, 66 through 68,
18 71, 78, 82, 83, 111, and 112 Admitted)

19 Q. (By Ms. Harvey) So, as we went through, State's
20 Exhibit 53 is actually the -- is actually the recovered
21 jacket fragment from Evidence Marker 7; is that correct?

22 A. Yes.

23 Q. Also, on the floor of the closet we see
24 Evidence Marker No. 6. Can you tell us what was located
25 there?

1 A. Next to Placard No. 6 is the flattened
2 projectile.

3 Q. And is that a close-up that we see of that in
4 State's Exhibit 55?

5 A. Yes.

6 Q. And State's Exhibit 56, is that the actual
7 flattened projectile?

8 A. Yes.

9 Q. Also, in the closet, in State's Exhibit 57, was
10 there something notable there on the wall?

11 A. Yes.

12 Q. And what was it that was on the wall inside the
13 closet that we see in State's Exhibit 57?

14 A. It was flesh.

15 Q. And if we look at State's Exhibit 58, is that
16 actually a close-up of that flesh?

17 A. Yes.

18 Q. Now, apart from the projectiles and the flesh,
19 did the closet otherwise seem disturbed?

20 A. Other than that, no.

21 Q. And did you, in fact, photograph the remainder
22 of the closet?

23 A. It was, yes.

24 Q. And as we see in State's Exhibit 59, is there a
25 purse there up on the shelf?

1 A. Yes.

2 Q. And State's Exhibit 60, what do we see on the
3 top shelf on that side?

4 A. Boxes, an unknown large wrapped item.

5 Q. Does any of it appear to have been rifled
6 through or gone through?

7 A. No.

8 Q. In State's Exhibit 61, yet another shelf in the
9 closet, again, is that a purse that we see in the
10 corner?

11 A. Yes.

12 Q. Again here, anything appear to be rifled
13 through, missing, gone through?

14 A. No.

15 Q. In State's Exhibit 62, were you able to
16 photograph the interior of the gun safe?

17 A. Yes.

18 Q. Is that what we see here in State's Exhibit 62?

19 A. Yes.

20 Q. Was the gun safe locked?

21 A. It was not.

22 Q. And here inside the gun safe, we see a number
23 of items. What is it that we see here on the top shelf?

24 A. It is a handgun.

25 Q. And was there -- what is it that we see here in

1 the middle area?

2 A. In the middle area, there are boxes of live
3 rounds.

4 Q. Did anything that you collected -- would any of
5 that be consistent with the revolver that was found at
6 the scene?

7 A. I collected the two boxes of live rounds that
8 you had shown previously.

9 Q. And is that State's Exhibits 111 and 112?

10 A. Yes.

11 Q. I'm not asking you if there is any sort of
12 ballistics match. I'm just asking you: Is this the
13 type of ammo that that revolver would take?

14 A. It appeared to have been so, yes, that's why we
15 collected it.

16 Q. As you travel back into the master bath, did
17 you then locate the victim there on the floor?

18 A. Yes.

19 Q. And was there anything notable about the
20 location where he was?

21 A. Well, the photograph is basically showing him
22 that he's laying -- lying next to the bathtub.

23 Q. And here up on the step of the tub, what is it
24 that we see?

25 A. There are bloodstain drops.

1 Q. And the drops that we see, do they have any
2 type of particular shape to them?

3 A. Some of the blood drops have circular shapes.

4 Q. And what experience do you have at all with
5 blood evidence?

6 A. With the circular blood drops it would
7 indicate --

8 MR. VARELA: I'm going to object, Your
9 Honor. 702, 703, 705 Kelly.

10 THE COURT: Sustained.

11 Q. (By Ms. Harvey) Let me ask you this: Do you
12 have training in blood spatter?

13 A. I do.

14 Q. What training have you had?

15 A. I've had a basic one and a basic two course.

16 Q. Have you testified about blood spatter in court
17 before?

18 A. I have not.

19 Q. But in this particular case, what you saw was
20 circular shapes, correct?

21 A. Yes.

22 Q. Is that sort of a basic indication of blood or
23 is it a more complex indication of something?

24 A. No. It's a basic indication.

25 Q. And what is it a basic indication of?

1 MR. VARELA: Same objection, Your Honor.
2 May I take the witness on voir dire?

3 THE COURT: Yes, you may.

4 MR. VARELA: May we retire the jury?

5 THE COURT: Yes, you may.

6 All right. Ladies and gentlemen, would you
7 please go with the bailiff?

8 (Open court, defendant present, no jury)

