

A SEARCH FOR JUSTICE IN TEXAS : THE TRUTH



BY
MICHAEL JOSEPH GRIFFITH

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NONFICTION

WHAT REALLY HAPPENED ON A DARK AND
TERRIFYING NIGHT TWENTY FIVE YEARS AGO.
ONE MAN'S QUEST TO FINALLY HAVE JUSTICE
AND A SMALL TOWN'S EFFORTS TO KEEP
HIM SILENT.

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DEDICATED TO MAMA
WHO GAVE ME THE FINEST GIFTS
OF BOOKS AND MUSIC.

I LOVE YOU AND I MISS YOU.

THIS BOOK IS PRINTED BY
MY OWN HAND, IT IS SUCH
A PERSONAL STORY AND HARD
FOR ME TO PUT TO PAPER. MAYBE
YOU WILL GET A TRUE SENSE
OF MY FEELINGS AND HEARTACHE
AS YOU READ ON. THANK YOU.

INTRODUCTION

TODAY I AM ALIVE BUT IN PRISON BECAUSE OF WHAT I DID ON A SEPTEMBER NIGHT IN 1990. HAD I DONE ANYTHING LESS, THIS WOULD BE THE TWENTY FIFTH ANNIVERSARY OF MY MURDER. SOMEONE ELSE WOULD BE IN PRISON, IN MY PLACE, FOR MURDERING ME.

THERE ARE PEOPLE IN MASON COUNTY WHO DO NOT WANT THIS STORY TOLD. THEY HAVE EVEN RESORTED TO DEATH THREATS TO KEEP ME SILENT. NOT ONLY WAS I THREATENED BUT MY FAMILY, THE DISTRICT ATTORNEY AND DISTRICT JUDGE WERE ALSO.

BECAUSE OF THESE DEATH THREATS AND THE USELESS AND INCOMPETENT REAL ESTATE LAWYER WHO WAS APPOINTED MY LAWYER FOR COURT, I WAS COERCED AND DUPED INTO SIGNING WAIVERS THAT I DIDN'T WANT TO SIGN. THIS MADE IT IMPOSSIBLE FOR ME TO TELL THE TRUE STORY OF THAT HORRIFYING NIGHT. NOW IS THE TIME, I CAN WAIT NO LONGER. I AM GROWING OLD AND TIRED IN HERE.

MY NORMAL AND UNEVENTFUL LIFE WAS SNATCHED AWAY BY MONSTERS AND I ENDED UP IN A NIGHTMARISH

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AND HELLISH WORLD FROM WHERE THERE HAS BEEN
NO HELP AND NO ONE CARES.

HAD I BEEN GIVEN A DECENT AND COMPETENT
DEFENSE LAWYER AT THE BEGINNING, I AM CERTAIN
I WOULD HAVE NEVER SPENT THE LAST TWENTY-
FIVE YEARS IN PRISON.

THIS IS MY STORY.

CHAPTER ONE

MASON, TEXAS WAS A GREAT SMALL TOWN TO GROW UP IN WHEN I WAS A KID. SCHOOL WAS FUN AND EASY BECAUSE I LOVED BOOKS AND READING. MY SISTER AND I ALWAYS HAD SHELVES OF BOOKS. OUR MOTHER WAS A LOVER OF BOOKS TOO. SHE HAD READ TO US AT BED-TIME WHEN WE WERE LITTLE. SHE READ TO US OUT OF THE CLASSICS, NURSERY RHYMES, THE LITTLE GOLDEN BOOKS AND EVEN OUT OF CHILDRENS DICTIONARIES. WE WERE INTERESTED IN ALL KINDS OF BOOKS GROWING UP.

BACK IN THE SIXTIES, KIDS JUST ABOUT ROAMED WHERE THEY WANTED TO AFTER SCHOOL OR IN SUMMER. MOST KIDS WALKED OR RODE BICYCLES EVERYWHERE. OUR MAMA AND DADDY BOTH WORKED ALL DAY SO WE GREW UP PRETTY INDEPENDENT. OF COURSE WE HAD PLENTY OF AUNTS, UNCLES AND COUSINS TO LOOK OUT FOR US. MY SISTER AND I LEARNED TO COOK AND BAKE EARLY ON SO A LOT OF TIMES WE MADE THE MEALS. LIFE WAS PRETTY EASY UNTIL THE BULLY SITUATION

STARTED UP. EVERY ONCE IN A WHILE AFTER PLAYING BASEBALL OR LEAVING THE SWIMMING POOL, THERE WOULD BE SEVERAL BOYS THROWING ROCKS OR CALLING NAMES AND CHASING PEOPLE.

I WAS A FAST WALKER AND EVEN FASTER ON MY BIKE, I NEVER GOT HURT BAD. I WOULD EVEN TAKE UP FOR MYSELF IF THERE WAS JUST ONE KID. A WHOLE GANG OF THEM WAS A DIFFERENT STORY.

IN HIGH SCHOOL THE BULLY PROBLEM BECAME MUCH WORSE. IT FINALLY GOT SO BAD THAT I JUST REFUSED TO GO ANYMORE IN MY FRESHMAN YEAR. I WAS COMPLETELY MISERABLE AND COULDN'T DO MY SCHOOL WORK.

I HAD DREAMED OF BEING A MARINE BIOLOGIST BECAUSE OF TELEVISION SHOWS LIKE "SEA HUNT" AND "FLIPPER". I HAD THOUGHT OF BECOMING AN ARTIST OR CARTOONIST LIKE CHARLES SCHULZ. I COULD ALWAYS DRAW. SO MY COLLEGE HOPES WERE DASHED TOO.

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WHEN I TURNED SEVENTEEN I MANAGED TO GET MY G.E.D. CERTIFICATE FROM HIGH SCHOOL. THIS WASN'T WHAT I HAD PLANNED FOR MY LIFE. I HAD REALLY WANTED TO GO TO COLLEGE. I WAS VERY DISAPPOINTED IN MYSELF. I SHOULD HAVE DONE BETTER.

WELL, LIKE MY FATHER AND SOME OF MY UNCLES, I BECAME A HOUSEPAINTER. THIS WAS OKAY IN THE SUMMER BECAUSE THERE WERE USUALLY PAINTING JOBS TO BE HAD. IN THE WINTER HOWEVER, THAT IS A DIFFERENT STORY. DURING THOSE MONTHS I WORKED IN GROCERY STORES OR GAS STATIONS USUALLY. NOT MUCH, BUT IT WAS A LITTLE MONEY.

ALONG ABOUT THIS TIME I MET A GIRL FROM CALIFORNIA WHO HAD COME TO LIVE WITH HER GRANDPARENTS IN MASON. A FEW MONTHS LATER WE SKIPPED TOWN AND GOT MARRIED IN MEXICO. A BIG MISTAKE THIS TURNED OUT TO BE. WE DIVORCED TWO YEARS LATER.

I WAITED THIRTEEN YEARS BEFORE I TOOK THE PLUNGE AGAIN. THIS TIME I GOT LUCKY WITH

A WONDERFUL AND BEAUTIFUL WOMAN FROM BRADY. SHE WORKED FOR A CITY JUDGE IN BRADY AND HAD WORKED FOR THE POLICE DEPARTMENT BEFORE THAT.

SHE HAD BOUGHT A NEW HOME IN A VERY NICE AREA IN TOWN. WE WORKED IN THE YARD TRYING TO MAKE IT A PRETTY PLACE, WE WERE VERY HAPPY. SHE AND HER FAMILY OWNED SOME LAKE PROPERTY ON THE LAKE THERE. WE SPENT QUITE A BIT OF TIME THERE RELAXING AND FISHING.

THE JUDGE SHE WORKED FOR THERE IN BRADY PASSED AWAY AND THIS REALLY UPSET MY WIFE. SHE BECAME MORE AND MORE DEPRESSED AND STARTED HAVING PROBLEMS.

EVENTUALLY IT GOT TO WHERE I DID NOT KNOW HOW TO HELP HER. I WAS VERY WORRIED ABOUT HER. SHE KEPT REFUSING TO TRY AND GET HELP.

FINALLY, BEING IMMATURE AND IGNORANT ABOUT DEPRESSION AND HOW IT WORKS, I WENT BACK HOME TO MASON TO TRY AND FIGURE THINGS OUT FOR MYSELF. THIS WAS ABSOLUTELY A STUPID THING TO DO.

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CHAPTER TWO

GETTING INTO A CAR WITH PEOPLE YOU DON'T KNOW IS ONE OF THE MOST DANGEROUS DECISIONS YOU COULD MAKE. I WAS ABSOLUTELY STUPID THAT NIGHT AND I DID THAT EXACT THING. I STILL DON'T KNOW WHERE MY BRAIN WAS THAT NIGHT.

I WAS SITTING ON THE TAILGATE OF MY PICKUP TRUCK, DRINKING A DIET COKE AND WATCHING CARS GO BY. I HAD PARKED IN A GAS STATION PARKING LOT WHERE PEOPLE USUALLY HANG OUT AT NIGHT. THERE'S NOT A WHOLE LOT TO DO IN A SMALL TOWN. THIS WAS A FORM OF ENTERTAINMENT.

SOME FRIENDS HAD PULLED UP AND INVITED ME TO RIDE TO THE RIVER WITH THEM. THE RIVER HAD GOTTEN ON A RISE AND THIS WAS ALWAYS SOMETHING TO SEE.

SEVERAL CARS WERE TAKEN AND I GOT IN

THE CAR THAT WAS BEING DRIVEN BY TWO MEN I WASN'T FAMILIAR WITH. I KNEW THEY HAD FAMILY IN MASON BUT THAT'S ALL I KNEW ABOUT THEM. I DON'T REMEMBER WHO ALL WENT TO THE RIVER THAT NIGHT. THE TWO MEN IN THE CAR THAT I DIDN'T KNOW WERE KIN TO THE PARKER AND PORTER FAMILIES. I REMEMBER MARTY BROWN BEING AROUND AND OF COURSE LIZ WHO I HAD BEEN SEEING EVERY ONCE IN A WHILE. THAT NIGHT I DISCOVERED THAT LIZ SUFFERED FROM BAD SPELLS OF DEPRESSION, SHE WOULD START CRYING FOR NO APPARENT REASON, THESE CRYING SPELLS WOULD SOMETIMES LAST FOR LONG PERIODS. AT THE TIME I KNEW NOTHING ABOUT THE CONDITION BUT I SURE WOULD LATER ON. SHE TOOK MEDICATION FOR THIS BUT IT LOOKED LIKE IT DIDN'T WORK TOO WELL. SHE SEEMED TO BE DOWN IN THE DUMPS AND FEELING BAD MOST OF THE TIME.

FOR SOME REASON AND I STILL DON'T REMEMBER

HOW IT CAME TO PASS BUT I ENDED UP BEING THE ONLY ONE LEFT WITH THE TWO MEN IN THEIR CAR. I REMEMBER BEING IN THE BACK SEAT OF THE CAR AND LOOKING THROUGH THE BACK GLASS, THEY WERE STANDING TOGETHER TALKING AND LOOKING BACK AT ME IN THE CAR. THIS SORT OF GAVE ME THE JITTERS AND I KNEW I WAS READY TO GET BACK TO MY PICKUP, THAT WAS SITTING BACK AT THE STATION IN TOWN. I WAS TIRED AND WANTED TO GET TO TOWN. I WASN'T THE TYPE TO STAY OUT ALL NIGHT.

I DON'T REMEMBER EXACTLY THE RIDE BACK TO TOWN. THE REST OF THE NIGHT WOULD TURN OUT TO BE A LIVING HELL HOWEVER, THAT DECISION TO GET INTO THAT CAR WOULD BE THE END OF MY LIFE AS I KNEW IT. THAT DECISION TOOK MY FAMILY AWAY FROM ME. IT TOOK AWAY EVERYTHING AND EVERYBODY THAT I EVER CARED FOR. I WOULD NEVER GET ANY OF IT BACK.

CHAPTER THREE

SEEING THE LIGHTS OF MASON SURE MADE ME A HAPPIER PERSON. I WAS RELIEVED AT BEING ABLE TO GET BACK TO MY TRUCK FINALLY. IT HAD BEEN A LONG MISERABLE NIGHT FOR ME. IT WAS FIXING TO GET A LOT WORSE THOUGH, THEY DIDN'T DRIVE ME BACK TO THE STATION, INSTEAD, THEY DROVE THROUGH TOWN AND HEADED OUT THE FREDONIA ROAD. FREDONIA WAS A SMALL PLACE WHERE THERE USED TO BE A POST OFFICE AND GROCERY STORE. I DONT THINK THERE'S ANYTHING NOW.

THEY DROVE SEVERAL MILES OUT THE ROAD TO AN OLD OAK TREE ON THE LEFT SIDE OF THE ROAD AND PARKED. ONE OF THE MEN GOT SOMETHING OUT OF THE TRUNK OF THE CAR AND RAN ACROSS THE ROAD AND PLACED IT INSIDE A CULVERT THAT RAN UNDER THE ROAD. WHAT THEY TOOK OUT OF THE TRUNK APPEARED TO BE SOME KIND OF ATHLETIC BAG. I NEVER LOOKED TOO CLOSELY. WE HEADED BACK TO TOWN.

THE TWO MEN, PORTER AND PARKER, NEVER DID MUCH TALKING. I WAS CONSTANTLY UNCOMFORTABLE BEING IN THAT CAR WITH THEM. SEVERAL TIMES I MENTIONED NEEDING TO GET BACK TO MY TRUCK. I TOLD THEM I HAD TO WORK THE NEXT MORNING. THIS WASN'T EXACTLY TRUE BUT I WANTED OUT OF THAT CAR. WARNING BELLS IN MY HEAD HAD STARTED GOING OFF.

AS WE APPROACHED TOWN, THEY DROVE UP TO AN OLD HOUSE THAT LOOKED DESERTED. NO LIGHTS WERE ON. THE WEEDS IN FRONT OF THE HOUSE WERE VERY HIGH. THIS DIDN'T LOOK RIGHT TO ME AT ALL. I REMEMBER LOOKING INTO THOSE BLACK WINDOWS, THEY SEEMED SO MENACING FOR SOME REASON, THEY REMINDED ME OF HORROR MOVIE HOUSES.

PORTER AND PARKER WENT TO THE BACK OF THE CAR AND OPENED UP THE TRUNK. I DIDN'T KNOW WHAT THEY WERE DOING AND I DIDN'T CARE. BY NOW I WAS GETTING MAD, I WANTED TO GO HOME.

AS I EXITED THE CAR SOMETHING BUMPED THE BACK OF MY HEAD AND AT THE SAME TIME I

FELT A PRESSURE TO THE LEFT SIDE, JUST ABOVE MY EAR. PORTER HAD A SAWED-OFF SHOTGUN POINTED AT THE BACK OF MY HEAD AND PARKER HAD A PISTOL POINTING IT BETWEEN MY EYES AS I TURNED TO LOOK. IT WAS MY PISTOL THAT THEY SOMEHOW HAD STOLEN OUT OF MY TRUCK. I HAD NO IDEA WHEN THEY FOUND IT.

I HAVE BEEN ASKED OVER AND OVER AGAIN, OVER THESE ALMOST TWENTY FIVE YEARS, WHY DID THEY DO THIS. PEOPLE TALK LIKE THERE MUST HAVE BEEN SOMETHING THAT I DID THAT WOULD HAVE MADE THESE MEN DO THIS. AS YOU SHALL SEE IN THE REST OF THIS CHAPTER, THERE IS NO EXCUSE FOR WHAT THEY DID TO ME. I HAVE NO IDEA WHY THIS HAPPENED TO ME. I HAD DONE NOTHING TO THESE MEN, I DIDN'T EVEN KNOW THEM. I KNEW SOME OF THE PARKER CLAN BUT THESE MEN I DID NOT KNOW.

IT WOULD TAKE A PSYCHIATRIST TO FIGURE OUT WHY THESE MEN DID WHAT THEY DID TO ME. I DO KNOW I WASN'T DESERVING OF IT. IT TOOK ME A LONG TIME TO FINALLY FIGURE THAT OUT.

AS I EXITED THE CAR, PORTER RAPPED ME OVER THE BACK OF MY HEAD WITH THE SHOTGUN, TWO OR THREE REPEATS OF THIS AND I PEED MY PANTS, IT HURT SO BAD. THE WORST WAS YET TO COME LATER. THE SHOTGUN HAD A SAWED OFF BARREL AND THE STOCK HAD BEEN LEFT WITH ONLY A PISTOL GRIP. IT WAS A VERY SHORT GUN. A LOT MORE ON THIS GUN LATER.

AS THEY PUSHED ME TOWARDS THE BACK OF THE HOUSE, ONE OF THE MEN PICKED UP A BROKEN BROOM STICK. AT ONE END WAS A TRIANGULAR PIECE OF WIRE FOR A HANGER, THE OTHER END WAS BROKEN BUT NOT SHARP. IT HAD SORT OF A BLUNT POINT. THERE WAS AN OLD SCREENED IN PORCH AT THE BACK OF THE HOUSE. THEY OPENED UP THE DOOR AND POINTED FOR ME TO GO UP THE STEPS AND INSIDE.

AS I STARTED UP THE STEPS I FELT JUST INSIDE THE DOOR. SOMEBODY GRABBED MY BOOTS AND PULLED THEM OFF, THEY THREW THEM OUTSIDE. I TRIED TO CRAWL AWAY BUT MY PANTS WERE UNDONE AND PULLED AWAY. THEY THEN PROCEEDED

AS PARKER WAS FINISHING UP, I FELT A JAB AT THE BACK OF MY HEAD, PORTER GAVE ME A HIT TO THE BACK OF MY HEAD. "DON'T TURN AROUND", HE SAID.

