

Testimony of Officer Steve Wade

DIRECT EXAMINATION

12

13 BY MR. GREG DAVIS:

14 Q. Please tell us your full name.

15 A. Stephen Robert Wade, W-A-D-E.

16 Q. Are you a Rowlett Police Officer?

17 A. Yes, sir, I am.

18 Q. How long have you been with the

19 Rowlett Police Department?

20 A. Approximately two years.

21 Q. Okay. And what's your position with

22 them?

23 A. I work in the patrol division.

24 Q. All right. Officer Wade, let me

25 direct your attention back to June 6th, 1996, were you on
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1 duty that day?

2 A. Yes, sir.

3 Q. Do you remember what your hours to

4 work were?

5 A. I was scheduled to work from 1:30 PM

6 to 10:00 PM.

7 Q. All right. Would that have been 1:30

8 PM to 10:00 PM on June the 5th or on the 6th?

9 A. June 5th.

10 Q. All right. I want to move ahead a

11 little bit here. This is going to be on June the 6th at

12 approximately 3:00 AM. And, let me ask you whether at

13 that time you were directed to go to 5801 Eagle Drive?

14 A. Yes, sir, I was.

15 Q. And, did you, in fact, go to the front

16 door of that residence?

17 A. Yes, sir, I did.

18 Q. And, when you did was there anyone at

19 the front door of 5801 Eagle Drive, sir?

20 A. Yes, there was.

21 Q. And who was on the door at that time?

22 A. It was Officer Waddell.

23 Q. Okay. David Waddell?

24 A. Yes, sir, that's correct.

25 Q. And, did you relieve him there at the

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1 front door?

2 A. Yes, sir.

3 Q. And, were you instructed to stay at
4 the front door?

5 A. Yes, sir, I was.

6 Q. Let me ask you: What were your
7 instructions regarding entry into that house? Once you
8 got posted on the front door?

9 A. I was instructed that no one was to
10 enter that house.

11 Q. Now, let me ask you: Do you know
12 about what time you actually got on the front door and
13 relieved Officer Waddell?

14 A. At approximately 3:15 AM on the 6th.

15 Q. And do you recall how long you were on
16 the door?

17 A. Until approximately 5:57 AM on the
18 6th.

19 Q. So you were on there for, what, about
20 two and a half hours, something like that?

21 A. Approximately, yes, sir.

22 Q. Officer Wade, during the times that
23 you were on that front door, did you let anybody inside
24 that house?

25 A. No, sir, I did not.

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1 Q. During the two and a half hours that
2 you were on the door, did anyone try to get into the
3 house?

4 A. Yes, sir, they did.

5 Q. All right. Would you tell the members
6 of the jury who tried to get into the house?

7 A. That was my chief of police. It was
8 Chief Posey.

9 Q. Okay. You actually told your Chief he
10 couldn't come in?

11 A. That is correct.

12 Q. Okay. And he didn't go in?

13 A. No, sir, he did not.

14 Q. Okay. Was that the only person that
15 tried to get in?

16 A. Yes, sir.

17 Q. And at 5:57, did someone else take
18 over the front door from you?

19 A. Yes, sir.

20 Q. And do you recall the name of the
21 officer that took over the front door from you?

22 A. Officer Steve Ferrie.

23 Q. He's also with the Rowlett Police
24 Department?

25 A. That's correct.
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2
3 (Whereupon, the following
4 mentioned item was
5 marked for
6 identification only
7 after which time the
8 proceedings were
9 resumed on the record
10 in open court, as
11 follows:)

12
13
14 BY MR. GREG DAVIS:
15 Q. Officer Wade, I want to show you
16 what's been marked as State's Exhibit 34. Do you
17 recognize this photo, sir?
18 A. Yes, sir, I do.
19 Q. Okay. Is an individual shown here at
20 the front door at 5801 Eagle Drive?
21 A. Yes, sir.
22 Q. Is that individual you?
23 A. Yes, sir, it is.
24 Q. Taken on June 6th, 1996?
25 A. Yes, sir.
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1
2 MR. GREG DAVIS: Your Honor, at this
3 time we'll offer State's Exhibit 34.
4 MR. RICHARD C. MOSTY: No objection.
5 THE COURT: State's Exhibit 34 is
6 admitted.
7
8 (Whereupon, the item
9 Heretofore mentioned
10 Was received in evidence
11 As State's Exhibit No. 34
12 For all purposes,
13 After which time, the
14 Proceedings were resumed
15 As follows:)
16
17 BY MR. GREG DAVIS:
18 Q. All right. Just briefly. We see you

19 standing here at the front door of the residence; is that
20 correct?

