

Wednesday, May 23, 1984

Jury selection under way for Spence murder trial

By TOMMY WITHERSPOON
Tribune-Herald Staff Writer

Some read books and newspapers, a few napped, many fanned themselves to keep cool and others chatted with newly made acquaintances, but it was clear that most of the 223 prospective jurors who filled two state district courtrooms Tuesday would rather have been someplace else.

The arduous task of selecting a jury for the capital murder trial of David Wayne Spence got under way Tuesday in 54th State District Court. Many of the people summoned had to be seated in nearby 19th State District Court because they could not all fit in one courtroom.

The potential jurors spent much of Tuesday morning filling out a three-page personal background questionnaire and then waiting while Judge George Allen, prosecutors and defense attorneys heard excuses from about 55 people, who convinced court officials that they could not serve as jurors for medical or personal reasons.

Court officials initially called 500 people for jury duty in Spence's case, but that list had been slashed by 175 before Tuesday.

After briefing jurors Tuesday afternoon about legal aspects involved in a capital murder case and instructing them not to speak to anyone or read or listen to news accounts of the case, Allen singled out eight people to return to court Wednesday for individual questioning by attorneys.

Allen instructed potential jurors to formulate an opinion about the death penalty, a question defense attorneys and prosecutors will ask them during individual questioning.

If convicted in the July 1982 stabbing deaths of three teen-agers whose bodies were found near Lake Waco, Spence, 25, faces life imprisonment or death by injection.

Muneer Mohammad Deeb, 24, Anthony Melendez, 24, and his brother, Gilbert Melendez, 28, also are charged with three counts of capital murder in the deaths of Jill Montgomery, Raylene Rice and Kenneth Franks.

Court officials have predicted that it might take three or four weeks to select a jury and another three or four weeks for Spence's trial.

Spence will be tried for Miss Montgomery's death, and Tuesday, Nancy Shaw, Miss Montgomery's mother, Benny Shaw, her step-father, and Jan Thompson, her aunt, were watching the proceedings and "trying to prepare for the actual trial."

"I'm shaky, excited," Mrs. Shaw said. "It is a hard feeling to describe."

She said she came to Waco from Waxahachie on Tuesday because she was interested in finding out how the judicial process works.

Mrs. Shaw said she and her husband probably will not return to Waco until actual testimony in Spence's trial begins.

She said she expects the trial to rekindle memories of her daughter