9 THE COURT: Thank you. Please be seated.

10 MR. VARELA: Well, with the jury retired,
11 Your Honor, we'd ask for a Kelly hearing under the third
12 prong of Kelly.

13 THE COURT: Take the witness on voir dire.

14 **VOIR DIRE EXAMINATION**

15 **BY MR. VARELA:**

16 Q. Deputy, you testified that you had some
17 training in blood spatter or blood splatter analysis?

18 A. Yes, sir.

19 Q. What did that training consist of?

20 A. Basically, it consists of the way the -- the
21 way one can do a configuration of the blood. Basically,
22 trying to pinpoint where the person may have been
23 standing that shot the victim or may have been standing
24 that stabbed the victim. It was a real basic course.

25 Q. Okay. And where was this offered?

1 A. At the academy, Harris County Academy.

2 Q. How many hours of study of blood spatter did
3 you undergo?

4 A. I believe that particular course, I think it
5 was almost 40 hours.

6 Q. Forty hours?

7 A. Yes, sir.

8 Q. All right, sir. And did you render any
9 experiments yourself?

10 A. Class experiments, yes, sir.

11 Q. Were you given blood spatters to recognize and
12 graded on your responses to those?

13 A. Not to grade. The instructor basically graded
14 them, but, basically, what we did, we all would partake
15 in demonstrating different angles of bloodstains.

16 Q. My question is this: Were you examined on your
17 knowledge prior to graduating from that course? And by
18 that I mean this: Were you shown some examples of
19 spatters of blood, asked to determine where the person
20 was standing, what direction the spatter came from,
21 those sorts of things, and then were your responses
22 graded?

23 A. Responses were not graded. We had displays
24 where we had to do stringing methods that the instructor
25 had showed us, but it wasn't, per se, graded.

1 Q. So, you were never actually tested on your
2 knowledge that you acquired as a result of this class,
3 correct?

4 A. Correct.

5 Q. Let me ask you this. You obviously graduated
6 from high school?

7 A. Yes.

8 Q. Did you have any further training after that by
9 way of academic education?

10 A. Two years of college.

11 Q. Where?

12 A. Texas Southern.

13 Q. What did you study?

14 A. Didn't have a formal major at the time.

15 Q. Did you ever study things like fluid dynamics?

16 A. I haven't.

17 Q. Physics?

18 A. No.

19 Q. Biochemistry?

20 A. I have not.

21 Q. Basically, what you're relying on for your
22 knowledge of blood spatter is what some other police
23 officer told you, correct?

24 A. That I was taught from that police officer,
25 yes.

1 Q. And you were -- it's, basically, a system of
2 older, more experienced policemen teaching younger and
3 less experienced policemen?

4 A. Correct.

5 Q. And your instructors at your 40-hour course
6 were, basically, all policemen, correct?

7 A. Correct.

8 Q. None of them were like physicists or students
9 of fluid dynamics, that kind of thing. Correct?

10 A. Correct.

11 MR. VARELA: Pass the witness.

12 THE COURT: Do you have anything?

13 **VOIR DIRE EXAMINATION**

14 **BY MS. HARVEY:**

15 Q. The 40-hour course that you took, was that the
16 one course or the two courses together?

17 A. No. It was one course.

18 Q. And did you learn about the -- the shape of
19 blood specifically when dropped from a 90-degree angle?

20 A. Yes.

21 Q. And is that a -- is that a fairly basic type
22 knowledge of blood spatter or is that advanced?

23 A. No. It's basic.

24 MS. HARVEY: Pass the witness.

25 THE COURT: What is the question that

1 you're going to ask in the presence of the jury?

