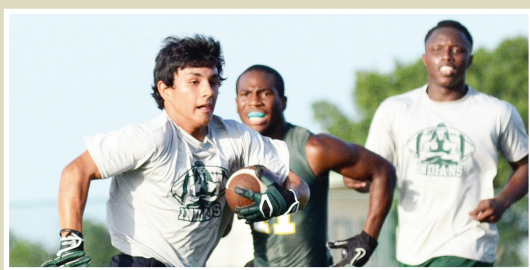


# Indians end 7-on-7 season

Waxahachie wrapped up its 7-on-7 regular season schedule Tuesday. | PAGE 6



# McClure takes seat on council

Midlothian's new council member takes oath of office | PAGE 2



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## THURSDAY

6.27.2013

# DAILY LIGHT



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### WISD students build bridges

Gifted and talented students attend a camp. VIDEO REPORT | WEB



### Chief swears in firefighters

Midlothian promoted six new firefighters. PHOTO SLIDESHOW | WEB

### Rangers Forecast

Can the Rangers make it back to the World Series this year? POLL QUESTION | WEB

WAXAHACHIE.TX.COM /OBITUARIES

- Barbara Martin, 75, Fort Worth
- Dave Borders, 83, Waco

PAGE 10

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TODAY'S EDITION /WHAT TO DO

July 6 9 a.m. Little Miss & Mister Italy Pageant at Italy High School Band Hall. \$5 admission.

TODAY'S EDITION /BY THE NUMBERS

6 Suspects accused of killing Henry Fabian Villatoro.

75¢ 1 sections | 10 pages



# Law and justice

## Morton Act to have impact on criminal justice system in Ellis County

BY AARON SCHWADERER DAILY LIGHT STAFF WRITER

Governor Rick Perry signed the Michael Morton Act into law as a way to reduce wrongful convictions through greater transparency in the criminal justice system. The act, Senate Bill 1611, will go

into effect Jan. 1, 2014 and have a major influence in Ellis County and throughout Texas for how prosecutors share evidence with defense attorneys.

The act is a response to the case of Michael Morton, in which he was wrongfully convicted in 1986 of murder-

ing his wife. The Innocence Project in New York cleared Morton's name through DNA testing, and he was formally acquitted in 2011.

Ken Anderson, who served as the Williamson County District Attorney and prosecuted Morton, was accused of deliberately withholding

evidence from the defense. A key piece of evidence withheld was a record of Morton's son saying his father wasn't the "monster" that murdered his mother.

The law requires prosecutors to provide copies of exculpatory evidence, which



SEE LAW, PAGE 2 Wilson

## CHANGE OF COMMAND



New Waxahachie Salvation Army Officers Lt. Frankie and Capt. Jan Zuniga mingle with visitors at the meet-and-greet for the new commanders on Wednesday, June 26. The Zuniga's served in Austin before relocating to Waxahachie.

Photo by Mallory Pratt/The Daily Light

## Waxahachie welcomes new Salvation Army leaders

BY MELISSA CADE DAILY LIGHT STAFF WRITER

Lt. Frankie and Capt. Jan

Zuniga, along with their 2-year-old daughter Sofia have relocated to Waxahachie as the newly appointed commanders

of the Waxahachie Salvation Army Corps. They were originally stationed in Austin,

SEE ZUNIGA, PAGE 4

## Waxahachie product to aid space station

FROM STAFF REPORTS

Waxahachie based Americase's latest product will help NASA further its goal of exploring what lies beyond Earth.

Americase has designed, developed and completed the first HM224B /DOT31FP shipping containers for the Nitrogen Oxygen Recharge System, which is a part of NASA's Orbital Replacement Unit Project

SEE AMERICASE, PAGE 4



Americase's new product will be used to resupply the Nitrogen Oxygen Recharge System for the International Space Station.

## 15-year-old to face adult murder charge

FROM STAFF REPORTS

On June 24, after a two-and-a-half day hearing, Judge Gene Calvert, Ellis County Court at Law #2, ruled that 15-year-old Victoria Alejandra Velasquez Navarrete, of Irving, may be tried as an adult for the first degree felony of murder.



