

realized he had shot himself. I remember saying to myself over and over Oh my God , Oh my God, Royce what have you done. I turned on the lamp you know the one that comes on when it wants too. I said yes ( the switch on the lamp had a short.) I saw the gun and his picture they were covered with blood. I examined him and felt a swollen place on his neck were he was hemorrhaging. I removed the towel from my hair and made a pressure bandage. I had pulled his arms together and Straightened his shoulders and his head to clear his airway. His pulse was thready. I put my ear down on Royce's chest. His heart was in retrieval phliberation. I had called 911. They didn't answer. I hung up and redialed carefully. It started ringing still no answer I put Royce's right hand against the towel to keep pressure on while I screamed for Candi to help get the children over to Johnnie Archer's house and call 911 for help. Finally 911 answered I told them what to bring that Royce was becoming clammy and placid, please hurry. When the Police came I was trying to cover myself. Gary White helped me with my pajama top. I repeated he needs an airway and IV fluids now. They took me by my arms and were forcing me out, when I heard a gushing sound. We all turned and looked back at Royce, his head fell over, Mother he was still bleeding. After a while I became frustrated I looked at the clock it was 7:12. I said where is the ambulance? It was a load and go, something had to be done. I went across the street to wake J.J. "Johnny Joe Huizar" "and ask him to go and get our neighbor who's a Trauma specialist Betty Barkely RN. J.J. and Lisa returned to my house and said she wasn't home. I called into the bedroom, I am a nurse, and can place an airway and IV's. The room was full of police. I could here zippers and plastic moving. I believed they were continuing life support. Tony Holman came out to the den about 7:35 and said there was nothing he could do.

At that moment I knew the Police removed the only qualified professional supporting Royce. He was traumatized . Desiree had accessed Royce's condition and began life support measures checking the Hemorrhaging and keeping his airway clear. The gushing sound was my son-in-law's blood pushing the towel away

A trauma patient may appear deceased to an inexperienced person such as Officer White yet in fact be in hemorrhagic shock. James Mc Clure MD in Lufkin was left for dead and because of an experienced medical professional he is practicing Medicine today. Royce may or may not have not lived. That has no bearing on EMS procedures. No one can stop CPR except a doctor, coroner or a medical examiner. Royce was not pronounced dead until 7:49. Lt. Harris said Royce was still bleeding when he got there. My daughter was doing everything by the book. I broke down in tears when the 911 tape was played in that courtroom. When you listen carefully you will hear the desperation, the frustration when 911 took so long to answer. The cry for help and urgency in her voice came through loud and clear, she was begging them to please hurry, bring an airway as she was relating his condition to the operator. If you have ever been in a life or death struggle you are more qualified to recognize that desperate tone in one's voice. You can tell if its real. Because of the length of time it took for 911 to answer knowing time was so critical that every minute counted you could sense she knew she had to have assistance. My daughter began life support measures immediately she tried to take control to stabilize the situation and was met with total disregard and indifference to the fact she was a competent professional Nurse. A mother knows a true call for help and I'm telling you she was sincere on that tape. I have only hear that tone in her voice twice before in her life. The most important fact it verified what she had said from the start. You do not have to have a particular light on to know what you smell, feel, hear or see. The Aquarian light, the light on the stove vent, the lights from the den and TV gave enough reflective light for her to see Royce nose hemorrhaging, she surely could see a gun with or without the lamp. The lamp was to shed more light to better access Royce's condition. Royce's family were grieving yet they weren't surprised. Later that afternoon I asked Royce's cousin Darwin "Bo" Smith Did he know Royce was so depressed? "Yes I knew he was depressed, He didn't have to do this, I'm mad at him." I said "I know you were close." I made a round trip down here yesterday. I was late getting home.

