

Closing Statement by Mr. Secrest  
August 22, 2017

1 Ms. Barnett, you may proceed.

2 MS. BARNETT: Thank you, Judge.

3 **CLOSING STATEMENT**

4 MS. BARNETT: Let me address a couple of  
5 things Defense counsel talked about. The first thing I  
6 want to talk to you about is the Chad Ryan Sullivan  
7 case, about him, and why he wasn't considered more  
8 carefully.

9 So Chad Ryan Sullivan lives in the  
10 neighborhood, and he's a criminal, has convictions, I  
11 suppose. And he was there at the time the police  
12 officers were investigating. That's the evidence  
13 against Chad Ryan Sullivan. What if I were prosecuting  
14 him for this case, and that's my evidence? What kind of  
15 case would I have? I wouldn't have a case.

16 Chad Ryan Sullivan is maybe a weird guy,  
17 and he was hanging out where the neighborhood problem  
18 was, along with everybody else. But certainly, if he is  
19 such a proficient theft -- thief rather -- wouldn't he  
20 take the booty with him? I mean, he would leave it in  
21 the garage? Chad Ryan Sullivan is not a guy who is  
22 going to take -- commit a burglary and not have a  
23 weapon, and not have a bag, and not have left the stuff  
24 there. That doesn't even make sense.

25 And on top of that, the \$10,000 detective

Closing Statement by Ms. Barnett  
August 22, 2017

1 who is well-versed in cold cases would have at least  
2 talked to him. Wouldn't you think? If that is somebody  
3 that is of suspect value, wouldn't the \$10,000 detective  
4 go and have a conversation with him?

5                   Think about this: If Sandra Melgar is  
6 really innocent and didn't do it, what efforts did they  
7 make to try and find out who did? I know he's critical  
8 of the Police Department. I know he is critical of the  
9 investigation, but truly if she was somebody that was  
10 innocent, and all of the B.S. that she said happened to  
11 her happened, where's the real killer, and why aren't  
12 they looking for him?

13                   MR. SECREST: Objection, Judge. She's  
14 shifting the burden of proof to the defendant. I  
15 object.

16                   THE COURT: All right. Please remember,  
17 ladies and gentlemen, that what the lawyers say is not  
18 evidence.

19                   Please proceed.

20                   MS. BARNETT: And I'm not at all casting  
21 the burden. I'm just saying, think about how it would  
22 be.

23                   Some of you guys may remember Dr. Richard  
24 Kimble who was always looking for the one-armed man  
25 because he was wrongfully convicted for killing his

Closing Statement by Ms. Barnett  
August 22, 2017

1 wife. And the efforts he put in to find the person that  
2 killed his wife, don't you think that would be the  
3 situation here? Don't you think because Sandra Melgar  
4 is the one accused of killing her husband, that if she  
5 hadn't killed her husband that she would have been more  
6 aggressive in finding it? That the \$10,000 detective  
7 would have done more than find out whether or not a  
8 candle can burned for 24 hours and whether Cool Whip  
9 changes color? Wouldn't he have interviewed anybody?  
10 Wouldn't he have done an investigation? He has got  
11 plenty years of experience with that with cold cases,  
12 but yet, no, he's there to find out how long a candle  
13 burns, and what color Cool Whip is. That's a solid  
14 investigation there, solid.

15           The second thing I want to address is the  
16 Defense attorney asking -- or telling you why we didn't  
17 agree -- or why we didn't put on DNA. Well, the reason  
18 is because he and I agreed that he would introduce the  
19 report. That's why. We had an agreement. We had an  
20 agreement --

21           MR. SECREST: That's a misstatement. We  
22 had an agreement because she wasn't going to call the  
23 witness.

24           THE COURT: What's your legal objection,  
25 sir?

Closing Statement by Ms. Barnett  
August 22, 2017

1                   MR. SECREST: It misstates the facts. I  
2 object to it.

3                   THE COURT: Ladies and gentlemen, you will  
4 recall the evidence introduced before you and not  
5 arguments of counsel.

