

1 jury can see you. If you want to face them and raise  
2 your right hand, I will give you the oath.

3 **(Witness Duly Sworn)**

4 **THE COURT:** Thank you. Please have a  
5 seat.

6 **THE WITNESS:** Thank you.

7 **ROY GLOVER,**

8 having been first duly sworn, testified as follows:

9 **DIRECT EXAMINATION**

10 **Q. (BY MS. BYRNE)** Deputy, would you please  
11 introduce yourself to the jury?

12 **A.** Yes. First name is Roy, last name is  
13 Glover.

14 **Q.** How are you employed?

15 **A.** I'm employed with the Harris County  
16 Sheriff's Office.

17 **Q.** What division are you in?

18 **A.** I work the Crime Scene Investigations  
19 division.

20 **Q.** How long has your career in the Harris  
21 County Sheriff's Office been?

22 **A.** Sixteen years.

23 **Q.** How long have you been in the Crime Scene  
24 Unit?

25 **A.** Ten years.

1           Q.     You're a certified peace officer in the  
2 state of Texas?

3           A.     Yes.

4           Q.     What sort of training and experience do you  
5 have that qualifies you to be a deputy in the Crime  
6 Scene division?

7           A.     In the Crime Scene division, I have taken  
8 specialty courses in forensics, courses taught by FBI  
9 instructors, D.P.S. instructors, and also latent  
10 prints examiners.

11          Q.     Specifically, what sort of training have  
12 you had in the area of fingerprints?

13          A.     In fingerprints, I have had basic and  
14 advanced comparison courses, basics and advanced  
15 latent recovery courses.

16          Q.     Generally speaking, what is a fingerprint?

17          A.     A fingerprint is a rolled impression that  
18 is made from the tips of one's fingers, and that  
19 impression can be used to identify individuals with.

20          Q.     Is it possible -- or do you know if there  
21 has ever been an instance where a person has the same  
22 fingerprint as another individual?

23          A.     No.

24          Q.     Okay. What about identical twins?

25          A.     No.

1           Q.     So, fair to say that everybody's  
2 fingerprint would be unique from that of anybody else  
3 in the world?

4           A.     Yes.

5           Q.     Okay. Now, generally speaking, what is a  
6 latent print?

7           A.     A latent print is a hidden print that one  
8 cannot see with the eye. That print has to be  
9 produced with fingerprint powder in order for the  
10 individual to see it.

11          Q.     The opposite of that, what is a patent  
12 print?

13          A.     A patent print is a known print, basically  
14 a print that is done with printer ink.

15          Q.     So, for example, on judgments and sentences  
16 from a court after somebody is convicted or on a jail  
17 card when somebody's being booked into the Harris  
18 County Jail, would those be latent or patent prints?

19          A.     Patent prints.

20          Q.     Okay. Because we know who the person  
21 making the print is, correct?

22          A.     Correct.

23          Q.     All right. Is it possible to compare an  
24 unknown print to a known print in order to make an  
25 identification?

1 A. Yes.

2 Q. Have you done that on few or many  
3 occasions?

4 A. Many occasions.

5 **MS. BYRNE:** Permission to approach the  
6 witness?

7 **THE COURT:** Yes, ma'am.

8 Q. **(BY MS. BYRNE)** Now, Deputy Glover, I  
9 believe you already have with you what's been marked  
10 as State's Exhibit 96, I believe.

11 A. Yes.

12 Q. Okay. So, for identification purposes,  
13 what is State's Exhibit 96?

14 A. This is an index card with the defendant's  
15 right thumb, right index finger; and also it has his  
16 name on the index card.

17 Q. Who placed the defendant's fingerprints on  
18 State's Exhibit No. 96.

19 A. I did.

20 Q. And when was that done?

21 A. It was earlier today.

22 Q. Okay. And do you see the person whose  
23 fingerprints you placed on State's 96 in the  
24 courtroom today?

25 A. Yes.

1           **Q.**     Could you please point to him and identify  
2 him by an article of clothing?

3           **A.**     This is the white male in the long sleeved  
4 light blue shirt and dark blue tie.

5                   **MS. BYRNE:**   May the record reflect the  
6 witness has identified the defendant?

7                   **THE COURT:**   The record will show that,  
8 please.

9                           **(Defendant Identified)**

10           **Q.**     **(BY MS. BYRNE)** Now, after you took the  
11 fingerprints of the defendant which are contained on  
12 State's Exhibit 96, were you given several certified  
13 documents to compare the known prints of the  
14 defendant in order to determine if the defendant's  
15 fingerprints are contained on any of these documents?

16           **A.**     Yes, I was.

17           **Q.**     Okay. Well, first, let me show you State's  
18 Exhibit No. 82. Did you compare the known prints of  
19 the defendant to the fingerprint on State's Exhibit  
20 No. 82?

21           **A.**     Yes.

22           **Q.**     And do you have an opinion as to whose  
23 fingerprint is on State's Exhibit 81?

24           **A.**     Yes.

25           **Q.**     And whose is that?