The next thing I knew Kathryn Barrett woke us." The Shaw family were respectful and gracious to our family, almost apologetic. Desiree was worried about giving Royce the best funeral possible. Mother he deserves the best. He's worked so hard and he's been through so much trouble with Clayton. Shuu, I said "let's try and get some rest and I'll meet you at Gibson's in the morning." She gave me the key to her house. You never needed one because you could remove the bay window screen lift the the window and just step inside. The keys were left for the children over the post or under the porch mat if the windows were locked. There was a sliding glass back door that wouldn't lock half the time. The night this tragedy occurred I Took a shower in Royce and Desiree's bathroom. I couldn't help noticing the drain wouldn't work properly, you had to hang something like a wet washcloth to weight the drain lever down. The screws were out of the face plate. I tightened the cut off valve yet it kept dripping. It was a single mixer control handle. If you put your hand under the faucet it would leave a ring of water in your palm. I could tell it was leaking on the hot water side. It was dripping down the back of the faucet into the drain. It bothered me because it sounded like pipes had air water was leaking. I made a mental note of things to fix on the next trip. I have worked on rental property for many years and built my first home. I looked in their walk-in-closet to find a robe to put on while my clothes were drying and saw two guns wrapped up. Royce's shotgun and a 22 pistol. There was an unwrapped rifle that I had never seen before. The smell of gunpowder was still strong in the bedroom. The mattress and the white eyelet comforter were gone. On the self above their bed I noticed their change pot but their ceramic watermelon and picture of Royce with his trophy buck were missing. Royce had a large heart painted that said I love you to Desiree on the mirror. There were telephone numbers scribbled on a scratch sheet. There was a paper in Royce's handwriting with prices and sizes of stock trailer dealers and their telephone numbers. I fed and watered the animals, fed the fish and the pet turtle. I noticed neither the front or back yard was mowed. In all the years I've known Royce I've never seen this. He was very

particular. He was worried all the time about doing things just right. He planted flowers and mowed his mother's huge yard. His elderly mother and aunts were in constant need of things to be done. He helped the kids in a multitude of activities and took care of their rented farm. I took ice tea from the refrigerator I couldn't help but notice that all of Royce's favorite foods and drinks were there. Since his surgery Desiree and the girls had been pampering him. This home was filled with sadness without his presence Desiree and the children were heart broken because they loved him so much. Eddie Jr. said, "I'm going have to be the man of the house now." I couldn't keep from breaking down. I remembered when they gave Royce his new chair. Desiree was sitting on the floor between Royce's legs, he lent forward with his arms wrapped around her when she looked up and smiled he kissed her. I said "I wished I had a camera". They started laughing. They were always in tender embraces. I went to sleep looking at pictures. The next morning I started to open the front door and found the deadbolt had been installed upside down and I remember saying to myself my goodness there's a lot of work to do around here, I'd better come in the truck. There was a hole in the wall and the door and lock to Caylon's room was busted. There were suitcases and packages on the dining table and in Candance's room there was a suitcase open with a book on top. Desiree and the three girls and Eddie Jr. had came in Saturday night from visiting the hospitals in Houston and last minute school shopping in Conroe. School was starting the next day which was Monday.

The last time I talked with Royce I called to see about him. Royce said them dumb Doctors decided after galbladder surgery I didn't have gallstones, I had adhesions from the gastrectomy. Sharon said get a grip, but I've had about two years worth of pain. Now they won't pay for the extra tests. We were talking about network marketing and he wanted me to join. I mentioned this had the earmarks of a pyramid scheme, Royce immediately became defensive and said please don't call it that. I said "I'm sorry Royce. I don't mean to hurt your feelings but there's just no free lunch out

there. I'd rather not." "O.K. I'm just giving you a chance to get in on the ground floor but I understand. Hey! I ordered Desiree a helmet. Good, take care now, please call me if you need anything, love you". "Oh I will, don't worry", Love you too," he said. Oh but I did worry, enough to go down to see about him. I knew I disappointed him by not joining. Something was wrong with Royce. I didn't like the way he sounded. I went on Saturday the 10th, the day before his death. I searched for him all day. He mentioned the races in Tyler, but with the bad weather he should've be home. I last called from Luby's at closing time, no one answered so I came home in the storm.