2 MS. HARVEY: Whether or not the circular
3 blood spatter reflects that it was dropped from a
4 90-degree angle.

5 THE COURT: And that was one of the
6 subjects that were covered in the course?

7 THE WITNESS: Yes, ma'am.

8 THE COURT: And is this something that you
9 have seen on other occasions during your employment as a
10 Crime Scene Unit investigator?

11 THE WITNESS: Yes, ma'am.

12 THE COURT: Objection is overruled. I'll
13 allow that question and answer.

14 Bring the jury in.

15 (Open court, defendant and jury present)

16 THE COURT: And you may proceed,
17 Ms. Harvey.

18 MS. HARVEY: Thank you, Your Honor.

19 **DIRECT EXAMINATION**

20 **CONT'D BY MS. HARVEY:**

21 Q. So, when we left off, we were looking at
22 State's Exhibit 63 and we were taking note of the blood
23 droplets that we see there on -- on the stair of the
24 tub. You had told us that those droplets exhibited a
25 circular pattern. Is that correct?

1 A. Yes.

2 Q. And what is it that a circular pattern
3 indicates about blood droplets?

4 A. Well, the circular pattern, basically,
5 indicates that the blood came straight down. It didn't
6 come at an angle. It came straight down at a 90-degree.

7 Q. So, whatever or whomever was dripping blood was
8 directly over those droplets when they were made?

9 A. Yes.

10 Q. On the victim's abdomen here in State's Exhibit
11 64, what is it that you saw?

12 A. It is a bullet fragment.

13 Q. In State's Exhibit 65, what is by Evidence
14 Marker No. 4?

15 A. By Marker No. 4, it's showing a revolver
16 handgun. It's on the floor of the bathroom. There's
17 also bloodstain drops and the gun is showing that the
18 hammer of the gun is back.

19 Q. And as we look at State's Exhibit No. 66, is
20 this, in fact, the gun that was recovered there at
21 State's Exhibit -- Evidence Marker No. 4?

22 A. Yes.

23 Q. Did you pick up State's Exhibit 66, this
24 revolver? Did you, in fact, investigate its contents?

25 A. Yes.

1 Q. And in doing that investigation, what did you
2 learn about the contents of the gun?

3 A. The contents of the gun, there were four spent
4 casings in the cylinder and there were two live rounds
5 in the cylinder.

6 Q. And as we look at State's Exhibit 67, are
7 those, in fact, the four spent casings that you
8 retrieved from the cylinder of State's Exhibit 66?

9 A. Yes.

10 Q. In State's Exhibit 68, is that, in fact, the
11 live ammunition that you recovered from the cylinder of
12 State's Exhibit 66?

13 A. Yes.

14 Q. In State's Exhibit 69, we see an evidence
15 marker there that is No. 5. And State's 70 is a
16 close-up of that evidence marker. Can you tell me what
17 that is?

18 A. It's a photograph showing evidence five is a
19 projectile.

20 Q. And was that projectile collected and submitted
21 into evidence?

22 A. Yes.

23 Q. And is State's Exhibit 71 that same recovered
24 projectile?

25 A. Yes.

1 Q. In State's Exhibit 72, we see some footwear in
2 that picture. Is that right?

3 A. Yes.

4 Q. And what is it that you saw there in terms of
5 footwear?

6 A. The footwear near the body are brown slippers.

7 Q. And if we take a look at State's Exhibit 73,
8 what we have marked is the bag that I'm going to be
9 offering, the bag and its contents. Do you know what
10 the contents of this bag are?

11 A. Yes.

12 Q. And was this collected by you?

13 A. Yes.

14 Q. Does it bear your initials?

15 A. It does.

16 Q. And the case number for the case?

17 A. Yes.

18 Q. And was it kept in a secure location pending
19 trial?

20 A. Yes.

21 MS. HARVEY: At this time, State offers
22 State's Exhibit 73, which would be the bag as well as
23 its contents.

24 **(State's Exhibit No. 73 Offered)**

25 MR. VARELA: No objection to 73 and its

1 contents.

