

County of Brazoria    )  
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State of Texas         )

Statement of Frank Amorella

1. My name is Frank Amorella, and I currently reside in the Ramsey 1 Unit of the Texas Department of Criminal Justice, Institutional Division, at Rosharon, Texas.

2. I did not testify in David Spence's capital murder trial in McLennan County, but I did testify in a subsequent hearing in Spence's case held in McLennan County in February, 1989.

3. During the last half of 1983, I resided in the Eastham Unit of the Texas Department of Corrections. David Spence was also incarcerated in the Eastham Unit during that time, and I became acquainted with him because he was my cellmate.

4. I was moved from the Eastham Unit to the McLennan County Jail before Spence's capital murder trial. In the jail I was placed in a cell with three other inmates from the Eastham Unit - Robert Snelson, Jesse Ivy, and Charles Sypho.

5. Truman Simons and Ned Butler tried to get those of us from Eastham to claim that Spence had confessed to us. Ned Butler told us that if we assisted them on Spence's case, they would help us. They showed us photos of the crime scene and the victims in order to feed us information that we could relate back to them. We wanted to make up information about Spence so that the State would help us on our own cases.

6. Spence never told me anything about the crime, nor did he confess to any of the other folks from Eastham. I tried to

think up facts about the crime that I could pretend Spence told me so that I could get help on my own case, but I couldn't think of anything.

7. Jesse Ivy told me that he fabricated all of his statements about Spence supposedly confessing to him. He also told me that he got all of his information about the crime from the State.

8. In exchange for the help we gave the State, all four of us were given special favors: cigarettes, television privileges, phone calls, good food, alcohol, etc. Ivy told me that on numerous occasions he was allowed to visit with his wife in the D.A.'s office, where they were left alone for several hours and had sex. Sypho also told me that he visited with his wife alone in the D.A.'s office and had sex with her there. I saw both Ivy and Sypho leave the jail for hours at a time to go on these trips to the D.A.'s office, and they generally returned with food given to them by their wives.

9. Ivy also told me that Vic Feazell helped him by making a phone call to San Antonio regarding Ivy's case while Ivy was in his office. Feazell told the person on the phone that he was doing Ivy a favor because Ivy had done him a favor.

10. Ivy was allowed to carry a lot of cash with him at the jail, which was entirely against the rules. I saw him with as much as a couple of thousand dollars. Ivy told me that he sold a ring to Feazell for around \$700.

I swear that the foregoing is true to the best of my knowledge.

Frank P. Amorella  
Frank Amorella

Subscribed and sworn to before me this 15<sup>th</sup> day of October, 1991.

Patrick D. Bellune  
Notary Public

