

1 MR. MARTIN: Very briefly, if I may.

2 The State will prove to you very
3 simply and very quickly that young Kamron Kelly
4 suffered serious bodily injury and died as a result
5 of that serious bodily injury. There will be no
6 dispute about any of that. But I ask you to wait
7 until you judge all the evidence to see if they have
8 proven that Nathaniel Flowers is criminally
9 responsible for it as set out in the indictment, if
10 they have proven all of that beyond a reasonable
11 doubt.

12 Thank you.

13 THE COURT: Ms. Oncken, please call
14 your first witness.

15 MS. ONCKEN: The State calls Sherry
16 Rowe Langford.

17 THE COURT: Raise your right hand for
18 me, please, ma'am.

19 (Witness sworn.)

20 THE COURT: Have a seat.

21 SHERRY ROWE LANGFORD,
22 having been first duly sworn, testified as follows:

23 DIRECT EXAMINATION

24 Q. (BY MS. ONCKEN) Good morning.

25 A. Hi.

1 Q. Can you please introduce yourself to the
2 jury?

3 A. I'm Officer Sherry Rowe Langford.

4 Q. Okay. And where do you work? I think I
5 can take a guess, but...

6 A. For the Houston Police Department, the
7 crime scene unit.

8 Q. And how long have you been an officer with
9 H.P.D.?

10 A. Thirteen years.

11 Q. And how long -- or since when have you been
12 working with the crime scene unit?

13 A. I'm doing my sixth year now.

14 Q. And I'm going to guess that
15 unfortunately -- have you made few or many homicide
16 scenes in the last six years?

17 A. Many.

18 Q. What is the role of a C.S.U. at H.P.D.
19 homicide?

20 A. The crime scene investigators collect and
21 process the evidence. We take the evidence to the
22 property room where the lab picks it up and processes
23 it from there.

24 Q. And in terms of your duties at the crime
25 scene, can you tell us about that?

1 A. We basically are death investigators. We
2 investigate all suspicious deaths, anything outside
3 of car accidents and any natural death that is a
4 little odd.

5 Q. Okay. And would it be fair to say that you
6 and your unit assist the homicide detectives in
7 gathering evidence and documenting evidence?

8 A. Yes.

9 Q. Let me turn your attention back to March
10 31st of 2010. Were you working in the C.S.U. unit at
11 that time?

12 A. Yes, I was.

13 Q. And were you going by just Sherry Rowe at
14 the time?

15 A. Yes, I was.

16 Q. Have you been married recently?

17 A. Yes, ma'am.

18 Q. Congratulations.

19 A. Thank you.

20 Q. Did you receive a call that led you to go
21 to the L.B.J. Hospital?

22 A. Yes, I did.

23 Q. Okay. And do you know -- and if you need
24 to refresh your memory with your report, please do.
25 Do you know about what time you would have gone over

1 on the 31st to the hospital?

2 A. I arrived at the hospital at 8:43.

3 Q. And do you know what time you received the
4 call?

5 A. I received the call at 8:30. This is in
6 the evening.

7 Q. Now, do you know -- when I say received a
8 call, do you know who that came from? Or who calls
9 you?

10 A. The homicide hold desk calls me, and from
11 there -- we are dispatched out of homicide. And, so,
12 from there we just -- we go to the scene. We really
13 don't have a lot of information when we go out to the
14 scene.

15 Q. Okay. So, did you even know -- okay. You
16 know you're going to a hospital. Do you know what
17 kind of case you might be processing or working on?

18 A. In this particular case?

19 Q. Yes, ma'am.

20 A. Yes. I knew that I had a baby that was in
21 crisis, and that's really all I knew going into the
22 case.

23 Q. And you said that y'all do death
24 investigations?

25 A. Yes.

1 Q. Do you also work as a homicide unit and a
2 C.S.U. on cases involving physical injury to
3 children?

4 A. Yes, we do.

5 Q. Okay. So, what happened when you arrived
6 at the hospital?

7 A. When I arrived at the hospital, I -- as I'm
8 pulling in, the -- the police units park in the same
9 place that the ambulance parks. And I was met by the
10 ambulance personnel who had brought the child in.

11 Q. Okay.

12 A. And they made a point to stop me and
13 explained that they felt --

14 MR. MARTIN: Objection to the hearsay,
15 Judge.

16 THE COURT: Sustained.

17 Q. (BY MS. ONCKEN) Without going into what
18 they say, was there some concern about the situation?

19 A. Yes. They had some concerns and wanted me
20 to look.

21 Q. Okay. And, so, what did you do?

22 A. I went into the hospital and I found the
23 child and then I observed the injuries on the child.

24 Q. Okay.

25 MS. ONCKEN: May I approach the

1 witness?

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

3 Q. (BY MS. ONCKEN) I'm going to hand you what
4 has been marked as State's 32 through 35 and ask you
5 if you can identify these photographs.

6 A. Yes, ma'am.

7 Q. Okay. And how is it that you can identify
8 them?

9 A. Because I took them.

10 Q. Okay. And the infant that we see in these
11 photographs, is that the baby that you were
12 dispatched --

13 A. Yes, ma'am.

14 Q. -- in reference to? Okay. And did you
15 become aware at some point of the infant's name?

16 A. Yes.

17 Q. Okay. And what was it?

18 A. Kamron Deshawn.

19 Q. Okay. Is that first and middle?

20 A. That is what I was given at the hospital.

21 Q. Okay. All right. And you said you took
22 these photographs; is that correct?

23 A. Yes, ma'am.

24 Q. All right.

25 *MS. ONCKEN:* Tender 32 through 35 to

1 counsel for any objection and offer into evidence.

