

JANA FURLOW, COURT ADMINISTRATOR
ROSA OLVERA, COURT COORDINATOR
TERESA POPNOE, COURT SECRETARY
J'LYN SAUSEDA, COURT REPORTER
JON KEY, COURT BAILIFF



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LAMESA, TEXAS 79331
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106th Judicial District

CARTER T. SCHILDKNECHT
DISTRICT JUDGE

July 19, 2013

RECEIVED
JUL 24 2013

Joel Lieurance, Policy Monitor
Texas Indigent Defense Commission
209 West 14th Street, Room 202
Austin, TX 78701

Re: *Responses to the June 11, 2013, Review of Gaines County's Indigent Defense System as applied to the 106th District Court, Gaines County, Texas*

Dear Mr. Lieurance:

In response to the report of the monitoring review of Gaines County's indigent processes, I am addressing each of the recommendations that applies to the District Court.

"Core Requirement 4. Appoint counsel promptly.

Recommendation 3: Gaines County and the 106th District Court must implement procedures to ensure that determinations of indigence in felony cases fall within the time frames set by the FDA."

The Indigent Defense Plan for the 106th District Court includes specific provisions for prompt magistration and assistance in completing the necessary forms for requesting appointment of counsel. Included as a part of these provisions is the statement as follows: "The magistrate shall, within 24 hours, transmit the felony defendant's 'Request for Appointment of Counsel and Determination of Indigence' to the District Judge." Transmit means to send or transfer from one person or place to another. Except on rare occasion, the requesting defendant has an attorney appointed on the same day the request is received in the District Judge's office, and with the exception of weekends or holidays, that is the next day after the request is transmitted.

I do not understand exactly how the monitor arrived at the figures presented in the Monitoring Review Report. No one discussed with me anything about the determination of indigence or the timely appointment of counsel. In our office files we keep the requests for appointed counsel. No one reviewed these. In Gaines County we have many defendants who initially indicate that they or their family are intending to retain an attorney and do not want to ask for an appointed attorney. Some of these defendants later request an appointed attorney. One of my questions is how the date of the request for counsel was determined.

Page Two
Joel Lieurance, Policy Monitor
Texas Indigent Defense Commission
July 19, 2013

I will speak with the appropriate officials in Gaines County to be sure they understand and will follow the provisions in the Indigent Defense Plan for assistance in completing the necessary forms for requesting appointed counsel and for transmitting them to the District Court.

“Core Requirement 5. Institute a fair, neutral and non-discriminatory attorney selection process.”

Recommendation 8: The parties to the contract for felony defense services must follow the terms of the contract according to the contract’s caseload limitations. Excessive caseloads could compromise the quality of representation provided for indigent clients.”

The 106th District Court is very lenient toward indigent defendants and appoints counsel for defendants with annual average income up to and including 200% of the Federal poverty guidelines, which substantially exceeds the 125% requirement set out by the State.

Except on rare occasion, the Court appoints counsel the same day the Court receives an application requesting appointed counsel. Because of the prompt appointment of counsel following request, many times a defendant retains counsel within a few days after having counsel appointed. Also, in numerous cases, appointed counsel immediately withdraws because of a legal conflict discovered during the initial intake interview. These cases, although the appointed attorney’s representation is brief, are counted in the appointed attorney’s caseload.

The 106th District Court also may appoint counsel in the interest of justice when a defendant wants to proceed with his case more quickly than he can retain an attorney or for some other justifiable reason. There are times when this happens during arraignment in open court. In these cases, at the defendant’s request, the appointed attorney’s representation may be very brief but still count in his caseload.

As stated in your Monitoring Review Report dated June 11, 2013, “The NAC standards are a good starting point in assessing caseloads but should not be accepted as universal standards.” The provision of criminal defense services does not lend itself to pure numerical analysis. Arbitrary standards set outside the Court’s discretion infringe on the independence of the judiciary. The judge sitting in a case is in the best position to evaluate and determine if an attorney’s quality of representation is compromised. This can occur with a retained attorney as well as with an appointed attorney. I have removed attorneys from the appointment list when I felt that the attorney did not provide the quality of representation that the court expects. I have never felt that the contracting attorney’s representation fell below that which the court expects. In fact, because of the priority that the contracting attorney places on his work as appointed counsel in this court, I have found that his representation of clients is more timely, efficient, and many times exceeds the quality and effectiveness of other attorneys, appointed or retained.