1           A.       The defendant's.

2           Q.       Okay. Let me show you State's Exhibit  
3 No. 83. Were you able to compare the fingerprint of  
4 the defendant on State's 96 to the fingerprint on  
5 State's Exhibit 83?

6           A.       Yes.

7           Q.       Do you have an opinion as to whose  
8 fingerprint is on State's Exhibit 83?

9           A.       Yes.

10          Q.       And what is that opinion?

11          A.       It's the defendant's, also.

12          Q.       Okay. Now, let me show you State's Exhibit  
13 No. 85. Were you able to compare the known  
14 fingerprint that you took of the defendant on State's  
15 96 to the fingerprint on State's Exhibit 85?

16          A.       Yes.

17          Q.       Do you have an opinion as to whose print is  
18 on State's Exhibit 85?

19          A.       Yes.

20          Q.       And whose is it?

21          A.       The defendant's.

22          Q.       Now, let me show you State's Exhibit  
23 No. 84. The fingerprint on State's Exhibit 84, was  
24 it of sufficient quality for you to be able to make  
25 an identification?

1 A. It was not.

2 Q. Okay. Let me show you what's already been  
3 introduced into evidence as State's Exhibit No. 81.  
4 Are you familiar with jail cards?

5 A. Yes.

6 Q. Okay. Were you able to find the  
7 corresponding jail card in State's Exhibit 81 that  
8 would link up to this judgment, State's Exhibit 84?

9 A. Yes.

10 Q. Was there a fingerprint on that jail card  
11 in connection to that cause number in that incident?

12 A. Yes.

13 Q. Were you able to look at the jail card --  
14 the fingerprint on the jail card in State's  
15 Exhibit 81 and compare it to the known print of the  
16 defendant in State's Exhibit 96?

17 A. Yes.

18 Q. Do you have an opinion as to whose  
19 fingerprint it is?

20 A. Yes.

21 Q. And whose is that?

22 A. It is also the defendant's fingerprint.

23 Q. In addition to that fingerprint on the jail  
24 card, does the cause number on State's Exhibit 84  
25 match up to the jail card in State's Exhibit 81?

1           A.       Yes.

2                       **MS. BYRNE:** I offer State's Exhibits  
3       82, 83, 84, and 85 into evidence and tender to the  
4       Defense for inspection.

5                       **MS. WILLIAMS:** No objection.

6                       **THE COURT:** Thank you. 82 through 85  
7       are admitted.

8           **Q.**       **(BY MS. BYRNE)** Generally speaking, Deputy  
9       Glover, what do we refer to State's Exhibits 82  
10      through 85 as?

11          A.       Judgment and Sentences.

12          **Q.**       Okay. Are they the court documents once  
13      somebody is convicted of an offense?

14          A.       Yes.

15          **Q.**       One second here.

16                       I'm showing you what has been  
17      introduced into evidence as State's Exhibit 82. Can  
18      you tell us what cause number State's Exhibit 82 is?

19          A.       0418541.

20          **Q.**       And to what defendant does this document  
21      belong to?

22          A.       Timothy Wayne Fisher.

23          **Q.**       And what county did this occur in?

24          A.       Williamson County.

25          **Q.**       Okay. And what is this a judgment for?

1 A. Possession of marijuana.

2 Q. And the date of this conviction?

3 A. April 22nd, looks like 2004.

4 Q. Okay. And the fingerprint that we can see  
5 on the screen, is that the fingerprint you made a  
6 comparison to?

7 A. Yes.

8 Q. Let me show you State's Exhibit No. 83.

9 What is the cause number on State's Exhibit 83?

10 A. 04-1855-1.

11 Q. What defendant does this belong to?

12 A. Timothy Wayne Fisher.

13 Q. What county was this conviction out of?

14 A. Williamson County.

15 Q. And what was the defendant convicted of?

16 A. Fail to identify give false/fictitious  
17 info.

18 Q. Okay. What does the date of that  
19 conviction appear to be?

20 A. April 22, 2004.

21 Q. And is the fingerprint that we can see on  
22 the screen, is that the fingerprint you made the  
23 comparison to of the defendant?

24 A. Yes.

25 Q. Showing you State's Exhibit No. 84. What's

1 the cause number in State's Exhibit 84?

2 A. 11514379.

3 Q. To what defendant does this belong?

4 A. Timothy Wayne Fisher.

5 Q. What county does this conviction belong to?

6 A. Harris County.

7 Q. And can you see the date the sentence was  
8 to begin?

9 A. March 17, 2008.

10 Q. And what was the defendant convicted of?

11 A. Possession of drug paraphernalia.

12 Q. Let me show you State's Exhibit No. 85.

13 Can you see the cause number on State's Exhibit 85?

14 A. Yes.

15 Q. Okay. What is it?

16 A. 1583411.

17 Q. To what defendant does this judgment  
18 belong?

19 A. Timothy Fisher.

20 Q. And what county did this conviction occur?

21 A. Harris County.

22 Q. What was the defendant convicted of?

23 A. Possession of marijuana.

24 Q. And can you see the date the sentence was  
25 imposed on this conviction?

1 A. May 28, 2009.

2 Q. Finally, I'd like to show you State's  
3 Exhibit No. 86. Do you recognize the type of  
4 document that State's Exhibit 86 is? Is this also a  
5 Judgment and Sentence?

