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# Voir Dire

Voir dire - "To speak the truth." Black's Law Dictionary

A Publication of The Ellis County & District Attorney's Office  
Patrick Wilson—County & District Attorney

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## Some Numbers

Ellis County is the 5th largest county in the 16-county D-FW-Arlington metro area — one of the largest and fastest growing metro areas in the country

- 2014 more than 3,600 cases were filed with our office.
- 2010-2013 cases filed with our office increased by 6%.
- 2013-2014 cases filed with our office increased by more than 9%.

## Inside this issue:

Execution Date Nears for Convicted Killer	1
Amy Lockhart is Board Certified!	1
Legal Update	2
We Have Proof!	2
Sequential vs. Simultaneous Lineups	2
Changes in Latitude	3
Jokes of the Day	3
Recently Disposed	3
Meet Our Staff	4
Contact Info	4
Wanted	4

## Execution Date Nears for Convicted Killer

On October 6, 2002, Pedro Moreno was enjoying a family gathering on a beautiful fall day. He left that gathering for a quick trip to a nearby convenience store in Ferris. He never saw his family again. While Pedro pumped gas into his Ford pickup Kent William Sprouse, for no reason, aimed a shotgun at Pedro's head, pulled the trigger and killed him. The convenience store was busy. Chaos ensued. The first police officer to respond to the scene was Ferris patrolman Harry M. "Marty" Steinfeldt, III. Citizens watched in helpless horror as Sprouse ambushed Officer Steinfeldt, shooting him twice. Before he died Officer Stein-

feldt returned fire with his service weapon and shot Sprouse multiple times. That act of true heroism likely saved the lives of others.



On February 26, 2004, Sprouse was convicted of the capital murder of Officer Steinfeldt, and he was sentenced to die. On April 9, 2015, more than twelve-and-a-half years after he killed two men and altered the history of

three families, including his own, Kent William Sprouse is set to be executed by the State of Texas.

The government machinery of death is slow. In death penalty cases there always are last-minute attempts at appeals because the condemned, just like the rest of us, do not want to die. Our society has afforded Sprouse far more rights than he gave his two victims. Nothing is certain until it happens. But as the execution date nears let's all say a prayer for the Moreno and Steinfeldt families; may they find peace. Let's remember those who were murdered, and let's forget the man who killed. —Patrick Wilson

## Amy Lockhart is Board Certified!

Chief Felony Attorney Amy Lockhart is now a Board Certified Specialist in Criminal Law. This year Amy was one of 20 attorneys in the State to earn Board Certification in Criminal Law. Amy joins a distinguished few, there are over 70,000 lawyers in Texas and in the last 36 years only 845 have achieved Board Certification in Criminal Law.



Chief Felony Prosecutor  
Amy Lockhart

Within the Texas legal community, Board Certification means an attorney has substantial, relevant experience in a select field of law as well as demonstrated, and tested, special competence in that area of law. Board Certification is a mark of excellence and a distinguishing accomplishment. Congratulations, Amy!

## Legal Update

### Cameron v. State

Murder conviction reversed because Judge excluded members of the defendant's family and witnesses from the courtroom during voir dire. Defendant's rights were violated because space limitations and safety concerns did not outweigh the right to a public trial under [U.S. Const. Amend. VI](#).

### Wilson v. State

Six calls over the ten-month period, combined with evidence of Wilson's combative conduct and verbal abuse toward Bailey was sufficient for the jury to find the Defendant guilty of

telephone harassment. The jury could have rationally found that Wilson, with the intent to harass, annoy, alarm, abuse, torment, or embarrass Bailey, made repeated telephone communications to Bailey in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend her.

### State v. Villarreal

The Court of Criminal Appeals held that a blood draw is a search, and the implied consent statutes do not create an irrevocable consent that would function as an exception to the warrant requirement of



the Fourth Amendment. The court declined to extend the automobile exception, the special-needs exception, or the search-incident to arrest exception to encompass warrantless blood draws.



## We Have Proof!

February 27, 2015, the stars aligned in the DA's Office. All four Justices of the Peace for Ellis County (Judge Curtis Polk, Judge Steve Egan, Judge Bill Woody and Judge Jackie Miller) met with attorneys Ann Moran and Bill Little, and Chief Deputy Dennis Brearley. Astronomers cautiously predict a repeat occurrence in 2023. Bill lost a dollar to Ann, even after offering Judge Miller two dollars to not show up.

## Sequential vs. Simultaneous Lineups

The recent reversals of convictions with DNA evidence that was not scientifically available at the time of the trial, bring new focus on the process of eyewitness identification. Two separate methodologies are being examined for use in eyewitness identification lineups to determine which method produces the most accurate results: Sequential Photo ID vs. Simultaneous Photo ID. With sequential, the witness is shown photos one at a time and is asked, "Is this the person you saw commit the crime?" With simultaneous, all of the photos are placed in front of the witness, and the witness is asked if the perpetrator is in one of the photo-

graphs. In 2011, the Texas Legislature ordered the [Law Enforcement Management Institute of Texas \(LEM-IT\)](#) to produce a [model policy](#) for eyewitness identification procedures. LEM-IT recommended the [sequential photo lineup presentation](#). Recently, the Sequential Photo ID method has been challenged by [experts](#) and a committee at the [National Academy of Sciences](#). These experts are questioning the science behind sequential vs. simultaneous lineups. At this time the question is still unanswered.

Yet, proponents of both lineups can agree on some basics:

- ◆ Easy written instructions should be given to the witness.
- ◆ The officer presenting the lineup should not know the suspect.
- ◆ The witness should be told that suspect may/may not be there.
- ◆ The ID should be recorded.
- ◆ The witness should provide a "level of confidence statement" at the time of the identification.