21 A. Yes, sir.

22 Q. And we see some -- what is this? Is
23 this yellow tape?

24 A. Yes, sir. That's crime scene tape.

25 Q. Okay. And that's tape that the police
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1 department put up around the residence; is that correct?

2 A. Yes, sir.

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5 (Whereupon, the following

6 mentioned item was

7 marked for

8 identification only

9 after which time the

10 proceedings were

11 resumed on the record

12 in open court, as

13 follows:)

14

15

16 BY MR. GREG DAVIS:

17 Q. Officer Wade, let me ask you, if you
18 would, to look at this piece of paper that I have had
19 marked for identification purposes as State's Exhibit
20 34-A. Do you recognize that, sir?

21 A. I sure do.

22 Q. Is that a note that you made of the
23 times that you spent on the door that day on June 6,
24 1996?

25 A. Yes, sir, it is.

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1 Q. Okay. Besides this one piece of
2 paper, sir, did you make any written reports concerning
3 your activities out there?

4 A. No, sir, I did not.

5 Q. Okay. I'm talking about either typed
6 or handwritten. Any other notes besides this one piece
7 of paper that has the times?

8 A. No, sir.

9 Q. And Officer Wade, let me just ask you
10 this: Prior to your testifying today, have I had a
11 chance to meet with you concerning your testimony?

12 A. We have talked, yes.

13 Q. All right. Did we have a chance to
14 talk while we were still in Dallas?
15 A. Yes, sir.
16 Q. Do you remember how many times I've
17 met with you to discuss your testimony about what you
18 did?
19 A. Prior to today?
20 Q. Yes, sir.
21 A. A couple of times.
22 Q. All right. Did you come to a
23 courtroom there in Dallas?
24 A. Yes, sir.
25 Q. And there were a lot of other Rowlett
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1 Police Department Officers there; is that right?
2 A. Yes, sir.
3 Q. And did I ask you at that time to tell
4 me about the times that you were on the door?
5 A. Yes, sir, you did.
6 Q. And did I meet with you any other
7 times while we were still in Dallas concerning the times
8 there?
9 A. No, sir.
10 Q. You came into Rowlett when?
11 A. I'm sorry?
12 Q. I'm sorry, it's been a long week. I'm
13 sorry. You came into Kerrville when?
14 A. Sunday.
15 Q. All right. And since you came into
16 Kerrville, how many times have we talked about the time
17 that you stood there at the door?
18 A. Just once.
19 Q. And when was that?
20 A. Today.
21 Q. Okay.
22
23 MR. GREG DAVIS: I'll pass the
24 witness.
25 THE COURT: Mr. Mosty.
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3 CROSS EXAMINATION
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5 BY MR. RICHARD C. MOSTY:
6 Q. Officer Wade --

7

8 MR. RICHARD C. MOSTY: May I see --

9 MR. GREG DAVIS: Sure. Let me tender

10 34-A to Mr. Mosty at this time.

11 THE COURT: Okay.

12

13 BY MR. RICHARD C. MOSTY:

14 Q. What time did you actually arrive at

15 the scene?

16 A. Approximately 3:13, 3:14.

17 Q. Okay. So you immediately went to the

18 door?

19 A. Yes, sir.

20 Q. Who instructed you to go to the door?

21 A. My sergeant, Sergeant Walling.

22 Q. And after 5:57?

23 A. Yes, sir.

24 Q. You had no further involvement with

25 this case whatsoever?

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1 A. No, sir.

2 Q. Other than, of course, going down to

3 downtown Dallas?

4 A. That's correct, sir.

5 Q. When you went down there did you

6 actually go up and get sworn in?

7 A. No, sir.

8 Q. It was just talking?

9 A. Um-hum. (Witness nodding head

10 affirmatively).

11 Q. With the other officers present?

12 A. Yes, sir.

13

14 MR. RICHARD C. MOSTY: That's all.

15 MR. GREG DAVIS: No further questions.

16 THE COURT: Thank you very much for

17 coming, Officer.