6 A. Yes.

7 Q. Okay. And State's Exhibit No. 86 --

8 **MS. BYRNE:** I offer State's 86 into  
9 evidence and tender to the Defense for inspection.

10 **MS. WILLIAMS:** No objection.

11 **THE COURT:** Admitted.

12 Q. (**BY MS. BYRNE**) Okay. Deputy, let me show  
13 you State's 86. Can you see the cause number in  
14 State's 86?

15 A. Yes.

16 Q. What is it?

17 A. 020201227.

18 Q. And to whom does this judgment pertain to?

19 A. Timothy Wayne Fisher.

20 Q. Okay. And in what court and county did  
21 this occur?

22 A. In juvenile court, looks like Montgomery  
23 County.

24 Q. Okay. Okay. And what is the physical  
25 offense that this judgment pertains to?

1 A. Aggravated robbery, first-degree felony.

2 Q. Okay. And if you can tell from the  
3 document -- well, let me ask you this: What's the  
4 second conviction that this judgment pertains to?

5 A. Evading arrest, detention with vehicle.

6 Q. Okay. And do you see the date on this  
7 offense?

8 A. June the 28th, 2002.

9 Q. Actually, can you look at the date again?

10 A. Oh, 26th. Excuse me.

11 Q. Okay. Let me ask you this: Let me show  
12 you that first paragraph. Right here (indicating.)  
13 Can you take a look at that and let me know when  
14 you're ready?

15 A. Okay.

16 Q. Okay. Does it indicate what type of  
17 weapon, if any, was used in the commission of  
18 aggravated robbery?

19 A. It was a hammer.

20 Q. And does it indicate how the hammer --  
21 where the person was struck during the -- during the  
22 course of committing a theft of property with the  
23 hammer.

24 A. It does.

25 Q. And where is that?

1 A. The head.

2 **MS. BYRNE:** I pass the witness.

3 **THE COURT:** Thank you.

4 **CROSS-EXAMINATION**

5 **Q.** (BY MS. WILLIAMS) Deputy Glover, my name is  
6 Clyde Williams. We saw each other back in the  
7 holdover; is that correct?

8 A. Yes.

9 **Q.** And we have never met before, have we?

10 A. We have not.

11 **Q.** And before this morning, had you ever met  
12 Timothy --

13 A. I haven't.

14 **Q.** -- Fisher?

15 A. I haven't.

16 **Q.** Okay. And of your own personal knowledge,  
17 would it be correct to say that you know nothing  
18 whatsoever about the circumstances of the judgments  
19 and sentences?

20 A. Yes, it would be correct to say that.

21 **Q.** And your -- your knowledge would be limited  
22 to the face of the documents?

23 A. Yes.

24 **Q.** You wouldn't know what kind of an attorney  
25 he had?

1 A. No.

2 Q. Or if he waived counsel in any of his  
3 cases; is that correct?

4 A. That's correct.

5 Q. And just one -- and I assume that you  
6 didn't take the time to figure out his age at the  
7 time of the commission of the -- these -- at the time  
8 of these convictions?

9 A. No, I do not know his age.

10 Q. And I think you said, and correct me if I'm  
11 wrong, earlier that you take finger -- the tips of  
12 the fingers to -- to fingerprint. Did I understand  
13 you correctly?

14 A. No, ma'am. I was asked what is a  
15 fingerprint earlier, and I was explaining that it's a  
16 rolled impression that is taken from the tips of  
17 one's fingers.

18 Q. And by "tips," what do you mean?

19 A. When I say "tip," I mean the tip of your  
20 finger. This section here (indicating.)

21 Q. Not this (indicating)?

22 A. No.

23 **MS. WILLIAMS:** Pass the witness.

24 **THE COURT:** Thank you.

25 **MS. BYRNE:** Nothing further.

1                   **THE COURT:** Is this witness excused?

2                   **MS. BYRNE:** No objection.

3                   **MS. WILLIAMS:** No objection, Your  
4 Honor.

5                   **THE COURT:** Thank you so much, Deputy.

6                   **THE WITNESS:** Thank you, ma'am.

7                   **(Witness released)**

8                   **MS. BYRNE:** The State calls Kirk  
9 Bonsal.

10                  **THE COURT:** Thank you.

11                  **THE BAILIFF:** Judge, this witness has  
12 not been sworn.

13                  **THE COURT:** Thank you.

14                               Come on up, please. Yeah, you can  
15 come on around. And if you will stop and turn and  
16 face the jury and raise your right hand, I will give  
17 you the oath.

18                               **(Witness Duly Sworn)**

19                  **THE COURT:** Thank you. You may have a  
20 seat, sir.

21                  **THE WITNESS:** Thank you.

22                               **KIRK BONSAI,**  
23 having been first duly sworn, testified as follows:

24                               **DIRECT EXAMINATION**

25                   **Q.       (BY MS. BYRNE)** Could you introduce yourself