

Guilt Innocence Phase
August 18, 2017

1 (All parties present.)

2 THE COURT: Good morning. This is **Cause**
3 **No. 1435566, The State of Texas v Sandra Jean Melgar.**

4 THE BAILIFF: This witness has been sworn,
5 Your Honor.

6 THE COURT: Thank you, Barry.

7 Ms. Barnett, you may proceed.

8 **CROSS-EXAMINATION**

9 **BY MS. BARNETT:**

10 Q. Good morning, Mr. Lacy, how are you?

11 A. Good morning. I'm well.

12 Q. Good.

13 How long have you lived -- your address is
14 on Kelsey Meadows; is that right?

15 A. Yes.

16 Q. How long have you lived there?

17 A. We've lived there since 2005, so about 12
18 years.

19 Q. And were you good friends with the Melgars?

20 A. I wouldn't say good friends. I was neighbor
21 friends. Most of the people around there -- we have one
22 couple in our neighborhood that I'm quite familiar with
23 because I've known him a long time, way before I lived
24 there.

25 Q. Have you ever been inside the Melgar house?

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1 A. No.

2 Q. Have the Melgars ever been inside your house?

3 A. No.

4 Q. Who did you see more; did you see Jaime Melgar
5 more or Sandra Melgar more?

6 A. Jaime or Jimmy?

7 Q. And I know you testified yesterday that you
8 knew him as Jimmy?

9 A. Correct.

10 Q. Where would you see him?

11 A. I would see him in the yard working. He came
12 down to my house a couple of times. He was quite a
13 handyman like me. I bought a generator, and he wanted
14 to see how it worked.

15 Q. Yeah. He's a friendly guy, isn't he?

16 A. Yes.

17 Q. He was somebody that everybody got along with
18 him, right?

19 A. I did. I didn't know him with other people, so
20 I assume he did.

21 Q. Did you ever see Sandra Melgar walking with a
22 cane?

23 A. I very rarely saw Sandy. I saw her the night
24 before the murder. I don't recall if she had a cane.
25 But other than seeing her driving by in the car and

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1 waving, that's about the only time I saw her.

2 Q. About how many times did you see Sandra Melgar?

3 A. She drove by the house pretty regularly; she
4 was driving a car. I can't give you a number.

5 Q. And that was a bad question on my part, I
6 guess.

7 How many times did you talk with her?

8 A. Probably only that one time. I didn't really
9 see her. She didn't come out too often.

10 Q. So kind of stayed in the house?

11 A. I assume.

12 Q. And when you say that you saw the garage door
13 up on the day that you were walking the dogs, did I hear
14 you say you walked the dogs every day?

15 A. Just about every day.

16 Q. And you would go by that address, 9538 Kelsey
17 Meadows?

18 A. Normally I would, yes.

19 Q. So how many times did you see either one or the
20 other garage door up on that residence?

21 A. Quite a few times.

22 Q. In the morning at 7:30?

23 A. Oh, no, not necessarily in the morning at 7:30.
24 I've walked by before. I walked quite regularly.
25 During the wintertime, I walk my dogs three or four

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1 times a day.

2 Q. Of course. And I guess what I'm trying to
3 figure out is do you -- have you ever been inside their
4 garage?

5 A. No.

6 Q. So do you know if it supports two cars or not?

7 A. Yes, it does.

8 Q. And a car can go in on both sides of the
9 garage?

10 A. Yes.

11 Q. On the left side a car can go in, right?

12 A. Correct.

13 Q. And on the right side a car can go in?

14 A. Yes.

15 Q. And they could be both parked inside the
16 garage?

17 A. They could, yes.

18 Q. So when you were able to see -- I believe you
19 testified that the left side was up, right?

20 A. Correct.

21 Q. Did you make notes about that?

22 A. No. That was just in passing. I didn't really
23 think much about it.

24 Q. You didn't think about it at all. It wasn't
25 really anything that really registered to you, right?

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1 A. Right. I just saw a garage door open. I
2 assume -- to me I recall it was the left side --

3 Q. Are you sure about that?

4 A. -- that was the recollection.

5 Q. Are you sure about that?

6 A. Am I sure about what?

7 Q. That it was the left side?

8 A. I saw a garage door open. I know when I went
9 back that evening, I talked to Sloan {phonetic}, the
10 neighbors that are across --

11 Q. That --

12 A. Okay. I'm sorry.

13 Q. My question to you --

14 A. Yes.

15 Q. -- are you sure, are you sure that it was the
16 left side that was open?

17 A. I'm not a 100 percent positive, but that's my
18 recollection.

19 Q. Could it have been the right side?

20 A. It could have been, yes.

21 MS. BARNETT: Pass the witness.

22 THE COURT: Any redirect?

23 MR. SECREST: May I approach, Your Honor?

24 THE COURT: All right. You may.

25

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1 **REDIRECT EXAMINATION**

2 **BY MR. SECREST:**

3 Q. Mr. Lacy, let me show you what's marked as
4 Defense Exhibit No. 12. Do you recognize the person
5 depicted in that?

6 A. I don't recognize him.

7 Q. Very well.

8 Thank you.

9 MS. SECREST: I have no further questions,
10 Your Honor.

11 THE COURT: Any re-cross?

12 MS. BARNETT: No, Your Honor.

13 THE COURT: May this witness be excused?

14 MR. SECREST: He may, Your Honor.

15 THE COURT: Thank you, Mr. Lacy.

16 Defense, call your next witness.

17 MR. SECREST: We call Britni Cooper.

18 THE COURT: You may proceed.

19 MR. SECREST: Thank you.

20 **DIRECT EXAMINATION**

21 **BY MR. SECREST:**

22 Q. Good morning, Ms. Cooper.

23 A. Good morning.

24 Q. Would you please state your name and spell it
25 for the court reporter.