2 MR. MARTIN: No objections, your
3 Honor.

4 THE COURT: Being no objections,
5 State's 32 through 35 will be admitted.

6 MS. ONCKEN: All right. May I
7 publish, your Honor?

8 THE COURT: Yes, ma'am.

9 Q. (BY MS. ONCKEN) And State's 32, what do we
10 see?

11 A. The baby is -- at this point the medical
12 staff is trying to stabilize him so they can
13 transport him through the Texas Children's Kangaroo
14 Unit to Texas Children's. And --

15 Q. Who are the specialists; is that right?

16 A. Yeah, the specialists in a case like this.
17 And in this case they moved away just so I could take
18 those photos. So, I did not get as thorough an
19 examination because they were still working on him.

20 Q. And all the tubes and the wires and
21 everything that we see, that's part of the medical
22 intervention?

23 A. Exactly. Yes, ma'am.

24 Q. Okay. State's Exhibit 33, is that a
25 closeup of his face?

1 A. Yes, ma'am.

2 Q. Now, State's Exhibit 34, is this your pin?
3 Are you pointing?

4 A. No. The nurses are pointing at this for
5 me.

6 Q. As you take the photographs?

7 A. Yes, ma'am.

8 Q. And what was it of note that you were
9 taking in this photograph?

10 A. His lips are bruised, swollen, busted.

11 Q. Okay. And I'll go forward. Maybe a little
12 bit clearer in State's 35. Did you observe both the
13 top and the bottom lip to have bruising or cuts?

14 A. Yes, ma'am, I did.

15 Q. Did you note that or was it one of the
16 nurses or somebody from the hospital that pointed it
17 out, if you recall?

18 A. Well, I -- it went from the paramedics to
19 me to -- yes, they wanted to show me.

20 Q. Okay. So, you were alerted specifically to
21 his mouth area?

22 A. Yes, ma'am.

23 Q. All right. Now, you had said that they
24 were working and they briefly allowed you to go in
25 and take photos. Can you describe sort of the

1 activity there in the emergency room? Were they
2 calm, or was everyone sort of rushing around?

3 A. They were definitely rushing around trying
4 to stabilize him for transport.

5 Q. Okay. Did you ever try to speak to anybody
6 or interview witnesses? And, I guess, really is that
7 part of your job?

8 A. No, ma'am.

9 Q. Okay. So, did you have an occasion to
10 actually try to talk to any family members while you
11 were there?

12 A. No, ma'am.

13 Q. Okay. What, if anything, did you do next?

14 A. After he was transported --

15 Q. To Texas Children's.

16 A. -- to Texas Children's? Actually, I took
17 my photos. And then from that point, I'm waiting on
18 my homicide investigators to obtain a consent to
19 search; and then we go to the house.

20 Q. Okay. Now, who were the homicide
21 investigators that were with you that day?

22 A. Sergeant Ben Williams and Sergeant Robert
23 Torres.

24 Q. And where did they meet you?

25 A. At the hospital.

1 Q. Okay. At still L.B.J.?

2 A. Yes, at L.B.J.

3 Q. Now, did you ever have occasion to go to
4 Texas Children's?

5 A. No, ma'am, I did not.

6 Q. Okay. And when Sergeant Williams and
7 Sergeant Torres arrived at the hospital, did they
8 obtain a consent to search where they think the crime
9 occurred?

10 A. Correct.

11 Q. Were you present for that?

12 A. Not for them obtaining the consent.

13 Q. Okay. Were you present at another point in
14 regard to the consent?

15 A. I --

16 Q. In other words, did you witness the form?

17 A. Yes, ma'am.

18 Q. Okay. That was what I was badly trying to
19 ask.

20 A. I'm sorry.

21 Q. That's okay.

22 MS. ONCKEN: May I approach, Judge?

23 THE COURT: Yes, ma'am.

24 Q. (BY MS. ONCKEN) Okay. I'm going to show
25 you what's been marked as State's 89 and ask if you

1 recognize this document or see your signature on it.

2 A. Yes.

3 Q. And how do you recognize State's 89?

4 A. It's got my signature at the bottom.

5 Q. Okay. And what type of document is this?

6 A. This is just a voluntary consent to search.

7 They just sign this and say I can go in, I can take

8 photographs, I can take things that I need that I

9 believe will pertain to this case.

10 Q. Okay. And the location specifically that
11 we're talking about is where?

12 A. Is the address where the child was at.

13 Q. At the time of the offense?

14 A. Yes.

15 Q. Which is?

16 A. 7201 Hallshire, Apartment 235.

17 Q. All right.

18 MS. ONCKEN: At this time State offers
19 Exhibit 89. Tenders to counsel for any objection.

20 MR. MARTIN: We have no objection,
21 your Honor.

22 THE COURT: Being no objection,
23 State's 89 will be admitted.

24 Q. (BY MS. ONCKEN) So, generally speaking, you
25 said this is a consent form. And from whom was this

1 consent gotten?