I HEARD THE SHOTGUN BEING OPENED UP AND THEN THE CLICK OF IT BEING CLOSED, HE ~~SNAPPED~~ THE TRIGGER AND LAUGHED, THEY TOOK TURNS USING THE SHOTGUN AND SOMETIMES THE PISTOL, I KNEW THAT THEY HAD SHELLS FOR THE GUNS BECAUSE THEY HAD SHOWN THEM TO ME, THEY WOULD PUT THE GUNS TO THE SIDE OF MY HEAD OR BACK OF THE HEAD AND PULL THE TRIGGERS, AT TIMES, IT SEEMED I WAS WATCHING THIS FROM ABOVE MY BODY, AT ONE POINT THERE WAS A PAUSE AND THEN ANOTHER SOUND LIKE A SHELL BEING PUT INTO THE SHOTGUN, I GUESS I FIGURED THAT THEY WERE GOING TO GET IT OVER WITH AND PUT ME OUT OF MY MISERY, INSTEAD, I WAS KICKED IN THE HEAD AND MY UNDERWEAR WAS PULLED OFF AND THE BROKEN BROOMSTICK WAS SHOVED UP MY RECTUM, I THINK I BLACKED OUT AFTER THAT, I REMEMBER

COMING TO AND HEARING PARKER ASK, "WHAT ARE WE GOING TO DO WITH HIM NOW?" I DO REMEMBER SEEING MY PISTOL ON THE FLOOR, IN THE CLOSET. THEY MUST HAVE DRAGGED ME IN THERE WHILE I WAS OUT. AFTER THAT I DON'T KNOW WHAT HAPPENED. I DON'T REMEMBER PICKING UP THE PISTOL AND SHOOTING THE MEN, I GUESS I DID BUT TO THIS DAY, I DON'T REMEMBER DOING IT. I SEE TWO MEN ON THE FLOOR AND ME CLOSING THE DOOR OF THE CLOSET AND PUTTING SOMETHING IN THE LASP SO THEY WOULDN'T BE ABLE TO COME AFTER ME,

I FOUND MY CLOTHES SOMEHOW IN THE PARK. I PICKED UP THAT NASTY BROOMSTICK AND FLUNG IT OVER AN OLD BUILDING OF SOME KIND. MAYBE IT WAS AN OLD GARAGE OR BARN.

I SAW THEIR CAR AND I GOT IN AND DROVE OFF. THE KEYS WERE LEFT IN IT. I DROVE AROUND FOR A SPELL. I DON'T REMEMBER MUCH OF ANYTHING AFTERWARDS EITHER. I WAS SORT OF IN A TRANCE OR MORE LIKE A DIFFERENT WORLD.

I DON'T THINK I KNEW WHO I WAS OR WHERE I WAS AFTERWARDS. I DIDN'T KNOW MUCH OF ANYTHING AT THAT POINT IN TIME.

THEY SAID THAT I WENT TO A MOTEL ROOM AND MADE THE GIRL NAMED LIZ GO WITH ME. I MUST HAVE BUT I DON'T KNOW WHY AND I SURE REGRET THAT. I DIDN'T WANT TO SCARE ANYONE OR HURT ANYONE. I WAS SCARED AND HURT MYSELF, I DIDN'T WANT ANY TROUBLE. I WANTED HELP BUT I WAS SCARED TO ASK. I JUST PLAIN DIDN'T KNOW WHAT TO DO. I THOUGHT I HAD DONE SOMETHING BAD AT THAT HOUSE BUT MY BRAIN WAS ALREADY WORKING TO MAKE ME FORGET. A LOT OF THAT NIGHT WAS REPRESSED FOR MONTHS AND EVEN YEARS LATER, THE NEXT FEW DAYS WOULD TURN OUT TO BE MOSTLY THE SAME THING. A LOT OF THAT WOULD BE REPRESSED TOO FOR A LONG TIME TO COME.

SO LIZ ENDED UP IN THAT CAR WITH ME AS I STARTED MY RUN FOR NOWHERE. I HAD NO IDEA WHAT I WAS DOING OR WHY I WAS DOING IT.

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CHAPTER FOUR

AS WE LEFT THE MOTEL, I HAD NO PLANS, I DON'T EVEN KNOW WHY LIZ WAS WITH ME, I REMEMBER HER SAYING SOMEWHERE THAT SHE DIDN'T WANT TO SEE ME HURT.

I WAS BLEEDING FROM THE CUTS CAUSED BY THE BLOWS TO MY HEAD FROM THE GUNS. MY RECTUM WAS BLEEDING AND I WAS REALLY IN A GREAT DEAL OF PAIN FROM THAT. I WAS DIRTY AND NASTY FROM WHAT THEY HAD DONE TO ME.

I DON'T KNOW WHY I WAS SCARED TO GO TO THE POLICE, I THINK I MAY HAVE HAD A THING AGAINST AUTHORITY FIGURES, IF I HAD GONE HOWEVER, ALL OF THIS MIGHT HAVE TURNED OUT QUITE DIFFERENTLY, BUT AGAIN, I WASN'T RIGHT IN THE HEAD. A YEAR OR SO LATER I WOULD START TO LEARN A GREAT DEAL ABOUT MYSELF BUT THAT DIDN'T HELP AT THE TIME.

SO I RAN AND I RAN, I MADE MANY MISTAKES AND DESTROYED SO MANY LIVES BECAUSE OF THAT DECISION.

I'VE HEARD IT SAID THAT PEOPLE WERE SCARED AND AFRAID THAT I WAS GOING AFTER CERTAIN PEOPLE. THEY WERE TOO FRIGHTENED TO EVEN LEAVE THEIR HOMES. THEY TALKED AS IF I WAS A MONSTER ON THE LOOSE. I WAS SUPPOSED TO BE ON SOME KIND OF VENDETTA.

ALL OF THIS WAS SO UNTRUE. I WAS THE ONE THAT WAS SCARED. I WANTED TO GET AWAY FROM PEOPLE, NOT GET CLOSER TO THEM. I WAS IN PAIN AND I WAS BLEEDING BETWEEN THE LEGS. IT FELT LIKE I HAD SPLINTERS IN ME STILL. MY HEAD WAS POUNDING AND ACHING SO FIERCELY. ALL I COULD THINK ABOUT WAS TO GET AWAY FROM THE POLICE AND ALSO PORTER AND PARKER. FOR ALL I KNEW, THEY COULD STILL BE OUT THERE WANTING TO DO MORE TO ME.

AFTER A FEW MILES OF DRIVING, I DECIDED TO ABANDON THEIR CAR AND GO ON FOOT. I HAVE NO IDEA WHY I DECIDED THAT. OVER THE NEXT FEW DAYS, I WOULD MAKE SO MANY STUPID DECISIONS AND MISTAKES. OF COURSE I SAID THIS EARLIER. I'M JUST

AMAZED AT MYSELF FOR LETTING ALL OF THIS GET SO FAR OUT OF HAND. I USUALLY HAD PRETTY GOOD COMMON SENSE, MY BRAINS WERE WORKING WITHOUT SLIPPING GEARS MOST OF THE TIME; IN THE MONTHS AND YEARS TO COME I WOULD FIND OUT A LOT ABOUT MENTAL PROBLEMS CAUSED BY TRAUMATIC EVENTS. I WOULD LEARN THAT MY BRAIN WAS DAMAGED QUITE BADLY BY THE TORTURE I ENDURED THAT NIGHT.

AFTER PULLING OFF TO THE SIDE OF AN OLD ROAD THAT WASN'T USED MUCH, I MADE LIZ GET OUT. SHE WAS SCARED TOO. I STILL DON'T KNOW WHY SHE WAS WITH ME. I DIDN'T WANT HER HURT. IT HURT ME TO SEE HER SO FRIGHTENED.

I OPENED UP THE TRUNK AND SAW SOME KIND OF ATHLETIC BAG WITH A ZIPPER AND CLOTH HANDLES, I THINK. INSIDE WERE A FEW CLOTHES AND A BOX OF SHOTGUN SHELLS. THEY HAD ALSO STOLEN A BAG OUT OF MY TRUCK THAT I KEPT ALL KINDS OF SUPPLIES IN. I USUALLY KEPT MATCHES, CANDLES, A LIGHTER, ROPE, MAGAZINES AND THINGS LIKE THAT JUST IN CASE I BROKE DOWN SOMEWHERE. I USUALLY KEPT A BOTTLE OR TWO

OF WATER IN IT TOO FOR EMERGENCIES. SO I
CONFISCATED MY OWN PROPERTY. I FOUND AN OLD
PAIR OF CAMOFLAGE OVERALLS AND DISCARDED MY
SOILED CLOTHING THAT WAS REALLY BEGINNING TO
SMELL BAD. I PUT THE OVERALLS ON AND WE TOOK
OFF THROUGH THE PASTURES AND OVER THE FENCES.

I WOULD MAKE LIZ TAKE A BREAK PRETTY OFTEN,
WHENEVER WE FOUND SOME GOOD TREES TO GET
UNDER OF IF I HEARD AN AIRPLANE, WE WOULD
TAKE A BREAK. I WAS ALWAYS WORRIED THAT ANY
AIRPLANE WAS LOOKING FOR ME.

WE WALKED ALL DAY LIKE THIS UNTIL LATE IN
THE AFTERNOON. WE SPIED ANY NUMBER OF HOUSES
BUT OF COURSE I WANTED TO AVOID THEM. THERE WAS
AN OLD, METAL BARN NEAR A HIGHWAY AND WE EDGED
CLOSER TO IT TO GET A LOOK AT IT. IT SEEMED
TO BE NO ONE AROUND. I FINALLY GOT THE COURAGE UP
AND OPENED UP A SMALL DOOR ON THE SIDE, THE BARN

TURNED OUT TO BE ONE CONVERTED TO A HUNTING CABIN FOR HUNTERS DURING HUNTING SEASON. THERE WAS ONE BED THAT I REMEMBER. THERE COULD HAVE BEEN TWO POSSIBLY. I WAS SO WEAK FROM NO WATER AND BEING SO THIRSTY. I FOUND A COUPLE OF SMALL CANS OF SOME KIND OF FRUIT JUICE AND WE DRANK THOSE FAST. A LITTLE LATER WHILE LOOKING OUTSIDE, I SPOTTED WHAT I THOUGHT MIGHT BE A WELL. LUCKILY FOR US, IT WAS. I FOUND AN EMPTY PLASTIC MILK JUG AND GOT WATER.

I HAD CARRIED THAT OLD SHOTGUN WITH ME EVER SINCE I PICKED IT UP WHEN I LEFT THE HOUSE. I DON'T KNOW WHY. I HAD PICKED UP MY PISTOL BECAUSE IT WAS MINE, THE SHOTGUN BELONGED TO ONE OF THE MEN. I ASSUMED IT BELONGED TO PORTER BECAUSE THE BAG WITH THE SHOTGUN SHELLS WAS IN THE TRUNK OF HIS CAR.

LIZ HAD EVEN CARRIED THE SHOTGUN MOST OF THE DAY WHEN WE WERE WALKING THE PASTURES. SHE COULD

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HAVE SHOT ME WITH IT AT ANY TIME IF SHE HAD WANTED TO, SHE MENTIONS THE SHOTGUN IN THE COURT TRANSCRIPTS.

ANYWAY, I DECIDED TO LEAVE THAT NASTY SHOTGUN ON ONE OF THE MATTRESSES ON THE BED. THE SHOTGUN WAS NEVER MENTIONED IN ANY RECORDS ABOUT EVIDENCE, WHAT HAPPENED TO THAT SHOTGUN? THIS VITAL PIECE OF EVIDENCE WOULD PROVE THAT BOTH MEN'S FINGERPRINTS WERE ON IT. PIECES OF MY SCALP AND HAIR SAMPLES SHOULD HAVE BEEN ON IT WHEN THEY BEAT ME WITH IT, SHOULDN'T IT? WHY WAS THIS GUN NEVER ENTERED AS EVIDENCE? DID SOMEONE IN LAW ENFORCEMENT TAKE IT FOR A TROPHY? OR DID SOMEONE WHO WAS CLOSE TO THE VICTIMS TAKE IT TO PROTECT THE TWO MEN'S REPUTATIONS? OR DID DEATH THREATS SWAY SOMEONE IN THE COURT SYSTEM TO GET RID OF EVIDENCE THAT WAS FAVORABLE TO ME? WHAT HAPPENED TO THAT GUN? I WANT TO KNOW!

THE NEXT MORNING WE LEFT THE BARN AND

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TOOK OFF HOPING THAT THE POLICE WEREN'T AFTER US. OF COURSE I IMAGINE LIZ WAS THINKING EXACTLY THE OPPOSITE, MORE THAN LIKELY SHE WAS HOPING TO BE RESCUED FROM ME, AFTER ME BEING SO TERRIFIED BY THE TWO MEN, I WAS DOING THE EXACT SAME THING TO HER.

A NICE LADY IN A PICKUP STOPPED AND GAVE US A RIDE, SHE RAN A GROCERY STORE IN A SMALL PLACE JUST DOWN THE ROAD. I TOLD HER WE NEEDED CIGARETTES AND DRINKS.

HERE IS WHERE MY MEMORY DOESN'T WORK SO WELL. I DON'T REMEMBER MUCH OF THE INCIDENT AT THAT STORE, MAYBE IT'S BETTER THAT I DON'T.

I DO REMEMBER A MAN COMING IN AND GRABBING ME FROM BEHIND. HE TRIED TO GRAB THE PISTOL FROM ME AND IT HIT THE FLOOR. I THINK IT WENT OFF. WE BOTH TRIED TO GRAB IT. I MUST HAVE GOT IT BECAUSE THEY SAY I SHOT HIM FROM BEHIND. I DON'T REMEMBER THAT AT ALL. AGAIN I RAN.

I STOLE A PICKUP AT THE STORE AND WAS

ON THE LOOSE AGAIN, THE TRUCK WAS JUST ABOUT OUT OF GAS, I LEFT IT AND TOOK OFF ON FOOT AGAIN, I GUESS BEING AFOOT MADE ME FEEL SAFER.

I HAD FINALLY DECIDED THAT MY LIFE WAS RUINED, I HAD MY PISTOL AND I WAS GOING TO GET THIS OVER WITH, THIS WAS GOING TO HURT MY FAMILY BAD BUT I COULD THINK OF NO OTHER CHOICE,

I TOLD LIZ TO GET AWAY FROM ME, I POINTED TO THE ROAD AND TOLD HER TO LEAVE, I THINK I TOLD HER THAT I WAS GOING TO SHOOT MYSELF, SHE SAID THAT SHE DIDN'T WANT TO SEE ME HURT, SHE TOOK OFF,

I SAT DOWN IN A LITTLE GULLY OR RAVINE, I TOOK THE PISTOL OUT OF MY POCKET AND PUT THE BARREL TO MY HEAD, I REMEMBER WATCHING MY FINGER SLOWLY PULL ON THE TRIGGER, IT SEEMED TO BE IN SLOW MOTION,

NOW THIS NEXT PART MIGHT HAVE BEEN MY SURVIVAL INSTINCT TAKING OVER, I DO REMEMBER

SEEING A BLINDING LIGHT WHICH SEEMED TO SURROUND ME LIKE A MIST. THERE WAS WHAT SEEMED TO BE SOME KIND OF ROARING BUT NONE OF THIS WAS UNPLEASANT AT ALL. IT WAS SORT OF PEACEFUL AND CALMING. A THOUGHT OR VOICE IN MY HEAD TOLD ME THAT I COULDN'T DO THIS, I HAD THINGS ON THIS EARTH LEFT TO DO, ALSO I WAS SUPPOSED TO THINK OF MY FAMILY, THEN IT WAS GONE. OF ALL THE THINGS THAT HAPPENED DURING THAT TIME, THIS IS WHAT I REMEMBER THE CLAREST.

LATER ON, WHEN THINGS GOT BAD AND I WOULD BE THINKING OF HOW USELESS I WAS AND HOW I SHOULDN'T EVEN BE LIVING, I COULD THINK BACK ON THE EXPERIENCE WITH THE LIGHT. THERE WERE PLANS FOR ME THAT I KNEW NOTHING ABOUT. I COULDN'T HURT MYSELF, IT WASN'T RIGHT. I STILL DON'T KNOW WHAT THOSE PLANS FOR ME ARE BUT I HAVE TO KEEP ON SEARCHING.

MAYBE THIS WAS JUST MY IMAGINATION BUT IT HAS STAYED WITH ME ALL THESE MANY YEARS.

CHAPTER FIVE

I WAS BY MYSELF NOW. I HAD TO GO ON, I WAS GLAD I HAD SENT LIZ AWAY THOUGH, ALL I HAD TO WORRY ABOUT WAS MYSELF, NOBODY ELSE.

AFTER DECIDING NOT TO SHOOT MYSELF, I SAW A SMALL YELLOW HOUSE OFF TO THE LEFT OF ME, THERE WAS A BARB WIRE FENCE BETWEEN ME AND THE HOUSE, IT WAS TEMPTING BUT I COULDN'T GO TO IT. I CROSSED A DIRT ROAD AND JUMPED A FENCE AND HEADED IN A DIFFERENT DIRECTION, I HAD NO IDEA WHERE I WAS AND AT THE TIME I REALLY DIDN'T CARE, IT DIDN'T MATTER. IT WAS GETTING LATE IN THE AFTERNOON.

I HEARD A HELICOPTER GETTING NEAR SO I HID MYSELF BENEATH A SMALL CEDAR TREE, THE HELICOPTER LANDED ABOUT FIFTY YARDS FROM

WHERE I WAS HIDING. IT WAS SOME KIND OF MILITARY HELICOPTER BECAUSE I SAW THE OLIVE DRAB GREEN, EVEN WITH THE SUN GOING DOWN, THE HELICOPTER TOUCHED DOWN FOR ONLY A COUPLE OF MINUTES.

AFTER IT LEFT, I LEFT MY HIDING PLACE AND STARTED WALKING. IT WAS STARTING TO GET DARK. I APPROACHED A HUNTING STAND THAT WAS NEARBY. I CLIMBED UP THE LADDER THINKING I MIGHT SPEND THE NIGHT. INSIDE THE STAND I FOUND A SIX-PACK OF DIET COKES. BOY, THOSE WERE A WELCOME SITE. I DRANK ONE DOWN IMMEDIATELY AND DECIDED I'D BETTER SAVE THE REST. I GOT TO THINKING THAT THIS MIGHT NOT BE A GREAT SPOT TO SPEND THE NIGHT. I FIGURED THEY WOULD CHECK HUNTING BINDS RIGHT AWAY IF THEY WERE LOOKING FOR ME IN THE AREA. I LEFT THE BIND IN SEARCH OF ANOTHER PLACE TO SPEND THE NIGHT.

