

Testimony of Kenneth Waits

DIRECT EXAMINATION

24

25 BY MR. CURTIS GLOVER:

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1 Q. Ken, you are Melanie's husband; is

2 that right?

3 A. Yes.

4 Q. Melanie testified here before the jury

5 a little bit ago just to recall to them exactly what the

6 relationship is. You all live in Mesquite and you have a

7 sign business there in Dallas; is that right?

8 A. Yes.

9 Q. Tell the jury how many children you

10 have.

11 A. Two.

12 Q. And they are what, boy and girl?

13 A. One girl, six, and one boy, three.

14 Q. Okay. You know Darlie Routier?

15 A. Yes.

16 Q. Okay. Tell the jury again how it is

17 that you got acquainted with Darlie and her husband,

18 Darin.

19 A. Well, we first met them at a

20 going-away party for some mutual friends. We had not

21 known them until then.

22 Q. Okay. Did y'all then get to be social

23 friends after that time?

24 A. Yes, we did.

25 Q. Did you have occasion to meet their

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1 two little boys, Devon and Damon?

2 A. Yes.

3 Q. Tell the jury how you got to know the

4 two little boys.

5 A. Mostly through birthday parties for

6 their kids and our kids. That is when we were around

7 them the most, at the birthday parties for our kids.

8 Q. Okay. Actually, your wife and Darlie

9 became fairly close friends?

10 A. Yes, they did.

11 Q. You and Darin were friends, but not so

12 much as your wives?

13 A. No.

14 Q. They shopped together and this sort of

15 thing?

16 A. Yes, they did.

17 Q. Okay. Describe for the jury, if you

18 would, what you observed about Darlie Routier and her
19 relationship with her children and her family in general.

20 A. Seemed to be pretty normal

21 relationship with her family. I mean, they took the kids
22 to do a lot of things. I mean, they took their kids

23 everywhere. They took them all kinds of -- you know,
24 they were always with -- most of the time I was around
25 them was like at birthday parties and stuff, so it was

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1 with the kids almost all the time when I saw them.

2 Q. Was their devotion to their children

3 so outstanding that it was a subject of remark on
4 occasion?

5 A. It seemed to me they really spoiled

6 the kids pretty much. They spent a lot of time and money
7 on the kids.

8 Q. I think you perhaps had an occasion to
9 give a surprise birthday party for Melanie?

10 A. Yes, I did.

11 Q. When was that?

12 A. It was June the 1st, Saturday before
13 the kids were killed.

14 Q. Okay. And, you just invited your
15 friends and your wife's friends?

16 A. Her friends and my friends. I even
17 talked to Darlie about bringing over something, a dish,
18 you know.

19 Q. Okay. Did Darlie and Darin come?

20 A. Yes, they did.

21 Q. Did they bring any of their children?

22 A. They just brought the baby, Drake.

23 Q. Okay. And why is that?

24 A. They didn't think that kids would be
25 there. They thought it was more of an adult party. And
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1 of course, the baby was too young to leave with anybody.

2 Q. Okay. During the course of that

3 party, did you have occasion to notice anything about
4 Darlie as far as being concerned about the two boys at
5 home?

6 A. Yes, she called them a couple of times

7 that day. You know, she asked to use the phone. She

8 wanted to check on them, seemed like one of them may have

9 been sick or something, I don't remember why, but she
10 called a couple of times to check on both boys.
11 Q. Okay. Did they have occasion then to
12 leave the party early to go home?
13 A. They left. She said they had to leave
14 because the boys wanted them to come home, come get them.
15 Q. Were they at a babysitter?
16 A. Yes, they were.
17 Q. Okay. You know this jury has found
18 Darlie guilty of murdering those two boys?
19 A. Yes, I do.
20 Q. Can you accept that?
21 A. No, I sure can't.
22 Q. Okay. You think she's capable of
23 doing that?
24 A. No, sir. No way.
25 Q. I guess you know yourself well. You
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1 are what age man?
2 A. Twenty-eight.
3 Q. Okay. Do you feel like you are a
4 judge of character?
5 A. Yes, I do.
6
7 MR. CURTIS GLOVER: Thank you. Pass
8 the witness.
9
10 CROSS EXAMINATION
11
12 BY MR. GREG DAVIS:
13 Q. Sir, if you are a judge of character,
14 what kind of person would kill these two children in cold
15 blood the way these two were killed?
16 A. It would be a pretty heartless person,
17 a pretty evil person, really, someone kind of out of
18 their mind.
19
20 MR. GREG DAVIS: No further questions.
21 THE COURT: You may step down, sir. I
22 need to warn you: When you are not testifying, you have
23 to remain outside the courtroom. Don't talk about your
24 testimony with anybody who has testified. In other
25 words, don't compare it.
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1 You may talk to the attorneys for
2 either side. If someone tries to talk to you about your

3 testimony, tell the attorney for the side who called you.

4 Okay?

5 THE WITNESS: Okay.

6 THE COURT: Good luck.