2 A. Sergeant Williams. And was it Shara Kelly?

3 Q. Uh-huh. My eyes, even with glasses, aren't
4 that good. Yes. It does say "Shara Kelly."

5 A. Shara Kelly.

6 Q. And do you know who Shara Kelly is in
7 relation to this case?

8 A. Right now years later, I don't remember.

9 Q. And I guess what I'm asking is: Do you
10 know if --

11 A. I think it's the mother.

12 Q. Okay.

13 A. But --

14 Q. Fair enough. Do you know if this Shara
15 Kelly resided at the apartment?

16 A. Yes.

17 Q. Okay. So, in other words, she's someone
18 who would have authority --

19 A. Yes.

20 Q. -- to give you consent?

21 Roxanne is looking at me.

22 A. I know. I'll slow down.

23 Q. All right. And the other signature we're
24 looking at, the very bottom signature, that is kind
25 of hard to see from here. Is that your name?

1 A. Yes.

2 Q. S. Rowe?

3 A. Yes, ma'am.

4 Q. And above yours, do you know who else
5 signed that?

6 A. I think that's Ben Williams.

7 Q. Okay. Now, why is it important to get
8 consent before you go inside someone's home? Is that
9 legal to do otherwise, if you didn't have consent?

10 A. Not at my stage.

11 Q. Right. Not at your stage?

12 A. Correct.

13 Q. Without a warrant?

14 A. Correct.

15 Q. Okay. So, you had to do this to be able to
16 go to the home and document?

17 A. Yes.

18 Q. So, is that what you do?

19 A. Yes, ma'am.

20 Q. Did anyone go with you?

21 A. Ben Williams.

22 Q. Okay. And did anybody from the family or
23 anybody who lived at this apartment go with you or
24 help you open it up?

25 A. The child's uncle, I believe, Alex Acosta,

1 let us into the apartment. He's a key holder.

2 Q. Okay. So, he came with a key and let y'all
3 in?

4 A. Uh-huh.

5 Q. All right.

6 MS. ONCKEN: May I approach again?

7 THE COURT: Yes.

8 Q. (BY MS. ONCKEN) All right. I'm going to
9 hand you a stack of photographs marked State's 36
10 through 83 and ask you to flip through those just to
11 see if you can identify and recognize them.

12 A. (Complies.)

13 Yes, ma'am.

14 Q. Okay. Yes, you can identify the
15 photographs?

16 A. Yes, ma'am.

17 Q. Okay. How is it that you can identify
18 them?

19 A. Because I took them.

20 Q. Okay. And do they accurately represent the
21 apartment at 7201 Hallshire, Apartment Number 235, on
22 March the 31st, 2010?

23 A. Yes, ma'am.

24 Q. Okay. And finally -- well, probably not
25 finally. Let's look at State's Exhibit 31. And I'll

1 ask you -- can you identify this document?

2 A. Yes, ma'am.

3 Q. And how can you identify it?

4 A. This is a two-dimensional diagram that I
5 did from the scene.

6 Q. Did you create this diagram?

7 A. Yes, ma'am.

8 Q. And does it accurately reflect the
9 Hallshire apartment?

10 A. Yes, ma'am.

11 Q. Okay.

12 MS. ONCKEN: At this time State offers
13 Exhibit 31 and 36 through 83. Tenders to counsel for
14 any objection.

15 MR. MARTIN: We have no objection.
16 She's given me copies of the slide.

17 THE COURT: Okay. Being no objection,
18 State's 31 will be admitted as well as 36 through 83.

19 Q. (BY MS. ONCKEN) All right. Let's start
20 with this first photograph, State's 36. What kind of
21 picture is this?

22 A. This is a coversheet that just identifies
23 the address, the date, the case number of the
24 photographs.

25 Q. State's Exhibit Number 37, can we see the

1 outside of the apartment?

2 A. Yes, ma'am.

3 Q. Okay. And does that help document the
4 location?

5 A. Yes, ma'am. It's the second story.

6 Q. All right. State's Exhibit Number 38, now
7 we have -- obviously you've entered inside the
8 apartment?

9 A. *(Nods head.)*

10 Q. Can you tell the jury what area of the
11 apartment we are in right now?

12 A. When you enter the apartment, this is the
13 living room.

14 Q. Okay. And if you can -- by pointing to the
15 screen next to you, can you show us where the front
16 door would be? I know you can't see it in this
17 photograph, but --

18 A. All right. Let's see here. The mattress
19 is going to be opposite of the front door. So, the
20 front door is, like, in this little cubby hole right
21 in here.

22 Q. Okay. And you can point --

23 A. *(Indicating.)*

24 Q. There you go.

25 A. It's a little off.

1 Q. So, the sheet or the drapery, is that
2 covering the front window?

3 A. Yes, it is.

4 Q. Okay. And the front door would be a few
5 feet to its right?

6 A. Yes, ma'am.

7 Q. From the way we're looking.

8 A. *(Nods head.)*

9 Q. All right. And maybe it would be better --
10 we'll look at your scene diagram real quick.

11 A. Yes.

12 Q. All right. So, can you show the jury,
13 orient them with the front door by pointing on the
14 screen?

15 A. Here's your front door. *(Indicating.)*

16 Q. I cannot --

17 A. I know. There's -- there we go. The
18 little 235, that's the house number, the door
19 numbers.

20 Q. Okay. Fantastic.

21 THE COURT: Can you zoom in on that at
22 all?

23 MS. ONCKEN: Well, here. I'll switch
24 over.

25 Q. *(BY MS. ONCKEN)* Okay. I tried to get fancy

1 and it didn't work. All right. So, right here's our
2 front door?