I MUST HAVE WALKED FOR HOURS. I HAD NO IDEA OF THE TIME. I REMEMBER WALKING THROUGH PATCHES OF PRICKLY PEAR CACTUS NOT NOTICING THE THORNS. I COULDN'T FEEL ANY PAIN ANYMORE. ALL I COULD DO WAS COUNT, ONE, TWO, THREE, FOUR, AS I KEPT WALKING, I KEPT ON COUNTING, I COULDN'T STOP. I COULDN'T SEE WHERE I WAS GOING. IT WAS SO DARK. I WALKED UP AND DOWN HILLS. IF THERE WAS CACTUS OR WEEDS I JUST WENT RIGHT THROUGH. I WASN'T WORRIED ABOUT RATTLESNAKES EVEN. THIS JUST GOES TO SHOW THAT I WAS REALLY MENTALLY UNBALANCED BECAUSE I AM USUALLY TERRIFIED AT SEEING RATTLESNAKES, NO MATTER IF THEY ARE ONLY ON TELEVISION OR IN THE MOVIES. I HATE RATTLESNAKES!

I WENT DOWN INTO A SMALL DRAW OR RAVINE AND SAT DOWN AMONG A PILE OF ROCKS,

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NOW THIS REALLY LOOKED LIKE SNAKE COUNTRY. I WAS SO TIRED AND WORN OUT THAT IT DIDN'T MATTER. LOOKING OFF TO MY RIGHT, I NOTICED A BIG CEDAR TREE WITH A LOT OF LOW, OVERHANGING LIMBS. I WENT UNDERNEATH IT AND THERE WERE CEDAR NEEDLES ALL OVER THE GROUND. I IMMEDIATELY LAYED DOWN AND PASSED OUT.

SOMETIME DURING THE NIGHT IT RAINED BUT I NEVER FELT IT BENEATH THAT BIG OLD TREE. WHEN I WOKE UP I WAS FEELING BETTER BUT SO THIRSTY. I HAD TO HAVE WATER. AS I WALKED, I NOTICED THAT RAINWATER HAD COLLECTED ON SOME FLAT ROCKS THAT HAD HOLES OR HOLLOWED OUT PLACES. I QUICKLY LEARNED THAT WHEN YOU GET THIRSTY ENOUGH, YOU'LL DRINK. IT MAY NOT BE PRETTY AND IT MAY NOT BE EXACTLY CLEAN, BUT AGAIN, YOU'LL DRINK IT. YOUR BODY WILL MAKE YOU. ALL I COULD THINK WAS TO FIND WATER. FOOD NEVER CROSSED

MY MIND THAT I REMEMBER.

THAT FIRST MORNING BY MYSELF, I WAS SO QUIET IN THE WOODS THAT I COULD WALK UP ON DEER AND WILD HOGS AND SURPRISE THEM. MY SURVIVAL INSTINCTS WERE STARTING TO TAKE OVER I GUESS. EARLY THAT MORNING WHILE I WAS STILL IN THAT LITTLE RAVINE, I HEARD POLICE RADIOS JUST OVER THE HILL. I DON'T KNOW IF THEY WERE ON FOOT OR HORSEBACK BUT I DIDN'T STAY PUT TO FIND OUT.

SINCE AS FAR AS I KNEW THERE WEREN'T ANY CREEKS OR RIVERS NEARBY, I HAD TO FIND MY WATER SOMEPLACE ELSE. I FOLLOWED ROADS THAT WERE IN THE FIELDS AND PASTURES SO I COULD MAYBE FIND A WINDMILL AND WATER TANKS. I MADE SURE I NEVER GOT TOO NEAR A FARMHOUSE. I DIDN'T WANT ANY TROUBLE. IF A WINDMILL WAS TOO CLOSE TO A HOUSE, I DIDN'T GO NEAR IT. PEOPLE DIDN'T NEED TO BE AFRAID OF ME, I WAS MORE SCARED THAN THEY WERE.

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MY EYES WERE ALWAYS SEARCHING FOR WINDMILLS,
I STAYED IN PASTURES MOST OF THE TIME BUT EVERY
ONCE IN A WHILE I WOULD DECIDE TO TRAVEL
DOWN SOME OLD COUNTRY DIRT ROAD IF I HAPPENED
TO COME ACROSS ONE, I HAD NO IDEA WHERE I WAS OR
WHAT DIRECTION I WAS HEADED, I JUST KEPT MOVING,
FOR SOME REASON I HAD IT IN THE BACK OF MY
MIND THAT PORTER AND PARKER STILL MIGHT LOCATE ME
AND HURT ME SOME MORE, I DIDN'T KNOW FOR SURE
WHAT HAD HAPPENED TO THEM.

WHILE I WAS WALKING THOSE COUNTRY ROADS
I SPOTTED POLICE CARS PARKED ON THE ROAD AND I
WOULD JUST TAKE TO THE WOODS OR PASTURE AND GO
AROUND THEM, THEY OBVIOUSLY WEREN'T TOO ALERT OR
WATCHFUL. ONE EVENING, RIGHT BEFORE THE SUN WENT
DOWN, I WAS WALKING OUT IN THE OPEN ON A PASTURE
ROAD, A CHEVY BLAZER WITH SOME KIND OF LAW
ENFORCEMENT EMBLEM ON THE DOOR, DROVE RIGHT BY
ME, IT COULDN'T HAVE BEEN MORE THAN TEN FEET

FROM ME AND IT JUST DROVE RIGHT BY ME LIKE I WAS INVISIBLE. THE DRIVER NEVER SAW ME. TO THIS DAY I STILL CAN'T BELIEVE IT. JUST A FEW MINUTES LATER AFTER THAT, I WENT TO SLEEP BENEATH A TREE, NEXT TO A LARGE BROKEN LIMB LYING ON THE GROUND. LATER THAT NIGHT, I AWOKE TO THE SOUND OF A POLICE RADIO NOT MORE THAN FIFTY YARDS AWAY. I HADN'T REALIZED THAT I WAS NEAR A DIRT ROAD AND A POLICE CAR WAS PARKED ON IT.

THE NEXT MORNING I WALKED THE DIRT ROAD AGAIN. OFF TO MY RIGHT WAS A WINDMILL JUST OFF THE ROAD. THAT SURE WAS A WELCOME SIGHT. THIS WINDMILL HAD A WATER FAUCET ON IT AND I DRANK MY FILL. I MOVED OFF A LITTLE WAY TO A NEARBY TREE TO REST. WHILE I WAS LYING THERE I HEARD A VEHICLE. I GOT BEHIND A DEAD LIMB ON THE GROUND AND HID. I HEARD A MAN AND A SMALL CHILD GET OUT OF THEIR PICKUP TRUCK AND THEY WERE TALKING. I SURE DIDN'T WANT TO SCARE ANYONE BUT MOST CERTAINLY NOT A CHILD.

AS SOON AS THEY LEFT, I DID TOO. I TOOK A DIFFERENT DIRECTION THOUGH.

THE NEXT MORNING I WOKE UP NEXT TO AN OLD MEXICAN MAN. I TOLD HIM THAT WE HAD TO HURRY. THEY WOULD BE AFTER US SOON. I DON'T KNOW HOW LONG IT TOOK ME TO REALIZE THAT HE WASN'T REALLY THERE. THE LACK OF FOOD AND WATER WAS BEGINNING TO TAKE A HEAVY TOLL. I REMEMBER THAT MORNING I CLIMBED A FENCE BECAUSE I SPIED SOME PRICKLY PEAR CACTUS ON THE OTHER SIDE. I HAD A VERY SMALL POCKET KNIFE WITH ME. IT MAYBE WAS THREE OR FOUR INCHES LONG, WITH THE BLADE OPEN. I CUT AND CUT ON ONE OF THE CACTUS LEAVES AND FINALLY MANAGED TO BREAK IT OFF. IT WASN'T EASY. I SLICED IT OPEN AND TASTED IT. I NEEDED THE MOISTURE INSIDE, IT DIDN'T TASTE GOOD AT ALL. I DECIDED TO LOOK FOR WATER JUST A LITTLE BIT HARDER.

A TEN FOOT FENCE RAN ALONG THE ROAD I DECIDED TO TAKE THAT MORNING. FOR SOME REASON I CLIMBED IT TO SEE WHAT I MIGHT FIND ON THE OTHER SIDE.

I TRIED TO HIDE MYSELF AS MUCH AS POSSIBLE, I WENT FROM BUSH TO BUSH, STAYING LOW. NO TELLING WHAT OR WHO I MIGHT COME UP ON INSIDE A FENCE LIKE THAT. I KNEW IT WAS A GAME-PROOF FENCE MEANT TO KEEP WILD ANIMALS IN,

I WAS ON A HILLSIDE WHERE I SPOTTED A HOUSE DOWN BELOW. I WATCHED IT FOR OVER AN HOUR I KNOW. NO MOVEMENT, THERE WAS A DIRT ROAD IN FRONT OF THE HOUSE AND I SAW NO TRAFFIC THERE EITHER. MAYBE IT WAS OKAY TO GO DOWN. THIRST IS WHAT GOT MY COURAGE UP. I COULDN'T WAIT ANY LONGER.

I SLIPPED UP TO A GARAGE THAT TURNED OUT TO BE A VERY LARGE ONE. IT HAD SEVERAL VEHICLES IN IT. A KITCHEN AREA WAS CONNECTED. IN A REFRIGERATOR I FOUND SEVERAL COKE'S AND I DRANK SEVERAL.

BOY, THEY TASTED GREAT! WITH MY THIRST BEING QUENCHED, AT THE MOMENT, I STARTED LOOKING AROUND. IT SEEMED AS IF THE WHOLE PLACE WAS DESERTED, I SLOWLY CREEPT AROUND THE HOUSE, I HEARD NOTHING, I STARTED THINKING ABOUT FOOD. MAYBE THERE WAS SOME IN THE HOUSE. ON THE BACK PORCH, I LOOKED IN A WINDOW AND SAW NO ONE. I OPENED IT AND CRAWLED THROUGH.

I GOT TO SMELLING MYSELF AND THOUGHT ABOUT CLEANING UP BEFORE I LOOKED FOR FOOD. MY CLOTHES WERE A MESS. I REALLY STANK. I WAS COVERED IN LARGE TICKS, AND STICKERS AND THORNS FROM BEING OUT IN CACTUS PATCHES. I TOOK A SHOWER AND FOUND SOME CLOTHES WAY TO LARGE BUT AT LEAST THEY WERE CLEAN. I LOOKED UNDER A BED FOR SHOES OR BOOTS AND FOUND A FANCY SHOTGUN. I PICKED IT UP AND AS I DID A MAN WALKED THROUGH THE DOOR. HE SAW ME

AND SCREAMED. HE RAN OUT THE FRONT DOOR, I DID THE SAME BUT I RAN OUT THE BACK DOOR, I SAW HIM TAKE OFF IN A PICK UP TRUCK. I RAN TO THE GARAGE, OPENED UP A DOOR AND STARTED UP A JEEP THAT HAD THE KEYS IN IT. I CRASHED RIGHT THROUGH THE HEAVY WIRE GATE AND HIT THE ROAD. JUST UP THE ROAD, THAT OLD FEELING OF BEING ON FOOT HIT ME AGAIN AND I LEFT THE JEEP AND TOOK OFF RUNNING. REALLY ALL I DID WAS WALK FAST. I WAS SO TIRED AND EXHAUSTED. I HAD GOTTEN TO THE POINT WHERE I DIDN'T CARE ABOUT ANYTHING. I SLOWED DOWN SO IT WOULDN'T BE SO HARD FOR THEM TO LOCATE ME.

JUST A LITTLE BIT LATER A POLICE CAR SPOTTED ME AND I GAVE MYSELF UP. IT WAS OVER.

REALLY IT WAS GOING TO GET WORSE, THE NEXT FOUR MONTHS IN THE COUNTY JAIL WOULD TURN OUT TO BE A NIGHTMARE. THE TIME I SPENT RUNNING IN THE COUNTRYSIDE WAS PARADISE COMPARED TO WHAT I ENDURED IN THAT JAILHOUSE RULED BY THE SHERIFF,

WHILE I WAS STILL IN THE CAR PARKED ALONG A DIRT ROAD, THEY ALLOWED ONLOOKERS TO COME AND PEEP AT ME IN THE CAR. IT WAS LIKE BEING IN A FREAK SHOW.

ONE OF THE COPS SAID THAT THEY WERE GOING TO PUT THE DOGS IN WITH ME TO GET MY SCENT. IT WAS SOMETHING WITH THEM NOT BEING ABLE TO GET MY SCENT WHILE I WAS ON THE RUN.

ON THE RIDE BACK INTO TOWN, I TOLD THEM WHAT THE MEN HAD DONE TO ME. I TOLD THEM ABOUT THE HOUSE.

WE ARRIVED AT THE JAIL BUT I DID NOT GET TO

A CELL FOR ANOTHER FEW HOURS. I DIDN'T GET ANY FOOD UNTIL SEVERAL HOURS LATER, AFTER I TALKED. WHEN I DID GET FED, IT WAS A BOWL OF PORK AND BEANS AND I HAD TO EAT IT WITH MY HANDS. I DON'T REALLY KNOW WHAT I TOLD THEM. IT SEEMS TO ME, THE WAY I REMEMBER IT, THEY TOLD ME WHAT I WAS SUPPOSED TO SAY. THERE WAS A GANG OF THEM ALL TALKING TO ME AND CONFUSING ME. FIVE DAYS OF NO FOOD AND VERY LITTLE WATER WILL REALLY MESS UP YOUR MIND.

I DON'T KNOW EXACTLY WHEN I GOT A LAWYER. I DO KNOW I WOULD HAVE BEEN BETTER OFF WITHOUT THIS ONE. THIS ONE DIDN'T COME TO HELP ME. HE CAME TO HELP THEM.

CHAPTER SIX

MY GRANNY BANKSTON PROBABLY KNEW MORE ABOUT CRIMINAL LAW THAN MY COURT-APPOINTED ATTORNEY DID. IF SHE HAD BEEN ALIVE, SHE WOULD HAVE DONE A MUCH BETTER JOB OF DEFENDING ME IN COURT. SHE WATCHED RERUNS OF "PERRY MASON" ON TELEVISION EVERYDAY.

AT THE TIME, I THOUGHT IF YOU HAD AN ATTORNEY, HE WAS THERE TO HELP YOU. BOY, WAS I WRONG. I NEVER HAD TO HAVE ANY KIND OF EXPERIENCE WITH LAWYERS. I DIDN'T HAVE A CRIMINAL RECORD. I WAS A NORMAL PERSON,

OVER THE NEXT FEW YEARS, I WOULD START TO FIND OUT WHAT ATTORNEYS REALLY DID. I STUDIED. THIS ATTORNEY I HAD DID NOTHING LIKE THE LAW BOOKS DESCRIBED WHAT HE SHOULD HAVE DONE.

HE DIDN'T AT ALL WORRY ABOUT THE SEXUAL ASSAULT OR THE MATTER OF GETTING ME ANY KIND OF MEDICAL ATTENTION OR TESTS RIGHT AWAY.

SEVERAL TIMES HE MENTIONED ME BEING CRAZY OR MENTALLY ILL. I WOULD DISCOVER NOTES ON THIS IN HIS PERSONAL FILES ON ME, YEARS LATER.

HE CAME TO SEE ME A FEW TIMES BUT NOT THAT MANY. I WAS CONFUSED AND DIDN'T REALLY COMPREHEND WHAT WAS REALLY GOING ON.

ONCE HE CAME TO ME AND SAID THAT I MIGHT END UP BEING CHARGED WITH MANSLAUGHTER AND THE MAXIMUM SENTENCE ON THAT WAS TWENTY YEARS.

THE NEXT TIME HE CAME TO ME, HE SAID THAT THEY WERE GOING TO CHARGE ME WITH CAPITAL MURDER AND WAS FACING A DEATH

SENTENCE. HE SAID TO STAY ALIVE, I WOULD HAVE TO AGREE TO TWO STACKED OR CONSECUTIVE LIFE SENTENCES. THIS WAS A PLEA BARGAIN. TO ACCEPT THIS PLEA BARGAIN I HAD TO WAIVE THE GRAND JURY INDICTMENT, THE RIGHT TO A DIRECT APPEAL AND I HAD TO AGREE TO ALLOW PEOPLE TO COME TO THE COURTROOM TO SAY BAD THINGS ABOUT ME, I WASN'T ALLOWED TO HAVE ANYONE SPEAK FOR ME. IF ANYONE HAD ANY KIND OF GRUDGE AGAINST ME FROM YEARS BEFORE, THEY COULD COME FORWARD AND SPEAK AGAINST ME. OF COURSE IF IT HAD BEEN ALLOWED, THERE WERE MANY, MANY PEOPLE WHO WOULD SPEAK FOR ME, BUT NO, THAT WASN'T HAPPENING.

WHEN I AGREED TO THE PLEA BARGAIN, I WAS TOLD THAT AFTER SERVING FIFTEEN YEARS ON

THE FIRST LIFE SENTENCE, I WOULD COMPLETE THE FIRST AND THEN DO FIFTEEN YEARS ON THE SECOND SENTENCE. THEN I WOULD HAVE A GOOD CHANCE OF PAROLE. TWO FIFTEEN YEARS, I COULD HANDLE THAT MAYBE. HAD I KNOWN THIS WAS A LIE AND THE PAROLE BOARD WOULD NOT HONOR THIS OR KEEP THE PLEA BARGAIN, I MOST CERTAINLY WOULD NOT HAVE SIGNED.

I WAS NOT GUILTY OF MURDER TO START WITH. AT THE MOST, THE ONLY THING I WAS GUILTY OF WAS MANSLAUGHTER. BUT WHAT COULD I DO? I HAD NO ONE TO HELP ME. THERE WAS NO ONE TO TALK TO. THAT SO CALLED LAWYER CERTAINLY WASN'T GOING TO HELP ME. HE NEVER INVESTIGATED ANYTHING. HE NEVER EVEN TRIED TO HELP WITH A DEFENSE. HE WAS ONLY THERE TO COERCE, INTO HIS OWN AGENDA OF GETTING ME OUT OF HIS HAIR.

