north side? We know that's not right. We know the ladies live across the street from each other, but one lived on the east side and one lived on the west side.

He knows these things because he's the killer. Why did he say a friend might have helped him, and by "him" he refers to the killer? Is there any evidence that there was more than one person in this house? Or is it the State's theory that there was more than one person in this house, the house of [redacted] and [redacted]? No. It's their theory that it was Robert.

If he was the killer, why does he say that the killer went through the house trying to find things of value? Well, we know that there was absolutely nothing of value except perhaps a pillow that Miss Hammons testified to taken from [redacted] house.

We know that robbery wasn't a motive in the [redacted] homicide because [redacted] purse was two feet from the bed and it was open and there was $30.00 of cash money in it and there were credit cards in it. Now, if the killer went in there to rob her, then why didn't he take the money and the credit cards?

Robert again says that the killer might have had two dudes with him. Once again, that's certainly not the State's theory.

Robert says that he was going to force her to

have sex with him, the killer, and tell the killer where the money is. Once again, if that's true, if Robert is saying those things because he knows the -- because he's the killer, why was there no money taken? Why is there $30.00 in cash money in [redacted] purse?

If the killer took jewelry, why was there no jewelry taken? Why was there jewelry found in her house, in [redacted] house?

If the killer took a television set, why were there several television sets found in [redacted] house?

If the killer took small objects, why is there no testimony that any small objects were taken from [redacted]? If the killer took a radio, why is there no testimony that a radio was taken from [redacted]? These are things that the killer went in the house and took.

Robert says that the killer went in the house through a window. There's absolutely no evidence we know that the killer didn't enter through a window.

He says that he might have tied her hands. Well, I would submit to you, ladies and gentlemen, there's absolutely no testimony that [redacted] hands were tied. There are bruises on her hands, but in Dr. Balding's opinion, those bruises were caused by whoever raped and killed Miss [redacted] by him squeezing her arms, causing the bruises on an 80-year old woman. I specifically asked Dr. Balding that,

are there any ligature marks around her wrists. Ligature, meaning any tie marks, any marks around her wrists or her ankles or her throat to indicate that she was tied up or had anything restricting her wrists. There's no evidence of that.

He says the killer cut her across her breasts. Well, we've had gruesome details of the injuries that were done to Miss [redacted] and we know that she was not cut across her breasts.

That the killer might have cut her across her stomach. We know that's not true. There were not cut marks to her stomach.

The killer might have cut her across her arms. We know that's not true. There were no cut marks to [redacted] arms.

The killer might have stabbed her. There are no stab wounds on the body of [redacted].

Robert said that the killer -- that when Miss [redacted] was left she had her hands to her side. We know that's not true, because in the picture, the way she was found, she had her arms like this (indicating).

He said that the killer might have stabbed her close to her heart. We know that's not true. She was not stabbed.

He told -- he said that the killer might have

stabbed her until she bled to death. We know that's not true.

And this is -- Mr. Elliott makes a big point, and I'm sure Mr. Macy will too, how would he know these things, how would he know these things. We saw the tapes. Now, it wasn't like they led Robert into a room and said, tell us what you know about this, and he started to rattle off these details, he started to rattle them off and they brought him a cup of coffee and they were all done in 20 minutes. These tapes lasted -- by the State's own admission, they lasted over several days. They lasted all of one day and into the next day.

It wasn't Robert coming in and rattling over facts. It was Jerry Flowers saying, did he leave something, did he leave something, Robert; use your powers, use your powers, Robert, use this special gift that you have; put your hand on the Bible, Robert, tell us what you see; did he leave something. And Robert said, well, he might have. Did he leave something, Robert. He might have; I don't know. Did he leave something. I don't know. Did he leave something. What did he leave, Robert, what did he leave. He might have left his shoes. We know the killer did not leave his shoes. Flowers again asked him, what did he leave. He might have left his shoe. We know the killer didn't -- finally, after Flowers had asked him seven or eight times

what did he leave, and Robert gives an answer, and Flowers asked him, what did he leave, finally after Robert has gone thorough every article of apparel, he finally comes up with underwear.

Robert said that the killer scratched her. There are no scratch marks on either [redacted] or [redacted].

Once again, Robert said that [redacted] was stabbed lots of time. We know that's not true.

Robert says that the killer didn't leave the same way that he came in. Well, that's not the State's theory. There's no evidence that he left except from the back door in which he entered.

Robert says that in the [redacted], once again, that he took a lot of valuables. There's no evidence of that.

He says -- you folks heard the tape. It's not my memory that he said that the [redacted] bedroom is on the west side of the driveway. It's my memory that he said it was on the west side of that house. That's not true. That doesn't conform with the physical evidence. Her bedroom is on the east side of the house.

He said that the killer put a cord around her neck. There's no evidence of that.

And he said, when they asked to describe, well,

Mrs. [redacted], Robert said, she's not too old, she's middle-aged. Well, we know that's not true. [redacted] was 83 years old.

As to the Cutler, when they were asking him questions and trying to get him to give them details about the Cutler homicide, he said that the second lady lives on the north side of the street. Well, we know that's not true. She doesn't live on the north side of the street.

He said that he crawled -- the killer crawled through the west side of the house. We know that's not true. The entry was made from the back door.

He said that her head's bleeding maybe on the temple. Well, you can look at the autopsy diagrams that were introduced by the State and she doesn't have any injuries to her temple. She's not bleeding from the temple.