Page Three
Joel Lieurance, Policy Monitor
Texas Indigent Defense Commission
July 19, 2013

Late in 2011, this court felt harassed and pressured by Fiscal Monitor Carol Conner to add additional language about caseload limitations to our contracts. In response to that pressure, I added the language, "the ABA's recommended caseload limitations," to our contracts. That specific language will be removed from future contracts and more appropriate language will be added that requires the judge to monitor caseloads to determine if the quality and effectiveness of representation is compromised in any manner.

"Recommendation 9: The County must ensure that procedures are in place to meet the requirements of 1 TAC § 174.25 and Article 26.05(c) so that itemized fee vouchers are submitted and approved by the appointment authority prior to payment by the financial officer."

To comply, the District Judge will ensure that fee vouchers for the District Court are submitted to the judge for approval prior to payment by the financial officer.

A copy of a letter dated February 10, 2012, that I wrote to Wesley Shackelford, Deputy Director/Special Counsel, Texas Indigent Defense Commission, addressing this same issue is enclosed.

Sincerely,



Carter T. Schildknecht
106th Judicial District Judge

Enclosure: Letter dated February 10, 2012, to Wesley Shackelford

c: The Honorable Lance Celander, Gaines County Judge
Mr. Rick Dollahan, Gaines County Auditor
The Honorable Tammy Clark, Justice of the Peace, Precinct 1
The Honorable B. W. Baucum, Justice of the Peace, Precinct 2
Mr. Arthur Aguilar, Jr., Contract Defender
Mr. James D. Bethke, Executive Director, Texas Indigent Defense Commission

JANA FURLOW, COURT ADMINISTRATOR
ROSA OLVERA, COURT COORDINATOR
MILLIE COHORN, COURT SECRETARY
J'LYN SAUSEDA, COURT REPORTER



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P.O. BOX 1268
LAMESA, TEXAS 79331
email: djudge@co.dawson.tx.us

106th Judicial District

CARTER T. SCHILDKNECHT
DISTRICT JUDGE

February 10, 2012

COPY

Mr. Wesley Shackelford
Deputy Director/Special Counsel
via fax: 512-463-5724

Re: *Contract Defender Program / Dawson, Gaines, Garza, Lynn Counties*

Dear Mr. Shackelford:

I am writing in response to your letter to Arthur Aguilar, Jr. dated January 27, 2012, which was copied to me. I hope that this letter will help you to understand the program and the contracts between Mr. Aguilar and the four counties in the 106th Judicial District. Previously I have provided to Carol Conner all materials requested by her and have discussed this program and contract at length with you by telephone and also with Jim Bethke in person in my office during a visit on January 12, 2012.

It appears to me that because our program does not fit the mold that other counties are using, there is either an inability or unwillingness to understand how our program satisfies the requirements of CCP 26.05 and TAC §§174.10 - 174.25.

I have thoroughly reviewed CCP 26.05 and the TAC §174 provisions. When the contracts are issued for 2013, I am willing to amend the language by adding the provision you request covering submitting a fee voucher to me prior to payment. I will do that to comply with the requirements even though my position is that it is already satisfied by the contract language as it exists. A voucher is a document that serves to recognize a liability and authorize the disbursement of cash that shows on its face the fact, authority, and purpose of disbursement. A careful reading of item number 4 in our contract shows that payment is determined by services performed during the prior year as itemized in the year-end report required in item number 9 of our contract. By signing each contract as the appointing authority when it is presented to each commissioners court, I am approving that payment according to the services that had been itemized to me as required in item number 9.

Nowhere in CCP 26.05 or TAC §§174.10 - 174.25 can I find the requirement for a monthly voucher. The only time I find the word "monthly" is in Texas Government Code §71.0351 referred to in TAC §174.10(5), which provides for reports to be sent to the OCA "on a monthly, quarterly, or annual basis." However, §71.0351 was repealed effective September 1, 2011. Our county financial officers report to me that they currently receive all the information they need from Mr. Aguilar to complete their indigent defense expenditure reports.

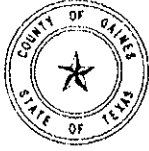
Please understand that from the inception of the Texas Fair Defense Act, this court and the counties covered by it have taken very seriously our legal and ethical obligations to provide legal representation for indigent defendants and to pay counsel appropriately for those services. This is and should be the guiding principle behind indigent defense policies and standards.