45. MICHAEL JOSEPH GRIFFITH

BESIDES, HE THOUGHT I WAS CRAZY. IN A WAY, HE WAS RIGHT. I WASN'T IN A GOOD STATE OF BEING. EVEN THE SHERIFF TOLD ME THAT HE THOUGHT I WAS CRAZY. MONTHS LATER, AFTER I ARRIVED IN PRISON, I FINALLY GOT HELP THAT I SO DESPERATELY NEEDED. BEFORE THIS HELP THOUGH, WHILE I WAS IN THE COUNTY JAIL, I WAS GOING THROUGH SOME VERY TOUGH TIMES MENTALLY. THEY PUT ME INTO A LITTLE CAGE WHEN I ARRIVED AT THE JAIL. I WAS KEPT AWAY FROM THE MAIN AREA WHERE THERE PEOPLE. I HAD NO BEDDING. NO SHEETS, NO BLANKETS, A BARE PLASTIC MATTRESS AND A BARE PLASTIC PILLOW. I ONLY HAD THE SHERIFF'S UNDERWEAR TO PUT ON. HE MUST HAVE BEEN LIKE A SIZE

46. MICHAEL JOSEPH GRIFFITH

FORTY FOUR OR POSSIBLY LARGE, I HAD BEEN A SIZE THIRTY FOUR BUT HAD LOST A LOT OF WEIGHT AFTER GOING WITHOUT FOOD FOR FIVE DAYS. THE UNDERWEAR JUST KEPT ON FALLING OFF. THEY FINALLY GOT AROUND TO BRINGING ME SOME OLD JAILHOUSE OVERALLS TO PUT ON, NO, THEY WEREN'T PINK YET. THAT WOULD COME YEARS LATER ALL WITH THE WALLS AND BARS BEING PAINTED PINK. IT WOULD EVEN MAKE THE CBS EVENING NEWS ONE DAY. THANKFULLY I WAS LONG GONE BEFORE THE PINK.

BUT BACK TO MY MENTAL CONDITION, I WAS CONSTANTLY CRYING, I COULDN'T STOP. I WAS SEEING BLACK CATS COMING THROUGH THE METAL DOOR OR THE WALLS. I HEARD VOICES IN MY HEAD, CALLING OUT MY NAME OR THAT THEY WERE

47. MICHAEL JOSEPH GRIFFITH

GOING TO GET ME. THE CRYING JAGS WOULD SOMETIMES LAST FOR HOURS. I COULDN'T GET MYSELF TO STOP. MY EYES AND THROAT BURNED, IT HURT SO MUCH.

AT TIMES I WAS DESPERATE FOR HUMAN CONTACT. I WOULD SIT ON MY BUNK JUST LISTENING FOR THE SOUND OF THE JAILER AND THE CLICK OF LOCKS BEING OPENED. I WANTED TO BE AROUND SOMEONE. IT DIDN'T EVEN MATTER WHO IT WAS. I TRIED TO LISTEN OVER TO WHERE THERE WERE PEOPLE IN THE CELLS NEXT DOOR. AT TIMES I COULD HEAR VOICES. THESE VOICES WERE FROM OTHER INMATES, THEY WEREN'T IN MY HEAD. I WANTED TO BE WITH THEM.

AT NIGHT, THE JAILER STILL HADN'T BROUGHT ME ANY SHEETS OR BLANKETS. I WOULD USE THE MATTRESS AS A COVER WHEN I LAID DOWN TO TRY TO SLEEP. THE WINDOWS WERE LEFT OPEN

AND LARGE WINDOW FANS WERE TURNED ON, I FROZE AT NIGHT, HAVING NO SHEETS OR BLANKETS, THIS WAS SEPTEMBER AND OCTOBER AND IT GOT PRETTY COLD AT THAT TIME OF YEAR.

I KNEW I WAS BEING PUNISHED FOR WHAT I HAD DONE. I STILL HADN'T SEEN ANY KIND OF MEDICAL HELP. I WAS GIVEN A CAN OF TICK SPRAY FOR THE HUGE TICKS WHICH STILL COVERED MY BODY, BUT THAT WAS THE EXTENT OF THE MEDICAL CARE,

FINALLY ONE EVENING, I WAS TAKEN OUT OF THE CAGE AND PUT INTO REGULAR POPULATION. A GIRL HAD BEEN ARRESTED AND MY CAGE WAS THE ONLY PLACE THEY COULD PUT HER.

HER BOYFRIEND HAD BEEN BROUGHT IN ALSO AND FROM HIM I LEARNED A LOT ABOUT THE TWO MEN WHO HAD KIDNAPPED ME, THEY WEREN'T THE INNOCENT, SWEET PEOPLE I WAS TOLD THEY WERE.

THIS MAN'S FAMILY OWNED A PLACE ON THE LLANO RIVER, OUTSIDE OF TOWN, HE WOULD HAVE LARGE PARTIES WHILE HIS MOTHER AND FATHER WERE GONE. THERE WOULD BE BOOZE AND DRUGS.

EARLY THAT NIGHT OF MY KIDNAPPING, PARKER AND PORTER HAD BEEN TO ONE OF THOSE PARTIES. PARKER HAD BEEN TRYING TO BUY MARIJUANA TO TAKE BACK TO ALASKA WITH HIM. PORTER HAD BEEN TRYING TO SELL DRUGS AT THIS PARTY. THIS WAS ABOUT ALL I WAS TOLD. THE MAN DID SAY WHERE HE HAD HIDDEN HIS DRUGS. I THOUGHT THIS WAS KIND OF STUPID BUT HE LIKED TO BRAG ABOUT ALL HE OWNED AND HOW MUCH IT COST. HE TALKED ABOUT HIDING DRUGS IN THE HANDLEBARS OF MOTORCYCLES AND IN SOME KIND OF WELL ON THEIR LAND. HE BRAGGED ABOUT HOW THEY NEVER WOULD FIND IT. THE ONLY THING HE WORRIED ABOUT WAS A PET LION

50, MICHAEL JOSEPH GRIFFITH

THAT HE CLAIMED TO OWN. HE WORRIED ABOUT THAT
LION DAY AND NIGHT. HE WAS ALSO WORRIED A
LITTLE ABOUT THE POSSIBILITY OF HIS FAMILY LOSING
THEIR PROPERTY AND HOUSE ON THE RIVER, BECAUSE
OF THE DRUG BUST THAT HE HAD BEEN ARRESTED
FOR.

MY ATTORNEY DIDN'T SHOW UP MUCH, WHEN HE
DID SHOW UP TO TALK TO ME IN JAIL, I
WOULD HEAR THE CLICK OF A SWITCH ON THE
SPEAKER ABOVE US. I STILL BELIEVE THAT
THEY LISTENED TO US OVER IN THE COURTHOUSE
EVERY TIME HE VISITED. OF COURSE I KNOW HE
MORE THAN LIKELY WENT AND TOLD THEM ABOUT
OUR CONVERSATIONS ANYWAY AS SOON AS HE LEFT,
LIKE I SAID BEFORE, HE WASN'T THERE TO HELP
ME MUCH.

I DO REMEMBER HIM TELLING ME OVER AND
OVER, DO NOT LISTEN TO JAILHOUSE LAWYERS

51. MICHAEL JOSEPH GRIFFITH

WHEN YOU GET TO PRISON, HE WARNED ME OF JAIL-
HOUSE LAWYERS REPEATEDLY. HE SOUNDED REALLY
WORRIED ABOUT THEM. NOW I KNOW WHY, BACK
THEN I DIDN'T UNDERSTAND IT. I UNDERSTAND
NOW THAT HE WAS HIGHLY INEFFECTIVE AS A
LAWYER.

THE ONLY BRIGHT SPOT IN JAIL IS WHEN MY
FAMILY COULD VISIT TWICE A WEEK, ON TUESDAY
AND THURSDAY AFTERNOONS. I WAS ALLOWED TO
EVEN SMOKE DOWNSTAIRS, WHERE I VISITED WITH
THEM. MY MOTHER, SISTER AND SOME AUNTS WERE
ALLOWED TO VISIT ME.

THIS ALL WAS A HORRIBLE SHOCK TO THEM. I HAD
NEVER BEEN IN ANY TROUBLE IN MY LIFE. THEY
WERE JUST DEVASTATED. I STILL REGRET WHAT
I DID TO THEM. IT ABSOLUTELY RUINED THEIR
LIVES. I HURT ALL MY FAMILY MEMBERS HORRIBLY.

52, MICHAEL JOSEPH GRIFFITH

CHAPTER SEVEN

IN ORDER TO GET THE PLEA BARGAIN DEAL, I HAD TO HAVE AN EVALUATION OF MY MENTAL HEALTH, MY ATTORNEY ADVISED ME IT WOULD HAVE TO BE DONE WITHOUT MENTIONING THE HALLUCINATIONS, THE VOICES IN MY HEAD AND THE CONSTANT AND CONTINUOUS CRYING SPELLS. I COULDN'T SPEAK OF SUCH THINGS TO THE PSYCHIATRIST. I'D HAVE TO ACT AS NORMAL AS POSSIBLE. THE SEXUAL ASSAULT WAS OUT OF THE QUESTION. I WAS SUPPOSED TO THINK OF THE VICTIM'S FAMILIES, IT MIGHT HURT THEIR FEELINGS IF I SPOKE OF WHAT THEY DID TO ME, I AM AMAZED AT MYSELF NOW WHEN I LOOK BACK ON ALL OF THIS, HOW COULD I HAVE BEEN SO STUPID TO LISTEN TO THIS ATTORNEY?

I WENT TO COURT IN EARLY JANUARY, 1991.
I SIGNED ALL THE COURT PAPERS IN A ROOM
OFF TO THE SIDE. MY ATTORNEY, THE SHERIFF,
TWO GAME WARDENS AND MYSELF WERE THE ONLY
ONES IN THE ROOM. I WONDERED WHERE THE
JUDGE WAS BUT HE NEVER CAME IN.

THEY TOOK ME INTO THE COURT ROOM WHERE
THERE WERE A LOT OF PEOPLE. I STILL WASN'T
IN THE BEST MENTAL HEALTH, I WAS IN A KIND
OF A DAZE AS THE PROCEEDING COMMENCED.
THERE WERE DIFFERENT WITNESSES AND EXPERTS
TESTIFYING. PEOPLE WERE ALLOWED TO COME UP
AND TALK BAD ABOUT ME, EVEN IF SOMEONE
DIDN'T LIKE ME IN SECOND GRADE, HE COULD
COME UP AND SAY BAD THINGS ABOUT ME. OLD
GIRL FRIENDS THAT I HAD DUMPED YEARS BACK

CAME TO CRUCIFY ME, NO ONE FROM MY FAMILY COULD SPEAK FOR ME, FRIENDS WHO WANTED TO SPEAK UP FOR ME WEREN'T ALLOWED TO, ONLY BAD THINGS COULD BE SAID ABOUT ME, MY ATTORNEY SAID IT HAD TO BE THIS WAY, TO SPARE ME THE DEATH PENALTY.

I STILL WASN'T ALLOWED TO TELL WHAT THE TWO MEN HAD DONE TO ME, THE SAWED-OFF SHOTGUN WAS NEVER INTRODUCED INTO EVIDENCE, ONLY THE PISTOL BELONGING TO ME, WHICH WAS STOLEN OUT OF MY TRUCK, WAS SHOWN IN COURT. THEY TRIED TO TELL ME I HAD THE PISTOL FROM THE BEGINNING, LIZ HAD MENTIONED THE SHOTGUN IN COURT TRANSCRIPTS BUT NOTHING ELSE WAS EVER SAID ABOUT IT. THAT SHOTGUN WOULD HAVE BACKED MY STORY UP AND PUT A COMPLETELY DIFFERENT LIGHT ON THIS LIE THEY TOLD.

55, MICHAEL JOSEPH GRIFFITH

THE JUDGE CONVICTED ME OF MURDER. TWO CONSECUTIVE LIFE SENTENCES HE PRONOUNCED. A FEW YEARS DOWN THE ROAD, I WOULD DISCOVER THAT THIS WAS AN ILLEGAL AND VOID SENTENCE. AT THE TIME, I DIDN'T KNOW IT. MY ATTORNEY SHOULD HAVE KNOWN IT. OF COURSE LIKE I KEEP REPEATING OVER AND OVER, HE DIDN'T KNOW CRIMINAL LAW. HE WAS INTO REAL ESTATE LAW AND CIVIL LAW. AGAIN, I JUST CAN'T COMPREHEND HOW AN ATTORNEY LIKE THAT COULD BE APPOINTED TO WHAT WAS TO BE A CAPITAL MURDER CASE.

THE NEXT MORNING I WAS ESCORTED TO PRISON BY TWO TEXAS RANGERS.

THE AFTERNOON AFTER THE COURT HEARING, MY MOTHER, SISTER AND A COUPLE OF AUNTS CAME TO SAY GOOD-BYE. THEY WOULDN'T SEE ME OFF THE

56. MICHAEL JOSEPH GRIFFITH

NEXT MORNING. IT WOULD HAVE BEEN TO ROUGH ON MY MOTHER. SHE HAD GONE THROUGH SO MUCH ALREADY. SHE MOST CERTAINLY DIDN'T DESERVE THIS. TO THIS DAY I KEEP PRAYING THAT THIS IS JUST A NIGHTMARE, I'LL WAKE UP FROM IT SOON. OR, PLEASE GOD, LET ME GO BACK INTO TIME TO THE PAST AND CHANGE ALL OF THIS. LET ME CHANGE THE FUTURE. I HURT MY MAMA SO BAD, YET THROUGH ALL OF HER YEARS, SHE NEVER LOST FAITH IN ME. SHE STAYED BY MY SIDE THE REST OF HER LIFE.

THE WEATHER THAT MORNING WAS GRAY AND DRIZZLY. A GREAT DAY TO GO TO PRISON. IT WAS A LONG DRIVE TO HUNTSVILLE. I LOOKED OUT THE WINDOWS OF THE CAR AS THE LAND WENT BY.

57. MICHAEL JOSEPH GRIFFITH

WHEN WE GOT TO THE DIAGNOSTIC UNIT AT HUNTSVILLE, I WAS LED INSIDE. THEY PUT ME IN A BIG CAGE AND TOLD ME TO STRIP. MY CLOTHES WERE THROWN AWAY AND I WAS LEFT THERE NAKED. MY BODY WAS SEARCHED AND THEN THEY GAVE ME WHITE OVERALLS TO WEAR. I WAS LED TO A SHOWER AND THEN TO A BARBER. ALL MY HAIR WAS CUT OFF. THEN I WAS PUT INTO A VERY SMALL CELL WITH A VERY SMALL MAN IN IT. HE TURNED OUT TO BE A NICE PERSON HOWEVER AND HE FURNISHED ME WITH CIGARETTES WHICH HELPED ME WITH MY NERVES. I WAS A BIG SMOKER BACK THEN.

AT THE DIAGNOSTIC UNIT, THEY PERFORMED MENTAL AND PHYSICAL TESTS ON ME. I DON'T REMEMBER ANY OF THEM, I DO REMEMBER TALKING TO SOME KIND OF PSYCH COUNSELOR THOUGH, I'M SURE

58, MICHAEL JOSEPH GRIFFITH

GLAD I WAS ABLE TO SPEAK TO SOMEONE LIKE HIM. HE UNDERSTOOD A LOT ABOUT MY MENTAL PROBLEMS. HE LISTENED TO ME. THERE HAD BEEN NO ONE IN THE COUNTY JAIL TO LISTEN TO WHAT I WAS GOING THROUGH. I WAS REALLY HURTING INSIDE AND NO ONE UNDERSTOOD OR CARED. I WAS LOST, IT HURT SO BAD, I HAD TAKEN THREE LIVES, I COULDN'T BELIEVE IT. THAT WASN'T ME. I DIDN'T EVEN LIKE DEER HUNTING, I DIDN'T ENJOY RABBIT OR SQUIRREL HUNTING, I DIDN'T LIKE KILLING ANIMALS. THAT NEVER WAS FUN TO ME. AND NOW HERE I WAS, IN PRISON, FOR KILLING THREE PEOPLE.

WHILE I WAS AT THE DIAGNOSTIC UNIT IN HUNTSVILLE, I DECIDED THAT I WAS GOING TO GET HELP FOR MY MENTAL PROBLEMS IF I COULD. I WAS GOING TO GET A BETTER EDUCATION IF POSSIBLE. I COULDN'T LET THIS BEAT ME, FOR MAMA'S SAKE,

59. MICHAEL JOSEPH GRIFFITH

CHAPTER EIGHT

I ARRIVED AT THE CLEMENTS UNIT IN LATE JANUARY. IT WAS A HUGE PLACE.

RIGHT AWAY I WROTE TO THE PSYCH DEPARTMENT HERE, MS. JOHNSTON AND MS. WELLS WERE THE COUNSELORS. I STARTED ATTENDING THERAPY SESSIONS WHERE I DISCUSSED WHAT HAD HAPPENED TO ME. AT FIRST IT WAS DIFFICULT TALKING ABOUT THE SEXUAL ASSAULT, ESPECIALLY TO TWO WOMEN, BUT I DID IT. THEY WERE VERY SUPPORTIVE. IT GOT TO WHERE I BECAME COMFORTABLE TALKING TO THEM. THEY EXPLAINED A LOT ABOUT PEOPLE WHO ASSAULTED OTHERS. THEY USUALLY ATTACK THE ONES THEY THINK ARE HELPLESS. AND THE ONES WHO ARE ATTACKED ARE OFTEN ASSAULTED AGAIN, THESE PEOPLE GO AFTER THE VULNERABLE, THEY LIKE POWER. MOST OF THE TIME, IT'S NOT ABOUT SEX.

GO. MICHAEL JOSEPH GRIFFITH

I EVEN STARTED ATTENDING PSYCH CLASSES WHERE SEVERAL INMATES TALKED ABOUT THEIR PROBLEMS. I LEARNED THAT PEOPLE CAN BE REALLY CRUEL AND HEARTLESS. OTHER PEOPLE HERE HAD MANY HORRIBLE THINGS HAPPEN TO THEM. I WASN'T THE ONLY ONE.

I WAS STILL HAVING HORRIBLE NIGHTMARES AND COULDN'T SLEEP WELL. I WAS HAVING FLASHBACKS. IF AN AIRPLANE FLEW OVER THE PRISON, I WOULD HIT THE GROUND, THINKING THAT THEY WERE STILL LOOKING FOR ME IN THOSE PASTURES.

ONCE ON TELEVISION, A MAN WAS SHOT IN A POLICE SHOW AND I WOULD SWEAR THAT I COULD SMELL THE GUNPOWDER AND THE BLOOD. I COULD TASTE THE BLOOD, WHICH HAS A COPPERY TASTE TO ME.