3 A. Yes, ma'am.

4 Q. Okay. So, when you walk in, this is just
5 basically you walk into a wall almost?

6 A. Into a closet.

7 Q. Okay. And then over here is also a wall?

8 A. Yes, ma'am.

9 Q. So, as you walk in, you turn to the right.
10 And this area in here is going to be the what?

11 A. The living room.

12 Q. All right. And, obviously, we can see,
13 like, the mattress so we sort of know where we are.

14 A. Correct.

15 Q. All right. Heading into the left a little
16 bit, we see a rectangle and one, two, three, four,
17 five little squares. What does that designate?

18 A. Dining room table.

19 Q. Okay. And then moving beyond a little bit,
20 what is this area that I'm pointing to here?

21 A. Kitchen.

22 Q. All right. And then -- okay. I guess you
23 would have to come back through the living room. And
24 how is it that we can access the bedrooms?

25 A. Can you see from my -- if I -- yes, you

1 can.

2 Q. There we go.

3 A. There we go. Okay. There is a dining room
4 chair just sitting in a hallway.

5 Q. Okay.

6 A. That's what that is. And, so, there's one
7 bedroom down there. And then you turn down here to
8 the other bedroom.

9 Q. Okay. So, is it right that -- okay. This
10 is a door to a bedroom where I'm pointing?

11 A. Yes, ma'am.

12 Q. And that's a door to a bedroom?

13 A. Yes, ma'am.

14 Q. Okay. So, then in between the two bedrooms
15 we have?

16 A. A bathroom.

17 Q. A bathroom. There we go. And this second
18 bedroom, was that of interest?

19 A. Yes, ma'am. This is the baby's room.

20 Q. Okay. The room that's designated with the
21 crib in the corner?

22 A. Yes, ma'am.

23 Q. All right. That helps. Now, I'll try to
24 go back to the photographs. State's 39. Okay. So,
25 are we just sort of moving away from the front window

1 into the living room?

2 A. Correct.

3 Q. Okay. And in the corner, there's a small
4 brown table, I think. And I think it's designated on
5 your scene diagram, "table"?

6 A. Table.

7 Q. Moving forward, just sort of a closeup.
8 All right. State's 42, what area can we see here?

9 A. This is if you -- if you are standing at
10 the doorway -- not doorway but the edge of the
11 hallway and you're looking back into the living room
12 and the dining room. So, you can see the kitchen.
13 You can see that edge of the little table that she
14 just pointed out and then the edge of the dining room
15 table. But I'm getting ready to turn and pan into
16 the bedroom area.

17 Q. Okay. And before we do that, obviously
18 this is a closeup of the dining room table?

19 A. Yes, ma'am.

20 Q. Okay. And State's Exhibit 44, was that of
21 some interest?

22 A. Yes, ma'am.

23 Q. And what are the two items that we see?

24 A. Gripewater and then prescription meds for
25 the baby.

1 Q. Okay. And were these two items right there
2 where you photographed them, or did you move them?

3 A. They were there.

4 Q. Okay. Now, State's 45, are we looking into
5 the hallway?

6 A. Yes. If you see that's the edge of the
7 dining room table, that kind of helps orient you now
8 into the hallway; and there's the dining room table
9 chair sitting in the hallway.

10 Q. Sitting in the hallway. And then 46,
11 closeup of, like, a hall closet.

12 A. Yeah. It's more of a shelf because it
13 doesn't really have a door to it like a closet would.

14 Q. And basically just diapers and other things
15 in there?

16 A. Uh-huh.

17 Q. All right. State's 47, is this the door to
18 one of the bedrooms?

19 A. Yes, it is.

20 Q. And do you know which one?

21 A. It's the door to the bedroom on the
22 southeast corner, the baby's bedroom.

23 Q. The baby's bedroom. Okay.

24 A. Southwest. Forgive me.

25 Q. It's okay. And it says -- what does it say

1 on the door?

2 A. "Shara --"

3 Q. If you can read it.

4 A. Yeah. It's -- is it "Shara" -- "Shara and
5 Kamron."

6 Q. You can look just to your left.

7 A. Yes. "Shara and Kamron. Stay out."

8 Q. Okay. Now, is this the interior of the
9 baby's bedroom?

10 A. Yes.

11 Q. Okay. Generally, what items do we have in
12 there, furniture?

13 A. We have the bed, we have a crib, baby
14 supplies, a box fan up on a cardboard box.

15 Q. Okay. And moving forward, just another, I
16 guess, shot from the doorway?

17 A. Yes, ma'am.

18 Q. Okay.

19 MR. MARTIN: I'm sorry. What number
20 is that?

21 MS. ONCKEN: The shot from the doorway
22 is Number 49.

23 MR. MARTIN: Okay. Thank you.

24 MS. ONCKEN: Sorry. I'm just sort of
25 moving through kind of quickly.

1 Q. (BY MS. ONCKEN) State's 50. Now, State's
2 51. And you had mentioned some baby items?

3 A. Yes, ma'am.

4 Q. Are we starting to see some of those items
5 in 51?

6 A. Yes, ma'am.

7 Q. Okay. Fifty-two is a little bit more of a
8 closeup. Can you describe what you saw?

9 A. The warmer. A --

10 Q. Hold on just a second. When you say "a
11 warmer," what kind of warmer?

12 A. Bottle warmer.

13 Q. Okay.

14 A. The little plastic bottles, baby bottles.
15 And these are pacifiers soaking.

16 Q. Okay. And I think I'll go to the next
17 slide. Fifty-three. Okay. And looks like, you
18 said, pacifiers were soaking?