Lt. Charlie Harris and officer Eddie Mathews came to Desiree's home to look for a suicide note, they said. They were definitely looking in strange places such as saddles bags on the motorcycle, under the mattes, under the dash of the boat, in tool boxes in general all over the garage and inside the house. We heard later they were there looking for drugs. Someone at work told the Police Royce obtained them on his motorcycle trip with Steve Smith. Royce went to places on this trip he frequented as a young man. This was the week before his surgery on the 29 of July. They went through Royce's medicines. Lt. Harris asked Desiree why Royce was taking pumpkin seeds. Did he have a problem with his virility? Then he asked Desiree why Royce was on pain medication namely Vicodin and she told him it was because of his surgery. He asked was Royce on anything else but I stepped out into the kitchen and didn't hear her reply. When I came back into the room Lt. Harris said "well I never heard of anybody cleaning their gun at 7 o'clock in the morning." Desiree said 'well you don't know Royce Shaw he has been known to clean the aquarium at 4 o'clock in the morning," Lt Harris said 'what about him using shorts to clean guns? She walked away from the gun cleaning basket on the floor beside Royce's side of the bed and stopped at Royce's chest of draws opened the top drawer which was full of cleaning rags made out of discarded underwear. Desiree said he uses these for everything. Royce carried a rag in his back pocket when he was working around the house or at work at Temple Inland. When the girls showed their livestock he had a special lucky blue one. Royce

wore glasses and he was cleaning them all the time. His crew gave him flowers and attached a rag to the wreath. I have a picture of it on his headstone. Desiree showed Lt. Harris and Officer Eddie Mathews the guns that were wrapped in the bedroom closet with rags and towels. Lt. Harris asked Desiree "how did that picture get in the bed." She said "I don't know." Desiree was polite to Officer Matthews but it was plain she did not respect Mr. Harris. After they left Desiree told me why. She said "I asked him what took the ambulance so long" Lt. Harris replied "Lady I don't care if a doctor had of been standing beside your husband he wouldn't have been able to save him." Desiree went on to tell me he had in the past endangered her patients lives and they had words about improper procedures.

After Royce's death Desiree sought Psychiatric help. Lois Gonzales PHD. She was diagnosed as having post traumatic shock She was put on medication to sleep. She had to go back to work within a week after Royce's death. She was the sole provider and care giver. She was also seeing an MD. After a month Royce's daughter Ashley's received a social security check. Four months later the three children in her care had not received any. Desiree's ex-husband Clayton received them, even Eddie Shaw Jr's., then he deposited Eddie's in Christi's name when questions arose. Clayton profited financially as well as personally. I asked Desiree to come home with me. With Royce gone Clayton's will hurt you with his constant harassments. He has influence with the law and he is not above abusing his power. Desiree said, "I was born here. This is my home. One day people will realize he is not the man he pretends to be. The children need to have familiar surroundings right now. It's hard enough without Royce."

Then the unthinkable happened when they charged Desiree with murder. Lt. Harris was obsessed to put Desiree in prison. He was on KTRE TV news often.

Desiree has diligently asked for the Police recordings. They have not been forthcoming.

Lt. Harris, the Chief Investigator, testified that for almost four months he talked to anybody and everyone that would listen to him. Many of them told me his words were that he was 100% sure Desiree Shaw killed her husband. This was viciously spread over Angelina County. Lt. Harris DPD and Chief Danny Ray DPD attended the same Church as Royce and Desiree. Rumors abounded. Desiree accepted from Pastor Richard Owen to attend his church. Brother Owen is a Deputy Chaplain at the county jail. After Desiree's conviction, He said, "there is something terribly wrong about their investigation. He said, you can see the gun and the shell casing ....? still on the bed. " Two years later I knew what he meant