2 THE COURT: 73 is admitted.

3 (State's Exhibit No. 73 Admitted)

4 Q. (By Ms. Harvey) Now, every time that you
5 collect evidence, you don't analyze it, correct?

6 A. Correct.

7 Q. You send it off to various locations, right?

8 A. Yes.

9 Q. And at each step of the way, whoever you send
10 it to to analyze it, are they opening these evidence
11 bags?

12 A. Yes.

13 Q. Are they then resealing them?

14 A. Yes.

15 Q. Do they make specific markings on those bags to
16 show that they have resealed them and kept the chain of
17 custody complete?

18 A. Yes.

19 Q. So, the additional evidence inside these bags
20 are from those various steps of analysis. Is that fair
21 to say?

22 A. It is.

23 Q. So, State's Exhibit 73, here we have the brown
24 slippers. Did these slippers exhibit specific staining
25 to them?

1 A. Yes.

2 Q. On the outside or the insides?

3 A. On the outside.

4 Q. Did you see any staining, anything that looked
5 like blood on the inside of the shoes?

6 A. No.

7 Q. As we look at State's Exhibit 74, I've actually
8 placed a sticky because it's a little hard to see. What
9 is it that we see in State's Exhibit 74 where there's a
10 sticky and an arrow pointing to it?

11 A. That is a bullet strike in the cabinet of the
12 bathroom counter.

13 Q. And as we look at State's Exhibit 75, is that a
14 close-up of that bullet strike?

15 A. Yes.

16 Q. Now, do you move the body?

17 A. I do not.

18 Q. Who moves the body?

19 A. The medical examiner investigators.

20 Q. Are you there and physically present when that
21 happens?

22 A. Yes.

23 Q. Do you then document the scene when that
24 happens?

25 A. Yes.

1 Q. So, as we're looking at State's Exhibit 76, we
2 can see that there's like a gloved hand at the top of
3 the picture here and the body has been rolled up onto
4 its side. And what is it that you observed underneath
5 the body?

6 A. Underneath the body was a projectile.

7 Q. And is State's Exhibit 77 a close-up of that
8 projectile?

9 A. Yes.

10 Q. And is State's Exhibit 78 the projectile
11 itself?

12 A. Yes.

13 Q. As we look at State's Exhibit 79, we can see
14 again here that the body has been rolled up onto its
15 side. And what, if anything, was notable about the back
16 side of the victim?

17 A. This particular photograph, the backside of the
18 victim shows a bullet fragment that is still -- that is
19 underneath his shirt on his back.

20 Q. And as we look at State's Exhibit 80, is that,
21 in fact, the fragment that's underneath his shirt,
22 correct?

23 A. Yes.

24 Q. Now, there's no hole in the body right there,
25 right?

1 A. I don't believe it is.

2 Q. But if we look back at State's Exhibit 79
3 towards the very tippy-top of the photograph, we see the
4 same thing that we see in State's Exhibit 81. And what
5 is that?

6 A. The photograph is showing the right side of the
7 complainant's chest. It's showing a gunshot wound and
8 it's showing another fragment, bullet fragment.

9 Q. Okay. And is that -- I know you said --

10 A. Excuse me. Excuse me. No. That is -- my
11 mistake. That's the back.

12 Q. And that fragment, then, is actually associated
13 with a hole there in his back. Is that fair to say?

14 A. Yes. I mean, it was two gunshot wounds to the
15 right side of his chest and I thought that was the chest
16 area.

17 Q. And State's Exhibit 82, that's listed here as
18 your Projectile No. 10. Is that the one that was
19 recovered from inside of his shirt?

20 A. Yes.

21 Q. And 83, is that the jacket fragment, then, that
22 we saw there in State's Exhibit 81?

23 A. Yes.

24 Q. In addition to all of the physical evidence
25 that you recovered at the scene, did you also swab any

1 areas for DNA?

2 A. Yes, there were items swabbed for DNA.

3 Q. And what areas did you specifically swab for
4 DNA?

5 A. The revolver was swabbed for DNA, but also
6 items inside the house. The master bedroom exterior
7 patio doorknob, the master bedroom interior patio
8 doorknob, the master bedroom floor -- bathroom floor --
9 excuse me -- master bathroom closet floor, the master
10 bathroom tub.