Navarrete

The Ellis County & District Attorney's Office petitioned the court to certify Navarrete as an adult after she was arrested along with five other individuals, all adults, for the murder of Henry Fabian Villatoro.

Villatoro's body was discovered in Ellis County on April 6, with what Ellis County Sheriff's Office investigators described as "several gunshot wounds to the cranium."

On June 19, the Ellis County Grand Jury indicted all of the five adults for murder. Those individuals are: Abel Armando Martinez (19, from Irving), Roberto Lopez-Martinez (19, from Irving), Rafael Perez Morales (19, from Irving), Inmer abed Palma Garcia (24, from Irving) and Fredy Abel Martinez Rodriguez (24, from Houston).

Now that she has been certified as an adult Navarrete's case will also be presented to the Grand Jury.

All of the defendants are in the SEE RULING, PAGE 10

## It's a Guy Thing

### Baylor hosting free health event for men Saturday

The Baylor Medical Center of Waxahachie is offering a free event for men titled "It's a Guy Thing," to take place from 8-11 a.m. Saturday, June 29.

The event will be held at the Baylor Institute for Rehabilitation Outpatient Services and Fitness Center, 507 N. Highway 77, suite 700 (in the Northgate shopping center behind Applebee's in Waxahachie).

The purpose of the event

is to educate men about common health problems among males, appropriate BMI, cholesterol and blood pressure levels, and the benefits of exercise and healthy eating.

There will also be physicians and other health professionals present to answer questions and talk one-on-one with those in attendance.

Baylor hosts this event at multiple campuses as SEE BAYLOR, PAGE 10

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## COMMUNITY NEWS NOTES

## Waxahachie Dog Park Fundraiser today

A fundraiser event will be held at the Texas Theater for the future Wags-A-Hachie Dog Park from 5-8 p.m. Thursday, June 27. The event will feature live music by Matt the Cat Trio of 1100 Springs, Saint Arnold Brewery, Leon's "Real Fine" Bar-B-Que, and the Dove's Nest are sponsoring food and drinks for the event. Ticket for the event are \$30 and can be purchased at Zula's Coffee House inside the Texas Theater located at 110 W. Main St., the Webb Gallery located at 209 W. Franklin St. and the Ellis County Museum located at 201 S. College St.

## Independence Day program

In honor of Independence Day, members of the Ellis County Criminal Defense Lawyers Association will participate in a public reading of the Declaration of Independence.

This annual event is scheduled for noon, Wednesday, July 3, on the front steps of the Ellis County Courts Building, 109 S. Jackson, Waxahachie.

The Declaration of Independence is planned to be read on courthouse steps throughout the entire state of Texas, in conjunction with the 3,200-plus members of the Texas Criminal Defense Lawyer's Association. At each event, attorneys will recite in unison the inspiring declarations of liberty drafted by our founding fathers.

This year's reading in Ellis County will be joined by special guest, Christopher Scott, wrongfully imprisoned Texas exonerate. Following the recitation, he will be available for questions. The citizens of Ellis County are encouraged to attend and experience this important and moving celebration of our nation's freedom from tyranny.

## Ellis County Children's Theater Musical

It's not too late to sign up for Ellis County Summer Musical, "Fairy Tale Fantasies," by Ryan Mullican and Elizabeth Stelzer. The program is for children ages 5-15.

Auditions will be held at 10 a.m. Saturday, June 29, at Waxahachie High School Fine Arts Center.

There are lots of speaking and singing roles.

Rehearsals will be held July 1-19 (no rehearsal July 4-7), with final performances at 2 p.m. and 7 p.m. Saturday, July 20.

Mention the Daily Light and the discounted price of \$175.

For more information, contact Gail Harrell, ECCT Founder at 972-351-4399 or visit [www.ecctheater.org](http://www.ecctheater.org).

## Veterans sought for parade honors

The Waxahachie Chamber of Commerce, the Convention and Visitors Bureau and the residents of Waxahachie would like to honor all area veterans, regardless of age. The occasion is the Waxahachie Crape Myrtle Festival/July Fourth Parade, which is a very patriotic event.

The honored guests will begin the morning with a special Veterans Breakfast from 8-9 a.m. at First Baptist Church Epton Hall, 315 N. Rogers St. The group will be taken to the parade staging area where they will be a featured part of the parade on a float or floats just for veterans.

