

News  
Mexico, TX

JUN 29 1984

## Defense might find it tough to refute dental testimony

WACO, Texas (AP) — Defense attorneys faced the task of refuting testimony from a forensic dental specialist who testified that bite marks left on the body of a 17-year-old girl belonged to David Wayne Spence "in a reasonable degree of dental certainty."

Spence, 25, is charged with capital murder in the deaths of Jill Montgomery and Raylene Rice, 17, both from Waxahachie, and Waco teen-ager Kenneth Franks, 19.

On Wednesday, Dr. Homer Campbell, testified the bite marks found on the left breast and left neck of Miss Montgomery was a "very high quality bite," enabling him to view the pattern of several of Spence's upper and lower teeth.

Spence is being tried only in Miss Montgomery's slaying, but capital murder charges are pending against him in the death of the two other teens. If convicted, he faces death by injection or life imprisonment.

The bodies of the three teen-agers were discovered in a park near Lake Waco on July 14, 1982. Authorities said they had been tortured, stabbed repeatedly and mutilated.

Campbell of Albuquerque, N.M., testified he was able to match a plaster cast of Spence's upper teeth with three of the eight bite marks on the body of Miss Montgomery. He said he compared plaster cast of Spence's teeth with electronically enhanced photographs of Ms. Montgomery's body.

One of Spence's incisors is turned inward, giving it a distinctive imprint, Campbell said.

Court-appointed defense attorneys Russ Hunt and Hayes Fuller are scheduled to begin four days' of defense testimony today. They are expected to call another forensic dental specialist to refute Campbell's testimony.

Campbell said he was also able to match

Spence's toothprints to one of the bites on Miss Rice's neck. The doctor was involved in the celebrated case of Theodore Bundy, who also left bite marks on some of his victims.

A five-time Texas prison inmate testified Monday that Spence admitted killing the three teen-agers and asked if his teeth marks left on the victims "could get him a conviction."

Jessie Ivy, 37, testified that Spence told him had bitten the two female victims as he raped and murdered them.

Ivy, now serving a 35-year sentence for aggravated robbery, testified that Spence was worried that the bite marks would be traced back to him, but said that "dead people couldn't talk."

Ivy told jurors he spoke with Spence while the pair were confined in the Texas Department of Corrections' Eastham Unit in Lovelady.

Prosecutors contend Spence was hired by Muneer Mohammad Deeb, also charged with capital murder, to kill his former girlfriend, Gayle Kelly. An insurance agent testified that Deeb had taken out an insurance policy on Miss Kelly and made himself the beneficiary.

The killers merely mistook Miss Montgomery for Miss Kelly, prosecutors contend.

Spence was indicted in November 1983 along with Deeb, 25; Gilbert Melendez, 29; and Anthony Melendez, 25.

The younger Melendez brother has pleaded guilty to two counts of murder in the deaths of Miss Montgomery and Franks. He was given two concurrent life prison terms in a plea-bargain arrangement.

Prosecutors Vic Fezell and Ned Butler rested their case Wednesday after Campbell's three-hour testimony, ending a procession of 39 prosecution witnesses called during eight days of testimony.