Judge Gerald Goodwin of the 159 th court is a good friend to Clayton Richardson my ex-son-law, they went to school together. The relationship was too close for him to preside over Desiree's trial. He knew Clayton and Desiree for many years. He knew my grandchildren all their lives. He was aware of the bitter custody fight in 1993 over Christi and Candance Richardson and the money the girls had won in 4-H. He was aware Clayton was angry about the outcome. Royce's attorney Sandra Roberts argued for another Judge from Nacogdoches to preside over the custody hearing. This was because Clayton Richardson was a commissioner and his wife Darlene had worked for Judge Goodwin. The new Judge ruled that Clayton was to have custody and the money would stay with the Shaw's. Clayton said "I don't want the girls without the money." He was furious. Judge Goodwin was aware of the 1993 mailbox charge against Desiree. He took Clayton and Darlene's version. Clayton threatened Desiree when they divorced saying that he would get her if it was the last thing he did.

A short time later Clayton and Darlene Richardson used his influence to file charges on Desiree and have her arrested without an investigation by the Police. The three girls with Desiree, Caylon Richardson, Cheri Archer, Ashley Shaw were not questioned. Broke from the custody battle, Desiree plead to reckless

endangerment. Again Mr. John Heath was her attorney. He said it would be like a slap on the wrist. Desiree said Mr. Heath didn't remember he was her attorney in 1993. During the sentencing phase when the girls asked to testify about the 1993 mailbox charge, to get the truth of the matter, Judge Goodwin said "You don't want those ducks fling up off that pond" "Everything is not butter flies and roses with Christi and her mom", Oh but they did. To tell the truth and confront the charge as it should have been done in 1993. It would have exonerated Desiree. She had never been in trouble with the law before this. In fact our family's history is law abiding. The gossip that had been rampant for 3 years. This hung over Desiree's head like an albatross. The jury needed to know the truth. Desiree would not have been a suspect had Lt. Harris not been able to pull the 1993 charge up in her case file. Lt. Harris's Affidavit of his complaint is proof he believed Desiree gave a conflicting statement. She did not and this can be proven. This charge was made by two under aged children. Christi and Candance Richardson. Pressured and told what to say and write down by their father and step-mother. They have grown up with this lie wanting to tell the truth, wishing they had not been pushed into hurting their own mother. Until Desiree was charged with murder and convicted they didn't realize what a terrible thing they had done. During the sentencing phase they sat close together nodding their heads no, weeping with tears streaming down their faces. They were listening to Mr. Wilson, charging their mother of an act in 1993 they knew she never committed. That is why their grief was so unbearable.

This year Judge Gerald Goodwin decided to retired five years early. Clayton Richardson is no longer a commissioner. Public opinion in Lufkin, Texas has spoken.

Mrs. Lois Gonzales PHD, of Huiarta and associates stated that in her opinion Desiree was not in denial and that she felt Desiree was truthful when she said she was innocent on the 1993 charge brought against her. It was in Desiree's probation that she see Dr. Gonzales. Office area code 936-637-7600 Lufkin, Texas.



Mr. Clyde Herrington DA of Angelina County said she was in denial. He placed his opinion over an expert psychologist.

Royce went to a psychologist because of the years of animosity between Clayton. He told Norban and I during a 4-H show in 1994 "I'm going to have to kill that lying pompous SOB "Clayton." Desiree walked away after three children and 12 years of marriage. Left a lot of property she had worked hard for. She did not believe in divorce but Clayton changed her mind. Desiree endured beatings and abuse that is documented by many people. Clayton's buddies would not take a statement whenever Clayton beat her. This stopped when I learned of his abuse and confronted him. He had beaten Desiree black and blue choking her till unconscious, leaving his fingerprints on her neck. He threaten me also. I told him that I was old but this would not be tolerated anymore. He said , old woman that can go both ways. Desiree and Clayton divorced. Desiree did not become violent. She did not preach hatred to her children or in the community or Clayton would have never became Commissioner. In fact I was proud of the way she was able to cope with the separation. She was happy to be alive. She has helped many women with this same problem. There is no evidence or reason to believe she would ever cause Royce harm regardless of his actions. There is however irreputable evidence that she tried her dead level best to save his life and was devastated when she could not. This is documented in her statements, verified in the 911 tapes, and in the testimony of the officers and first responder.