Sincerely,



Carter T. Schildknecht

c: Jim Bethke, Executive Director,
Texas Indigent Defense Commission - *via fax 512-463-5724*
Arthur Aguilar, Jr. - *via fax 806-687-3502*



COUNTY OF GAINES

Lance T. Celander

County Judge

P. O. Box 847

Seminole, Texas 79380

(432) 758-5411 -- FAX (432) 758-4031

Danny Yocom
Commissioner
Precinct 1

Craig Belt
Commissioner
Precinct 2

Blair Tharp
Commissioner
Precinct 3

Biz Houston
Commissioner
Precinct 4

JOEL LIEURANCE, POLICY MONITOR
TEXAS INDIGENT DEFENSE COMMISSION
209 WEST 14TH STREET, ROOM 202
AUSTIN, TEXAS 78701

RE: RESPONSES TO THE JUNE 2013 REVIEW OF GAINES COUNTY'S INDIGENT DEFENSE SYSTEM AS APPLIED TO THE COUNTY LEVEL MISDEMEANOR COURT, GAINES COUNTY, TEXAS.

MR LIEURANCE:

I AM ADDRESSING EACH OF THE RECOMMENDATIONS THAT APPLIES TO MISDEMEANOR COURT. IN RESPONSE TO THE REPORT OF THE MONITORING REVIEW OF GAINES COUNTY'S INDIGENT PROCESSES.

CORE REQUIREMENT 1. CONDUCT PROMPT AND ACCURATE MAGISTRATION PROCEEDINGS.

RECOMMENDATIONS:

1: GAINES COUNTY MUST IMPLEMENT PROCEDURES TO ENSURE ASSISTANCE IN COMPLETING THE NECESSARY FORMS FOR REQUESTING COUNSEL AT THE TIME OF THE ARTICLE 15.17 HEARING.

PLEASE SEE ATTACHED HIGHLIGHTED FORM WHICH IS DATED AT THE TIME OF A MAGISTRATE HEARING AND A REQUEST FOR APPOINTMENT OF COUNSEL AND DETERMINATION OF INDIGENCE FORM (SEE ATTACHMENT "A" AND "B". I REVIEWED THE PROCESS WITH THE HEAD JAIL ADMINISTRATOR AND THE PROCESS OF ASSISTANCE IN COMPLETING THE FORM IS DONE BY SPECIFIC JAIL PERSONNEL BEFORE BONDING OUT.

CORE REQUIREMENT 4. APPOINT COUNSEL PROMPTLY.

RECOMMENDATIONS:

4: GAINES COUNTY MUST IMPLEMENT PROCEDURES TO ENSURE TIMELY DETERMINATIONS OF INDIGENCE IN MISDEMEANOR CASES. IN PARTICULAR, THE COURT MUST RULE UPON ALL REQUESTS FOR COUNSEL.

SEE SEVERAL ATTACHED HIGHLIGHTED INDIGENCE REQUESTS. ATTACHMENTS "C" "D" "E".

5, 6, 7: PLEASE SEE ATTACHMENT "F". THIS WILL BE PRESENTED IN ALL FUTURE PRETRIAL HEARINGS OF ALL MISDEMEANOR COURT WITH SIGNATURES FROM EACH DEFENDANT BEFORE THE STATE'S PROSECUTOR IS ALLOWED TO TALK TO DEFENDANT(S).

CORE REQUIREMENT 6. PROMULGATE STANDARD ATTORNEY FEE SCHEDULE AND PAYMENT PROCESS.

THE COUNTY MAKING SURE THAT PROCEDURES ARE IN PLACE TO MEET THE REQUIREMENTS OF 1 TAC 174.25 AND ARTICLE 26.059(c) SO THAT ITEMIZED FEE VOUCHERS ARE SUBMITTED AND APPROVED BY THE APPOINTING AUTHORITY PRIOR TO PAYMENT BY THE FINANCIAL OFFICER. SEE ATTACHMENTS "G", WHICH IS OUR ATTORNEY LISTS IF THE PUBLIC DEFENDER HAS A CONFLICT AND SEE ATTACHMENTS "H" "I" "J" EXAMPLES OF SIGNED FEE VOUCHERS ON MY BEHALF AFTER PLEA AGREEMENT/DISPOSED CASE(S).

SINCERELY,


LANCE T. CELANDER
GAINES COUNTY JUDGE

NO.

THE STATE OF TEXAS

COUNTY COURT

VS.