19 A. Yes, ma'am.

20 Q. In maybe, like, a plastic margarine tub?

21 A. Or Cool Whip.

22 Q. Okay. And then next to the pacifiers, it
23 looks like three different baby bottles; is that
24 right?

25 A. Yes, ma'am.

1 Q. Can you tell the jury: Were those bottles
2 glass or plastic?

3 A. Plastic.

4 Q. Okay. State's 54, again, the white item is
5 used to what? You would insert a bottle and it warms
6 it up?

7 A. Yes, ma'am.

8 Q. Okay. And then to the right of that, what
9 do we see?

10 A. Baby bottle, and then another baby bottle
11 down here.

12 Q. And again are those glass or plastic
13 bottles?

14 A. Plastic.

15 Q. Moving to State's 55, to the left of the
16 bottle warmer, a green item, what is that?

17 A. A bottle.

18 Q. And, again, plastic or glass?

19 A. Plastic.

20 Q. Did you see anywhere in this apartment any
21 glass baby bottles?

22 A. No, ma'am.

23 Q. Did you see any kind of broken glass in
24 that apartment?

25 A. No, ma'am.

1 Q. Were you looking for that, for any reason,
2 based on what you had seen and information you had
3 received?

4 A. I didn't have any kind of statement when I
5 was looking in this apartment. I had no statement.

6 Q. You had told the jury earlier that after
7 speaking to E.M.S. you wanted to look at the baby's
8 mouth and document it; is that correct?

9 A. Yes.

10 Q. Okay. Would you have been looking for
11 anything that -- like an object that might have been
12 able to cut or hurt the baby's mouth?

13 A. Yes. Yes.

14 Q. Okay. Was anything like a -- you know, if
15 it was said that a bottle or a glass bottle of some
16 kind broke --

17 A. Right.

18 Q. -- and hurt the baby, did you see anything
19 like that?

20 A. No, I did not.

21 Q. This is State's Exhibit 56, now moving to
22 the right of the bottle warmer; is that right?

23 A. Yes, ma'am.

24 Q. Okay. And what kind of items -- or I'll go
25 to 57. We can see them better.

1 A. Right. It looks like rice formula, a baby
2 bottle.

3 Q. Maybe wipes?

4 A. Yeah. Baby wipes. More baby wipes.

5 Q. And then moving to State's 58, kind of
6 panning back from that just a bit?

7 A. Yes, ma'am.

8 Q. Okay. And what is the large object in the
9 corner of the room there?

10 A. The crib.

11 Q. State's 59, what does that show?

12 A. A higher version of the crib.

13 Q. Okay. And then 60 and next 61. Are those
14 also closeups of the crib?

15 A. Yes, ma'am.

16 Q. Okay. And what is State's 62?

17 A. Shows the interior of the crib.

18 Q. Now, at this stage in the investigation, is
19 it fair to say y'all are just starting out?

20 A. Yes, ma'am.

21 Q. Okay. Did you even really know what you
22 might be looking for at the apartment?

23 A. Not really, no.

24 Q. So, is it accurate that you're just sort of
25 on the lookout for anything suspicious?

1 A. Correct.

2 Q. All right. State's 63. Are we now panning
3 kind of to the right again to the wall from the crib?

4 A. Yes, ma'am.

5 Q. Okay. And I'll look at 64. Is that a
6 closeup?

7 A. This is a closeup of a little wicker basket
8 on the west wall of the bedroom.

9 Q. Okay. And, again, what kind of items are
10 in the basket?

11 A. Baby powder, the same little drops, just
12 toiletry items for a baby.

13 Q. Now, when you say "the same little drops,"
14 similar to what we saw on the dining room table?

15 A. Yes, ma'am.

16 Q. Okay. And then did you pull those out and
17 photograph them?

18 A. Yes, I did.

19 Q. State's 65, what is that?

20 A. The prescription box for the bottle.

21 Q. Okay. And it's a prescription for C-Phen,
22 P-H-E-N?

23 A. (Nods head.)

24 Q. For Kamron Kelly. Can you see that?

25 A. Yes, ma'am.

1 Q. All right. Just want to make sure. And
2 then State's 66, what is this?

3 A. These are sea soft nasal mist, same
4 prescription for Kamron Kelly.

5 Q. State's 67, continuing to move on. We've
6 got the wicker basket on the left; is that right?

7 A. Yes, ma'am.

8 Q. What is in the middle here? It's kind of
9 hard to see.

10 A. Yeah. This is a car seat. Yes, there we
11 go. A car seat covered with clothing and things.

12 Q. Okay. Like a little infant car seat?

13 A. Yes, ma'am.

14 Q. And then in State's 68, what have you done?

15 A. We've taken the items out to show you that
16 it's the car seat.

17 Q. Okay. State's 69. What part of the room
18 are we looking at?

19 A. This is the northwest corner of that room.

20 Q. Okay. So, again, we're just kind of
21 panning all the way around the room; is that right?

22 A. Yes, ma'am.

23 Q. State's Exhibit 70. What is this item?

24 A. This is a blue striped baby blanket.

25 Q. Okay. Was it of some interest to you or

1 possible interest?