11 Q. When you swab an item for DNA, how is it that
12 you do that?

13 A. With the use of a sterile cotton applicator,
14 depending if the area is wet. If the area is dry, then
15 distilled water is used in order to -- that's applied to
16 the cotton applicator.

17 Q. And specifically with respect to the revolver
18 in this case, did you swab that revolver for DNA?

19 A. Yes.

20 Q. And was that done with a dry swab or a wet
21 swab?

22 A. With a wet swab.

23 Q. And is that done very lightly or is there
24 pressure applied?

25 A. There is a little pressure applied.

1 Q. I'm sorry?

2 A. There is a little pressure applied.

3 Q. And did you do that with respect to swabbing
4 that revolver?

5 A. I did.

6 Q. And I'm showing you what's been marked as
7 State's Exhibit 84. Do you recognize that (indicating)?

8 A. I do.

9 Q. And what is it?

10 A. These are the DNA swabs that were collected.

11 Q. Does it have your initials?

12 A. Oh, yes.

13 Q. And the unique identifier for this case?

14 A. The case number?

15 Q. Yes, sir.

16 A. Yes.

17 MS. HARVEY: State moves to admit State's
18 Exhibit 84 and its contents and tenders to opposing
19 counsel.

20 **(State's Exhibit No. 84 Offered)**

21 MR. VARELA: No objection to 84 and its
22 contents, Your Honor.

23 THE COURT: It's admitted.

24 **(State's Exhibit No. 84 Admitted)**

25 Q. (By Ms. Harvey) If we were to open up each of

1 those evidence packages, what does a swab look like?

2 A. Basically, it looks like a large Q-tip, but
3 only one end of the stick has a cotton applicator on it.

4 Q. There is one item that we haven't talked about.
5 I'm going to mark that as State's Exhibit 113. Do you
6 know what is in State's Exhibit 113?

7 A. Yes.

8 Q. And what is it?

9 A. It is the black floral pajama shirt.

10 Q. Where was it recovered from?

11 A. Inside of the second bedroom in a laundry
12 basket.

13 Q. And does it, in fact, match the pajama bottoms
14 that we have?

15 A. Yes.

16 Q. But was this found in the pile of clothing, the
17 wet clothing -- the wet clothing that was recovered from
18 the floor of the bedroom?

19 A. Was it found in the pile?

20 Q. Yes, sir.

21 A. No.

22 Q. Was this item wet or dry when you recovered it?

23 A. It was dry.

24 MS. HARVEY: State offers State's Exhibit
25 113, tenders to opposing counsel, the bag and its

1 contents.

2 **(State's Exhibit No. 113 Offered)**

3 MR. VARELA: No objection, Your Honor.

4 THE COURT: State's Exhibit 113 and its
5 contents are admitted.

6 **(State's Exhibit No. 113 Admitted)**

7 MS. HARVEY: Pass the witness.

8 **CROSS-EXAMINATION**

9 **BY MR. VARELA:**

10 Q. All right. Deputy Glover, let's direct your
11 attention to the gun safe first. Let's just talk about
12 that. Okay?

13 A. Okay.

14 Q. We've got a picture of a gun safe that's in
15 evidence as Exhibit No. 49. Let me back out.

16 All right. Showing you what's been
17 admitted into evidence as Exhibit No. 49. That's the
18 gun safe that we've been talking about all along,
19 correct (indicating)?

20 A. It is.

21 Q. The door to the gun safe was open as far as you
22 know, right?

23 A. Right.

24 Q. In other words, it was not locked like a safe
25 would be locked up?

1 A. Correct.

2 Q. Okay. And above the -- on the face of the
3 door, you can see a three-handled, I guess, an opening
4 wheel, correct?

5 A. Yes.

6 Q. A handle of some sort?

7 A. Yes.

8 Q. Above that would be a combination type lock, an
9 integral to the door, correct?

10 A. Yes.

11 Q. Let me direct your attention above those two
12 items. There is where the bullet strike is on the frame
13 of the safe, correct?