GAINES COUNTY, TX

Certificate of Defendant's Rights Article 15.17, Texas Code of Criminal Procedure

"A"

1. You are accused of the offense of:
2. The accusation filed against you is supported by a complaint, affidavit, or warrant signed by:
3. You have the right to retain counsel. You have the right to request the appointment of counsel if you can not afford counsel. If you can not afford counsel and desire to request the appointment of counsel, you must complete a form under oath which will be used to determine if you qualify for the appointment of counsel. You will be provided reasonable assistance in filling out this form, if you desire. You have the right to have an attorney present during any interview with peace officers or attorneys representing the state. You have the right to terminate any such interview at any time.
4. You have the right to remain silent.
5. If you are accused of a felony offense, you have the right to an examining trial before indictment.
6. You are not required to make a statement and any statement made by you may be used against you.
7. You will be allowed reasonable time and opportunity to consult with counsel.

CERTIFICATE

This is to certify that I, the undersigned Judge/Magistrate of the above styled and numbered cause of all rights guaranteed the Defendant under Article 15.17 of the Texas Code of Criminal Procedure; and that I further informed the Defendant of the right to request appointment of counsel, and I asked the Defendant whether the Defendant wanted to request the appointment of counsel. The Defendant ____ did, ____ did not, request appointment of counsel.

Done _____ O'Clock, A.M. on the 21ST Day of JULY, 2013.

COUNTY JUDGE

Bond set at \$ _____

COUNTY COURT
GAINES COUNTY, TEXAS

I acknowledge that I was given the above warnings and that I understand my rights as explained to me in writing.

ACCUSED: _____ DATE: _____

Accused refused to sign acknowledgment or warning.

COUNTY JUDGE

COUNTY OF GAINES



Seminole, Texas 79360

COUNTY COURT
GAINES COUNTY, TEXAS

REQUEST FOR APPOINTMENT OF COUNSEL AND DETERMINATION OF INDIGENCE

"On this _____ day of _____, 20____, I have been advised by a Magistrate of Gaines County, Texas of my right to representation by counsel in the trial of the charge pending against me. I am without means to employ counsel of my own choosing, so I hereby request that the court appoint counsel for me. I am charged with a Class _____ Misdemeanor / _____ Degree Felony."

Charge: _____ Cause #: _____ Bonding Company: _____
 Printed Name: _____

"B"

QUESTIONNAIRE CONCERNING FINANCIAL RESOURCES

A person who requests a determination of indigence and appointment of counsel shall complete under oath the following questions concerning his/her financial resources and, if requested, must respond under oath to examination regarding his financial resources by the judge responsible for determining whether the person is indigent.

Name: _____ Sex: _____ Date of Birth _____ / _____ / _____ Citizenship: _____

Maiden Name: _____ Alias/Nickname: _____ DL# _____ SS# _____

Address: _____ Do You Own _____ Rent _____ How long at current address? _____

(Physical Address) Relationship: _____ Phone # _____ Cell # _____

Previous Address: _____

(Physical Address) (City, County, State, Zip)

Marital Status: _____ Single _____ Married _____ Separated _____ Divorced / Spouse's Name _____ Yrs Married _____

Names and Ages of dependents living with you _____

Current Occupation _____ How long? _____ Employer _____

Supervisor's Name _____ Title _____

Address _____ Phone # _____

(Physical Address) (City, County, State, Zip)

Previous Employer _____ Phone # _____

Address _____

(Physical Address) (City, County, State, Zip)

Your Current Health Condition _____

Are you or your dependents currently receiving _____ Food Stamps _____ Medicaid _____ TANF _____ Public Housing _____ Supplemental Social Security _____

- | | |
|---|--|
| <p>List sources of income & average annual amounts :</p> <ul style="list-style-type: none"> A. Take home wages and/or salary \$ _____ B. Net Self Employment Income \$ _____ C. Government Program Income \$ _____ D. Unemployment/Disability/Retirement Income \$ _____ E. Alimony/Child Support Income \$ _____ F. Annuities/Dividends/Interest Income \$ _____ G. Rental/Royalty Income \$ _____ H. Trust/Estate Income \$ _____ I. Available Spouse Income \$ _____ <p>List all assets/property owned and value</p> <ul style="list-style-type: none"> A. Real Estate \$ _____ B. Automobiles \$ _____ C. Cash/Bank Accounts \$ _____ D. Stock/Bond \$ _____ | <p>List your outstanding obligations and balances due</p> <ul style="list-style-type: none"> A. Mortgages \$ _____ B. Auto Loans \$ _____ C. Other Loans \$ _____ D. Credit Cards \$ _____ E. Child Support \$ _____ <p>List your necessary living expenses</p> <ul style="list-style-type: none"> A. House Mortgage/Rent \$ _____ B. Utilities \$ _____ C. Food \$ _____ D. Medical \$ _____ E. Child Care \$ _____ F. Transportation \$ _____ |
|---|--|

STATE OF TEXAS
 COUNTY OF GAINES

"I swear / affirm that the foregoing answers concerning my financial resources are true and correct."