I STARTED TAKING ANTI-DEPRESSANT DRUGS IN SMALL DOSES AND THAT HELPED. I STARTED FEELING BETTER BUT AT TIMES I THOUGHT OF HURTING MYSELF,

61. MICHAEL JOSEPH GRIFFITH

TEXAS TECH
UNIVERSITY
HEALTH SCIENCES CENTER

Regional Academic Health Center at Amarillo

School of Medicine
Department of Family Medicine
1400 Wallace Blvd.
Amarillo, Texas 79106
(806) 354-5462

Psychological Evaluation
GRIFFITH, MICHAEL TDCJ # 573257
7/8/93

IDENTIFYING DATA

A thirty-eight year old (DOB: 12/5/54) Caucasian, he has brown hair, is of low average height, and of chunky build. He was examined at the Clement's Unit in Amarillo, Texas, by David R. Egerton, Ph.D., consulting psychologist.

REASON FOR REFERRAL

Michael has been experiencing symptoms of both generalized anxiety and of a post-traumatic stress disorder. The purpose of this examination is to evaluate and diagnose his problem.

METHODOLOGY

A mental status examination was used to evaluate Michael.

BACKGROUND

Born in Midland, Texas, he moved to Mason, Texas, at the age of five and spent most of his life there. He commented that "almost my whole family still lives there."

His father died of cancer in 1984, but his mother Wilma Griffith, in her late sixties, as well as his only sibling, Susan Martin, age thirty-six, live in Mason.

Twice married, he and his first wife Cathy (last name unknown), divorced approximately eighteen years ago. Cathy and Michael had one child, Richard Griffith. Michael is currently married to Patsy Griffith, age forty-eight. He is uncertain about the status of his current marriage and volunteered that he hears from his wife only infrequently. He commented that he is not especially worried about the status of his marriage.

Michael dropped out of school after completing the eighth grade but subsequently earned his GED in 1972. He is currently taking college courses and stated he enjoys learning activities.

In the free-world he was employed as a house painter, a security officer for a race track, a gas station attendant, and in a

63. MICHAEL JOSEPH GRIFFITH

GRIFFITH, MICHAEL TDCJ # 573257

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7/8/93

grocery store. He described himself as a reliable employee who had no problem with authorities.

In 1990, he was attacked and raped by two men Michael knew only slightly. Michael stated that one of the men held a gun to his head and the other man forced a mop or broom handle up Michael's rectum. When the man holding the weapon lay it on the floor, Michael reportedly grabbed the weapon and shot his attackers.

After shooting his assailants, he described himself as wandering the country side on foot for about five days. The descriptions he provided of his behavior suggest he was dazed and frightened. Later, he apparently "hitched" a ride with a woman who drove Michael to a store where he intended to purchase cokes and cigarettes. He decided to take the pickup and forced the woman who owned it into the back room and tired her up. A man walked in unexpectedly, and Michael attempted to tie him up as well. A scuffle ensued and Michael reportedly shot the man with whom he was fighting. Michael stated he does not remember the incident clearly but stated the authorities told him he shot the man in the head.

~~Michael stated he had been stationed in Vietnam for a year during the time he was in service. He said after he left Vietnam he began having flashbacks where he reexperienced traumatic combat scenes. The examiner suspects the violence associated with the rape incident may have triggered and exacerbated pre-existing emotional problems and contributed to Michael's behavior.~~

After he was arrested, he spend a considerable amount of time in a county jail. He stated that while he was in jail, his mental condition deteriorated notably. He described himself as crying almost continuously.

He has recently begun taking Amitriptyline and Buspar, a combination of medication which he says has reduced both the level of his anxiety and number and intensity of flashbacks he has experienced. He commented "I haven't felt this good in months."

MENTAL STATUS

Oriented in terms of person, place, and time, he knew his name, the name of the unit where he resides, the day of the week and the year.

His attention and concentration spans have been impacted by above average anxiety levels, but as his new medication has become effective his ability to concentrate and to focus efficiently have improved. He focused long enough to spell the word "house"

64. MICHAEL JOSEPH GRIFFITH

GRIFFITH, MICHAEL TDCJ # 573257

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both forward and backward, and recited the days of the week both forward and backward without error.

Receptive and expressive language skills were satisfactory. He commented he is able to read newspapers without difficulty and was able to demonstrate how to convey the concepts of "stop" and "come here" using hand signals. Michael would be able to understand typical office conversation and is capable of discussing fairly abstract concepts as well.

Fine and gross motor dexterity skills were satisfactory. No indications of organicity problems were noted.

His immediate recall has been blunted by elevated anxiety levels, and, as a result, he may have difficulty remembering instructions and procedures. Occasionally his mind may "go blank" but this phenomena is also thought to be due to elevated anxiety levels rather than to a memory deficit.

Capable of generating abstract thoughts, he correctly interpreted such proverbs as "Strike while the iron is hot," "Rome wasn't built in a day," and "All that glitters is not gold." Additionally, he described how such abstractions as apple and orange, dollar and dime, and moose and whale were similar.

His fund of general information is satisfactory and suggests he is developing interests in the wider world around him. He knew who the President of the United States is, knew both the Capitols of Texas and the United States, named three oceans, knew where Paris is located, and knew who both George Washington and Thomas Edison were.

In the recent past Michael has been depressed and anxious. On the day of the evaluation, he appeared more relaxed than he had been on prior occasions when the examiner had spoken with him. He commented that he had experienced trembling sensations, muscle aches, and feelings of restlessness, fatigue, and shortness of breath. Additionally, he commented his heart often beat rapidly, noted he experienced frequent dizzy spells, and said he often felt keyed up and on edge. In addition to these symptoms, Michael has experienced two events that are outside the range of typical human experience (vietnam and the rape incident). He reported experiencing distressing recollections, distressing dreams and flashback episodes, and to experiencing distress when he is exposed to events that remind him of the traumatic events he has experienced. He has also made efforts to avoid thinking about the traumatic events in his life, has reported episodes where he has been unable to recall aspects of stressful events he has experienced, and has indicated he tries to avoid situations that might cue a flashback episode. Finally, he has reported

65. MICHAEL JOSEPH GRIFFITH

GRIFFITH, MICHAEL TDCJ # 573257
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sleep difficulties, stated he has difficulty concentrating, and said he is hypervigilant.

PSYCHOMETRICS

No testing was performed.

SUMMARY OF FINDINGS AND PSYCHODYNAMIC FORMULATION

History of traumatic experiences (rape incident, ~~vietnam~~, and prison), average to mildly above average intellectual potential, indications of both Post-traumatic Stress Disorder and of a Generalized Anxiety disorder.

WORKING DIAGNOSTIC IMPRESSION

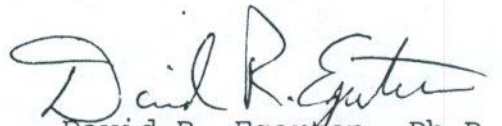
Axis I 309.89 Post-Traumatic Stress Disorder
300.02 Generalized Anxiety Disorder
Axis II V71.09 No Diagnosis on Axis II
Axis III Physical Disorders and Conditions: None Reported
Axis IV Severity of Psychosocial Stressors: 4 Severe,
Incarceration
Axis V Current GAF: 60 Moderate Difficulty with Occupational
and Social Functioning
Highest GAF Past Year: 60 Moderate Difficulty with
Occupational and Social Functioning

RECOMMENDATIONS FOR TREATMENT

1. Medication to reduce symptoms of anxiety.
2. Periodic counseling with emphasis on teaching him cognitive techniques which would assist him in more effectively managing his anxiety.

PROGNOSIS

If the combination of counseling and medication is maintained the prognosis for Michael is fairly positive.


David R. Egerton, Ph.D.
Consulting Psychologist

666, MICHAEL JOSEPH GRIFFITH

AT THE SAME TIME THAT I WAS GOING THROUGH ALL THE MENTAL PROBLEMS, I WAS STARTING TO GO THROUGH VERY PAINFUL MEDICAL PROBLEMS. I HAD STARTED BLEEDING AGAIN FROM THE RECTUM. I WAS TERRIBLY CONSTIPATED. SOMETIMES I WOULDN'T HAVE A BM FOR DAYS, OR MAYBE A WEEK, THE LAXATIVES THEY GAVE ME WOULDN'T WORK. ALL OF THIS WAS CAUSED BY THE BROOMSTICK WHICH HAD BEEN SHOVED UP MY RECTUM. THEY FINALLY TOOK X-RAYS AND I WAS SO BACKED UP THAT THEY HAD TO DIG IT OUT OF ME. THIS WAS NOT A PLEASANT EXPERIENCE. IT TOOK YEARS FOR ME TO FINALLY GET RID OF THE CONSTIPATION, BECAUSE OF THE BROOMSTICK AND THAT ASSAULT, I STILL HAVE MENTAL PROBLEMS USING THE TOILET. THEY REALLY DID DAMAGE TO ME THAT NIGHT, BOTH PHYSICALLY AND MENTALLY. (SEE NEXT TWO PAGES)

67. MICHAEL JOSEPH GRIFFITH

CLINIC NOTES
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
INSTITUTIONAL DIVISION

Name: Griffith, Michael
TDCJ No.: 573257
Unit: BC

Date & Time	Notes
5/28/91 2030	<p>⑤ Inmate LTC as scheduled for F/U Exam related to Rectal Impaction removed 5/27/91 and Rectal Bleeding</p> <p>⑥ Exam reveals. Hx of BMX 2 today as results from 60cc M.O.M. given 5/27/91 - Cont to C/O Rectal Bleeding. Visual exam reveals small External Hemorrhoids X2. ⑦ Internal Hemorrhoids. Hx of Rape 1 yr ago</p> <p>⑧ Alteration in elimination Related to Hx of Rape which causes over cautious attempts @ B.M. Ignor Urge to Have B.M. Very Anal Retentive.</p>
5/29/91	<p>① Anusol Cream apply to Rectum Bid x 7 days</p> <p>② 30cc M.O.M now P.O. 240cc H₂O</p> <p>③ To be called out 5/29/91 for Dr. Luell's Evaluation</p> <p>V.D. Dr. Luell 5/29/91 [Signature]</p>
5/31/91 1720	<p>Continue 50mg Elavil po @ 2000X30 Days</p> <p>V.D. S. Nguyen MD / Eastman RN</p> <p>[Signature]</p>
6/3/91 1030	<p>40-153 (dated 4/2/91) "I NEED TO GET MY ELAVIL PRESCRIPTION EXTENDED. IT EXPIRED." Renewed 5/31/91 - Eastman RN</p>
6-7-91 1400	<p>Called Officer Haliburton in 3 a.m. requesting inmate be sent to Clinic</p> <p>per H0-153 @ C/O blood in urine - per Richardson, RN. ——— L Roper CSTIII</p>

Please sign each entry with status.

68. MICHAEL JOSEPH GRIFFITH

E.

CLINIC NOTES

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
INSTITUTIONAL DIVISION

Name: Griffith, Michael
TDCJ No.: 573257
Unit: BC

Date & Time	Notes
2100 6-7-91	No show after being called out ———— Sharpe, C. STJ
6/10/91	1400 HO-153 did NOT show for call at clinic appt scheduled for 6/10/91 @ 1300 CID blood in URPT ———— Shulyp
6-10-91	1943 1/2 Clinic @ rectal bleeding. Q. Hx of recent rectal bleeding (see 5-28-91) Expresses fear of Colon C.A. Expresses fear of bright red blood in commode p B.M. (Hx. of rape 1 yr ago) Sts. he believes his Clamit causes constipation. Repeated he is "scared of the blood". A. Gct. in comfort/elimination P. Order 9M.O. 3000s & 24000s H ₂ O. X: 40W. On Appt. TBS. for evaluation. NO 6/11/91 1000
2050 6-11-91	NO 6/12/91 1100 1100 6/12/91 V.D. Dixonell/Manningham L
6-25-91	Appt 6-28-91 @ 1500 1/2 rectal bleeding ———— Sharpe, C. STJ 1:45 pm HO-153 received stating he does not wish to keep his appt 6-28-91 @ 1500 because his "condition has cleared up" ———— J. M. KNE
6-27-91	Continue Clamit 50mg po @ 2000 X 30 days V.D. T. Renell MD / J. Earthman RN NO 8/26/91 1100
1000 6/27/91	
7/22/91	1400 HO-153 CID NUMBNESS @ HAND — Clinic appt 7/24/91 @ 0800 ———— Shulyp

Please sign each entry with status.

HO-3 (Rev. 2/90)

69, MICHAEL JOSEPH GRIFFITH

J0174

CHAPTER NINE

I DECIDED TO GET SERIOUS ABOUT IMPROVING MY EDUCATION. THE CHOICES TO PICK FROM WEREN'T THAT IMPRESSIVE. SINCE I HAD ALWAYS BEEN INTERESTED IN ART, I OPTED FOR THE MECHANICAL COMPUTED AIDED DRAFTING CLASS. THIS WAS IN THE SPRING OF 1991. IT WAS LIKE A HIGH SCHOOL LEVEL CLASS. I PASSED IT WITH FLYING COLORS.

IN THE FALL I SIGNED UP FOR COLLEGE ACADEMICS OFFERED BY AMARILLO COLLEGE. SINCE I WAS SO INTERESTED IN FINDING OUT ABOUT ALL MY MENTAL PROBLEMS, I SIGNED UP FOR PSYCHOLOGY. I HAD NEVER TAKEN A COLLEGE CLASS BUT I WAS DETERMINED TO DO THIS. I PASSED THIS CLASS WITH A "C", WHICH I WAS SO PROUD OF.

IN THE SPRING OF 1992, I TOOK THE AMARILLO COLLEGE ARCHITECTURE COMPUTER AIDED DRAFTING CLASS. THIS WAS RIGHT UP MY ALLEY. I LOVED IT.

MO. MICHAEL JOSEPH GRIFFITH

MY GRADE POINT AVERAGE IN IT WAS 4.000,
OF COURSE I HAD A GREAT TEACHER, MR. YOUNG.

WHEN I GRADUATED FROM THE COLLEGE CLASS
I BECAME A TEACHER'S AIDE IN THE WINDHAM
DRAFTING CLASS. THIS LASTED FOR THREE YEARS
AND I ENJOYED IT IMMENSELY, AND LEARNED A
LOT IN THERE.

I ALSO STARTED TO THINKING WHY THE REAL
ESTATE LAWYER HAD WORRIED SO MUCH ABOUT
JAILHOUSE LAWYERS, SO MUCH OF MY FREE TIME
WAS SPENT IN THE UNIT LAW LIBRARY AND TALKING
TO INMATES WHO KNOW ABOUT THE LAW, THESE WERE
THOSE SAME JAILHOUSE LAWYERS HE HAD WARNED ME
ABOUT, WHY WERE THEY SO BAD?

I CAME TO DISCOVER THAT HE HAD DONE SUCH A
LOUSY JOB AS A COURT-APPOINTED ATTORNEY, THE
SENTENCE I HAD BEEN GIVEN WAS ILLEGAL AND VOID.

71. MICHAEL JOSEPH GRIFFITH

A VOID OR ILLEGAL SENTENCE IS ONE THAT IS NOT AUTHORIZED BY LAW.

A SENTENCE THAT IS OUTSIDE THE MAXIMUM OR MINIMUM RANGE OF PUNISHMENT IS UNAUTHORIZED BY LAW AND THEREFORE ILLEGAL.

PENAL CODE SECTION 3.03(a) WHICH PROVIDES THAT WHEN A DEFENDANT IS FOUND GUILTY AT A SINGLE TRIAL OF MORE THAN ONE OFFENSE ARISING OUT OF THE SAME CRIMINAL TRANSACTION, THE SENTENCE FOR EACH OFFENSE MUST RUN CONCURRENTLY, TEX. PEN. CODE ANN. § 3.03(a)

AS A PRACTICAL MATTER, AN ABUSE OF DISCRETION OCCURS IN SENTENCING FOR MULTIPLE OFFENSES ONLY IF THE TRIAL COURT IMPOSES CONSECUTIVE SENTENCES WHERE THE LAW REQUIRES CONCURRENT SENTENCES..

THE COURT AGREED THAT MY CRIME WAS ONE CRIMINAL EPISODE IN THE COURT OF APPEALS BUT TRIED TO ARGUE THAT I HAD WAIVED THAT. I DID NOT. ANYWAY, AN IMPROPER

ORDER IS, IN ESSENCE, A VOID SENTENCE, AND SUCH ERROR CANNOT BE WAIVED.

LA PORTE V. STATE 840 SW2d 412, 415 (Tex Crim App 1992)

SO IN THE SUMMER OF 1994, I SENT TO THE DISTRICT COURT MY WRIT OF HABEAS CORPUS. IN IT I CLAIMED MY SENTENCE WAS ILLEGAL AND VOID, THEN I WAITED.

I DIDN'T JUST SIT AROUND TWIDDLING MY THUMBS THOUGH, I KEPT ON STUDYING AS OFTEN AS POSSIBLE AT THE UNIT LAW LIBRARY.

I STUDIED UP ON INEFFECTIVENESS OF COUNSEL, "SUDDEN PASSION", BRADY MATERIAL AND ANYTHING ELSE PERTAINING TO MY KIND OF CASE. I LEARNED A LOT. BECAUSE OF THE LEGAL TALK IN THE BOOKS, IT WAS HARD. I WAS DETERMINED ~~THOUGH~~, I WAS GOING TO LEARN THIS. I KNEW I HAD A PRETTY GOOD BRAIN ONCE UPON A TIME. I COULD DO IT.