2 A. Yes, ma'am. It had --

3 Q. This is 71.

4 A. Right. And it's kind of hard to see in
5 this picture; but right in this area right here, you
6 have baby spit-up crust or crust that is consistent
7 with baby spit-up.

8 Q. Okay. Fair enough. So, again, you're just
9 going to take things that might be relevant?

10 A. Yes, ma'am.

11 Q. Is that fair of what you're doing?

12 A. Yes, ma'am.

13 Q. Okay. State's 72, what are we looking at
14 here?

15 A. On this black towel you have the same kind
16 of stuff, the same crusty --

17 Q. Appearance?

18 A. -- appearance.

19 Q. State's 73, what is this item?

20 A. This is a onesie.

21 Q. And just for the record, what is a onesie?

22 A. A one-piece baby clothing that snaps
23 underneath.

24 Q. Okay. Thank you. That was a good
25 description. And why was this of some interest?

1 A. This was of interest because the baby's
2 uncle who let us in told us that the --

3 MR. MARTIN: Objection to the hearsay.

4 THE COURT: Sustained.

5 Q. (BY MS. ONCKEN) Okay. So, someone said
6 that this might be of interest, but --

7 A. What the baby was wearing.

8 Q. Right. But, I mean, you don't know that.
9 You weren't there?

10 A. Oh, no. No. Right.

11 Q. All right. So, again, you're just
12 documenting possibilities?

13 A. Correct.

14 Q. All right. And then finishing up in the
15 apartment, State's 74. What view is this?

16 A. This is -- it looks like it's -- I got
17 myself disoriented. I'm not sure. Hang on.

18 Q. I think I see a hair dryer?

19 A. Yes. This is exiting that room; and if you
20 look, you can see right here -- well, actually that's
21 not right there -- but right here the mattress into
22 the living room. So, you would be standing in the
23 hallway looking back towards the living room.

24 Q. Okay. And am I right that -- are we in the
25 bathroom right now?

1 A. You're right in front of the door with the
2 bathroom, yes.

3 Q. Okay. And then 75, again just the
4 bathroom?

5 A. Yes.

6 Q. Okay. Seventy-six. Are we --

7 A. This is --

8 Q. Go ahead.

9 A. This is the door to the other bedroom on
10 the northwest corner.

11 Q. Okay. And on 76, are we looking at the
12 bedroom door now closed from the inside?

13 A. Yes.

14 Q. Okay. Seventy-seven, what is our view
15 there?

16 A. This is the -- the door is open and you're
17 looking down the hallway back into Kamron's room.

18 Q. Okay. So, the view from the other couple's
19 room into Kamron's room?

20 A. Right, with doors open.

21 Q. Okay. Seventy-eight, just the interior of
22 that bedroom?

23 A. The interior of the northwest bedroom.

24 Q. The bedroom that did not belong to Kamron?

25 A. Correct.

1 Q. Okay. Seventy-nine, same bedroom?

2 A. Yes, ma'am.

3 Q. And 80, same bedroom?

4 A. Yes, ma'am.

5 Q. Okay. Eighty-one, I'm going to guess
6 that's the kitchen?

7 A. Yes, ma'am.

8 Q. Okay. Eighty-two, why do you take a
9 photograph of the refrigerator, in a baby case
10 specifically?

11 A. I always take photographs of the
12 refrigerators to determine if there's age appropriate
13 food in those refrigerators.

14 Q. Okay. And specifically you want to see
15 what's in -- I said "of the refrigerator" -- the
16 inside of the refrigerator, correct?

17 A. Yes, ma'am.

18 Q. And did it appear in this house that there
19 were, you know, baby bottles and that kind of food or
20 not?

21 A. Well, there were baby bottles and things
22 like that in the bedroom. There really wasn't a lot
23 of anything in the refrigerator.

24 Q. Kind of empty?

25 A. Right.

1 Q. All right. Another group of photographs?

2 MS. ONCKEN: May I approach again?

3 THE COURT: Yes, ma'am.

4 Q. (BY MS. ONCKEN) I'm going to show you
5 State's 84 through 88 and ask you if you recognize
6 what is documented in these photographs.

7 A. Yes.

8 Q. Okay. Now, is it correct you did not take
9 these photographs yourself?

10 A. No, ma'am.

11 Q. Okay. But can you recognize what they
12 depict?

13 A. This is the exterior of the apartment
14 complex.

15 Q. Okay. That we've been --

16 A. During the daytime.

17 Q. Okay. That we've been talking about with
18 the jury this whole time, correct?

19 A. Yes.

20 Q. Okay. And although they were not taken on
21 that same day, the building and the structures, are
22 they the same?

23 A. Yes, ma'am.

24 Q. And do they accurately represent that
25 apartment complex?

1 A. Yes, ma'am.

2 MS. ONCKEN: Okay. Tender 84 through
3 88 to counsel for any objection and offer into
4 evidence.

5 MR. MARTIN: We have no objection,
6 Judge.

7 THE COURT: Being no objection,
8 State's 84 through 88 will be admitted.

9 Q. (BY MS. ONCKEN) And here do we just see the
10 name of the complex and what apartment numbers are
11 contained in that building?

12 A. Yes, ma'am.

13 Q. Okay. And let's see. We're on 85. Can
14 you tell the jury -- do you recall -- were there
15 several buildings like this kind of in that area, or
16 do you know?