Signature _____

Print Name _____

Subscribed and sworn to before me on _____, 20____

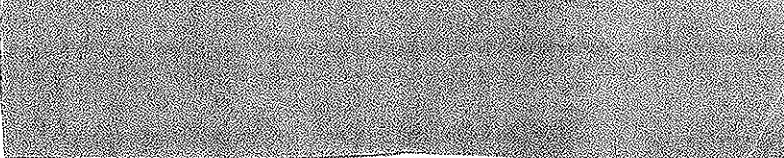
 Notary Public, State of Texas/Magistrate

REQUEST FOR APPOINTMENT OF COUNSEL AND DETERMINATION OF INDIGENCE

LTC 8-6-13

"On this 2 day of August, 2013, I have been advised by a Magistrate of Gaines County, Texas of my right to representation by counsel in the trial of the charge pending against me. I am without means to employ counsel of my own choosing, so I hereby request that the court appoint a Magistrate to examine me concerning my financial resources and, if requested, must respond under oath to examination regarding his financial resources by the judge.

Charge: M.C.
Printed Name:



Handwritten initials 'CMI' inside a circle.

A person who requests a determination of indigence and appointment of counsel shall complete under oath the following questions concerning his/her financial resources and, if requested, must respond under oath to examination regarding his financial resources by the judge.

Name:
Maiden Address:

Live With:
Previous Address:

Marital Status:
Current Address:

Supervision:
Previous Address:

Your Current Address:

Are you or your dependent...

List sources of income & average annual amounts:

- A. Take home wages and/or salary
B. Net Self Employment Income
C. Government Program Income
D. Unemployment/Disability/Retirement Income
E. Alimony/Child Support Income
F. Annuities/Dividends/Interest Income
G. Rental/Royalty Income
H. Trust/Estate Income
I. Available Spouse Income

List all assets/property owned and value

- A. Real Estate
B. Automobiles
C. Cash/Bank Accounts
D. Stock/Bond

List your outstanding obligations and balances

- A. Mortgages
B. Auto Loans
C. Other Loans
D. Credit Cards
E. Child Support

List your necessary living expenses

- A. House Mortgage/Rent
B. Utilities
C. Food
D. Medical
E. Child Care
F. Transportation

STATE OF TEXAS
COUNTY OF GAINES

"I swear / affirm that the foregoing answers concerning my financial resources are true and correct to the best of my knowledge and belief.

Signature
Print Name

Subscribed and sworn to before me on August 2, 2013

Handwritten signature of the defendant.

Handwritten signature of the Notary Public, Julia Gutierrez.



Rec'd Aug. 5, 2013

CAUSE NO.

"C"

THE STATE OF TEXAS § IN THE COUNTY COURT
VS § OF
GUILLERMO ANDRADE § GAINES COUNTY, TEXAS

APPOINTMENT OF COUNSEL

CAME TO HAND on the 6TH day of AUGUST, 2013, Defendant's Application for Court-Appointed Counsel. The Court, upon reviewing said Application, finds, Defendant, GUILLERMO ANDRADE, has no attorney and is wholly destitute of means to hire one. Therefore, the Court now appoints, Donnell W. Yandell, a duly licensed Attorney at the bar of this county to represent Defendant herein.

Lance T. Celander

LANCE T. CELANDER, County Judge
Gaines County, Texas

THE STATE OF TEXAS
COUNTY OF GAINES

I, VICKI PHILLIPS, Clerk of County Court for the County of Gaines, Texas, certify that the above is true and correct copy of the Court's Order Appointing Counsel in the above entitled and numbered cause, as it appears of record in the papers of said cause.

WITNESS MY HAND AND SEAL OF OFFICE AT Seminole, Gaines County, Texas,
this 6th day of Aug., 2013.