Mr. Heath filed a motion for an examining trial No. 056011, it was filed too late. Mr. Heath's unprofessional unconcerned conduct continued throughout the trial. The words written TOO LATE in huge letters on this document.

Mr. Heath was aware of her financial condition. She was not prepared and she needed to sell equity in her home, vehicles ect. Royce's side wouldn't sign for a 1989 Dodge van to be sold or anything else. The 1991 Honda civic was wrecked and being repossessed. Parked, a 15 year old girl with no insurance wrecked

it. It was in the body shop before and during the trial because Desiree did not have \$250.00 for the deductible. The van was her transportation to feed her family. Royce's death put a hardship upon her. Clayton Richardson did not pay child support on his children. She paid Royce's many bills including the motorcycle. That plywood boat would not have brought enough to buy groceries or pay the utilities let alone pay an attorney for Divorce proceedings. Counsel failed to mention the boat was community property. Desiree needed to dispose of liabilities and keep the essentials. There is no figment of imagination here. She had two months of rejection for financial aid. She couldn't get a loan, No SSI. The bank stopped paying her overdrawn.

Desiree never tried to deceive Mr. Heath. She was honest and up front. True, money was very tight. She had requested a loan from me and it was forthcoming. I met Mr. Heath at Desiree's home and asked, Don't you need the money now? He said, " no. " I had the money on me. This was the time for business. This was weeks before the trial. The wires got crossed because of two back to back funerals in my husbands family that prevented me from getting back to Lufkin days before the trial. Desiree gave Mr. Heath a post dated check, he deposited her check and accepted my money without a word. When her check was insufficient the other checks she had written for bills were returned. He is reported to have ask the DA to collect it too. The DA wanted to get another charge against her. We were scrambling around in shock picking up these checks. We took care of them. They had a right to their money. I can understand Mr. Heath wanting more than he agreed to prior to the trial since he believed Desiree innocence, convicted, she wouldn't be able to pay the remainder as they agreed. He kept saying , they don't have any evidence. You're innocent, don't worry.

The point I'm trying to make is Desiree qualified for assistance. In hindsight I wish Mr. Heath had never took her case. I truly believe that any first year law student would have represented her better. Before, during and after the trial John Heath had been very sick. Before the trial he had just gotten out of the hospital. No one can help being ill but a man must have the reasoning ability to know his

limitations. Mr. Heath's health and his heavy work load made him ineffective before, during and after the trial.

John Heath was late and asked Desiree's family to actually screen the 58 perspective jurors during the voir dire of the two cases and hers called. This was difficult because we were unqualified. I did not participate. It made me ill to watch. A competent attorney's presence was needed.

Mr. Heath had never viewed all the State had brought against her nor did he read important documents pertinent to her case. I felt Mr. Heath should have established Royce Shaw's gun habits and how he kept them wrapped. Three officers saw the other firearms wrapped in the closet. In cross examining them this should have been addressed. That he often slept with a loaded gun under his two pillows. Present rebuttal testimony that Royce was concerned about the welfare of Desiree and the children right up to the last minute of his life. Proven it wasn't Desiree's character that was in question, it was Royce's. That Royce was leading a double secretive life that he did not want exposed.

Royce's people or our family did not know he wanted a divorce. This is important because Desiree said "Royce made statements about his two previous wives and mother that she found were untrue. Desiree said, Royce told me his Mother was never to come back in his house, she had sold his father's shotgun. His mother came to dinner and he was a perfect gentleman. Nothing was said. "I don't no why I thought I would be any different" Desiree said.