17 A. This was Building 10, but --

18 Q. Okay.

19 A. -- I don't recall where in relationship the
20 Building 10 was to the other, like, the office.

21 Q. Okay. So, would it be fair to say, though,
22 that there are multiple buildings?

23 A. Yes, ma'am.

24 Q. Okay. And looking at 86, is this sort of
25 just one little -- this is it for this building, just

1 this area?

2 A. This is the frontal shot of Building 10.

3 Q. Okay. And then Exhibit 87. We can see
4 this staircase. And although it looks like the doors
5 are boarded up, can we see from this shot a daytime
6 shot of Apartment 235?

7 A. It would be the upstairs.

8 Q. Okay. And can you point to where the front
9 door area would be up there, where the plaque is?

10 A. Yeah. Right here. Oops. I'm off about an
11 inch when I point on this. So, let me move over
12 here.

13 Q. That's not your fault.

14 A. *(Indicating.)*

15 Q. All right. And then just to the right of
16 that it looks like they've boarded up the window
17 area?

18 A. It looks like everything is boarded up.

19 Q. All right. And we had talked earlier about
20 Sergeant Ben Williams was there with you when y'all
21 received the consent from Ms. Kelly, correct?

22 A. Yes, ma'am.

23 Q. Okay. Did Sergeant Williams go with you to
24 walk through the apartment?

25 A. Yes, ma'am.

1 Q. And after you photographed the apartment,
2 did you do anything else in relation to this case?

3 A. Yes. After I photograph it and I take
4 approximate measurements for this diagram, I picked
5 up items that I thought we may be able to -- that may
6 be relevant to the case.

7 Q. Okay. And when you say you picked up
8 items, tell me what you mean by that.

9 A. Well, the onesie and the towel with the
10 spit-up and also the baby blanket with the spit-up.

11 Q. Okay.

12 A. And the drugs.

13 Q. Okay. And where did you put those items or
14 take those items?

15 A. Those go to the property room.

16 Q. And did you have any occasion the following
17 day to -- were you in any way called out to get any
18 more evidence?

19 A. No.

20 Q. Okay. That was not you. And I know we
21 spoke about this before when we looked and went over
22 all the evidence. Did you at any time have any part
23 in the chain of custody on getting any mouth swabs
24 from the defendant?

25 A. No, ma'am.

1 Q. Okay. Or being involved in getting any
2 evidence from the medical examiner --

3 A. No, ma'am.

4 Q. -- to your lab? Okay. Just making sure.

5 MS. ONCKEN: We'll pass -- I'm sorry.
6 I'm sorry. No.

7 Q. (BY MS. ONCKEN) You said that you went to
8 the location March 31st, 2010, correct?

9 A. Yes, ma'am.

10 Q. The address where the apartment is that
11 we've been looking at, 7201 Hallshire, is that in
12 Harris County, Texas?

13 A. Yes, it is.

14 Q. Thank you.

15 MS. ONCKEN: Pass the witness.

16 THE COURT: Mr. Martin.

17 MR. MARTIN: Yes, your Honor.

18 CROSS-EXAMINATION

19 Q. (BY MR. MARTIN) Officer Langford, about how
20 long were you at the hospital before the decision was
21 made to go to the apartment?

22 A. I am not sure. One moment.

23 Q. Just ballpark.

24 A. Pardon?

25 Q. Just ballpark.

1 A. I hate to give you a ballpark because --

2 Q. Okay.

3 A. -- in these cases, what I do at the
4 hospital doesn't take very long.

5 Q. All right.

6 A. But many times I'm waiting on my
7 investigators.

8 Q. All right.

9 A. And I'm not sure when it says -- okay.
10 Wait a minute. Okay. At 10:00 o'clock.

11 Q. Okay.

12 A. So, at 10:00 o'clock, Sergeant Williams and
13 I left the hospital.

14 Q. All right. And y'all would have gone, I
15 take it, in your separate vehicles?

16 A. Yes.

17 Q. Did somebody -- the Alex Acosta, also known
18 as Paco, did he go with y'all to the apartment?

19 A. I don't know if he was already at the
20 apartment or if he was at the hospital.

21 Q. But was he at the apartment with y'all when
22 you got there?

23 A. Yes, he was.

24 Q. Is he who opened the door and let you in?

25 A. Yes, he did.

1 Q. Was it just the three of you there? Would
2 it have been Paco, yourself, and Sergeant Williams;
3 is that right?

4 A. Yes. Well, the patrol officers.

5 Q. All right. Were they already there at the
6 scene?

7 A. Yes. Patrol officers would be dispatched
8 to the scene to make sure no one goes back inside.

9 Q. So, they would have maintained the -- I
10 don't know -- perimeter or whatever?

11 A. Yes.

12 Q. To make sure nothing was disturbed in the
13 apartment until you and the sergeant got there?

14 A. Yes.

15 Q. Okay. And that was done in this case.
16 H.P.D. was on the scene to preserve that apartment
17 until you got there?

18 A. Yes.

19 Q. All right. You showed us all the pictures
20 that you took. Did you notice any objects or
21 instruments laying around that got your interest that
22 you did not take a picture of?

23 A. No.

24 Q. You wouldn't have noticed any stain or
25 markings on any wall that got your attention, or you

1 would have taken a picture of it?

2 A. Correct.

3 Q. So, we got a picture -- based upon your
4 training and experience, we got a picture of
5 everything that caught your eye in that apartment
6 that night?

7 A. Everything that I saw.

8 Q. Well, I understand. Everything you saw
9 that was of interest to you or might be of interest
10 to this investigation, you documented it in these
11 photographs?