8-6-13 FILED 11:00A m
Vicki Phillips, County Clerk
Gaines County, Texas

Vicki Phillips

Clerk, County Court
Gaines County, Texas

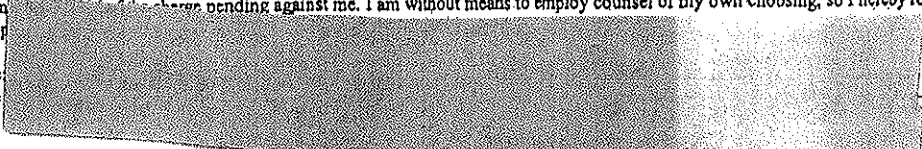
Jerri Berry

REQUEST FOR APPOINTMENT OF COUNSEL AND DETERMINATION OF INDIGENCE

LTC
7-16-13

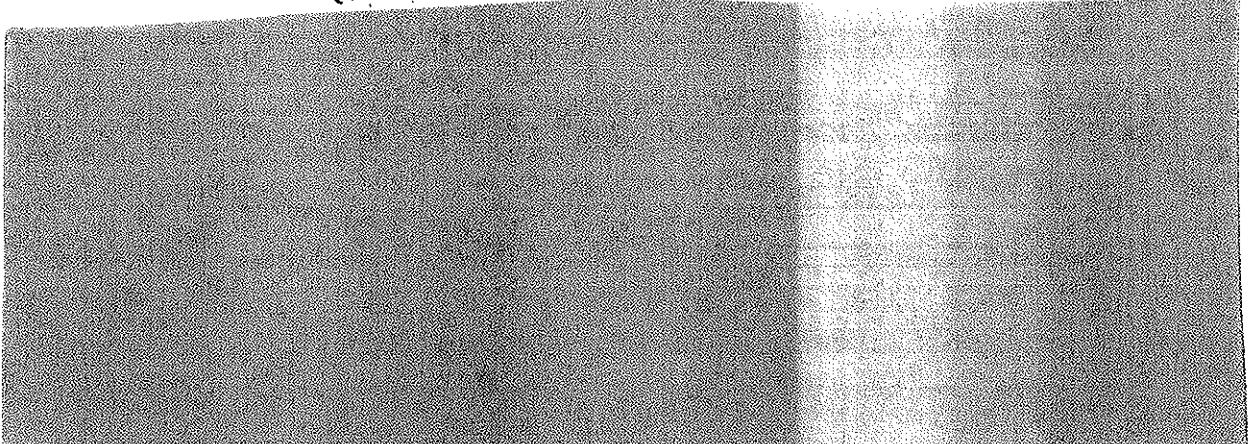
"On this _____ day of _____, 20____, I have been advised by a Magistrate of Gaines County, Texas of my right to representation by counsel in the case pending against me. I am without means to employ counsel of my own choosing, so I hereby request that the

Charge:
Printed



"D"

QUESTIONNAIRE CONCERNING FINANCIAL RESOURCES

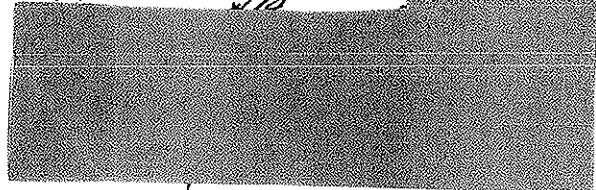


Are you or your dependents currently receiving _____ Public housing _____ Supplemental Social Security

List sources of income & average annual amounts :

- A. Take home wages and/or salary \$
- B. Net Self Employment Income \$
- C. Government Program Income \$
- D. Unemployment/Disability/Retirement Income \$
- E. Alimony/Child Support Income \$
- F. Annuities/Dividends/Interest Income \$
- G. Rental/Royalty Income \$
- H. Trust/Estate Income \$
- I. Available Spouse Income \$

List all assets/property owned and value



List your outsta

- A. Mortgage
- B. Auto L
- C. Other l
- D. Credit
- E. Child s

List your neces

- A. House
- B. Utilitie
- C. Food
- D. Medic
- E. Child C
- F. Transp

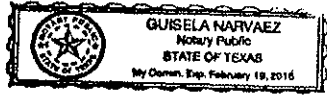
STATE OF TEXAS
COUNTY OF GAINES

"I swear / affirm that the foregoing answers concerning my financial resources

Signature
Print Name

Subscribed and sworn to before me on July 13

Guisele Narvis
Notary Public, State of Texas/Magistrate



Rec'd July 15, 2013

CAUSE NO.

THE STATE OF TEXAS	§	IN THE COUNTY COURT
VS	§	OF
MANAKA ROSEMOND	§	GAINES COUNTY, TEXAS

"D"

APPOINTMENT OF COUNSEL

CAME TO HAND on the 16TH day of JULY, 2013, Defendant's Application for Court-Appointed Counsel. The Court, upon reviewing said Application, finds, Defendant, MANAKA ROSEMOND, has no attorney and is wholly destitute of means to hire one. Therefore, the Court now appoints, Donnell W. Yandell, a duly licensed Attorney at the bar of this county to represent Defendant herein.