~Excerpts taken from Staley Heatly's article on the topic in the current TDCAA Journal, *The Texas Prosecutor*

# Changes in Latitude

Our long time juvenile prosecutor has left for greener pastures; or at least newer pastures. Mary accepted the position of Director of Juvenile Services with Ellis County.



Mary Trost

From the great city of Groesbeck, David Hernandez is our new prosecutor handling misdemeanor offenders whose last name begins with the letters F-L. He is also representing the State on mental commitment hearings.



David Hernandez

Coming home to North Texas, Jason Allen returns from the Texas Panhandle (Dust-Ball USA) to prosecute juveniles in Ellis County. Born and raised in the Metroplex, our office is a natural fit for him.



Jason Allen

# Jokes of the Day

Why did the Easter Bunny hide the egg?

Because it was a little chicken.



What do you call a rabbit with fleas? Bugs Bunny.



What do you call a line of rabbits walking backwards? A receding hareline.



How are rabbits like calculators? They both multiply really fast.



What do you get when you cross a bunny with a spider?

A harenet.



How many Easter eggs can you put in an empty basket?

Only one – after that it's not empty any more!



How do you catch the Easter Bunny? Hide in a bush and make a noise like a carrot!



What's the best way to send a letter to the Easter Bunny?

Hare mail!



Where does Dracula keep his Easter candy?

In his Easter casket.



Where does the Easter bunny eat breakfast?

IHOP.



# Recently Disposed

**Casey Tillison - 65 years TDC** on probation revocation of **aggravated sexual assault of a child.**

**Jose Maldonado, Jr. - 99 years TDC x 2,** to run consecutively, on **aggravated sexual assault of a child x 2.**

**Seized and forfeited \$464,870.00** from **Omar Lopez** in conjunction with **money laundering conviction.**

**Billy Aultman** charged with **felony theft enhanced with 2 prior convictions,** jury empaneled, Defendant **absconded** during trial, charges still pending and warrant issued.

**Shanetta Robinson** found **guilty** of

**assault bodily injury with family violence,** agreed punishment of **1 year in county jail, probated for 1 year \$300 fine.**

A person found **not guilty** of **assault bodily injury with family violence.**

**Javier Palcio** charge with **assault bodily injury with family violence,** accepted a plea bargain during jury trial, 2 days in county jail.

**Patrick Werr** found guilty of **DWI** and sentenced to **120 days** in the county jail.

**John Gavlick** found **guilty** of **deadly conduct** and received a \$2,342.00 fine.

**Michael Fisher** jury convicted of **evading arrest,** judge sentenced to 40 days in the county jail and a \$4,000.00 fine.

**Shawn Ward** found **guilty** of **assault** and received **1 year., probated for 2.**

**James White** found **guilty** of **POM < 2 oz** and received **180 days.**

Person found **not guilty** of **DWI.**



## Ellis County & District Attorney's Office

### Meet Our Staff

3 girls - 14 letters - DLR — 3 boys - 18 letters - MTR, thus D'Andra Lea Royse, a child of 6 siblings, 1/2 boys & 1/2 girls. Each of the girls' initials are D. L. R. Each of the boys' initials are M.T.R. Each of the girls have exactly 14 letters in their name when counting first, middle and last names. Each of the boys have exactly 18 letters in their name when counting first, middle and last names. It is with this in mind that D'Andra's mother created her name. With the "e" taken out of D'Andra, she has exactly 14 letters to her name (apostrophes don't count of course). Therein describes the provenance of D'Andra.

Born in Amarillo, youth spent in Denver, D'Andra's family moved back to Texas during high school which resulted in graduation from Corsicana High School. From there her career spanned service as a publisher of

a real estate magazine, sales for newspapers, and clerk for Texas Department of Criminal Justice where she worked to the position of assistant regional administrator for 16 Texas prisons and many parole units. This year starts her 9th year with the ECDAO, where she has worn many hats including: receptionist, hot check division clerk, motions to revoke clerk (both felonies and misdemeanors), assistance with CPS cases, and backup clerk to the mental commitments and protective orders. With each move around the office, she accepts the new job responsibility with enthusiasm and determination. Currently she is the discovery clerk for misdemeanor cases. With more than 2,000 misdemeanor cases filed annually in Ellis County, her workload is tremendous. We are lucky to have such a dedicated and exceptional person as DLR. The sibling with the apostrophe.



D'Andra Royse  
Clerk

972-825-5035

[dandra.royse@co.ellis.tx.us](mailto:dandra.royse@co.ellis.tx.us)

## WANTED: ABSCONDED DURING TRIAL



DOB: 11/25/1963  
Height: 5' 11"  
Weight : 160

Hair Color: Brown  
Eyes: Blue  
Race: White

### BILLY ALLEN AULTMAN

Billy Allen Aultman is currently wanted by Texas authorities. He has a pending charge out of Ellis County for Theft of Property equal to or greater than \$1,500 but less than \$20,000 enhanced by two prior felony convictions. Mr. Aultman has prior felony convictions for aggravated assault causing serious bodily injury and unlawful delivery of a controlled substance, as well as arrests for multiple burglaries, drug offenses, resisting arrest, and carrying a prohibited weapons. On January 20, 2015 a jury was empaneled to hear Mr. Aultman's case. The Defendant absconded and did not appear to continue his trial. If you have information on his whereabouts contact the Ellis County Sheriff's Office.

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*Seeking justice, serving, protecting, and representing Ellis County and the State of Texas through partnerships with law enforcement and our community.*