The parade will begin at 10 a.m. Thursday, July 4, on College Street near the U.S. Post Office travel south to Main Street and then proceed west to Grand Street. It will then turn left and end up in Getzendaner Park.

The veterans will be taken by bus back to the parade origin.

Assistance for wheelchairs or anyone else will be provided.

Reservations are required for planning purposes for the floats and breakfast. Veterans are asked to RSVP by calling the Waxahachie Chamber of Commerce at 972-937-2390.

## Little Miss &amp; Mister Italy Pageant

The city of Italy will hold a pageant to raise funds for the police department's Shop with a Cop program at 9 a.m. Saturday, July 6 at the band hall at Italy High School, 300 College St.

Tickets are \$5 at the door. Check-in for contestants will be 8:30 a.m. All contestants will walk on stage and are free to model however they are comfortable. Parents may help with younger children onstage and babies may be held.

There is an optional Most Photogenic category. Bring the photo to check-in at 8:30 a.m. Photos may be 5x7 or 8x10, color or black and white.

Scores are not given out after the pageant and all of the judge's decisions are final. Each child will receive a gift. Winners will receive tiaras and trophies. Runners up will also be awarded depending on the number of contestants in the age group.

For more information, contact Holly Hill at 817-915-4735 or [hollyhill@sbcglobal.net](mailto:hollyhill@sbcglobal.net).

The city will also hold its annual Guns & Hoses softball game and fireworks display to raise funds for the Shop with a Cop program at 7 p.m. that evening at the Italy Softball Field.

## East Side After School Program

Enrollment for A Call to Souls Outreach enrollment is under way. The fee is \$35 per household per week.

The main focus of the program will be to help children gain a better understanding in math and reading.

The following is a list of those items needed to ensure the success of the program: folding chairs and tables, laptop computers, a DVD player, a flatscreen television, educational/spiritual movies, books for reading, math books, two small desk chairs, paper, pencils, crayons, coloring books and bookshelves. Monetary donations will be accepted as well. Make checks payable to East Side After School Program.

For more information about the East Side After School program, contact Pastor James Johnson at 972-351-7734 or Janice Jerening at 903-467-2460

## Revolutionary War presentation at Sims

Nicholas P. Sims Library invites you to take a walk back in time, while educating yourself about the Revolutionary War. William Covington will make a presentation on the front lawn of the library from 10-11 a.m. Friday, June 28. Come and learn how soldiers endured during the Revolutionary War versus how they do it today. See weaponry used and absorb all you can about this important time in our history. For more information, contact the library at 972-937-2671, or email [children@simslib.org](mailto:children@simslib.org).

## PICTURE THIS!



Submitted by Perry McMillan  
Perry McMillan sent in this photo from his campsite in Colorado of the West Fork fire that came over the hill across his camp. He said in his email that he had to be evacuated, but "the people of Colorado have been the best I have ever seen." Submit your picture to our daily "Picture This" feature by emailing your photo to Editor Neal White at [neal.white@waxahachietx.com](mailto:neal.white@waxahachietx.com) or submit it directly to the Community Voice section of our online edition at [www.waxahachietx.com](http://www.waxahachietx.com).

## McClure takes seat on council

BY AARON SCHWADERER  
DAILY LIGHT STAFF WRITER

MIDLOTHIAN — The Midlothian City Council oversaw the swearing in of Council member Place 3 and fire personnel promotion ceremony to open its meeting Tuesday night.

Judge Kent Traylor administered the oath of office to Jimmie McClure while her husband, Jim McClure, held the Bible. Many well-wishers for McClure and Jason Kyle, who stepped down as Council member Place 3, attended the meeting and filled the council chambers. A short reception for the two, their families and friends was held prior to the meeting.

Midlothian Mayor Bill Houston presented Kyle with two stone bookends impressed with the city's



Judge Kent Traylor administers the oath of office to Jimmie McClure while her husband, Jim McClure, holds the Bible at the Midlothian City Council meeting Tuesday, June 25.

official logo. Houston shook Kyle's hand and thanked him for his thoughtful input and clear legal perspective as a council member, then each of the other council members took a moment to speak a few words, thanking Kyle for his service and time on the

board.