14 A. Yes.

15 Q. All right. And you actually observed that and
16 took these pictures of it, correct?

17 A. Yes.

18 Q. All right. Now, let's look at No. 40 -- excuse
19 me -- No. 50. That's nothing but a close-up; Exhibit 50
20 is nothing but a close-up of the bullet strike, right?

21 A. Yes.

22 Q. It's got a -- I guess, a quantity of blood
23 around it?

24 A. Yes.

25 Q. Looks like a high velocity spray of blood?

1 A. It does.

2 Q. And it's got some hair stuck to the door frame
3 of the safe as well, right?

4 A. It does.

5 Q. Okay. And then we've got the opened door of
6 the safe. Now, somebody came along later and opened the
7 door of the safe as shown in Exhibit 62, correct?

8 A. Correct.

9 Q. You looked at the interior of the safe, right?

10 A. I did.

11 Q. And on the top shelf, there's a handgun?

12 A. That was pointed out earlier, yes.

13 Q. Yes. I guess to the -- we talked, also, during
14 the State's presentation, about to the left and
15 underneath that top shelf is some boxes of rounds of
16 ammo, correct?

17 A. Correct.

18 Q. Then to the right now there are what appears to
19 be a couple of cases for long guns, right?

20 A. Correct.

21 Q. Did you inspect those guns?

22 A. We did not.

23 Q. Are there guns in the cases?

24 A. I cannot recall.

25 Q. Do you think it's important to take at least a

1 look and see what kind of firearms are in a gun safe
2 where a homicide has happened?

3 A. Yes.

4 Q. Okay. But you don't recall whether you or
5 anybody else took a look at those guns, right?

6 A. I don't remember if I physically took any
7 rifles or shotguns out of the cases, no.

8 Q. Okay. Let's talk about blood patterns. You
9 talked about having some qualifications to give opinions
10 about blood deposition or blood spray patterns or blood
11 droplet patterns, correct?

12 A. We discussed that I had some basic training,
13 yes.

14 Q. Yeah. That consisted of what, a 40-hour course
15 at the police academy?

16 A. Correct.

17 Q. And that course was taught by other policemen,
18 correct?

19 A. Correct.

20 Q. The people that taught that weren't like fluid
21 physicists or -- like physicists, like people that study
22 matter and motion, that kind of thing, correct?

23 A. No.

24 Q. All right. And your education consists of --
25 you went to high school?

1 A. Yes.

2 Q. A couple years of college?

3 A. Yes.

4 Q. But you never studied anything like fluid,
5 physics, or fluid dynamics or hydraulics, anything like
6 that, correct?

7 A. I did not.

8 Q. All right. Basically, what you rely on, when
9 you're giving opinions about blood patterns, is what
10 other policemen have told you about blood patterns,
11 right?

12 A. That's correct.

13 Q. Okay. You've never testified in court before
14 about blood patterns?

15 A. I haven't.

16 Q. So, this is your first time?

17 A. First time.

18 Q. And you said on direct examination by the
19 prosecutor that some -- in your opinion some blood that
20 had fallen down -- had fallen straight down
21 perpendicular to the ground, so to speak, or to the
22 object that it struck, right?

23 A. To the bathroom -- to the bathtub step, yes.

24 Q. Right. It would be possible, wouldn't it,
25 Officer, for blood to be projected from some other

1 location than directly above the spot it landed, right?

2 A. It is possible, yes.

3 Q. And according to you, that would give another
4 type of distinctive pattern, right?

5 A. According to me?

6 Q. Yes. In other words, if blood was -- blood
7 that falls down at a 90-degree angle to the ground gives
8 a circular pattern?

9 A. Correct.

10 Q. Blood that is projected at, say, a 45-degree
11 angle to the ground, or some other flat object, would
12 give a different pattern, right?

13 A. It would.

14 Q. But how about blood that would be projected
15 straight up somehow, would then fall down more or less
16 perpendicular to the ground; that would also give a
17 circular pattern, right?