THE DEFENSE OF "SUDDEN PASSION" WAS THE MOST INTERESTING. IT WAS EXACTLY WHAT I HAD BEEN

THROUGH,

TESTIMONY OF DEFENDANT ALONE IS SUFFICIENT
TO RAISE ISSUE OF SUDDEN PASSION, AN ELEMENT
OF VOLUNTARY MANSLAUGHTER. V.T.CA PENAL CODE
19.02, 19.04

THERE MUST BE EVIDENCE OF SOME CONDUCT BY
THE DECEASED, OR ANOTHER ACTING WITH THE DECEASED,
AMOUNTING TO LEGALLY SUFFICIENT PROVOCATION, THAT
IS, SOME CONDUCT ADEQUATE TO "PRODUCE A DEGREE
OF ANGER, RAGE, RESENTMENT, OR TERROR IN A PERSON
OF ORDINARY TEMPER, SUFFICIENT TO RENDER THE
MIND INCAPABLE OF COOL REFLECTION,

TEX PENAL CODE § 19.02
19.04

IN DECIDING WHETHER SUDDEN PASSION HAS BEEN RAISED,
WE INQUIRE WHETHER THERE IS ANY EVIDENCE, HOWEVER
WEAK, CONTESTED, OR INCREDIBLE, THAT COULD SUPPORT A
RATIONAL JURY FINDING THAT THE ACCUSED ACTED UNDER
THE IMMEDIATE INFLUENCE OF SUDDEN ~~PASSION~~ ARISING
FROM AN ADEQUATE CAUSE. GOLD V. STATE 736 SW 2d 685,
686
(Tex Crim App. 1987)

WITH THE "SUDDEN PASSION" DEFENSE, THE SAWED-OFF SHOTGUN AS EVIDENCE BECOMES VITALLY IMPORTANT. WHERE DID THAT SHOTGUN GO? WHO TOOK IT OUT OF THAT BARN WHERE I LAID IT ON THE BED?

IN THE COURT TRANSCRIPTS, LIZ MENTIONS IT. SHOTGUN SHELLS HAD TO HAVE BEEN DISCOVERED IN PORTER'S CAR, THERE MIGHT HAVE BEEN SOME IN THE BARN WITH THE GUN.

THE SHOTGUN WOULD HAVE HAD FINGER PRINTS FROM PORTER AND PARKER HOLDING IT TO MY HEAD AND BEATING MY HEAD WITH IT. THEY TOOK TURNS POINTING IT AT MY HEAD AND PULLING THE TRIGGER, IT BELONGED TO ONE OF THEM BUT MOST LIKELY PORTER, HE HAD DRUGS SO WHY NOT A SHOTGUN?

A DEFENDANT MAKING A "BRADY" CLAIM FOR FAILURE TO DISCLOSE EXCULPATORY EVIDENCE HAS THE BURDEN TO ESTABLISH A REASONABLE PROBABILITY

THAT THE EVIDENCE WOULD HAVE CHANGED THE
RESULT.

TO SUCCEED ON A BRADY CLAIM, DEFENDANT
MUST ESTABLISH THAT: (1) EVIDENCE WAS SUPPRESSED;
(2) EVIDENCE WAS FAVORABLE TO DEFENSE; (3) EVIDENCE
WAS MATERIAL EITHER TO GUILT OR TO PUNISHMENT

U.S. V. FREEMAN 164 F3d 243

SO WITH MY REAL ESTATE LAWYER FAILING TO
INVESTIGATE THE MISSING SHOTGUN, IT GOT ME
CONVICTED OF MURDER WHEN I WASN'T GUILTY OF MURDER,

FAILURE TO INVESTIGATE POTENTIALLY SOUND DEFENSE
CAN, UNDER SOME CIRCUMSTANCES, CONSTITUTE
INEFFECTIVE ASSISTANCE OF COUNSEL U.S.C.A. CONST. AMEND. 6

IN REPRESENTING A CRIMINAL DEFENDANT, COUNSEL
OWES THE CLIENT A DUTY OF LOYALTY, A DUTY TO AVOID
CONFLICTS OF INTEREST, A DUTY TO ADVOCATE THE
DEFENDANT'S CAUSE, A DUTY TO CONSULT WITH THE
DEFENDANT ON IMPORTANT DECISIONS, A DUTY TO KEEP
DEFENDANT INFORMED OF IMPORTANT DEVELOPMENTS

76. MICHAEL JOSEPH GRIFFITH

IN THE COURSE OF THE PROSECUTION, AND A DUTY TO BRING TO HIM SUCH SKILL AND KNOWLEDGE AS WILL RENDER THE TRIAL A RELIABLE ADVERSARIAL TESTING PROCESS.

LIKEWISE, DEFENSE COUNSEL WHO ADVISES CLIENTS TO PLEAD GUILTY WITHOUT REGARD TO POTENTIALLY MERITORIOUS DEFENSES MAY BE CONSIDERED INEFFECTIVE.

HILL V. LOCKHART 106 S.C.T. 366, 371

COUNSEL FOR DEFENDANT CANNOT MERELY HAVE UNDERSTANDING AND AWARENESS OF STATE'S CASE BUT MUST ALSO HAVE THE PERCEPTION OF HIS CLIENT'S POSITION, AND COUNSEL IS OBLIGATED TO INVESTIGATE DEFENDANT'S ONLY DEFENSE, THOUGH IT MIGHT NOT BE A STRONG ONE, U.S.C.A. AMEND. 6

RUMMEL V. ESTELLE 498 F.SUPP. 793

IF I LEARNED ONE THING WITH ALL THE STUDYING I DID, IT WAS THAT MY COURT-APPOINTED ATTORNEY WASN'T WORTH A DIME. NOW I KNEW WHY HE WAS SO WORRIED ABOUT JAILHOUSE LAWYERS. HE WAS SCARED OF THEM.

77, MICHAEL JOSEPH GRIFFITH

CHAPTER TEN

IN OCTOBER OF 1994, I FOUND OUT THAT I HAD BEEN GRANTED AN EVIDENTIARY HEARING BECAUSE OF MY WRIT OF HABEUS CORPUS.

THE SHERIFF OF MASON COUNTY AND A DEPUTY DROVE UP TO AMARILLO TO PICK ME UP. I WAS GOING BACK HOME ON A BENCH WARRANT. I WAS FINALLY GOING TO HAVE MY FAIR DAY IN COURT, I THOUGHT. TO MY GREAT DISAPPOINTMENT IT WASN'T GOING TO WORK OUT FOR ME.

AND THEY SURE WEREN'T HAPPY ABOUT ME COMING BACK TO MASON FOR A HEARING. EVEN THE DISTRICT CLERK WASN'T THRILLED. (SEE THE NEXT PAGE), AND I MOST CERTAINLY WASN'T HAPPY WITH THE ATTORNEY THEY GAVE ME.

A NOTE FROM
Beatrice Langehenning

Hi Jimmy:

I delivered to Sheriff Grote an order from Judge Evans to the Warden of the Texas State Pen. to deliver to Sheriff Grote, Mr. Griffith on or before Oct. 17, 1994

I know you are excited about this little item---but our DA did not answer the writ within the time limit after it was filed, therefore, the Court of appeals issued an order that a hearing must be had.

Beatrice



79. MICHAEL JOSEPH GRIFFITH

WHEN I FOUND OUT WHO THEY HAD APPOINTED TO ME FOR MY ATTORNEY, I COULDN'T BELIEVE IT. THIS COULDN'T BE HAPPENING. NO WAY. I IMMEDIATELY STARTED A CAMPAIGN TO GET RID OF HIM. I WROTE TO THE JUDGE ASKING FOR HIM TO APPOINT SOMEONE ELSE. I ABSOLUTELY DID NOT WANT SHOOK AS MY ATTORNEY AGAIN. I TOLD SHOOK I DIDN'T WANT HIM. I DIDN'T TRUST HIM. NONE OF IT DID ANY GOOD. I WAS STUCK WITH HIM AGAIN. THIS WAS STARTING TO LOOK BAD FROM THE WORD GO.

SHOOK SENT ME A LETTER THROUGH THE SHERIFF. THE JUDGE HAD DENIED MY REQUEST FOR ANOTHER ATTORNEY.

(SEE NEXT PAGE)

80. MICHAEL JOSEPH GRIFFITH

Senterfitt, Childress & Shook

ATTORNEYS AT LAW

200 E. WALLACE • P.O. BOX 308 • SAN SABA, TEXAS 76877

TELEPHONE (915) 372-5791 FAX (915) 372-5156

JAMES A. CHILDRESS

JIMMY SHOOK

REUBEN SENTERFITT

OF COUNSEL

October 24, 1994

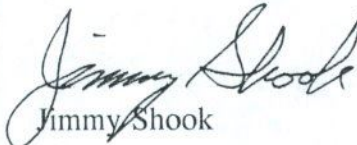
Mr. Michael Griffith
c/o Sheriff Don Grote
Mason County Jail
Mason, Texas 76856

Dear Michael:

I have spoken with Judge Evans who advised me that he will not appoint you another attorney and that I will continue to represent you in regard to the evidentiary hearing on the writ of habeas corpus. Judge Evans also advised that the hearing would proceed on the 31st pursuant to the order of the Court of Criminal Appeals.

I plan to do more extensive research on this matter and then will be in contact with you later this week.

Very truly yours,



Jimmy Shook

JS:jm

81. MICHAEL JOSEPH GRIFFITH

SHOOK WOULD COME TO MY JAIL CELL AND TELL ME THAT THERE HAD BEEN DEATH THREATS TO ME, MY FAMILY, THE DISTRICT JUDGE AND DISTRICT ATTORNEY. HE SAID THAT PEOPLE DIDN'T WANT ME BACK INTO COURT. HE TRIED TO TALK ME OUT OF THE EVIDENTIARY HEARING.

HE CLAIMED THAT HE HAD CALLED THE COURT IN AUSTIN AND THEY SAID I COULD WAIVE THE HEARING FOR NOW AND COME BACK LATER AND HAVE IT, AFTER THE THREATS DIED DOWN. HE TOLD ME TO THINK ABOUT IT AND TO LET HIM KNOW.

ON THE NEXT TWO PAGES ARE COPIES FROM HIS FILES, OF TWO NOTES I WROTE HIM WHILE I WAS IN JAIL. THE THREATS TO MY FAMILY WORRIED ME,

THE THREAT WORKED!
I DONT LIKE HAVING MY
FAMILY THREATENED
BUT I WILL DEAL ON
CANCELING THE HEARING
IF ITS DONE RIGHT AWAY. WOULD
LIKE TO HAVE SENTENCES RUN C.C.
I WANT TO GET AWAY FROM HERE FOR
MY FAMILY'S SAKE. WOULD LIKE
AGGRAVATED DROPPED AND WOULD THEN
SIGN AWAY ALL RIGHTS TO APPEALS, LAWSUITS
EVERYTHING JUST LET ME GET BACK
TO PRISON WHERE I WOULD KNOW MY
FAMILY IS SAFE.

83, MICHAEL JOSEPH GRIFFITH

Mr. SHOOK,

I HAVE DECIDED TO AGREE
TO CANCELING THE ^{EVIDENTIARY} HEARING,
AND DROPPING THE TWO LAWSUITS,
IN EXCHANGE FOR HAVING THE LIFE SENTENCES
TO RUN CONCURRENTLY INSTEAD OF
BEING STACKED AND HAVING THE AGGRAVATED
OR OF FINDING OF A DEADLY WEAPON DROPPED.

I WOULD GO FOR THIS IT WOULD
SAVE EVERYONE TIME & MONEY.

SEE WHAT THEY SAY. YOU ASKED ME
THE OTHER DAY WHEN I SAW YOU, IF I
WAS WILLING TO TALK ABOUT IT.

THIS WOULD SAVE AN AWFUL LOT OF
PEOPLE A LOT OF NEEDLESS HEARTACHE.

NOW ITS UP TO THE D.A. I HATE TO
BRING ALL OF THIS BACK TO ALL THE FAMILIES INVOLVED
BUT WILL IF I HAVE TO. I'D RATHER DEAL.

84. MICHAEL JOSEPH GRIFFITH

LAWYER SHOOK HAD REPEATEDLY COMMENTED THAT HE THOUGHT I WAS CRAZY OR INSANE, WHEN I FINALLY OBTAINED MY RECORDS FROM HIM, I FOUND NOTES AMONG THE RECORDS, FROM HIM.

IN THOSE NOTES HE MENTIONED EITHER ME BEING RETARDED OR MY MIND WASN'T THERE, THE THIRD PAGE OF HIS NOTES (THE NEXT THREE PAGES) IS FROM THE EVIDENTIARY HEARING, IT STATES THAT I HAD SEVERE DEPRESSION AND POST TRAUMATIC STRESS DISORDER. I WAS ON ANTI DEPRESSANTS, ELAVIL AND BUSPAR, AND NEEDED TO SEE A DOCTOR. HOWEVER, WHILE I WAS IN THE COUNTY JAIL FOR THE HEARING, I WAS NEVER GIVEN ANY OF MY MEDICINE NOR ALLOWED TO SEE A DOCTOR.

YET I WAS SUPPOSEDLY MENTALLY CAPABLE TO SIGN LEGAL WAIVERS,

Cigs/
Anti depressants

post traumatic stress disorder

Sever depression

claville } needs to see Dr.
buspar }
TCLU

Go To Jury Trial

Sticks Stones May Break My Bones,
but Words Hurt me a Whole Lot More

Blomro
Dist Clerk
512-526-7771

William is not contacted

5036

512-463-1551

Kan Skutai
86, MICHAEL JOSEPH GRIFFITH

||| Jimmy Shook

Lenny case

Jury must

consider retardation,

etc,

Neon Sat.

720 W. 34th

Grand & Jamar

Ant. Diag Clinic

915-347-6194

Don Fox

87. MICHAEL JOSEPH GRIFFITH

Jimmy Shook

~~but not~~

Wilma Griffith

347-5720

347-5500

Office-5707

Japan Martin

Michael - mind is
not there

15 min.

not abused
jail doctor

D.D.S.

B.O. W. Martin

88. MICHAEL JOSEPH GRIFFITH

So I signed the waiver to the Evidentiary Hearing, thinking I could have it later. I should have known better.

I had family I had to think of first, with young kids. I didn't know who these people were making the death threats to my family. I couldn't take a chance.

I would find out years later that the court and the judge in particular, knew exactly who was making these death threats. Yet he chose to do nothing about it. He allowed me to sign these papers where I thought these people were unknown. My attorney never told me that these people had been identified. He talked like they were a secret group of dangerous people.

Years later I would be handed court transcripts of the court hearing about those people and threats, (see next 7 pages)

89, MICHAEL JOSEPH GRIFFITH

NO. 4285-91A

THE STATE OF TEXAS) IN THE 33RD JUDICIAL
VS.) DISTRICT COURT OF
MICHAEL JOSEPH GRIFFITH) MASON COUNTY, TEXAS

STATEMENT OF FACTS

The Honorable Clayton E. Evans, Presiding Judge

APPEARANCES:

MR. SAM OATMAN, District Attorney, and MR. STEVE
KEATHLEY, Assistant District Attorney, Llano
County Courthouse, Llano, Texas 78643

FOR THE STATE OF TEXAS

MR. JIMMY N. SHOOK (Senterfitt, Childress &
Shook), Attorneys at Law, P. O. Box 308, San
Saba, Texas 76877-0308

FOR THE DEFENDANT

BE IT REMEMBERED that on the 31st day of
October, 1994, the same being one of the regular
days of the October, 1994 Term of the 33rd Judicial
District Court of Mason County, Texas, came on to be
heard the Defendant's Motion for Rehearing in the
above entitled and numbered cause, whereupon the
following proceedings were had:

90, MICHAEL JOSEPH GRIFFITH

1 MONDAY, OCTOBER 31, 1994

2 Morning Session: 9:00 a.m.

3 - - - - -

4 THE COURT: All right. Ladies and
5 Gentlemen, I'm going to make a few remarks to
6 you folks here today. I'm not sure whether
7 you understand what the proceeding was in this
8 case today.

9 I felt like that until the matter was
10 resolved, I could not respond to the
11 communications and the petitions and the
12 inquires that were being made about this
13 matter.

14 The Defendant as you know pled guilty
15 back in 1991 to committing 3 murders here, 2
16 murders I believe here or 3 in Mason County
17 and pursuant to a plea bargain agreement, he
18 agreed to plead guilty and the Court would
19 assess then 2 life sentences to run
20 consecutively or to be stacked on top of each
21 other which meant that he would served one and
22 after completing that first life sentence then
23 he would begin to serve the second life
24 sentence.

25 There was and is a Statute that says

91. MICHAEL JOSEPH GRIFFITH

1 that if someone is involved in a single
2 criminal episode and they commit multiple
3 offenses in this single episode, that the
4 sentences can only run concurrently, that the
5 run together.

6 Now, the Prosecution at the time that
7 these, these matters came up took the position
8 that this was not a single criminal episode,
9 that the offenses of murder were 2 separate
10 criminal episodes and as a result then they
11 agreed to the consecutive life sentences.

12 A case has come down within the last
13 6 months where this matter has been ruled on
14 and the Court of Criminal Appeals as a result
15 of that case, after Mr. Griffith filed his
16 application for habeas corpus claiming that
17 the sentences should run concurrently, the
18 Court of Criminal Appeals issued an Order to
19 me to hold an evidentiary hearing to determine
20 the one issue and that being, was this a
21 single criminal episode.

22 The purpose of the hearing today was
23 to hear evidence and then make a determination
24 as to whether it was or was not a single
25 criminal episode.

92. MICHAEL JOSEPH GRIFFITH

1 Now, this Court has no authority
2 whatsoever at this stage to grant a parole or
3 reduce sentence or do anything else except
4 hold the hearing pursuant to the Order and
5 then make a finding as to whether the issue,
6 or whether it was or wasn't a single criminal
7 episode.

8 Now, subsequent to that and I'm not
9 sure who started it and how it got started,
10 but apparently there was erroneous and false
11 information disseminated to the public and the
12 citizens of Mason County that a hearing was
13 going to be held to determine if this man was
14 going to be paroled or if we were going to
15 reduce the sentences.

16 And as a result of that erroneous and
17 false information, then folks begin
18 communicating and sending communications to me
19 in an attempt to influence a decision,
20 disregarding whatever the law might be,
21 strictly out of emotions and I can certainly
22 understand the emotions but there were veil
23 threats about if anything occurred that was
24 contrary to what I suppose the individuals
25 believed should be done, that it was

93, MICHAEL JOSEPH GRIFFITH

1 potentially going to be a death sentence for
2 the Defendant, that he perhaps wouldn't leave
3 the County alive.

4 There were indications that perhaps
5 things would occur to Mr. Oatman and I, if the
6 sentence, anything were done to the sentences
7 or if a decision was made contrary to what the
8 folks thought it ought to be.

