

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE CRIMINAL DISTRICT COURT NO. 3
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS } NO. F-96-39973-J
VS: } & A-96-253
DARLIE LYNN ROUTIER } Kerr Co. Number

REPORTERS RECORD
JURY TRIAL
VOL. 47 OF 53 VOLS.
February 1, 1997
Saturday

Sandra M. Halsey, CSR, Official Court Reporter

5362

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

C A P T I O N

BE IT REMEMBERED THAT, on Saturday, the 1st day of February, 1997, in the Criminal District Court Number 3 of Dallas County, Texas, the above-styled cause came on for a jury trial before the Hon. Mark Tolle, Judge of the Criminal District Court No. 3, of Dallas County, Texas, with a jury, and the proceedings were held, in open court, in the City of Kerrville, Kerr County Courthouse, Kerr County, Texas, and the proceedings were had as follows:

19

20

21

22

23

24

25

Sandra M. Halsey, CSR,
Official Court Reporter

5363

1

2

A P P E A R

A N C E S

3

4

5

HON. JOHN VANCE

6

Criminal District Attorney

7

Dallas County, Texas

8

9

BY: HON. GREG DAVIS

10

Assistant

District Attorney

11

Dallas County,

Texas

12

13

AND:

14

HON. TOBY SHOOK

15

Assistant

District Attorney

16

Dallas County,

Texas

17

18

AND:

19

HON. SHERRI

WALLACE

20

Assistant

District Attorney

21 Dallas County,

Texas

22

23

APPEARING FOR THE STATE OF TEXAS

24

25

Sandra M. Halsey, CSR,
Official Court Reporter

5364

1 ADDITIONAL APPEARANCES:

2

3 HON. DOUGLAS D.

MULDER

4 Attorney at Law

5 2650 Maxus Energy

Tower

6 717 N. Harwood

7 Dallas, TX 75201

8

9 AND: HON. CURTIS GLOVER

10 Attorney at Law

11 2650 Maxus Energy

Tower

12 717 N. Harwood

13 Dallas, TX

75201

14

15 AND: HON. RICHARD

C. MOSTY

16 Attorney at

Law

17 Wallace,

Mosty, Machann, Jackson &

Williams

18 820 Main

Street, Suite 200

19 Kerrville,

TX 78028

20

21 AND: HON. S.

PRESTON DOUGLASS, JR.

22 Attorney at

Law

23 Wallace,

Mosty, Machann, Jackson &

Williams

24 820 Main

Street, Suite 200

25 Kerrville,

TX 78028

Sandra M. Halsey,
CSR, Official Court Reporter

5365

1

2 AND: HON. JOHN

HAGLER

3 Attorney at

Law

4 901 Main Street, Suite 3601

5 Dallas, TX 75202

6 ALL ATTORNEYS REPRESENTING

THE

7 DEFENDANT: DARLIE ROUTIER

8 MR. HAGLER HANDLING THE

APPEAL

9 AND:

10 HON. ALBERT D. PATILLO, III

11 Attorney at Law

12 820 Main Street, Suite 211

13 Kerrville, TX 78028

14 APPEARING FOR: Witness-

15 Detective Jimmy

Patterson

16 only on one date in

trial

17 AND:

18 HON. STEVEN J. PICKELL

19 Attorney at Law

20 620 Earl Garrett Street

21

Kerrville, TX 78028

22

APPEARING FOR: Witness

23

Officer Chris

Frosch

24

only on one date in

trial

25

Sandra M. Halsey, CSR, Official
Court Reporter

5366

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

P R O C E E D I N G S

February 1st, 1997
Saturday
12:20 p.m.

(Whereupon, the following proceedings were held in open court, in the presence and hearing of the defendant, being represented by her attorneys and the representatives of the State of Texas, but outside the presence of the jury, as follows:)

THE COURT: All right. Let's bring

20 the jury in if they are ready.

21 THE BAILIFF:

Not quite.

22 THE COURT: All

right. Everybody

23 relax for a minute. Feel free to

talk among yourselves.

24 All right.

25

Sandra M. Halsey, CSR,
Official Court Reporter

5367

1 (Whereupon, the
jury
2 Was returned to
the
3 Courtroom, and
the
4 Proceedings
were
5 Resumed on the
record,
6 at 12:20 P.M.,
7 In open court, in
the
8 Presence and
hearing
9 Of the defendant,
10 As follows:)
11
12 THE COURT: All right. Be
seated,
13 please.
14 Let the record reflect that
all
15 parties in the trial are present and the jury is
seated.

16 Mr. Walker, has the jury
reached a
17 verdict?

18 THE FOREMAN: Yes, we have,
your
19 Honor.

20 THE COURT: All right. "We
the jury,
21 find the defendant Darlie Lynn Routier guilty of
the
22 offense of capital murder as charged in the
indictment."

23 Ma'am, will you please be
silent,

24 please.

25 That is signed by Frank S.
Walker,

Sandra M. Halsey, CSR, Official Court
Reporter

5368

1 Presiding Juror.

2 If that is your verdict,
please so

3 signify by raising your right hand.

4

5 (Whereupon, each juror

6 on the jury, raised their

7 hand that the verdict

just

8 read by the Court was

their

9 verdict, after which

time,

10 the proceedings were

11 resumed as follows:)

12

13 THE COURT: Let the record

reflect

14 that all hands were raised.

15 May I see both sides briefly,
please.

16

17 (Whereupon, a short

18 Discussion was

held

19

Off the record,

after

20

Which time the

21

Proceedings were resumed

22

As follows:)

23

24

THE COURT: All right. Ladies

and

25 gentlemen of the jury, as your name is called, if
your

Sandra M. Halsey, CSR, Official Court
Reporter

5369

1 verdict is guilty, please raise your right hand,
2 individually.