Lance T. Celander

LANCE T. CELANDER, County Judge
Gaines County, Texas

THE STATE OF TEXAS
COUNTY OF GAINES

I, VICKI PHILLIPS, Clerk of County Court for the County of Gaines, Texas, certify that the above is true and correct copy of the Court's Order Appointing Counsel in the above entitled and numbered cause, as it appears of record in the papers of said cause.

WITNESS MY HAND AND SEAL OF OFFICE AT Seminole, Gaines County, Texas,

this 16th day of July, 2013.

7-16-13 2:30pm
—FILED—
Vicki Phillips, County Clerk
Gaines County, Texas

Vicki Phillips
Clerk, County Court
Gaines County, Texas

Jerri Berry

REQUEST FOR APPOINTMENT OF COUNSEL AND DETERMINATION OF INDIGENCE

7-29-13 LTC ✓

"On this 24 day of July, 2013, I have been advised by a Magistrate of Gaines County, Texas of my right to representation by counsel in the trial of the charge pending against me. I am without means to employ counsel of my own choosing, so I hereby request that the court appoint

Charge: _____
Printed Name: _____

INDIGENT
"E"

QUESTIONNAIRE CONCERNING FINANCIAL RESOURCES

conce
respo
Name
Maid
Add
Live
Previ
Marit
Name
Curre
Super
Addre
Previo
Addre
Your C
Are yo
List so

B. Net Self Employment Income	\$	Auto Loans	\$
C. Government Program Income	\$	Other Loans	\$
D. Unemployment/Disability/Retirement Income	\$	Credit Cards	\$
E. Alimony/Child Support Income	\$	Child Support	\$
F. Annuities/Dividends/Interest Income	\$	necessary living expenses	\$
G. Rental/Royalty Income	\$	House Mortgage/Rent	\$
H. Trust/Estate Income	\$	Utilities	\$
I. Available Spouse Income	\$	Food	\$
List all assets/property owned and value		Medical	\$
A. Real Estate	\$	Child Care	\$
B. Automobiles	\$	Transportation	\$
C. Cash/Bank Accounts	\$		
D. Stock/Bond	\$		

STATE OF TEXAS
COUNTY OF GAINES

"I swear / affirm that the foregoing answers concerning my financial resources are

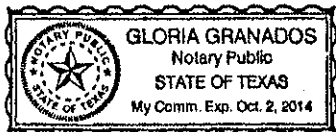
Signature _____

Print Name _____

Subscribed and sworn to before me on

July 24, 2013

2013



Gloria Granados
Notary Public, State of Texas/Magistrate

Rec'd July 26, 2013

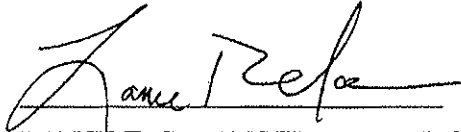
CAUSE NO.

"E"

THE STATE OF TEXAS § IN THE COUNTY COURT
VS § OF
ANGELA GARDNER § GAINES COUNTY, TEXAS

APPOINTMENT OF COUNSEL

CAME TO HAND on the 29TH day of JULY, 2013, Defendant's Application for Court-Appointed Counsel. The Court, upon reviewing said Application, finds, Defendant, ANGELA GARDNER, has no attorney and is wholly destitute of means to hire one. Therefore, the Court now appoints, Donnell W. Yandell, a duly licensed Attorney at the bar of this county to represent Defendant herein.



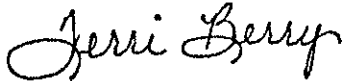
LANCE T. CELANDER, County Judge
Gaines County, Texas

THE STATE OF TEXAS
COUNTY OF GAINES

I, VICKI PHILLIPS, Clerk of County Court for the County of Gaines, Texas, certify that the above is true and correct copy of the Court's Order Appointing Counsel in the above entitled and numbered cause, as it appears of record in the papers of said cause.

WITNESS MY HAND AND SEAL OF OFFICE AT Seminole, Gaines County, Texas,
this 29th day of July, 2013

FILED
7-29-13 3:15Pm
Vicki Phillips, County Clerk
Gaines County, Texas


Clerk, County Court
Gaines County, Texas

CAUSE NO. _____

"F"

THE STATE OF TEXAS

IN THE COUNTY COURT

VS

OF

GAINES COUNTY, TEXAS

Options for Arraignment Proceedings

OPTION 1: _____ If you want to hire an attorney, come forward and I will consider continuing you in your present appearance bond and set a date for trial.