6                   Please proceed.

7                   MS. BARNETT: We agreed, we agreed to  
8 those reports. I agreed to it, that's why he did it.  
9 You can't introduce a DNA report just because you have a  
10 DNA report. I mean you have to put on evidence unless  
11 the parties agree. I agreed, that's why that happened.  
12 That's a misstatement in front --

13                  MR. SECREST: It's not a misstatement, and  
14 I object to that, Judge.

15                  THE COURT: All right. Overruled.

16                  Please proceed.

17                  MS. BARNETT: Looks like Cele was a sore  
18 point for him because he had to pay his people, and I  
19 didn't have to pay Cele. We didn't have to pay Cele  
20 because she did that job because she wanted to do that  
21 job. Montgomery County doesn't pay her extra hours to  
22 come to do Harris County cases. Absolutely not. If you  
23 have any question at all, look at her resume. It is a  
24 wealth of training and experience about what she knows  
25 and what she saw, what she believes.

Closing Statement by Ms. Barnett  
August 22, 2017

1           It doesn't come down to the \$10,000  
2 detective who took a class in blood transfer when one of  
3 the Bushes was in office, that doesn't come back to  
4 that. It comes back to somebody who's got the ability,  
5 the training, the knowledge, the know-how, and the  
6 personal belief in the case to take it on her own time  
7 and come down here and spend time up there getting  
8 grilled by Defense counsel about what she saw. And  
9 she's very clear, very clear, that it wasn't a team of  
10 burglars, that it wasn't a break in.

11           It all comes down to the garage door. And  
12 let's talk about what Defense counsel says. Okay? So  
13 Jaime and Sandra pull into the garage, and get out of  
14 the car, and hit the wrong button. That means both  
15 garage doors are open. That's not the evidence. I  
16 don't know why he keeps talking about that because it  
17 doesn't even make any sense at all. If you hit the --  
18 get into the garage, that door is open, you hit the  
19 wrong button, the right door comes open. That's not  
20 what we even have. And Mr. Lacy, one of the neighbors,  
21 his testimony went completely dead because he believes  
22 you can get a car in both the left side and the right  
23 side. Obviously, that's not true. They put him up  
24 there because they thought he would cause some mischief  
25 because he said the left garage door was open and not

Closing Statement by Ms. Barnett  
August 22, 2017

1 the right. But then he changed his mind and said, okay,  
2 maybe it was the right.

3 Both Herman's testimony and Maria's  
4 testimony rife with errors, and I knew it would be. You  
5 know they didn't make notes about what they saw. This  
6 was five years ago. And I knew this was going to  
7 happen. Remember Maria saying she had a bruise across  
8 her entire face? She was misstating the scarf and extra  
9 cords back and forth. She got that wrong. I mean I  
10 didn't say anything about it. I just asked her  
11 open-ended questions, and she delivered with false  
12 information. It's not her fault. She just doesn't  
13 remember.

14 The same thing with Herman. Herman  
15 testified -- in the statement that he originally gave to  
16 the police was the scarf was at her ankles, and the  
17 blue/purple cord was on her wrist. He testified to just  
18 the opposite, just the opposite. I'm not going to grill  
19 him about that. He's a family member, but I know that  
20 you knew that it was opposite because I asked that  
21 question to the \$10,000 detective.

22 The one thing Herman did say, which is  
23 extremely important in this case, is that when he opened  
24 the closet door, Sandra's back was to him -- Sandra's  
25 back was to him. And that is consistent with Sandra's

Closing Statement by Ms. Barnett  
August 22, 2017

1 testimony -- excuse me -- testimony in the videotaped  
2 statement that she was looking at the shoe rack, which  
3 is across from the door, her back looking at shoe rack.  
4 That means she couldn't have seen Herman Melgar take  
5 away the chair and open the door, like she said. And  
6 how would she be able to see that? And that's another  
7 thing that the \$10,000 detective was able to do that  
8 experiment; lying down, and see if you can see through  
9 the crack of the door. Hard hitting stuff there, hard  
10 hitting stuff.