3 Dana Evans. Let the record
reflect

4 that his right hand was raised.

5 Salavdor Monroy. Let the
record

6 reflect that Mr. Monroy's right hand was raised.

7 Donna Huth. Let the record
reflect

8 that Ms. Huth's right hand was raised.

9 Eileen Corkill. Let the record
10 reflect that Mrs. Corkill's right hand was
raised.

11 Jimmie Samford. Let the
record

12 reflect that Mr. Samford's right hand was
raised.

13 Charles Samford. Let the
record

14 reflect that Mr. Charles Samford's right hand was
raised.

15 Caroline Reynolds. Let the record
16 reflect that Mrs. Reynolds right hand was raised.

17 Kerri Franklin. Let the
record

18 reflect that Mrs. Franklin's right hand was
raised.

19 Frank Walker. Let the record
reflect

20 that Mr. Walker's right hand was raised.

21 Rina M. Way. Let the record
reflect

22 that Ms. Way's right hand was raised.

23 Lola Wagoner. Let the record
reflect

24 that Mrs. Wagoner's right hand was raised.

25 Linda Gibson. Let the record
reflect

1 that Mrs. Gibson's right hand was raised.

2 All 12 jurors have indicated that
the

3 verdict is guilty.

4 It will be necessary now for you
to

5 set punishment in this case. We will commence
that at

6 10:00 o'clock on Monday morning.

7 Now it's going to be set for
10:00

8 o'clock because Judge Prohl has one brief matter
that

9 they must take up in this Court at 9:00.

10 So, if you will step back to
the jury

11 room, please, for just a minute. Now, the same

12 instructions as always. The case is not over
yet, so do

13 not discuss this case with anybody.

14 When the case is over, you
may talk to

15 anybody or not, as you see fit. Do no
investigation on

16 your own, because you will decide this case on

the

17 testimony you hear and the evidence you will
receive in

18 this courtroom. If someone tries to talk to you
about

19 the case, please tell the bailiff who happens to
be with

20 you at the time, and please ignore any publicity
you may

21 see in the newspapers, or the radio, or the TV.

In fact,

22 it's just a good idea not to read any
newspapers, or look

23 at TV, or listen to the radio, pending the
outcome of

24 your jury service in this case. And wear your
juror

25 badges at all times in the courthouse area.

Sandra M. Halsey, CSR, Official Court
Reporter

5371

1 If you will step back to the
jury
2 room, please.

3 Thank you.

4
5 (Whereupon, the jury
6 Was excused from
the

7 Courtroom, and the
8 Proceedings were
held

9 In the presence of
the
10 Defendant, with
his

11 Attorney, but
outside

12 The presence of
jury

13 As follows:)

14

15 THE COURT: All right. Both sides
16 will be prepared to go forward Monday morning at
10:00

17 o'clock.

18 MR. GREG DAVIS: Yes, sir, we

will.

19 THE COURT: Thank you. If I could
20 have one attorney from each side to remain briefly
21 please.

22 Ladies and gentlemen, that
concludes

23 these proceedings, the courtroom will now be cleared.

24 Thank you.
25 (Audience clears courtroom.)

5372 Sandra M. Halsey, CSR, Official Court Reporter

1 THE COURT: I intend to send the
jury
2 back home for the remainder of the weekend, and then
have
3 them come back on Monday for the remainder of the
trial.

4 Does either side have an objection to that?

5 MR. GREG DAVIS: The State has no
6 objection.

7 MR. DOUGLAS MULDER: No, we have
no
8 objection, your Honor.

9 THE COURT: All right.

10
11 (Whereupon, the jury was
12 thereby excused for the
13 day, to return on
14 Monday, February 3, 1997,
15 at 10:00 A.M.)

16
17
18 (These proceedings are continued
to
19 the next volume in this cause.)

20

21

22

23

24

25

Sandra M. Halsey, CSR, Official Court Reporter

5373

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

CERTIFICATION PAGE

THE STATE OF TEXAS)
THE COUNTY OF DALLAS)

I, Sandra M. Halsey, was the Official Court
Reporter of Criminal District Court Number 3, of

Dallas

County, Texas, do hereby certify that I reported in
Stenograph notes the foregoing proceedings, and that

they

have been edited by me, or under my direction and the
foregoing transcript contains a full, true, complete

and

accurate transcript of the proceedings held in this
matter, to the best of my knowledge.

I further certify that this transcript of the
proceedings truly and correctly reflects the

exhibits, if

any, offered by the respective parties.

SUBSCRIBED AND SWORN TO, this ____ day of
_____, 1997.

Sandra M. Day Halsey, CSR
Official Court Reporter
363RD Judicial District

Court

Dallas County, Texas

22

Phone, (214) 653-

5893

23

24 Cert. No. 308

25 Exp 12-31-98

Sandra

M. Halsey, CSR,

Official Court

Reporter

5374

1 STATE OF
TEXAS)
2 COUNTY OF
DALLAS)

3

4

JUDGES CERTIFICATE

5

6

7

8 The above and foregoing transcript, as
certified

9 by the Official Court Reporter, having been
presented to

10 me, has been examined and is approved as a true and
11 correct transcript of the proceedings had in the
12 foregoing styled cause, and aforementioned cause
number

13 of this case.

14

15

16

17

18

19

20

MARK TOLLE, JUDGE

21

Criminal District Court Number 3

22

Dallas County, Texas

23

24

25

Sandra M. Halsey, CSR, Official Court Reporter

5375