18 A. From the training I had, not quite as a
19 90-degree angle.

20 Q. Did you measure the -- let's say the
21 concentricity of the blood droplets that you studied?

22 A. The blood drops at the scene?

23 Q. Yes.

24 A. No. The blood drops were not measured.

25 Q. To know if -- according to you now, to know if

1 a blood drop fell from a 90-degree angle, you would
2 expect to see perfect -- a perfectly round droplet,
3 correct?

4 A. A circular droplet, yes.

5 Q. A perfect circle, so to speak, right?

6 A. Well, I never indicated a perfect circle, but I
7 did say a circular pattern.

8 Q. But you'd want to measure that from several
9 different diameters to make sure it's as circular as you
10 would expect to see, right?

11 A. Correct.

12 Q. You didn't conduct that kind of measurement?

13 A. Well, a blood --

14 Q. No, sir. I asked a real simple --

15 A. It was not done.

16 Q. Did you -- I just asked you: Did you conduct
17 that kind of measurement, sir, and record the results?

18 A. The blood drop was not measured, no.

19 Q. Okay. All right. Next, let's talk about State
20 Exhibit No. 66. That is a revolver, correct?

21 A. Yes.

22 Q. And that's the same revolver that was seen at
23 the feet of the -- of Mr. Breaux at the scene, right?

24 A. Correct.

25 Q. And was it at his feet when you first saw it?

1 A. That's the location it was at when I was there,
2 yes.

3 Q. When you first saw it, it was between his feet,
4 right?

5 A. Yes. The -- the area was contained by the
6 primary deputies. When I get there, none of the
7 evidence is moved. So, the evidence is in the location
8 that it was found.

9 Q. Okay. And you swabbed that gun for DNA, right,
10 No. 66?

11 A. Yes. The gun was swabbed for DNA.

12 Q. Are you trained to lift prints off of physical
13 objects, sir?

14 A. I am.

15 Q. Did you lift any prints off the gun that's
16 marked as 66?

17 A. State's Exhibit 66?

18 Q. Yeah.

19 A. No. The gun was swabbed for DNA only.

20 Q. So, you didn't attempt to ascertain if any
21 fingerprints were on that gun?

22 A. No. The gun was not processed for latent
23 fingerprints.

24 Q. You showed some photographs earlier -- or you
25 were shown some photographs earlier while you were

1 talking to the prosecutor about some little sticky notes
2 on door frames throughout the house?

3 A. Yes.

4 Q. Do you remember those?

5 A. I do.

6 Q. Do I need to show you those pictures to refresh
7 your memory about them?

8 A. No.

9 Q. And they talked about "please lock the doors,"
10 that sort of thing?

11 A. Yes. The patio doors and the front door.

12 Q. You don't know how long those sticky notes had
13 been on those door frames, do you?

14 A. I do not.

15 Q. I guess you're not a sticky note expert?

16 A. I would not be.

17 Q. Okay. Let me direct your attention to the
18 shrimp on the counter. That was already cooked, wasn't
19 it?

20 A. I don't recall if it was boiled or it was still
21 fresh.

22 Q. Okay. But the rice had been cooked, correct?

23 A. I believe it was, yes.

24 Q. So, at least to a certain extent some of the
25 meal was already under preparation?

1 A. Yes.

2 Q. And there's been discussion of another firearm
3 and that's the -- what -- State's Exhibit No. 14.
4 Right? You recognize that, don't you?