Mr. Heath didn't have time to challenge the untruthful testimony that was given because he was reading statements. Judge Gerald Goodwin ruled that Mr. Heath could read the statements of the witnesses before cross-examining them. Mr. Heath was elated. My fears he wasn't prepared were reinforced. I have never witnessed this in a courtroom. No counselor should be able to add lib a defense or rest on his reputation.

The jurors were aggravated going back and forth from jury room to courtroom through most of the trial. This happened every time a new witness got on the stand. You could see their reactions shaking

their heads talking under their breath. Mr. Heath asked for a brief recess again "To read the witnesses statement "I apologize to the court." pg#276 line #6 #7 . They even laughed when Judge Goodwin said do you all have any doughnuts back there to eat. Laughter in the courtroom. pg#276 line #10 #11.

The air conditioning was off and being worked on. It was uncomfortable. The tall windows were up behind the jurors box. The loud noises from the street made it very difficult for them to hear the testimony. The train horns were especially loud. Train horn is long and loud and conversation stops temporarily. pg. #151 line #1 and #2. Mr. Wilson II, at one point commented, I was starting to not be able to hear myself, Judge. pg. #151, line #3.

Mr. Heath office called right after the trial 1996 and gave me an appointment. I drove down in freezing weather in a hurry as not to be late. Mr. Heath was not there they didn't know when he would return. I waited until noon and then sat in the car. Mr. Wilson II filed an Appealee brief that was factually untrue. He fabricated a theory with total disregard for the truth. Mr. Heath filed an Appeal brief that was pitiful. I became upset. By the time I received a copy the Appeal it had already been filed without being amended and the decision made. I called the Beaumont Court of Appeals to find out the decision because Mr. Heath's office did not know. Mr. heath notified Desiree stating he was going for oral arguments. She believed him. He did not go. Desiree wanted her file, she gave me power of attorney. I called and went down to Nacogdoches and Mr. Heath's secretary gave me about a 3 inch stack of papers. I argued, this cannot be all the file, and were is the 2 -911 tapes, the video, and all the hospital records. A man came up to pay her. The exterminator came in while we were talking. Mr. Heath came out and asked, would everyone leave, this man needs to spray for fleas. I said 'Mr. Heath I need to talk to you sir, this is not a complete file.' He said " make an appointment. Mr. Heath did not give me Desiree's complete file. Mr. Heath did not send a complete Transcript to Desiree. I had considerable trouble getting the missing pages. The Clerk refused to

give the copies even with Mr Snead's permission. When the Clerk left a friend gave us paper, then we had an officer stand behind us while my granddaughter and her friend helped copy them by hand. Desiree still had to request more missing pages. There are documents and results we don't have to this day. This is inexcusable. I thought the judicial system would be outraged with Mr. Heath's conduct. I soon found out if you put a mirror under his nose and if he's breathing he's competent.

Mr. Heath just went through the motions even with the Appeal. I have not seen or heard any evidence that Mr. Heath investigated Desiree's case. Mr. John Heath never talked to me or my husband about her case before the trial or after. I have talked to Royce's mother Maxine Shaw, Darwin "Big Bo" Smith and Royce's immediate family, Desiree's children and all of our family, her neighbors on Birdsong street in Diboll Texas, many of her coworkers, many of her friends and not one person told me they have talked to Mr. John Heath or anyone from his office.

I have tape recording of Royce when he was being investigated by Mr. Charley Neal T R.

I have in my possession, Royce's blue plastic gun cleaning basket containing such items as , bullets, bullet primers, empty brass or shell casings, glasses, oil, ect. This cleaning basket was shown beside Royce on the floor in the exhibits.

Eddie Shaw Jr. and I were crossing the Brasos River when out of the blue he said. " Mee Maw, I saw dad bring his gun in the house that night. Eddie lent over on his left side and said, "Dad had a rag around it and he put it down beside his leg kinda like this. " hand twisted to the inside and the palm out." He was kinda hiding it.

