

CAUSE NO. 19,058-A

EX PARTE DESIREE SHAW

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IN THE DISTRICT COURT
159/217TH JUDICIAL DISTRICT
ANGELINA COUNTY, TEXAS

AFFIDAVIT OF DON MORRIS

STATE OF TEXAS
COUNTY OF ANGELINA

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BEFORE ME, the undersigned authority, personally appeared DON MORRIS, who was sworn by me and deposed as follows:

"My name is DON MORRIS. I am over the age of 18 and of sound mind and I am not disqualified from making this affidavit. I have personal knowledge of the facts asserted below and am competent to testify to those facts."

"I am currently retired as a Texas Ranger. In August, 1996, I was assigned as Ranger for Angelina, Trinity, and San Augustine counties. Shortly after the shooting death of Royce Shaw, which occurred on August 11, 1996 in Diboll, Angelina County, Texas, I was requested by the Diboll Police Department to assist in the investigation. I was unable to assist immediately as I was involved in another investigation. A few days later, I was able to meet with officers of the Diboll Police Department and review the facts of the case. On August 15, 1996, Lt. Charlie Harris and I contacted the defendant, Desiree Shaw, and asked if she would come to the Diboll Police Department to discuss the case with us. She readily agreed. Mrs. Shaw provided her own transportation to the Police Department. Mrs. Shaw met with us and she made a voluntary statement in her own handwriting. Mrs. Shaw was at no time during this interview in custody. After the conclusion of our conversation, Mrs. Shaw left the station on her own.

After reviewing the photographs, the observations of the officers who answered the call, the autopsy report, the results of the Atomic Absorption Kit analysis of samples taken from the victim's hands and talking to a number of witnesses, it was apparent to me that the victim's gunshot wound was not self inflicted.

The weapon found at the crime scene was wrapped in white underwear with some cloth over the end of the barrel. The cloth over the end of the barrel did not have a hole in it from being fired. The white underwear did not have any gun powder residue deposited on the underwear when the firearm was fired. Tests on the weapon, which was wrapped in a new pair of white underwear, showed gun powder residue being deposited on the white underwear. These tests were conducted by the Department of Public Safety Crime Laboratory in Austin, Texas.

I interviewed a number of witnesses who indicated that Mr. and Mrs. Shaw had serious problems with their marriage. There was strong evidence that Mrs. Shaw was having an affair with one of her patients and that the victim, Mr. Shaw, was aware of it. Friends of Mr. Shaw also indicated that Mr. Shaw was planning to file for divorce. Myself and other officers also interviewed co-workers of Mrs. Shaw. The versions of events that Mrs. Shaw would tell of the shooting were some what inconsistent with each other.

After a conference with the District Attorney and several of the Diboll officers, the decision was made to try to conduct another interview with Mrs. Shaw and confront her with some of the facts that we had uncovered. I contacted Mrs. Shaw and asked if she would meet with myself and Investigator Charlie Harris of the Diboll Police Department. She agreed to do so and we agreed on a time that was acceptable to Mrs. Shaw. Mrs. Shaw provided her own transportation and met with us at the Diboll Police Department. Mrs. Shaw brought with her several friends or relatives.

I tape recorded the interview with the knowledge and consent of Mrs. Shaw. No charges had been filed on Mrs. Shaw nor was she in custody in any way at the interview. Toward the end of the interview, I told Mrs. Shaw that I did not believe her story and I pointed out ways that her version did not fit the physical evidence. I feel that I did so in an honest and forthright manner. I was not rude nor did I attempt to intimidate Mrs. Shaw. I simply told her that I was trying to find the truth. Mrs. Shaw was allowed to leave on her own at the termination of the interview.

I have read Mrs. Shaw's Writ of Habeas Corpus and supporting affidavit. Mrs. Shaw alleges that information was withheld from the Grand Jury or was improperly presented. This allegation is entirely false. I was a witness before the Grand Jury that returned the murder indictment against Mrs. Shaw. I presented all the information that I had regarding the case as completely and accurately as possible. Further, as to the allegations that I withheld information in any manner, I prepared a complete and detailed offense report in this case just as is standard procedure in the many felony cases I have investigated and turned it over to the District Attorney.

The defendant, Mrs. Shaw, also suggests that either myself or other officers coerced or improperly influenced witnesses who provided evidence against her. I did not in this case nor have I in any case, engaged in such tactics. I worked closely with the other officers in this investigation and I am quite certain that such allegations are entirely false.

I did not question or interrogate Mrs. Shaw at any time after the filing of charges in this case.

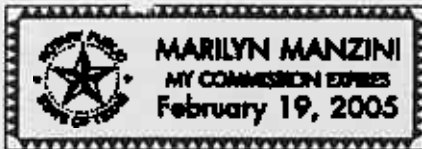
Mrs. Shaw alleges that her former husband, then county commissioner, Clayton Richardson, improperly influenced the handling of this case. Mr. Richardson, to my knowledge, had no participation in this case of any kind.

As a Texas Ranger for 21 years, I can state that this case was handled in a proper and ordinary professional manner by the investigating officers as well as the District Attorney's Office.

SIGNED this 19th day of March, 2003."

Don Morris
DON MORRIS, Affiant

SWORN TO AND SUBSCRIBED before me by DON MORRIS, on this the 19th day of March, 2003.



Marilyn Manzini
Notary Public, State of Texas