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Dismissal rejected in slaying case

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Judge George Allen in 54th State District Court rejected the last of four motions Monday to dismiss charges in the Lake Waco triple homicide case, then began considering a long list of other motions, including a request by defendant David Spence that he be allowed to shave and blow-dry his hair before court appearances.

Allen denied a request by attorneys to dismiss capital murder charges against Anthony Melendez, 24, because of alleged violations of the Texas Speedy Trial Act.

The motion by court-appointed defense attorneys Chuck Youts and Jim Barlow claimed prosecutors did not announce they were ready to go to trial within 120 days of the defendant's arrest.

Allen last week rejected similar motions to dismiss charges against David Wayne Spence, 25, Muneer Mohammad Deeb, 24, and Gilbert Melendez, 28.

The four are charged in the July 1982 stabbing deaths of teen-agers Jill Montgomery and Raylene Rice, both of Waxahachie, and Kenneth Franks of Waco. The teens' bodies were found July 14, 1982, in Speegleville Park near Lake Waco.

In testimony Monday, Anthony Melendez said that while he was being questioned at the McLennen County Jail, prosecutors and law enforcement officials waived statements they said were from Spence and Melendez's brother, Gilbert, that linked Melendez to the deaths.

Melendez testified he never was given an opportunity to read the statements, and that prosecutors apparently used the ploy in an attempt to coerce a confession from him.

During court action last week, law-enforcement officials testified that Gilbert Melendez has given them five statements about the killings. Those statements from Gilbert Melendez implicated himself and Spence in the deaths, officials close to the investigation have said.

Prosecutors Vic Feazell and Ned Butler threatened to put him to death during those questioning sessions, Anthony Melendez said.

"(Feazell) said that he would see to it that I died for what I had done and that he would be there to make sure they did it right," Melendez said.

After denying the motion, Allen considered other motions from Spence's attorneys, Russ Hunt and Hayes Fuller, that could be decided without testimony from outside witnesses.

Allen delayed a ruling on a request that would give Spence, who Hunt described as having "super-unfriendly hair," access to a blow dryer each morning before court. Hunt said he intends to call two witnesses Tuesday in connection with his motion.

Allen deferred a ruling on a motion to exclude the testimony of a forensic dental specialist from New Mexico who reportedly has linked Spence's dental pattern with bite marks found on the two women victims.

The judge granted a defense motion prohibiting the state from alluding without court permission to Spence's 90-year prison sentence for an aggravated sexual abuse conviction in March.

Allen granted motions ordering the state to provide Spence's attorneys with a list of all potential witnesses before April 13 and to reveal the criminal records, if any, of state witnesses.

Another motion would require prosecutors to state whether they have promised anything to county jail inmates in exchange for their testimony.