Desiree told Patricia Jones, Judy Burges and me she and Royce had sex that morning. To verify this there is an item submitted as a blue towel to the state for testing. It would be in the evidence box. This item is a piece of Royce's clothing. A velcro shower wrap. It is in the exhibits lying on the floor beside Desiree's side of the king size bed. I don't know why Mr. Harris wanted to list it as a blue towel.

I am positive with everything I have seen 14

there was no Murder committed at 407 Birdsong in Diboll, Texas on the morning of August 11, 1996.

The scene was one of a self- inflicted gun shot to the throat resulting in Royce Shaw, my son-in-law's, death.

Royce had placed his blue plastic gun cleaning basket beside his side of the bed that is shown in the photo exhibits.

There was no headboard on Royce and Desiree's bed.

There was a narrow shelf over Royce's head that contained three items.

1. a small ceramic pot.
2. ceramic watermelon souvenir.
3. small picture of Royce and a trophy buck.

Also, there was an oil painting above the shelf.

When Royce fired the Ruger P85 the pressure from the gun firing blew the picture down landing angled on top of the muskel of the firearm.

The weapon, being closest to the bed, hit the bed first, then down came the picture. This happened instantly. Blood started flowing immediately covering the picture, the gun, and the pair of underwear the gun was lying upon. The weight and texture of cotton or material of any kind is more dense, heavier when it is wet with blood. Mr. White stated "I turned it "firearm" up not to, not to, being safely not to really look down the barrel but I did look at it and there was no, the underwear was covering the barrel" ...pg #28 #29. Mr. White's curiosity looking for a hole and by his own testimony he compromised the removal of the gun just in the way he handled it. In fact Mr. White's testimony clearly shows he is the one that "staged" the scene. It is not documented as to how he removed the firearm from that bed. Blood covers everything. An hour or more after the fact your looking at drying clotting blood that would adhere these surfaces together. "The gun was "unwrapped" off camera providing no proof it was a "wrapped." gun. How does a 2 year on the force officer, that basically writes tickets for a living, become an investigator in this case? He is untruthful when he said he basically secured the scene. There were as many as 8 people in that room. Mr. White stated that his job as first officer was to secure the scene. Untrue, the first obligation was to save Royce's life. Officer White did neither. Officer White testified that he did not check the bathroom for 20 to 30 minutes but the drain was dry. I know for a fact it was not dry. It was wet. The officer's did not take a picture of Desiree's wet hair or the wet bathtub drain.

Mr. Heath did not challenge Mr. White about disturbing the scene and destroying it's worth or why he testified to Mrs. Shaw's hair being damp and up when he said the shower was dry. Ruth Oates Testified next that Desiree's hair was wet on top and dry underneath because she put her hand under Desiree's hair implying it was down with a permanent. Two witnesses, two different stories.

This unscientific unprofessional and totally inadequate investigation done at that scene was created by total incompetence on the part of the Diboll police.

The scene was also compromised by fact Officer White and Lt. Harris took three stabs at videoing the scene. Starting over twice with two different batteries, sending to Police station for one, finally procuring an extension cord to finish. They can't set the time and day on a video camera. Yet they can put a woman behind bars for 32 years.

Mr. Wilson said that Desiree Shaw shot Royce Shaw in his sleep without producing any evidence to prove it. He said "She had "something" wrapped around her arm", Mr. Wilson never produced that "something" or put it into evidence, or no one testified to seeing it, or testing it. He even had the mitigating nerve to say she did away with it. When the Police had full cooperation from Desiree, they had complete access to the premises and the Police had total control to take evidence from that scene. Then Mr. Wilson II said, she removed this "something" from around the gun and wrapped the Ruger P85 pistol in the shorts and then she placed them on the bed, hence "staging" the scene. This is a total fabrication on Mr. Wilson II's part. This is an erroronus charge by Mr. Wilson II. This would have been an impossible feat for a magician. She could not have went through that process before that picture hit that bed being covered with a blanket of blood. This is proof that Royce Shaw shot himself either intentionally or accidentally.

