

(RR25, 25). The jury found Applicant guilty of the offense of capital murder, as charged in the indictment. (CR 1., 167; 191-192; RR 25, 89).

Applicant complains of constitutional error subject to harmless error review. TEX. R. APP. P. ANN.. 44.2(a). As this Court cannot determine beyond a reasonable doubt that the repetition of Applicant's privileged marital communications, either singularly or collectively, did not contribute to the jury's verdict, in light of the factual insufficiency of the evidence in this case against him, (see Points of Error One, Two and Three, above) and the State's argument emphasizing the importance of this evidence, this Court must reverse Applicant's judgment of conviction. TEX. R. APP. P. ANN.. 44.2(a); *Chapman v. California*, 386 U.S. 18, 87 S.Ct. 824, 17 L.Ed.2d 705 (1967).

**CLAIM FOR RELIEF NUMBER THIRTY-FIVE**

**THE TRIAL COURT COMMITTED CONSTITUTIONAL ERROR BY NOT ALLOWING APPLICANT'S COUNSEL TO CONFRONT AND CROSS-EXAMINE TAMARA LLAMAS, A KEY WITNESS AGAINST APPLICANT, REGARDING HER FULL CRIMINAL HISTORY, AS IT AFFECTED HER CREDIBILITY AS A WITNESS. U.S. CONST. AMEND. VI, XIV.**

**CLAIM FOR RELIEF NUMBER THIRTY-SIX**

**THE TRIAL COURT COMMITTED CONSTITUTIONAL ERROR BY NOT ALLOWING APPLICANT'S COUNSEL TO CONFRONT AND CROSS-**

EXAMINE TAMARA LLAMAS, A KEY WITNESS AGAINST APPLICANT, REGARDING HER CUSTOMARY PRACTICES AND HABITS OF EMPLOYING JUVENILES IN INTERSTATE TRAFFICKING AND DISTRIBUTION OF MARIJUANA AS IT AFFECTED HER CREDIBILITY AS A WITNESS. U.S. CONST. AMEND. VI, XIV.

**CLAIM FOR RELIEF NUMBER THIRTY-SEVEN**

THE TRIAL COURT COMMITTED CONSTITUTIONAL ERROR BY NOT ALLOWING APPLICANT'S COUNSEL TO CONFRONT AND CROSS-EXAMINE TAMARA LLAMAS, A KEY WITNESS AGAINST APPLICANT, REGARDING HER CUSTOMARY PRACTICES AND HABITS OF EMPLOYING MINORS TO TRANSPORT WEAPONS ACROSS STATE LINES IN FURTHERANCE OF HER CRIMINAL ACTIVITIES, AS IT AFFECTED HER CREDIBILITY AS A WITNESS. U.S. CONST. AMEND. VI, XIV.

**CLAIM FOR RELIEF NUMBER THIRTY-EIGHT**

THE TRIAL COURT COMMITTED CONSTITUTIONAL ERROR BY NOT ALLOWING APPLICANT'S COUNSEL TO CONFRONT AND CROSS-EXAMINE TAMARA LLAMAS, A KEY WITNESS AGAINST APPLICANT, REGARDING HER CUSTOMARY PRACTICES AND HABITS OF MAKING FALSE CRIMINAL ACCUSATIONS AGAINST OTHERS, AS IT AFFECTED HER CREDIBILITY AS A WITNESS. U.S. CONST. AMEND. VI, XIV.

**CLAIM FOR RELIEF NUMBER THIRTY-NINE**

**THE TRIAL COURT COMMITTED CONSTITUTIONAL ERROR BY NOT ALLOWING APPLICANT'S COUNSEL TO CONFRONT AND CROSS-EXAMINE TAMARA LLAMAS, A KEY WITNESS AGAINST APPLICANT, REGARDING HER CUSTOMARY PRACTICES AND HABITS OF HIRING OTHERS TO KILL WITNESSES AGAINST HER IN PENDING CRIMINAL PROSECUTIONS, AS IT AFFECTED HER CREDIBILITY AS A WITNESS. U.S. CONST. AMEND. VI, XIV.**

Applicant filed pretrial motions entitled "Motion to Discover Arrest and Conviction Records of Witnesses" and "Defendant's Pre-Trial Motion for Disclosure of Detailed Exculpatory Evidence." (CR 2, 37-39; 44-49). A hearing of these motions was conducted on Nov. 3, 2003. (RR 5, 137; 141; 145-149). The trial court granted Applicant's Motions, specifically, "as to a anything to be used as impeachment under TRCE [sic]". (CR 2, 37; 44-49; RR. 5., 137; 141; 145-149).

Applicant's counsel attempted to cross-examine and impeach Llamas with her propensity to falsely accuse others of acts they had not committed, to manipulate others and kill others solely when and if it suited her own ends and purposes; to take advantage of the age or naivete of others if it furthered her own silent agendas. Applicant attempted to cross-examine Llamas regarding her habits and routine practices, including her continuous lying