He said that the killer hit Miss [redacted] with a metal object. We know that's not true from what Dr. Balding told us. There was no trauma to her head to indicate that she was struck hard with a metal object. So, we know that's not true.

He said, once again, that the killer stabbed Miss [redacted], stabbed her all over more than once, that he stabbed her in the heart. We know that's not true. There's no evidence of that.

He said that the killer tied her hands to the

bedposts with some kind of string. Once again, there's no evidence of that.

He thinks the killer cut Miss [redacted] on her arm. She wasn't cut on her arm.

That the killer cut the light cord and used it to tie her hands. Well, they did a thorough examination, Detective Horn did of Miss [redacted] home. He found none of her appliances and cords cut. So, there's no evidence of that. And as we said previously, there's no evidence that Mrs. [redacted] hands were tied with any kind of cord.

He said that the killer tied her hands to the bedposts. There's no evidence of that.

He said that the killer broke her lamp. Look at the pictures of Miss [redacted] bedroom. Remember the testimony of Detective Horn. There's no lamp broken. There's no signs of any struggle on her bed table.

He said that the killer ripped the phone off the wall. There's no evidence of that. There's no phone on the wall.

He said that the killer cut the line with wire cutters. We know that's not true. That the line was pulled apart, that it wasn't with wire cutters.

He said that he knows that the lady had a car. There's no evidence that she had a car.

He said, as to the Lendvay house, that the

killer pulled the fuses out at the meter. We know that's not true. The fuses weren't pulled out.

And he talks about Mrs. Kaiser. Now, the reason we brought up Miss Kaiser in this case is that -- even the State knows, even the police know that Robert has absolutely nothing to do with Mrs. Kaiser's killing. Everybody knows that, and yet Robert wants to tell them about Mrs. Kaiser.

He wants to tell them about a lady that they should find dead at 29th and Shartel. By everybody's admission he even takes them to that scene. There's absolutely no evidence, and the police check this out to their credit, that anybody was ever dead at 29th and Shartel. There's been no body found. There's no evidence. There's nothing to support that that's true.

Why is he telling them this in the first place? Isn't that the question you-all had? That's the question I've had for the last 15 months, since the first time I met Robert. Why is he telling them anything in the first place? If he didn't do this and if he didn't know anything about it, except as Robert tells you that he saw these things in this dreams, he heard some things from living in that neighborhood, then why's he going to talk to these police officers?

Well, there's several possibilities, not

that many.

Obviously the first possibility, the possibility this table is trying to get you to believe, is that he did it, he did these things. But if he did it, why is he telling the police these details? Because he wants to be caught? Because he wants to be punished? Because we all have to play amateur psychologist here? Because there's the good side and bad side of Robert? That if he wants to be caught, why does he say all these things, most of which aren't true? He wants to get caught but at the same time he wants to throw them off the track?

And there's other physical evidence that I'll come to shortly to indicate that Robert is not the killer.

But that's the first possibility.

The second possibility, he's crazy. Well, you heard him on the statements.

And let me apologize in advance to you, Robert, for saying this.

I've represented a lot of people over the last five years, ladies and gentlemen. Robert is one of the strangest individuals I've ever represented. I'll probably get criticized for saying it, but it's the truth. He is an eccentric person. He thinks he has dreams. He thinks he has visions. I'm not going to stand up here and tell you that he doesn't. But it's certainly strange and it's not something

that you and I encounter in our lives ordinarily.

The third possibility is to why he's telling the police officers this. It's pretty much an offshoot of the second possibility. He is strange. He doesn't have a lot to call his own. Police officers start paying some attention to him, asking him a lot of questions. They seem to be interested in his answers. He starts to supply them with some answers. They ask him some more questions. He told you he thinks of himself as an amateur detective, as a Marshall Dillon, that he comes from a long line of police officers. He told you that in those video tapes. He told you about being a descendent of Bruce Lee, how his name was Al Capone, whatever. And he talked and he talked and he talked to the police. And Jerry Flowers settled right up to him trying to be -- trying to get information out of him. They talked about going to school, in the Navy together, and they talked about his grandmother. And they put their hands on the Bible and they cast the demons out of him. And he talks some more, and they ask him some more questions.

And, okay, granted, he gets a few details right. But can you say, ladies and gentlemen, that it's not reasonable, that it couldn't have happened just that way, that it's just not a coincidence that he hit those two or three details right?

Let's talk about the other physical evidence.

The thing that bothers me the most about this case is, being totally frank with you, the nail that was found in [redacted] bed. Now, I don't mean to be prude, but we know that [redacted] did not have a lot of people coming, going in and out of her bed. And by that, I mean, she didn't have grandkids or daughters or sons or other friends that would come over and stay with her or sleep in her bed when she was gone. Now, that's important because they found a nail, a fingernail in [redacted] bed that they can conclusively state -- even Irv Stone, the guy the State flew in here from Dallas, he can conclusively say that it's not [redacted] nail. So, from that piece of knowledge, from that piece of uncontroverted knowledge, we can deduce one conclusion in this case that's very important. Whoever raped her, broke into her house, whoever killed [redacted] left that nail there. Couldn't have come from anybody else. Whoever did this left that nail there. That's why the State was so anxious to get Robert's nails. That's why they got that court order, to get his nails so they could compare his.

There are several things that are interesting about trying to say that that nail could have come from Robert. Well, we got to start with the video tape. Now, regardless when they're taken, and depending on who you believe, they're either taken February the 20th or February