11 Of course, he had animal hair on him. He  
12 has four dogs. And it fits in with my story more than  
13 it does with theirs.

14 Somebody killed Jaime Melgar  
15 unquestionably, and that's what we're here about. And  
16 the Defense doesn't give you any information at all  
17 about what their theory of the case is, other than  
18 trying to put mud on the wall on ours. They don't give  
19 any kind of help at all because they don't really have  
20 anything. Because it doesn't make sense, none of it  
21 makes sense.

22 What are the coincidences that have to  
23 happen in order believe her case? First of all, the  
24 people not only are in the house, but they're awake and  
25 the lights are on and they've got barking dogs. So

Closing Statement by Ms. Barnett  
August 22, 2017

1 whoever this burglar is who comes on foot or comes in a  
2 car, I don't know, but why did they choose that house  
3 where the people are awake in the house?

4 I made a top 10 list of burglar antics and  
5 defense attorney mysteries, and one of them is -- the  
6 ideas that he floated is that had burglars came with a  
7 Slim Jim. Okay? So they don't have a backpack to take  
8 anything with them, they don't have a weapon with them,  
9 they don't have entry into the house, so they take a  
10 Slim Jim to open the car, to get the pad, open the  
11 garage, which is going to make noise, the lights are  
12 going to come on. Why did they choose that house? That  
13 doesn't make sense.

14 The burglars come with a key. Well, how  
15 did they get a key? Where did they get a key from? And  
16 if they have a key, why do they raise the garage door?  
17 Doesn't make sense.

18 The burglars come with their own device to  
19 get the garage door open. Where do they get that?  
20 Again, they don't have a bag, they don't have a weapon,  
21 they don't have anything to go with. They just --  
22 that's all they have is the garage door opener? What  
23 are you going with that?

24 Another -- back to one of the things that  
25 Cele said when she's talking about the knot, do you



Closing Statement by Ms. Barnett  
August 22, 2017

1 remember the Defense attorney asking her if she was an  
2 expert on knots? Well, I mean, no. I don't know if  
3 that's a sailor's knot or a four knot or what kind of  
4 knot it is. And whether or not the knot was peer  
5 reviewed, did she peer review the knot? Like, hey,  
6 David, I say that this is a knot. What do you say?  
7 That's just -- the Defense attorney is just reaching for  
8 anything he can reach to. And apparently, he has a  
9 little sore spot about having to pay his people because  
10 I didn't have to pay mine. He's very defensive about  
11 that.

12 I do agree that Jaime, everybody loved  
13 him. He was the salt-of-the-earth guy.

14 And when I voir dired you guys, one of the  
15 things that I was a little worried about was motive  
16 because I showed you the things we have to prove, and  
17 we've proven all of them. We've proven all of them but  
18 motive is not one of them. And one of the things that I  
19 worried about was being able to establish that. And I  
20 knew the insurance policy was out there, and I knew that  
21 she would -- if she is let go, she'd be getting a lot of  
22 money. And I knew that that was a possible motive.

23 But I didn't really realize the depth of  
24 the religious issue. Because I didn't know that much  
25 about Jehovah witnesses. And I didn't know that Jehovah

Closing Statement by Ms. Barnett  
August 22, 2017

1 Witnesses don't allow you to divorce. You cannot  
2 divorce. If you get -- unless someone is cheating, and  
3 it's very clear that Jaime was not that guy. So if you  
4 don't get along with your husband and want to get a  
5 divorce, you can't. You're stuck. And you have to hang  
6 around with all the people that are also Jehovah  
7 Witnesses, you can't hang around with anybody else. You  
8 have to have those people.

9           So -- also, they believe that -- one of  
10 the witnesses testified that they believe Jaime is  
11 asleep. So it's kind of like no harm, no foul. I don't  
12 have to -- if I get divorced, I get ostracized, and I  
13 can't talk with my friends. But if I kill him and  
14 nobody finds out, I'm not ostracized and he's just  
15 asleep and nobody finds out and I still get the money.  
16 And that is part of the motive.