12 A. Yes.

13 Q. Okay. And other than the -- did you see
14 any blood anywhere that you took pictures of?

15 A. I did not.

16 Q. Okay. And you had said something about the
17 onesie or Paco pointed out what that was to you. Was
18 Paco with you as you went through the apartment
19 taking these pictures?

20 A. No.

21 Q. Well, where was Paco so that you could have
22 a conversation with him?

23 A. Well, Paco talks with Sergeant Williams --

24 Q. Okay.

25 A. -- who then comes to me and says there's

1 supposedly a onesie in this --

2 Q. Okay.

3 A. -- they took off the baby.

4 Q. So, the witness, in this case Paco, would
5 talk to the what I'm calling investigator?

6 A. Correct.

7 Q. Who would talk to you, the C.S.U. officer,
8 on the scene?

9 A. Yes.

10 Q. And would it be normal protocol for the
11 investigator to point out to you, "Hey, please take a
12 picture of this. Please document that," or --

13 A. Yes, they can.

14 Q. Okay. Based on his conversation with other
15 people.

16 A. Yes.

17 Q. Okay. You used a phrase -- I may have not
18 gotten it right. Early in the photographs at the
19 hospital where we had the pictures of the baby with
20 all the stuff sticking in and you call that medical
21 intervention. Is that what that is, the probes, the
22 needles?

23 A. Yes. I'm not sure if I used -- did I use
24 that term in the report or here?

25 Q. I don't know.

1 A. Because I don't think I used it here. But,
2 yes, those would be things that the hospital is doing
3 to save the baby.

4 Q. All right. You used a phrase I was just
5 curious about, the Kangaroo Crew or something?

6 A. Yes.

7 Q. What is that?

8 A. The Kangaroo Crew is -- the Kangaroo Unit
9 works out of Texas Children's Hospital, and it's
10 basically an ambulance that transports children to
11 Texas Children's. If you've got a child that's in
12 crisis, these are specially trained pediatric staff
13 on that hospital -- I mean on that ambulance --

14 Q. Okay.

15 A. -- that if, in this case, L.B.J. can get
16 him stable enough to get him onto the Kangaroo
17 ambulance, then they can whisk him to Texas
18 Children's and they have a better chance of saving
19 him.

20 Q. Does the Kangaroo Crew, do they make the
21 scenes sometimes or are they strictly from one
22 hospital to Texas Children's?

23 A. Exactly. Now, I don't know if they
24 actually go out to scenes. It was my understanding
25 that it's just transport between hospitals.

1 Q. Okay.

2 A. But I could be wrong on that.

3 Q. I'm just curious. Thank you, Officer.

4 MR. MARTIN: I'll pass the witness.

5 THE COURT: Anything else?

6 MS. ONCKEN: Just briefly.

7 REDIRECT EXAMINATION

8 Q. (BY MS. ONCKEN) To clarify, Mr. Martin
9 asked about -- you try to document everything of
10 interest that you see?

11 A. Exactly.

12 Q. Okay. Is it possible that there might be
13 something of interest that isn't visible to you?

14 A. Oh, absolutely.

15 Q. Okay. You sound pretty emphatic about
16 that.

17 A. Well, just in any scene, in any scene that
18 I encounter, you know, some things are obvious and
19 other things are simply not obvious in a less than
20 pristine scene.

21 Q. And when you were going through and
22 documenting this scene, were you flipping over
23 furniture and digging underneath?

24 A. (Shakes head.)

25 Q. I mean, you weren't -- you weren't doing

1 like -- you weren't wrecking through this house; is
2 that fair to say?

3 A. No. No. We're not turning this house over
4 looking like an intensive narcotics search where
5 you're looking for...

6 Q. Okay. That would be more a situation where
7 you're digging through tiny little areas --

8 A. Exactly.

9 Q. -- and pulling out drawers?

10 A. (Nods head.)

11 Q. Okay. So, would it be fair to say that if
12 an item was stuffed in the back of a closet or in the
13 bottom of a bag or something like that, it might not
14 have been visible to you?

15 A. Correct.

16 MS. ONCKEN: Pass the witness.

17 THE COURT: Anything else?

18 MR. MARTIN: Yes, your Honor.

19 RECROSS-EXAMINATION

20 Q. (BY MR. MARTIN) You did have consent to
21 search the apartment, right?

22 A. Yes, I did.

23 Q. And in State's Exhibit 67, if I might --

24 MR. MARTIN: I don't know how to use
25 that thing.

1 MS. ONCKEN: Sixty-seven?

2 MR. MARTIN: Yes. Thank you.

3 Q. (BY MR. MARTIN) That is a picture of a car
4 seat, right?

5 A. Correct.

6 Q. And if you look at 68, you move the stuff
7 off the car seat to take a picture of the car seat,
8 right?

9 A. Correct.

10 Q. So, you had every legal right out there
11 that night to move stuff around, whether you did or
12 not?

13 A. Correct.

14 Q. You had every right to dig through --

15 A. I did have the right.

16 Q. -- every closet and clothes container if
17 you want to, whether you did or not?

18 A. Correct.

19 Q. And Sergeant Williams, one of the
20 investigators, was right there with you when you guys
21 were in the apartment?

22 A. Yes.

23 Q. All right. Thank you, Officer.

24 MR. MARTIN: Pass the witness.

25 THE COURT: Anything else?