Mr. Wilson stated through heresy that Royce had an appointment with his lawyer to get a divorce the next day. Royce Shaw's lawyer was Sandra Roberts she was present and in Desiree's jury pool. Mr. Wilson did not put her on the stand. He did not produce a lawyer and we have not been able to locate one that Royce had an appointment with because he never had an appointment.

Mr. Wilson said all through the trial, this crime this murder this killing, and this victim along with Wrapped , Wrapped Wrapped. It became evident he had rehearsed for this fabrication.

Mr. Wilson neglected to present both 911 tapes. He did not play the one 911 tape in its entirety. The timing of the events coupled with inaccurate testimony was devastating to her defense.

Mr. Wilson failed to give the defence exculpatory evidence.

Mr. Wilson said in his summation Judge Goodwin ruled that he couldn't put witnesses on the stand. This was untruthful and extremely harmful to Desiree. Witnesses sat in that stand and perjured themselves over and over again. They truly gave conflicting testimony between each other, even the experts.

# 403 bottom lines pgs.#20-#25 - #404 #1-#11

( Mr. Wilson withheld fingerprint results)

Mr. Wilson time and time again withheld evidence and results that would have exonerated Desiree. This evidence and results should have been examined by Mr. Heath. It denied her the ability to present a proper defense.

This untruthful, devastating heresy evidence was allowed by the court. I did not hear the Judge rule you can just say ALL.

The California Expert for the State Mr. Prodan testified, there was very little movement after the initial shot was fired. He also said that the only reason he thought it was possibly staged was that the shorts were wrapped around the gun. The shorts were not wrapped in the first 35MM still pictures. They only became wrapped "after Mr. White's extraction of the firearm off camera. we are supposed to just take his word for the truth of the matter. Desiree could not have possibly "staged" the scene because she was removed immediately by the officers. Mr. Prodan still couldn't decide on suicide or homicide even after his "Freudian Flip" when he testified "This was an accidental or suicide, ..... ah, I mean suicide or homicide." Mr. Prodan stated if Royce Shaw's alcohol content would have higher accidental could not be ruled out.

The State withheld favorable evidence. Lt Harris was aware of Royce Shaw's clinical background. He did not require Dr. Bruce to do a urinary blood screen for Vicodin "Hydrocodone" a pain medication Royce was on. It warns on the label do not take with alcohol. Royce was seen taking Vicodin before bed. Mr. Prodan was not provided with all the evidence or all of the pictures.

The alcohol content with the Vicodin would have produced a situation more conducive to an accident. The tests were not complete because they weren't ordered. Alcohol evaporates and the alcohol level test results 30 hours old, would be lower than originally produced. The vitreous reading was 0.06. This is a more accurate test of the last 2 hours of Royce's life.

Mr. Prodan did say something very important to the case. "You can never put a scene back the way you found it when you first got there." Mr. Prodan's demeanor changed when confronted with pictures he wasn't familiar with. Desiree was shown the pictures during the Trial. She told Mr. Heath the clock beside Royce's head in this picture reads 9:49. There is something wrong. Desiree brought this to the attention of Mr. Heath. This shows that at 8:35 Officer White retrieved the spent shell casing from the firearm and made it safe by removing the clip, yet the gun was shown in the picture still on the bed at 9:49, as evidenced by the clock radio. You could tell Mr. Prodan was visibly shaken. This is absolute proof that the worth of that scene was destroyed and he knew it. The picture shows another piece of evidence needed to establish Desiree's innocence. The jury did not grasp this crucial information. Mr. Heath throughout and especially in his summation did not present the timing of the events in correct order and show without a doubt that gun had been moved by the Police alone. He should have established to the jury the phones and electricity were off 110 miles away in Northern Anderson county. This confused the jurors. The electricity was never off on 407 Birdsong, Diboll Tx. which would allow the jury to realize the Time was correct. Police had removed that weapon unloaded it and made it safe by removing the clip and the empty shell casing. Documenting the time at 8:35. While