17           And when you look at the statement that  
18 she makes to the detectives, you can tell that things  
19 are not hunky-dory. You can tell that there's some  
20 issues about the dogs, sore spot about the dogs, sore  
21 spot about eating meat. And there's issues about all  
22 kinds of stuff. And one of them that was most clear is  
23 when the next week was coming available, and she was  
24 going to go visit with family. And the detectives asked  
25 her, is Jaime going with you?

Closing Statement by Ms. Barnett  
August 22, 2017

1                   No, no, no, he's not. He has to watch the  
2 dogs.

3                   Which then turned into, well, he has to  
4 work.

5                   Well, isn't he on vacation?

6                   Yes. Well, he doesn't like to eat meat,  
7 and my family eats meat, so he just doesn't, you know,  
8 want to do that. Well, he doesn't have to eat meat.  
9 Well, he didn't want to go.

10                  I mean it just came down to excuse, after  
11 excuse, after excuse. And you can just tell through the  
12 course of her conversation with the police officer about  
13 her relationship with Jaime just things weren't that  
14 copesetic. Please listen to her statement again. If  
15 you have any questions, I would ask you -- I would beg  
16 you to listen to her statement. Because her statement  
17 is good for so many things: Her relationship with her  
18 husband, the way she doesn't answer the questions -- the  
19 questions that he asked. The way she evades questions,  
20 especially about the garage door opening, and about  
21 different things, about her seizures, and about stuff  
22 like that. Please listen to her statement.

23                  So back to coincidences that we have to  
24 have in order for it to be a burglar, the garage door  
25 would have to be open. And I don't know what the big

Closing Statement by Ms. Barnett  
August 22, 2017

1 deal is about the inner door because I've always  
2 believed that that was not locked. That was proven, and  
3 I don't have any issue with that. But the garage door  
4 has to be open in order for this whole thing to work,  
5 and there's no evidence that anybody left the garage  
6 door open. So it ends right there.

7           But let's just go forward and pretend like  
8 somebody did. So when the burglars go in, they don't  
9 have -- don't have a plan, apparently, because they're  
10 shocked by the fact that you've got two people there  
11 that are not only there, but they're awake and doing  
12 stuff. So the burglars come with no weapon, they come  
13 with no ability to take anything, and they come with no  
14 plan, apparently.

15           So they come in with none of those things,  
16 and what -- what happens, what happens after that? So  
17 according to her story, Jaime gets out of the hot tub --  
18 bathtub, it's a jacuzzi bathtub -- and goes out to get  
19 the dogs. And she is in the tub for 15 or 20 minutes.  
20 And you saw the pictures. You know she can see. It's  
21 20 feet. You know she can hear, and then she blacks  
22 out. It just doesn't make sense, but you have to agree  
23 with me, I think, that she has to know through the  
24 course of her life, having had a neurologist here, there  
25 and everywhere that she knows what the symptoms are and

Closing Statement by Ms. Barnett  
August 22, 2017

1 knows how to describe what happens when you have a  
2 seizure. She's been going through that for 40 years.  
3 So she knows exactly what to tell people about what she  
4 felt or what she saw and how she was, which is what she  
5 did. She has recited the symptoms, which also prevents  
6 her from having to give any detail about that incident.  
7 All she has to say is what she said: I fell asleep. I  
8 was not able to know anything for 14 hours; and ta-da,  
9 that's it. It's because of that background and because  
10 of what she knows, she is able to see that and she's  
11 able to say that.

12                   And that's why it was so important to me  
13 that you saw the medical records and that you saw  
14 everything that the doctor said about their treatment of  
15 her because she told the doctors before and after she  
16 hadn't had any seizures. It was so important to me that  
17 I wanted to write this down, and I wanted it to be in  
18 evidence. And even Dr. Hershkowitz got really upset  
19 because throughout -- from '08 to 2013, she told people  
20 she was stable and hadn't had a seizure.