9 Now, this essentially is a
10 manifestation of the mob mentality. I had
11 thought that this Country and certainly our
12 State had done away with that mentality but
13 apparently it has taken hold and it still lies
14 there within the folks' minds and hearts.

15 Instead of trying to follow the Rule
16 of Law, many of the people and all of the
17 people who communicated with this Court
18 essentially were doing so with the idea that
19 their threats and their coercion and their
20 voices would require that I or hopefully force
21 me to make a decision whether it was or was
22 not contrary to the law.

23 Now, I'm not sure if you`folks are
24 understanding this and I welcome all you
25 people here today who have come, if you have,

94, MICHAEL JOSEPH GRIFFITH

1 to view and see the proceedings.

2 Those that have come here today for
3 the purpose of attempting by your presence to
4 coerce this Court into making a decision
5 whether it is or isn't according to Law, I
6 don't welcome you because what you're
7 essentially doing is saying, "We will be there
8 in our mob personality and mentality to make
9 you render a decision and we don't care what
10 the Law is."

11 Now, each of the communications that
12 were sent to me constitute a criminal offense.
13 It's called improper influence and it carries
14 as a punishment up to a \$4,000.00 fine and up
15 to 1 year in jail.

16 It's in the category of assaults with
17 bodily injury, perjury, theft, up to \$1500.00,
18 but I don't suppose anybody who took the
19 opportunity or who wrote these letters:

20 No. 1, took the opportunity to
21 inquire as to whether the information they had
22 about the proceedings was in fact true and no
23 one who wrote me a letter even inquired as to
24 whether or not they were committing an
25 offense.

95, MICHAEL JOSEPH GRIFFITH

1 And for that I say to you, you are in
2 the same category as those people who go out
3 here and commit assaults and who perjure and
4 who commit thefts and other such offenses.

5 Now, I'm going to meet with the
6 prosecutors and I have the names of at least
7 128 folks who have submitted these criminal
8 communications to me and discuss with them
9 whether to pursue criminal action against the
10 people that did that.

11 I did not want to go to this until
12 after this proceeding was finalized.

13 Now, in the future if these kind of
14 matters take, happen to come up, you who have
15 communicated and attempted to force or coerce
16 a decision by a Court, keep in mind that you
17 are in the same category as those folks who
18 steal and lie and assault people.

19 All right. That's all I have to say.
20 You're excused.

21
22
23
24 HEARING CLOSED

25

96. MICHAEL JOSEPH GRIFFITH

THESE THOUGHTS NEVER LASTED LONG BUT THEY WERE THERE STILL. THE NIGHTMARES WERE THE WORST THOUGH. A LOT OF TIMES I WOULD HAVE THE SAME DREAMS OVER AND OVER. ON THOSE NIGHTS, I WAS EITHER BEING EXECUTED BY A NAZI SOLDIER OR A JAPANESE SOLDIER. I WAS ABOUT TO BE SHOT IN THE HEAD BY ONE OR THE OTHER. I STILL HAVE THOSE DREAMS OCCASIONALLY, EVEN AFTER ALL THIS TIME. I'M STILL HAUNTED BY WHAT THOSE MEN DID TO ME, WITH THEIR SKK GAME ~~OF~~ RUSSIAN ROULETTE,

A PSYCHOLOGIST CAME TO THE UNIT AND DID AN EVALUATION ON ME. THAT EVALUATION IS ON THE NEXT FOUR PAGES. AT ONE POINT HE ASKED ME IF I KNEW WHAT PTSD WAS. I SAID I THOUGHT IT WAS SOMETHING VIET NAM VETS HAD. FOR SOME REASON HE SAID I WAS IN VIET NAM. I NEVER CLAIMED TO BE.

A THREAT OF PHYSICAL HARM TO A PRISONER IF HE PERSISTS IN HIS PURSUIT OF JUDICIAL RELIEF IS AS IMPERMISSIBLE AS A MORE DIRECT MEANS OF RESTRICTING THE RIGHT OF ACCESS TO THE COURTS. NOR IS IT NECESSARY THAT THE PRISONER SUCCUMBS ENTIRELY OR EVEN PARTIALLY TO THE THREAT. IT IS ENOUGH THAT THE THREAT WAS INTENDED TO IMPOSE A LIMITATION UPON THE PRISONER'S RIGHT OF ACCESS TO COURT AND WAS REASONABLY CALCULATED TO HAVE THAT EFFECT. LINGO V. BOONE 402 F.SUPP 768,775 (N.D.CAL 1975)

STATE PRISONERS HAVE A CONSTITUTIONAL RIGHT OF MEANINGFUL ACCESS TO THE COURTS WHICH A STATE MAY NOT ABRIDGE NOR IMPAIR, NOR MAY IT IMPERMISSIBLY BURDEN IT'S EXERCISE. BOUNDS V. SMITH 97 S.C.T. 1491

" A PERSON COMMITS AN OFFENSE IF HE THREATENS TO COMMIT ANY OFFENSE INVOLVING VIOLENCE TO ANY PERSON OR PROPERTY WITH INTENT TO ;

(2) PLACE ANY PERSON IN FEAR OF IMMINENT SERIOUS

97. MICHAEL JOSEPH GRIFFITH

BODILY INJURY ... " THEREFORE, IN ORDER TO COMMIT THIS OFFENSE THE ACCUSED MUST HAVE THE SPECIFIC INTENT TO PLACE ANY PERSON IN FEAR OF IMMINENT SERIOUS BODILY INJURY. A PERSON ACTS WITH INTENT WITH RESPECT TO THE NATURE OF HIS CONDUCT OR TO A RESULT OF HIS CONDUCT WHEN IT IS HIS CONSCIOUS OBJECTIVE OR DESIRE TO ENGAGE IN THE CONDUCT OR CAUSE THE RESULT.

V.T.C.A. PENAL CODE, SEC. 6.03(2)

ALL THAT IS NECESSARY TO COMPLETE THE OFFENSE IS THAT THE ACCUSED BY HIS THREAT SOUGHT AS A DESIRED REACTION TO PLACE A PERSON IN FEAR OF IMMINENT SERIOUS BODILY INJURY.

BURRELL V. STATE SUPRA JARRELL V. STATE SUPRA

I WASN'T WORRIED ABOUT MY SAFETY, IT WAS MY FAMILY THAT I WORRIED ABOUT. I DIDN'T KNOW WHO WAS MAKING THESE DEATH THREATS.

THE JUDGE DID KNOW, ACCORDING TO THOSE COURT TRANSCRIPTS, MY ATTORNEY NEVER TOLD ME ABOUT THAT HEARING EITHER. THEY KNEW WHO MADE THESE THREATS AND NOTHING WAS EVER DONE EVEN THOUGH

98. MICHAEL JOSEPH GRIFFITH

MAKING TERRORISTIC THREATS IS A CRIME.
THE JUDGE ALLOWED THESE PEOPLE TO MAKE
THREATS AND COERCE ME INTO SIGNING AWAY
MY RIGHTS TO A HARD EARNED EVIDENTIARY
HEARING. THESE PEOPLE DENIED ME ACCESS
TO COURT, MY CONSTITUTIONAL RIGHT,

NO MATTER WHAT FORM OF HEARING A DISTRICT
COURT ELECTS TO CONDUCT, HOWEVER A HABEUS
PETITIONER MUST BE ACCORDED " CAREFUL
CONSIDERATION AND PLENARY PROCESSING OF
HIS CLAIM, INCLUDING FULL OPPORTUNITY FOR
PRESENTATION OF THE RELEVANT FACTS,

THE STATE HAS ONLY ONE, INDIVISIBLE
INTEREST IN A CRIMINAL PROSECUTION: TO

SEE THAT JUSTICE IS DONE.

VERNON'S ANN. TEXAS C.C.P. ART. 2.01

EX PARTE TAYLOR 36 SW 3d 883

99, MICHAEL JOSEPH GRIFFITH

WHILE I HEADED BACK TO PRISON, THE DISTRICT ATTORNEY FILED A WRIT OF HABEAS CORPUS ON MY BEHALF. HE THOUGHT I SHOULD HAVE A CHANCE IN COURT I GUESS. IN A SAN ANGELO NEWSPAPER ARTICLE, HE SAID HE WANTED TO SEE IF I WAS ENTITLED TO SERVE LESS TIME. (SEE PAGE 101)

THE PLEA BARGAIN OF TWO FIFTEEN YEAR SENTENCES IS ALSO MENTIONED IN THAT SAME ARTICLE, (SEE PAGE 101)

THE JUDGE DISMISSED THE DISTRICT ATTORNEY'S WRIT ON MY BEHALF SAYING IT WASN'T HIS JOB TO FILE SUCH A WRIT. (SEE PAGE 102)

THIS IS UNTRUE, BECAUSE IN THE LEGAL BOOKS, THE JOB DESCRIPTION OF A DISTRICT ATTORNEY SAYS HIS JOB IS NOT ONLY TO INDICT AND CONVICT, BUT ALSO IT IS TO SEEK JUSTICE.

NOV. 2, 1994

NOV. 2, 1994

Griffith Withdraws Motion And Is Returned To Prison

District Judge Clayton Evans questioned Michael J. Griffith briefly Monday in the district courtroom to determine that the motion he filed October 26 to dismiss his writ of habeas Corpus was made of his own free will.

After the questions were answered to the satisfaction of the Judge, he granted the motion and Griffith was taken by Sheriff Don Grote back to the jail.

Griffith has been returned to prison to continue serving the two consecutive life sentences for murder. One sentence was for the murders of Jesse Leon Parker and Joelee Porter and the other for that of Ivan Hilton Herron. The murders occurred in September 1990. Griffith is to serve at least 30 years (15 in each case) in prison before he is eligible for parole.

Judge Evans had scheduled an evidentiary hearing for Monday on the writ of habeas corpus filed by Griffith with the Court of Criminal Appeals. He was seeking to have the time he would serve in prison re-

duced based on a recent court decision.

Other than law enforcement personnel, most of those in the courtroom were family members of Parker, Porter, Herron and Griffith.

After Griffith was taken from the courtroom, Judge Evans explained that most people apparently did not understand what was involved in the evidentiary hearing and this created a lot of unrest. He was to conduct the hearing, make a decision and send it to the Court of Criminal Appeals. This is a long process.

He also said that he had received threatening messages in efforts to influence his decision. He explained that these are in violation of the law and punishable by fines and jail confinement.

District Attorney Sam Oatman said after the hearing his plans are to file documents with the Court of Criminal Appeals to determine if Griffith is entitled to serve less time in prison. He wants to get this resolved so this situation will not occur again.

101. MICHAEL JOSEPH GRIFFITH

No. 4285-91-B

EX PARTE

IN THE DISTRICT COURT
OF MASON COUNTY, TEXAS
33rd JUDICIAL DISTRICT


MICHAEL JOSEPH GRIFFITH

ORDER OF DISMISSAL

It being brought to the attention of this court that an application for writ of habeas corpus has been filed in the above cause by the State of Texas through the District Attorney of Mason County, Texas, on behalf of Michael Joseph Griffith, who is confined by reason of his conviction for the offense of murder in the above cause on January 8, 1991. The Court finds that the District Attorney, in filing such application on behalf of Michael Joseph Griffith, constitutes his acting as counsel adversely to The State contrary to Art.2.08, Texas Code of Criminal Procedure. The Court further finds that said District Attorney is without standing to bring such action on behalf of the said Michael Joseph Giffith.

It is accordingly ordered that the application for Writ of Habeas Corpus filed in the above cause be, and the same is, hereby dismissed.

Signed this 18th day of January, 1995.


Judge 33rd District Court
Mason Coutny, Texas

102, MICHAEL JOSEPH GRIFFITH

CHAPTER ELEVEN

SO ALL OF MY HARD WORK STUDYING THE LAW WAS FOR NOTHING. I HAD BEEN CHEATED BY A NO GOOD ATTORNEY AGAIN. THEY WERE DETERMINED THAT I WOULD NEVER BE ABLE TO TELL THE TRUE STORY OF THAT NIGHT OF TERROR AND PAIN.

THEIR BELOVED CHILDREN'S REPUTATION WOULD NOT BE STAINED. ALL THE PROOF OF THEIR EVIL DEEDS WAS GONE, SOMEHOW,

WAS THE DISTRICT JUDGE SWAYED BY THE DEATH THREATS? WAS MY SO CALL COURT-APPOINTED ATTORNEY THREATENED? IF EVERYONE ELSE IN COURT WAS THREATENED, WHY WOULD HE BE LEFT OUT?

WHO PICKED UP THAT SHOTGUN? WAS IT DESTROYED OR JUST HIDDEN? SOMEONE IN THAT BARN HAD TO SEE IT SOMETIME, WHERE DID IT GO? IT WAS MAJOR EVIDENCE, JUST LIKE THE PISTOL. IT WAS A WEAPON, BUT A WEAPON USED ON ME, A VICTIM TOO,

WHEN I ARRIVED BACK IN PRISON, I DIDN'T
GIVE UP ON THE LEGAL WORK. I KNEW I WAS RIGHT
SO I KEPT ON TRYING THE COURTS, WHO KEPT
ON DISMISSING MY CLAIMS. I TOOK A BREAK.

I WAS DETERMINED TO IMPROVE MYSELF AS
MUCH AS POSSIBLE, BOTH MENTALLY, PHYSICALLY
AND SPIRITUALLY.

I SIGNED UP FOR THE HORTICULTURE CLASS.
MR. TYLER WAS THE BEST TEACHER I EVER HAD
PERIOD. IN THE HORTICULTURE CLASS HE TAUGHT
I BECAME INTERESTED IN MATH FOR THE FIRST
TIME. I SAW HOW TO APPLY IT OUT IN THE WORLD
FOR HORTICULTURE.

HIS WIFE WAS FROM BACK HOME AND HE KNEW
SOME OF THE PEOPLE I DID. HE SPOKE MY
LANGUAGE. HE WAS JUST REGULAR FOLKS. HE
UNDERSTOOD WHERE I CAME FROM. OTHERS DIDN'T.

WHEN THAT SIX MONTH HORTICULTURE CLASS ENDED, I TOOK THE FOUR AND A HALF YEAR HORTICULTURE APPRENTICESHIP CLASS. IN THAT I WORKED IN THE GREENHOUSE FOR SEVERAL YEARS AND WAS ALSO ASSIGNED TO GARDENING AREAS TO TAKE CARE OF. MY GRANDPA GRIFFITH WAS REALLY A GREAT GARDENER AND MAYBE I TOOK AFTER HIM. I SURE DID ENJOY IT.

WHEN THAT ENDED I BECAME A GENERAL LIBRARY ASSISTANT FOR SIX YEARS. THEN I WORKED IN THE LAW LIBRARY FOR SIX YEARS. BETWEEN THOSE YEARS I TOOK OFF A YEAR TO BE THE UNIT ARTIST.

I HAD GOTTEN INTO THE CRAFTSHOP AND STARTED PAINTING. I LEARNED ABOUT ACRYLIC PAINTING AND FOUND CUSTOMERS OUT IN THE WORLD WHO LOVED MY WORK. I BECAME QUITE SUCCESSFUL AT IT. THREE STORES SOLD MY WORK FOR ME. I WOULD SEND THE PAINTINGS TO MY MOTHER AND SHE WOULD DELIVER THEM TO THE STORES AND

105. MICHAEL JOSEPH GRIFFITH

PUT MONEY INTO MY ACCOUNT. IT WORKED GREAT UNTIL THE SUMMER OF 2003.

MY MAMA HAD A MAJOR STROKE BUT SHE WAS A COUNTRY GIRL AND TOUGH AS LEATHER. SHE WAS A BANKSTON TOO, THAT DIDN'T HURT. SHE SURVIVED IT AND OTHER MINOR STROKES TO COME. SHE WAS PARALYZED ON HER LEFT SIDE, ALMOST BLIND AND REALLY DEAF. SHE DIDN'T LET THAT STOP HER, NO SIR, SHE WASN'T A QUITTER.

MAMA WAS DETERMINED THAT SHE WOULD BE ABLE TO SEE AGAIN SOMEDAY, SHE LOVED READING BOOKS SO MUCH. WHEN WE WERE YOUNG, EVEN THOUGH WE KNEW HOW TO READ, MAMA WOULD READ TO US AT BEDTIME JUST BECAUSE SHE LOVED READING AND BOOKS. SHE HAD ALWAYS THREATENED TO WRITE A BOOK SOMEDAY, ABOUT HER GROWING UP WITH HER EIGHT BROTHERS AND SISTERS. SHE TOLD US WONDERFUL STORIES OF GROWING UP IN THE COUNTRY, I PLAN ON WRITING THAT BOOK FOR HER SOMEDAY SOON.

THE LETTERS THAT I GOT IN THE MAIL FROM HER

106. MICHAEL JOSEPH GRIFFITH

SEVERAL TIMES A WEEK DWINDLED DOWN TO ALMOST ZERO. WHEN I DID GET A LETTER FROM HER I COULD BARELY MAKE OUT ANYTHING SHE SCRATCHED, BUT AT LEAST IT WAS A LETTER. SHE STILL TRIED TO COMMUNICATE WITH ME.

OVER THE YEARS IN HERE, PEOPLE WHO USED TO WRITE ME STOPPED. AT FIRST, OLD GIRLFRIENDS WROTE BUT THEY EVENTUALLY STOPPED TOO. THE FIRST TIME I SAW A LETTER FROM ONE OF THOSE WOMEN IT ABSOLUTELY WORKED WONDERS. AT LAST, SOMEONE WHO KNEW ME AND WASN'T AFRAID OF ME. SHE KNEW THE OLD MIKE, AND IT DIDN'T MATTER WHAT OTHER PEOPLE SAID ABOUT ME. SHE TRUSTED IN ME. OF COURSE PEOPLE HAVE TO GET ON WITH THEIR LIVES AND I ~~UNDERSTOOD~~ THIS, AT LEAST THEY THOUGHT ENOUGH OF ME TO WRITE. LETTERS IN HERE ARE SO IMPORTANT TO SOMEONE WHO IS CUT OFF FROM LOVED ONES.

WHEN I FIRST WENT TO PRISON, THE SHERIFF WARNED MAMA TO NOT GET INVOLVED WITH PRISON AFFAIRS OR TRY TO HELP ME. HE TOLD HER I WOULD GET HURT.

