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Testimony resumes in Lake Waco killings

WACO, Texas (AP) — Prosecutors weaving a tale of mistaken identity and possible payoffs in the trial of capital murder defendant David Wayne Spence were scheduled to resume their questioning today in state court.

Spence, 25, is accused in the July 13, 1982, slayings of two Waxahachie girls, Raylene Rice and Jill Montgomery, and a Waco teen-ager, Kenneth Franks. He is on trial only for Ms. Montgomery's slaying.

On Friday, former McLennan County jail inmate Jerry Jennings testified before the state district court jury that Spence told him "there was some money" involved in the Lake Waco killings.

Jennings, 30, said he and Spence were confined together last September when Spence asked him if he knew about "the park killings."

Jennings, who said he was recently paroled on a robbery conviction, said Spence told him that "there was some money" involved in the slayings.

"He said if he would have got the money, he would have left the state and never come back," Jennings said.

The state contends the three were killed after being mistaken for the intended victims of a murder-for-hire scheme.

An 18-year-old woman who authorities said was the intended victim testified Thursday that she knew one of the suspects had taken out an insurance policy

in her name, but not that he was the beneficiary.

Gayle Kelly said she had heard Muneer Mohammad Deeb, 25, who also is charged with capital murder in the triple killings, discuss the policy with an insurance agent.

Authorities say Ms. Kelly, Deeb's former girlfriend, resembled Ms. Montgomery.

At the time of the slayings, Ms. Kelly testified Thursday, she was on restriction at the Methodist Home, where she lived, because she had run away. Otherwise, she said, she would have been at the lake the night of the murders.

After the deaths, Ms. Kelly said, she went into seclusion, moving in with a friend of hers. The apartment was broken into and ransacked, and kitchen knives were laid out in a row in the counter, she said.

A note said: "We missed you this time, but we'll get you next time," Ms. Kelly testified.

Spence was indicted November 1983 along with Deeb, 25; Gilbert Melendez, 29; and Anthony Melendez, 25.

The younger Melendez brother pleaded guilty last week to two counts of murder in the deaths of Miss Montgomery and Franks and was assessed two concurrent life prison terms in a plea-bargain arrangement.