21                   Now, the doctors don't have any agenda  
22 there. They're just reporting what she says because  
23 they want to treat her. That's her primary care  
24 physician that these records are from. I asked for a  
25 name of a neurologist she's going to. Nobody knows.

Closing Statement by Ms. Barnett  
August 22, 2017

1 Her daughter doesn't even know. Nobody knows the name  
2 of the neurologist that she goes to. I would think that  
3 they would be up there, if she went to a neurologist.  
4 No, we didn't hear from any neurologist. So we got the  
5 railroad tracks from the primary care physician, has not  
6 had a seizure, has not had a seizure. She hasn't had a  
7 seizure. And if you think about it, if you think of the  
8 fact that the reason she had a seizure was one of the  
9 reasons she couldn't help her husband, you would  
10 remember that. You would remember that you had a  
11 seizure when your husband was stabbed to death. You  
12 would go right to a doctor if you were knocked out for  
13 15 hours, I would think. That would be important, don't  
14 you think? Not Sandra, nope.

15 Not only does she not go to the doctor,  
16 but after the murder she tells the doctor, I haven't had  
17 a seizure. That is fantastic evidence for us that she  
18 is lying she is lying. And the whole thing about her not  
19 being able to hear her husband being stabbed because of  
20 the dogs barking changes her story. She changes her  
21 story in the very beginning. They really want to get  
22 into that. The dogs were barking so loud that she  
23 couldn't hear her husband being stabbed to death. So  
24 they get her to admit it all the way to the very end  
25 when she finally figures out what is going on, and she's

Closing Statement by Ms. Barnett  
August 22, 2017

1 like, oh, it's not really that I heard the dogs barking,  
2 my husband told me they were barking. Come on.

3           Anyway, that's why I put Odil Robertson on  
4 the witness stand. You know she can hear them barking.  
5 She goes outside, they bark all the time. She complains  
6 to them about the dogs. And Sandra knows that because  
7 she knows that the neighbors complain about the dogs  
8 barking. You know Odil would have been talking about  
9 those dogs barking if they had been. She said, no, that  
10 night, I didn't hear them; and that's because they  
11 weren't outside barking. So we disproved that also.

12           What about the jacuzzi, the jacuzzi being  
13 broken? Can't turn it off. Well, how did it get turned  
14 off? The burglars, did they come in and turn the  
15 jacuzzi off and help the Melgars save electricity? Is  
16 that what happened, or was the jacuzzi just not really  
17 broken? That's why I brought you the seller's  
18 disclosure. She is required -- she is required to  
19 report things that are broken. She didn't report that.  
20 She didn't say the jacuzzi was broken, and the person  
21 that did the inspection of the jacuzzi found that it  
22 wasn't broken. Discounted her story, again, another  
23 lie, another lie.

24           So the burglars come in, which coincides  
25 with her having a seizure, which coincides just as an

Closing Statement by Ms. Barnett  
August 22, 2017

1 unbelievable great thing that happened that the family  
2 called to come over the next day at 4:00 o'clock. And  
3 those people very rarely socialize with Sandra and Jim,  
4 if you remember that. Two or three times a year, but  
5 they were invited over because Sandra was planning this.  
6 And luckily they were there to untie her. So that's  
7 another coincidence that that happened. Coincidences  
8 that the burglars didn't bring a weapon or a backpack,  
9 or anything, all those are coincidences.

10           So the burglars for some reason decide  
11 they're going to kill Jaime Melgar. Makes no sense.  
12 There's no blood anywhere in the house. The person  
13 would had to have been very, very bloody. Everybody  
14 acknowledges that. The person would have to be very,  
15 very bloody. And there's no blood transfer in any of  
16 the other rooms on any of the furniture, the floors, the  
17 carpet, nowhere else. It all starts in the bedroom,  
18 which is why this chair is really important.

19           Do you remember in the evidence that there  
20 were sex toys in a little box under Sandra's pillow  
21 right outside the bedroom door? Closet, chair, pillow,  
22 those are where the sex toys were.