Midlothian Fire Department Chief David Schrodt presented 11 personnel, six firefighters who completed their probation period and five for promotion.

New firefighters added to the department include Eli Fincher, Michael

Barker III, Sam Villa, Caleb Bondurant, Lance Silas and Stefan Schloemp. Rising to the rank of pump engineer were Brandon Rogers and Brad Bryan. Schrodt also promoted Matt Goleman to the rank of lieutenant and Scott Smith to captain.

During discussion, Parks and Recreation Manager Billy King presented a proposal to add 56 new parking spaces to Hawkins Spring Park, with 26 spaces and a sidewalk extension to Mountain Peak Park.

Councilman T.J. Henley, who acts as the Park Advisory Boards representative to the council, said the addition of parking spaces to Hawkins Spring Park is unwarranted.

"Won't the pressure on the park reduce with the construction of the

SEE COUNCIL, PAGE 4

## LAW

FROM PAGE 1

may justify or excuse an accused defendant's actions or remove guilt, instead of just providing access to the defense.

Ellis County District and County Attorney Patrick Wilson said his office has always had an open file policy and that the new law will just be a burden for his office.

"For the most part the Michael Morton Act simply puts into law the open file practices that have been employed by my office, and most prosecutors' offices around the state, for many years. As prosecutors we have a legal and ethical obligation to seek justice, not convictions. We should be able to play with our cards face up, allowing the cases we prosecute to stand or fall on their own merit," Wilson said.

"The law also mandates that copies of documents and other evidence be provided to the defense, instead of simply providing access. That mandate will require a substantial commitment of financial and labor resources. In my office we are expediting our efforts to move to a digital workflow, which I hope will minimize some of that cost."

From the other side of the courtroom, Waxahachie Municipal Judge Joseph Gallo, who also serves as a criminal defense attorney, shared his thoughts on the Michael Morton Act.

"(This) is the most important Texas legislation enacted in my legal career," Gallo said. "These improvements should be welcomed by all citizens who value a

fair Texas criminal justice system. Not only will this legislation help to prevent the wrongful convictions of Texas citizens falsely accused of a crime, it also makes our system more efficient. There is a reason why this legislation was supported unanimously by both Democrats and Republicans. It was long overdue and clearly the right thing to do."

Wilson expressed fears of the new law adding to the burden on the Ellis County criminal justice system.

"The requirement by both the state and the defense in every case to document and acknowledge the specific discovery provided will likely be a tedious and time-consuming task," he said. "How that will be executed in each of the more than 3,000 cases my office handles every year remains to be seen. Keep in mind that I have only eight prosecutors handling all of those cases."

President of the Ellis County Criminal Defense Lawyer's Association Julissa Martinez said the signing of the act was "a bold move for the state."

"I'm excited about it being passed and know that it can only improve our state's justice system. I believe it will help resolve cases a lot quicker and I am looking forward to it coming into full effect on Jan. 1, 2014," Martinez said. "Currently we do not receive offense reports, witness statements and documents from the D.A., so I'm surely excited about being able to review all of this information and advise our clients accordingly. Of course there will be practical aspects to work out as these changes come."

However the new law effects the Ellis County criminal justice system, Gov. Perry believes, as do the bill's authors, Senators Rodney Ellis (D-Houston) and Robert Duncan (R-Lubbock), that this legislation will help to reduce Texas' high ranking in wrongful convictions in the U.S.

Texas is among the highest of U.S. states in exonerations, with 126, according to the National Registry of Exonerations.

"Texas is a law-and-order state, and with that tradition comes a

responsibility to make our judicial process as transparent and open as possible," Perry said. "Senate Bill 1611 helps serve that cause, making our system fairer and helping prevent wrongful convictions and penalties harsher than what is warranted by the facts."

According to a release from Perry's office, the bill will allow Texas' criminal justice system to be more responsive to a case, even after it has been tried, by ensuring a more open discovery process. The bill's open file policy allows for broader discovery, and removes barriers for accessing any evidence, except for items that would affect the security of a victim or witness.

The Michael Morton Act builds upon the U.S. Supreme Court ruling in Brady v. Maryland, a 1963 case in which the prosecution withheld exculpatory evidence from the criminal defendant, violating his 14th Amendment right to due process.

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