5 A. I do.

6 Q. Now, that's a 380-caliber semiautomatic pistol,
7 correct?

8 A. It is.

9 Q. It shoots a different cartridge than the pistol
10 that's been identified as State's Exhibit 66, right?

11 A. Than a revolver, yes.

12 Q. The rounds that go into Exhibit No. 14 wouldn't
13 work in Exhibit No. 66, right?

14 A. It would not.

15 Q. And the rounds that function in Exhibit No. 66
16 wouldn't fit into Exhibit No. 14, right?

17 A. No.

18 Q. Did you find any projectiles that are
19 consistent with any firing from Exhibit No. 14?

20 A. The projectiles that I recovered in the
21 bathroom all appear to be the 45-caliber.

22 Q. Okay. And the 45-caliber is consistent with
23 State Exhibit No. 66, correct?

24 A. Yes, sir.

25 Q. And it's not consistent with Exhibit No. 14?

1 A. No.

2 Q. And a 45-caliber bullet, in fact, wouldn't even
3 fit down the barrel of Exhibit No. 14, right?

4 A. Correct, because it's a larger bullet.

5 Q. Because the .45 is a much larger caliber?

6 A. Yes.

7 Q. And the .380 is a much smaller caliber, right?

8 A. Yes.

9 Q. Okay.

10 MR. VARELA: We'll pass the witness.

11 THE COURT: Ms. Harvey.

12 MS. HARVEY: Thank you, Your Honor.

13 **REDIRECT EXAMINATION**

14 **BY MS. HARVEY:**

15 Q. Deputy Glover, would you mind refreshing your
16 memory with your offense report, specifically on Page 8
17 near the top?

18 A. What in particular?

19 Q. Were the -- both the knife and the gun
20 processed for latent fingerprints?

21 A. Yes.

22 Q. Were you able to develop any fingerprints off
23 of the knife?

24 A. No.

25 Q. Were you able to develop any fingerprints off

1 of the gun?

2 A. I was not.

3 MS. HARVEY: Pass the witness.

4 **RECROSS-EXAMINATION**

5 **BY MR. VARELA:**

6 Q. There's been some talk about a dog crate making
7 an indentation in a carpet. Do you recall observing
8 that, Officer -- or Deputy?

9 A. The dog kennel?

10 Q. Yeah.

11 A. Yes.

12 Q. The dog kennel actually made an impression in
13 the carpeting of the room, correct?

14 A. Correct.

15 Q. And it made a deep enough impression to where
16 you could see where the dog kennel fit into those
17 grooves, right?

18 A. Correct.

19 Q. You don't know from looking at the grooves how
20 long the dog kennel had been there to make those
21 grooves, right?

22 A. I do not.

23 Q. It's possible that it might not have been there
24 very long but would still leave an impression on the
25 carpet?

1 **BY MS. HARVEY:**

2 Q. Deputy, did it appear to you that the
3 indentation in the carpet had been there a good long
4 while?

5 A. Yes, it appeared that way. Yes.

6 MS. HARVEY: Pass the witness.

7 THE COURT: Mr. Varela.

8 **RECROSS-EXAMINATION**

9 **BY MR. VARELA:**

10 Q. Let's talk about the carpet. You had a chance
11 to study that carpet for a few minutes while you were
12 looking at the dog kennel impression, correct?

13 A. Correct.

14 Q. It's kind of a shaggier or fluffier carpet than
15 the carpet you see in the courtroom today, right?

16 A. Than this carpet, yes.

17 Q. This carpet in the courtroom, you would
18 describe as sort of a harder industrial-type carpet,
19 correct?

20 A. Correct.

21 Q. Be designed for some sort of like heavy use,
22 like in a courtroom?

23 A. Basically, yes.

24 Q. Or some other kind of public building, right?

25 A. Right.

1 Q. But the carpet you saw was fluffier, softer,
2 like a home carpet, correct?

3 A. Correct.

4 MR. VARELA: Okay. Pass the witness.

5 THE COURT: Anything further?

6 MS. HARVEY: No, ma'am.

7 THE COURT: May this witness be excused?

8 MS. HARVEY: Yes, Your Honor.

9 THE COURT: Thank you, sir. You may step
10 down and you're excused.

11 THE WITNESS: Thank you, ma'am.

12 THE COURT: Let me see the lawyers briefly.

13 (At the Bench, off the record)

14 (Open court, defendant and jury present)

15 THE COURT: All right. Ladies and
16 gentlemen, the prosecutor has indicated that there is
17 one short witness. So, we will do that witness before
18 breaking for the day.

19 You may call your witness.

20 MS. HARVEY: State calls Deputy Vu.

21 THE BAILIFF: Judge, this witness has not
22 been sworn.

23 (Witness sworn)

24 THE COURT: Thank you. Be seated.

25 You may proceed.