23           Jaime Melgar probably bought into whatever  
24 Sandra was planning. And it was going to be some kind  
25 of deal, maybe she was going to give him a massage. The



Closing Statement by Ms. Barnett  
August 22, 2017

1 closet is over here. And behind her and the chair is  
2 the medical table, which had something over it. It  
3 didn't allow blood to get over this thing. That's  
4 probably where the knife was, underneath there. So she  
5 gets Jaime to sit down in the chair; and maybe she's  
6 massaging his neck, or whatever, I don't know what. And  
7 then she pulls it out, and then while he isn't looking,  
8 she makes a strike straight up all the way to his neck.  
9 That's what that first strike is. Jaime, of course,  
10 gets up to try to defend himself, turns around, and  
11 that's when she gets him on the thumb. And that's when  
12 the blood starts spurting out onto the chair. And  
13 that's what Cele Rossi is talking about when she's  
14 talking about, this was the first strike. And then she  
15 had him. There was no place for him to go. As you saw  
16 there's only 2-feet wide and not that deep. He was just  
17 stabbed to death. She had the knife. And if you think  
18 about it, the deepest stab wound was 3-inches thick --  
19 or deep, rather. That's not something that somebody who  
20 is, like, tall and strong, they're going -- they're  
21 going to be going all the way to the hilt. Hers were  
22 not that deep. That fits in with her height, fits in  
23 with her weight. He was only 125-pounds, and he wasn't  
24 6-foot 5-inches tall. And that's how it happened,  
25 that's how she did it.

Closing Statement by Ms. Barnett  
August 22, 2017

1           She was probably naked because of the sex  
2 toys, sex games, whatever. She didn't have her clothes  
3 on, but it doesn't matter if she had her clothes on, she  
4 could have gotten rid of them. She had a lifetime to  
5 get rid of the clothes, to wash herself up, to get ready  
6 for the big finale of tying herself up.

7           And these pictures -- not really  
8 pictures -- but the exhibits really hurt the Defense.  
9 Did you notice that they always try to put something on  
10 top of them, put something on top of them because this  
11 really hurts them. What kind of knot is this? Come on.  
12 This is a knot that you can't get out of? Please take a  
13 look at this when you go back. I did my demonstration  
14 for you, and I know you could tell that that was a knot  
15 that looked believable, but it wasn't.

16           The last thing I want to talk to you about  
17 is something I've been saving. I didn't realize -- but  
18 the Defense knew about it, too -- until I looked at the  
19 pictures because they have several pictures of her  
20 hands, but only one picture of this hand when it comes  
21 to this hand. And I wonder, why is that? I know the  
22 reason. The reason is because if you look at her hands  
23 and compare them, you can see a big difference. You  
24 probably can't see them here. Let me walk it by you.  
25 This is State's 535 and 533. Her right hand, this hand,

Closing Statement by Ms. Barnett  
August 22, 2017

1 look at the nails compared to the other hand. Cloudy,  
2 as if with her right hand she had used a harsh  
3 detergent, some harsh cleaner. She's right-handed,  
4 after all.

5                   This is the last piece of evidence that  
6 proves she's the one, that she did it. Any kind of  
7 evidence that there were burglars there is nonexistent  
8 because you know the Defense would have brought it to  
9 you. There's no DNA that establishes any kind of third  
10 party there. There's no witnesses that saw any kind of  
11 third party there.

12                   MR. SECREST: Objection, Your Honor, that  
13 misstates the evidence.

14                   THE COURT: All right. The jury will  
15 recall the evidence.

16                   MS. BARNETT: There's no information,  
17 there's no identification, there's no confession that  
18 there's a third party there, there's no evidence. No  
19 one that came through and said, I'm a snitch, and I know  
20 somebody who did this. There's zero evidence, zero  
21 evidence, zero evidence that somebody else did this. No  
22 evidence that anybody else did this. She's guilty,  
23 ladies and gentlemen, she's guilty. Please find her so.

24                   Thank you.

25                   THE COURT: Thank you, Ms. Barnett.