

EX PARTE) No. 99-11-06435-CR-2
) IN THE DISTRICT COURT
 LARRY RAY SWEARINGEN) 9TH JUDICIAL DISTRICT
 (WR-53,613-04)) MONTGOMERY COUNTY, TEXAS

AFFIDAVIT OF LISA ROBERTS

My name is Lisa Roberts. I swear that, to the best of my knowledge, the following is true and correct:

1. In 1998, I was employed at League Line Marina & Resort on Lake Conroe, Conroe, Texas. I was working in the phone room or call center. My job was to try to call possible customers to get them interested in the resort. About ten people worked in the phone room at this time, including Melissa Trotter. Robert Graham was our supervisor.

2. Around November of 1998, Melissa began receiving phone calls that seemed to upset her. At first, she would just hang up real abruptly. I'd ask her during a break what was going on, and she'd say something like, "men." I was pretty sure the problem wasn't customers, but Melissa did not say who was bothering her.

3. As I recall, it was not too long before the time Melissa disappeared, she got phone calls that really upset her. Cora, who also worked in the call center, would patch the phone calls through to Melissa. Melissa broke down and started crying. She said "he won't quit calling." Cora patched another call through, and I picked up Melissa's phone.

4. The caller thought Melissa was on the line and started saying completely foul things. He said, "You're a fucking bitch," and swore that he was "going to choke the life out of me," meaning Melissa. He went on, saying that he was going to get her back for what she did to him. I remember him saying, "I'll strangle you; I'll choke the life out of you; I'm going to fuck you while you die." I started yelling back and he realized Melissa was not on the phone. That was the first phone call I took.

5. The caller phoned again, and I picked up the phone again. He told me that he was going to "lick" Melissa's cheek, and "right before she took her last breath," he said, "I'm going to kiss her lips for the last time."

6. That night the calls kept coming for an hour and a half until it was time to quit work. Everyone's numbers were down in the phone room because the calls took all our attention, except for one girl who did not want to make it her business. When he'd call, we would try to "star-69" the phone calls in order to I.D. the caller but he was using a private line.

7. As I remember, Mrs. Trotter came out and picked Melissa up after work. I believe Melissa's own car was still in the parking lot when I returned to work the next day. That previous night was the last time Melissa worked at League Line Resort. She may have come out to pick up her check. I heard Melissa started working at Academy a few days later, but I didn't see her again after that night.

8. While Melissa was working at League Line, this one guy picked her up three times, as I remember. The first time Melissa seemed O.K about it. The second time he came to get her, Melissa said "Oh god, oh god." Nickie Mains and I confronted her as the guy was pulling up. I said she did not have to get in the car with anyone she did not want to. I told her I'd get my boyfriend. Melissa said, "You don't know what that will do; that'll cause problems."

9. The night guard would not let the guy past, so he parked on the side of the road outside the entrance. The first two times he came to get Melissa he parked in the dark. The third time he came to get Melissa, she was scared to death. We told her not to go, and when she insisted she had to, we made her promise to call us when she got home. She called forty-five minutes later. On this third occasion, the man parked in the light and I was able to see him and his car. He was driving a pick-up, full size, an older model, light blue in color. I did not know who the person was, and Melissa did not tell us his name.

10. I do know who Larry Swearingen is. I went to school with him. I had at least five classes in junior high and high school with him, including auto repair and a math class. The man who picked Melissa up was not Larry Swearingen. The voice on the phone was not Larry Swearingen's voice.

11. I learned that Melissa had disappeared from Cora. She came into work and plopped down the paper, the Courier Journal, which carried the story. At first, we thought that Melissa had left home because she was tired of her mother running her life. Melissa used to complain about her mother's interference. For example, Amber Mains, who also worked in the call room, and Melissa decided to try out with a modeling agency. The agency chose Melissa, but her mother would not let her work for the agency. Melissa said her mother told she had to get her education first, and then she could make a decision about a career in job like that.

12. Cora asked me if we should call the police. At first, we did not want to get involved. However, that night or the night after, Cora telephoned Montgomery County Sheriff's Department and told them that she worked with Melissa and said Melissa had received some life threatening phone calls. The following day two detectives came out, one was tall and chunky. The other was shorter. Both officers had dark hair and appeared to be 30-40.

13. The first question the detectives asked us was, did we know Melissa? We said, Yes. The very next thing they said was, "Tell us about the phone calls." I told them what the caller said. I told the detectives that the calls started about a week ahead of the night on which Melissa broke down, and I told them about that Melissa broke down crying one night and that I took the call meant for her. I told the detectives what the caller said: that he threatened to strangle and choke the life out of Melissa, and that he threatened to rape her and watch her die. I remember telling them exactly that the caller said he was going to lick her cheek and kiss her lips just before she died. I also told them the detectives about the man Melissa was so scared of, who had picked her up those three times at League Line Resort.

14. I also told the detectives that Melissa was dating Larry Swearingen, and that he might know where she was. I knew Melissa was dating Larry because she told me. At first, I thought, now way, and used to kid her about dating him. Melissa said that she liked him because he made her feel herself and was easy to talk to.

15. Melissa had a number of boyfriends during the time I knew her.

16. We followed the papers and the searches they reported, and thought nothing about her being dumped in the Sam Houston National Forest. That is, we didn't think that was where her body would turn up. I went to five mile point, where the body was eventually found, a couple times in between the time Melissa disappeared and before her body turned up. It was a very popular place to go, even in the winter. In fact, I went to five mile point on December 31, 1998, New Years Eve, with a group of friends. There was another group from, I believe, Huntsville, already partying. We did not see a dead human body at any time.

SIGNED Lisa Roberts
Lisa Roberts

SUBSCRIBED and SWORN before me the undersigned authority on this 17 day of December, 2007.

Vilma E. Standeford
Notary Public of and
for the State of Texas