107. MICHAEL JOSEPH GRIFFITH

SO SHE WAS ALWAYS WORRIED ABOUT ME IN HERE, ACTUALLY, YOU ARE A LOT SAFER IN HERE IF YOU HAVE SOMEONE YOU CAN TELL THINGS TO ON THE OUTSIDE, ANY KIND OF FRIEND OR FAMILY MEMBER CAN HELP SOMEONE IN HERE SO MUCH, THE PEOPLE IN HERE WHO DON'T HAVE SOMEONE ON THE OUTSIDE, THAT'S THE ONES WHO ARE IN TROUBLE. THE PRISON SYSTEM DOESN'T WANT YOU TO HAVE SOMEONE ON THE OUTSIDE, TO TELL THINGS TO.

I HAVE BEEN BEATEN UP AND ASSAULTED FOUR TIMES IN HERE OVER THE YEARS AND I HAD NO ONE TO GO TO, I COULDN'T REPORT IT TO OUTSIDE AUTHORITIES, THEY SAID I COULDN'T PRESS CHARGES.

THE FIRST TIME YEARS AGO, I HAD MY RIBS KICKED AND CRACKED OR BROKEN BY FOUR PEOPLE. I WAS TAKEN TO THE FREE WORLD HOSPITAL BECAUSE THEY THOUGHT I HAD A PUNCTURED LUNG. THANKFULLY I DIDN'T, I SURVIVED. THE SECOND TIME I HAD A CONCUSSION WHEN SOMEONE HIT ME ON THE BACK OF THE HEAD AS I WAS USING A URINAL. I WOKE UP ON THE FLOOR, IN A POOL OF BLOOD.

IT TOOK SEVEN OR EIGHT STAPLES IN MY HEAD TO STOP THE BLEEDING. THEY TOLD ME I HAD PASSED OUT FROM THE DENTIST GIVING ME TOO MUCH MEDICATION. THEY DIDN'T REALLY CARE BUT I WAS TOLD THAT ANOTHER INMATE HAD HIT ME WITH A WOODEN SQUEEGIE.

THE THIRD TIME I GOT KNOCKED OUT BY A YOUNG SPANISH MAN WHO HAD BOXED OUT IN THE WORLD. HE WAS IN HIS THIRTIES AND I WAS IN MY LATE FIFTIES. HE CAME OUT BEHIND ME AND KNOCKED ME OUT. WITNESSES TOLD ME LATER THAT AFTER I WAS UNCONSCIOUS ON THE FLOOR, HE PROCEEDED TO KICK AND STOMP MY CHEST AND BACK. I WAS BLACK AND BLUE AND PURPLE FOR MONTHS. THIS WAS SUPPOSED TO HAVE BEEN A CHRISTIAN SO HE COULDN'T HAVE DONE IT. THEY WOULDN'T LET ME PRESS CHARGES. WITNESSES WOULDN'T TALK.

THE FOURTH TIME I WAS BEATEN BY A LARGE BLACK MAN WHO WEIGHED AROUND THREE HUNDRED POUNDS AND WAS WELL OVER SIX FEET TALL. HE POKED ME UP BY THE NECK SEVERAL TIMES AND THREW ME

AGAINST A POST MADE OF METAL. HE WAS PROBABLY IN HIS THIRTIES.

ALL OF THESE ATTACKS UPON ME WERE BECAUSE I WOULD NOT GIVE UP WHAT THEY ALL WANTED, EACH ONE OF MY ATTACKERS WERE MUCH YOUNGER THAN ME. I WAS MUCH OLDER AND MUCH SMALLER.

NONE OF THESE TIMES DID ANYONE FROM THE SAFE PRISONS PROGRAM COME AROUND TO TALK TO ME.

HERE ON THE CLEMENTS UNIT, IT'S OKAY TO ATTACK AN OLD MAN, YOU'LL GET AWAY WITH IT. EACH ONE OF MY ATTACKERS DID. SO NOW, I WILL ALWAYS BE AN EASY TARGET. IT SHOWS OTHERS THAT OLD MEN ARE EASY TARGETS, YOU'LL MORE THAN LIKELY NOT EVEN GET CAUGHT.

I'VE LEARNED THAT NO ONE IN PRISON CAN BE TRUSTED. NO ONE WILL SPEAK UP IF YOU ARE BEATEN. SEVERAL TIMES, THE PEER EDUCATORS WHO ARE INMATES, WERE WITNESSES TO MY ATTACKS.

110, MICHAEL JOSEPH GRIFFITH

THEY NEVER REPORTED ANY OF THIS TO THEIR
SUPERIORS.

NOW, I'VE SPOKEN OF MYSELF AS BEING AN
OLD MAN. PEOPLE OFTEN ACCUSE ME OF BEING
ONE. I'M JUST SIXTY YEARS OLD BUT MAYBE
THE YEARS HAVEN'T BEEN TOO KIND. I KNOW
I DON'T FEEL SIXTY AND I DON'T THINK LIKE
I'M SIXTY. I WAS THIRTY FIVE WHEN I GOT HERE,

I GET OUT AND WALK AND EXERCISE AS MUCH
AS POSSIBLE. I EVEN LIFT WEIGHTS. I WANT
TO GET OUT OF HERE SOMEDAY AND BE ABLE
TO DANCE STILL. I WAS A GREAT DANCER. I
LOVE MUSIC. "DIRTY DANCING" IS MY FAVORITE
MOVIE.

I LEARNED THAT WALKING, EXERCISE AND SUNSHINE
CAN WORK WONDERS WITH DEPRESSION. I HAVEN'T
BEEN ON ANY KIND OF MEDICATION FOR YEARS NOW
BECAUSE OF THESE THINGS. AND ONE MORE.

III. MICHAEL JOSEPH GRIFFITH

LAUGHTER, IT IS THE BEST MEDICINE OF ALL.
WHEN I WAS GOING THROUGH BAD DEPRESSION
SPELLS IN THE MID-NINETIES, I DISCOVERED
"MAD ABOUT YOU", THE NBC TELEVISION SHOW
STARRING HELEN HUNT AND PAUL REISER, I
STARTED WATCHING AND I LAUGHED AND LAUGHED.
IT WAS SUCH A WONDERFUL EXPERIENCE.
MY DEPRESSION STARTED TO LOSE IT'S HOLD
ON ME. I JUST GOT BETTER AND BETTER WATCHING
HELEN HUNT AND THE REST OF THAT WONDERFUL CAST.
THEN I DISCOVERED TIM ALLEN AND PATRICIA
RICHARDSON ON "HOME IMPROVEMENT", AND THAT
GREAT CAST OF THE SHOW. IT WAS HILARIOUS.
AND "FRIENDS" CAME ALONG TO HELP OUT TOO.
LAUGHTER IS A GREAT HEALER WHEN IT COMES
TO DEPRESSION. TRY IT. YOU'LL LIKE IT!

IN THE SPRING OF 2003, I BECAME INVOLVED WITH THE VICTIM OFFENDER MEDIATION / DIALOGUE PROGRAM. LISA LOOGER WAS THE COORDINATOR, I HAD DECIDED I HAD TO TRY AND APOLOGIZE TO MY VICTIM'S FAMILIES. I WAS STILL HURTING FROM WHAT I HAD DONE.

ON A FRIDAY I HAD MY VISIT WITH PORTER'S MOTHER AND FATHER. THE FATHER WAS SUFFERING FROM PARKINSON'S DISEASE.

IT WASN'T AN EASY THING TO DO BUT I HAD TO DO IT.

THEY HAD A HARD TIME WITH WHAT I TOLD THEM ABOUT THEIR SON AND WHAT HE DID.

I HAD A HARD TIME WITH ALL THE BAD PUBLICITY ABOUT ME. MOST OF IT WASN'T TRUE.

LISA LOOGER SAID SHE BELIEVED IN ME AND SHE SENT ME A COPY OF THE TRANSCRIPTS ABOUT THE DEATH THREATS. SHE WAS ON MY SIDE. FINALLY, SOMEONE WHO KNEW THE TRUTH AND KNEW ABOUT THE THREATS (SEE NEXT TWO PAGES).



TEXAS DEPARTMENT OF CRIMINAL JUSTICE

VICTIM SERVICES DIVISION

P. O. Box 13401, Capitol Station • Austin, Texas 78711 • <www.tdcj.state.tx.us>

Gary Johnson
Executive Director

March 20, 2003
Michael Griffith # 573257
Clements Unit 18-R-10
9601 Spur 591
Amarillo, TX 78681

Dear Michael:

Here are the clippings. Thank you for honoring your agreement to look at them. I spoke to Mrs. Porter and she is not going to stop asking questions. If this was a clear-cut case she would not need to. I did tell her that you asked that your mom be left alone and that you are very afraid for her continued safety.

You know how to reach me if you have anything you want to add, or comments on the clippings and your memories of them.

Grace,


Lisa Looger, Training Coordinator
Victim Offender Mediation/Dialogue Program
TDCJ Victim Services Division
7800 Shoal Creek Blvd
Suite 230 South
Austin, TX 78757
1-800-848-4284
(512) 406-5405
Cc: file

114. MICHAEL JOSEPH GRIFFITH



TEXAS DEPARTMENT OF CRIMINAL JUSTICE

VICTIM SERVICES DIVISION

P. O. Box 13401, Capitol Station • Austin, Texas 78711 • <www.tdcj.state.tx.us>

Gary Johnson
Executive Director

March 26, 2003
Michael Griffith # 573257
Clements Unit 18-R-10
9601 Spur 591
Amarillo, TX 78681

Dear Michael:

I am enclosing your copy of the affirmation agreement. Thank you for all you have been able to do for the porters.

Grace,

A handwritten signature in dark ink, appearing to read "Lisa Looger".

Lisa Looger, Training Coordinator
Victim Offender Mediation/Dialogue Program
TDCJ Victim Services Division
7800 Shoal Creek Blvd
Suite 230 South
Austin, TX 78757
1-800-848-4284
(512) 406-5405
Cc: file

115. MICHAEL JOSEPH GRIFFITH

OVER THE LAST TWELVE YEARS, I'VE TRIED TO GET BACK INTO COURT WITHOUT ANY LUCK. AN INMATE IN THE TEXAS PRISON SYSTEM DOESN'T HAVE MUCH OF A CHANCE WITHOUT MONEY. SELF-LITIGATION IS JUST LAUGHED AT IN THE COURTS AND THROWN OUT. THE STAFF COUNSEL FOR OFFENDERS WON'T HELP. THE LAW LIBRARIES ARE INADEQUATELY STOCKED. THE LAW LIBRARY STAFF DOESN'T CARE ABOUT YOUR LEGAL WOES.

ATTORNEYS ON THE OUTSIDE WILL JUST TELL YOU THEY CAN'T OFFER LEGAL ADVICE IF YOU ASK ONE A QUESTION BY LETTER.

FOR YEARS, I'VE BEEN ASKING HOW COULD A REAL ESTATE LAWYER BE APPOINTED TO A DEATH PENALTY CASE? NO ONE ANSWERS, THEY WERE JUST TRYING TO SCARE ME WITH THAT ONE I BELIEVE.

ALSO, I'VE BEEN TRYING TO GET THE

116. MICHAEL JOSEPH GRIFFITH

PAROLE BOARD TO COMPLY WITH MY PLEA BARGAIN AGREEMENT.

ACCORDING TO THE PLEA BARGAIN I AGREED TO, I WAS SUPPOSED TO MAKE PAROLE ON THE FIRST FIFTEEN YEAR SENTENCE AFTER THAT AMOUNT OF TIME AND THEN START THE SECOND FIFTEEN YEAR SENTENCE. WHEN THAT WAS DONE WITH I WOULD HAVE A CHANCE OF PAROLE ON THAT ONE. IT NEVER HAPPENED LIKE THAT.

I WASN'T BROUGHT UP FOR PAROLE UNTIL SEVENTEEN YEARS LATER AND GIVEN A FIVE YEAR SET-OFF ON THAT FIRST FIFTEEN YEAR SENTENCE. THEN WHEN THAT FIVE YEAR SET-OFF WAS DONE WITH, THEY GAVE ME ANOTHER FIVE YEAR SET-OFF STILL ON THE FIRST FIFTEEN YEAR SENTENCE. I MIGHT NEVER GET TO THAT SECOND FIFTEEN YEAR SENTENCE, THE WAY THEY ARE DOING ME, I COULD STAY IN HERE UNTIL I DIE ON THAT FIRST SENTENCE. THIS ISN'T WHAT I HAD AGREED TO. I NEVER WOULD HAVE SIGNED.

117. MICHAEL JOSEPH GRIFFITH

MY IGNORANCE OF THE LAW AND LACK OF MONEY WAS WHAT HELPED PUT ME IN HERE, OF COURSE THAT LYING, NO ACCOUNT ATTORNEY DIDN'T HELP THINGS. IF I HAD BEEN ABLE TO HIRE A DECENT ATTORNEY, WHO KNEW HIS BUSINESS, CRIMINAL LAW, THIS NEVER WOULD HAVE GONE THIS FAR. I HAD BEEN A VICTIM MYSELF, NO ONE WAS EVER ALLOWED TO SEE THE EVIDENCE WHICH WOULD HAVE PUT A WHOLE DIFFERENT LIGHT ON WHAT REALLY HAPPENED THAT NIGHT AND WHO THE TRUE VICTIM WAS, ME.

I STILL SUFFER FROM NIGHTMARES, MEDICAL PROBLEMS AND SLEEPLESSNESS. I SLEEP ONLY TWO OR THREE HOURS USUALLY EVERY NIGHT. IT'S WORN ME OUT, THESE TWENTY FIVE YEARS OF THIS LIVING NIGHTMARE. THOSE MEN WERE THE TRUE MONSTERS THAT NIGHT, NOT ME!

ABOUT THE AUTHOR

MY MOTHER WAS NEVER ABLE TO COME VISIT ME AFTER NOVEMBER 19, 2000. SHE CONTINUED TO WRITE UNTIL SHE JUST COULDN'T SEE WELL ENOUGH. SHE KEPT ON SAYING SHE WOULD BE ABLE TO SEE BETTER ONE OF THESE DAYS. LUCKILY, THEY PUT PHONES IN WHERE I COULD CALL HER. THIS MADE HER VERY HAPPY AND OF COURSE ME TOO. HER MIND WAS STARTING TO GET A LITTLE MIXED UP AND SHE WOULD TELL ME THE SAME STORIES EACH TIME I CALLED. OF COURSE IT DIDN'T MATTER TO ME, IT WAS MAMA'S VOICE.

IN EARLY JANUARY, 2014, I GOT A CARD FROM MY SISTER. IN IT SHE SAID THAT MAMA WAS IN THE HOSPITAL. SHE HAD PNEUMONIA. SHE WOULD PROBABLY GO TO RELEAD SOON. SHE WOULD LET ME KNOW SOMETHING. SHE SAID SHE IS LOOKING GOOD - GETTING STRONGER,

THE NEXT TIME I HEARD FROM MY SISTER,
I WAS IN SOLITARY CONFINEMENT BECAUSE OF
BEING BEATEN UP.

HER SHORT LETTER STARTED, "DEAR MIKE",

"THIS IS THE HARDEST THING I HAVE EVER HAD TO
DO, MOTHER PASSED AWAY WEDNESDAY EVENING. I
TRIED TO GET HOLD OF A CHAPLAIN BUT WAS UNABLE
TO DO SO. . . ."

BEING LOCKED UP AND THEN GETTING A LETTER
LIKE THAT. NO CHAPLAIN EVER CAME AROUND. NO
ONE IN THE CHRIST PRISON FELLOWSHIP PROGRAM
CAME TO ME. I HAD BEEN IN THEIR MENTOR PROGRAM
FOR ALMOST TWENTY FOUR YEARS AT THAT POINT. 2014
TURNED OUT TO BE A PRETTY BAD YEAR FOR ME,

I'M HOPING THIS YEAR WILL BE DIFFERENT, I GOT
THE IDEA OF THIS BOOK AND THOUGHT ON IT. I
DECIDED I'D TRY TO GET IT PUBLISHED OR PUT ON

120. MICHAEL JOSEPH GRIFFITH

THE INTERNET.

I WANTED TO TELL MY STORY. MAYBE SOMEONE COULD GIVE ME LEGAL ADVICE OR HELP.

MAYBE SOMEONE WOULD WANT TO WRITE TO AN OLD GEEZER WHO CAN GET AROUND GREAT. I'M SIXTY YEARS OLD AND STILL WALK FAST. HARDLY ANYONE CAN KEEP UP WITH ME.

I STILL THINK ABOUT DANCING, FISHING, PLAYING SOFTBALL. I LOVE THE WATER, NO MATTER WHETHER IT'S RIVERS, LAKES OR OCEANS.

MY SISTER IS THE ONLY ONE IN MY FAMILY WHO WRITES. AND THAT'S ABOUT ONCE EVERY TWO OR THREE MONTHS. SHE HAS A LIFE OF HER OWN WITH HER FAMILY AND I UNDERSTAND.

WHAT I DID REALLY HURT HER AND MORE THAN LIKELY EMBARRASSED HER TO NO END. HER AND HER HUSBAND ARE RANCHERS IN THE TEXAS HILL COUNTRY. SHE IS AN IMPORTANT MEMBER OF THE COMMUNITY. THIS WAS SO HARD ON HER AND MY FAMILY.

AGAIN, I TRULY REGRET WHAT I DID TO THEM ALL.

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MY MAMA HAD FAITH IN ME TO THE END. SHE HAD
HOPE THAT SHE WOULD LIVE UNTIL I GOT OUT, I
SURE HATED TO DISAPPOINT HER,
MAMA HAD SAID SHE WOULDN'T BE OLD UNTIL
SHE TURNED NINETY, SHE PASSED AWAY JUST
A COUPLE OR THREE MONTHS SHY OF HER NINETIETH
BIRTHDAY, SHE WOULD HAVE SAID SHE WAS STILL
A YOUNG WOMAN WHEN SHE PASSED. GOD BLESS
HER SOUL, I MISS HER SO.

IF ANYONE IS INTERESTED, I'D SURE LIKE TO
HEAR FROM YOU. ANY ADVICE OR COMMENTS
WOULD BE MOST WELCOME, THANK YOU.

MICHAEL JOSEPH GRIFFITH #573257
CLEMENTS UNIT
9601 SPUR 591
AMARILLO, TX 79107-9606

122, MICHAEL JOSEPH GRIFFITH