OPTION 2: _____ If you want to have an attorney appointed for you because you are indigent, then you will need to fill out the appropriate form to prove your need. All requests for appointment of counsel shall be promptly reviewed and determined by the County Judge.

OPTION 3: _____ If you want to waive your right to an attorney and continue the arraignment proceeding, you may then consult with the County Attorney and voluntarily discuss your case with him before entering a plea in your case.

In the event you decide to plea "Not Guilty" after discussing your case with the County Attorney, you may still (1) hire an attorney or (2) apply for an appointed attorney.

I fully understand the options as explained to me and choose the option I initialed. I choose this option voluntarily.

Defendants Signature : _____

Date : _____

Cases Appointeu to Caprock Regional Public Defenuer Office

"G"

Case #	Date		Refused?	If yes, why?
	Assigned			
18260	3/15/13			
18620	3/21/13			
18621	3/21/13			
18527	4/2/13			
	4/2/13			
Und. Punishing	5/2/13			
Resist	5/2/13			
Resisting + awaiting	5/7/13			
Pom	5/14/13			
	5/24/13			
18639, 18692	5/31/13			
18743 + 18744	5/31/13			
	5/31/13			
18548	6/20/13			
Pom new	6/20/13			
Pom	6/20/13			
18763	7/15/13			
Pom	7/16/13			
18779	7/22/13			
de Pom	8/6/13			

Cases Appointed to Caprock Regional Public Defender Office

"G"

Defendant	Case #	Date Assigned	Refused?	If yes, why?
[REDACTED]	18100	7/13/12		
		8/13/12		
		9/4/12		
		9/28/12		
	17927 17959	10/10/12		
		10/1/12		
		1/18/13		
		1/23/13		
	2	1/23/13	co-def. Appt. to Reed Dillig	
		2/12/13		
		2/15/13		
	271	2/15/13		
	94	2/18/13		
		2/20/13		
	35	2/20/13		
		2/20/13		
		3/1/13		
	315	3/1/13		
	452	3/6/13		
	3285	3/6/13		
Paul in Victoria	3/14/13		case not filed	
. Casey E. V. ... + ...	3/14/13			
	3/14/13			

Cases Appointed to Caprock Regional Public Defender Office

"G"

Defendant	Case #	Date Assigned	Refused?	If yes, why?
		1-6-12		
		1-6-12		
		1-6-12	Yes	Conflict w/ Dalton CRSA - sub. Counsel
		1-6-12		
		1-10-12		
	8225	3-5-12		
		3/8/12	Yes	Conflict w/ B. Hernandez - Sub. Counsel
	7934	3/14/12		
		3/16/12		
		3/9/12		
		4/18/12		
		5/2/12		
		5/2/12		Hired atty Thomas Moregan - 7/9/12
		5/15/12		
	5, 19215 5, 19214	5/22/12		
	136	5/22/12		
	307	5/22/12		
		5/26/12		
	ult	6/5/12		
	m	6/12/12		
	ult	6/22/12		
	5 DD	6/22/12		

"H"

Attorney Fee Voucher

1. Jurisdiction <input type="checkbox"/> District <input checked="" type="checkbox"/> County <input type="checkbox"/> County Court at Law Court # _____	2. County: <u>Gaines</u>	3. Cause Number <u>18289</u>	Offense <u>PCV (A)</u>	4. Proceedings <input type="checkbox"/> Trial-Jury <input type="checkbox"/> Trial-Court <input type="checkbox"/> Plea-Open <input checked="" type="checkbox"/> Plea-Bargain <input type="checkbox"/> Other
--	-----------------------------	---------------------------------	---------------------------	---

5. In the case of: State of Texas v. JESSICA RODRIGUEZ

6. Case Level:
 Felony Misdemeanor Juvenile Appeal Capital case
 Revocation - Felony Revocation-Misdemeanor No Charges filed Other

8042
APR 23 2012
13-40614

7. Attorney (Full Name) Amanda Solomon

8. Tax ID Number _____

9. Attorney Address (Include Law Firm Name if Applicable) _____

12. Not for court appointed

13. In Court Services	Hours	Dates	13a. Total In Court Compensation
Rate per Hour =	Total Hours		\$
14. Out of Court Services	Hours	Dates	14a. Total Out of Court Compensation
Rate per Hour =	Total hours		\$
15. Investigator	Amount		15a. Total Investigator Expenses
			\$
16. Expert Witness	Amount		16a. Total Expert Witness Expenses
			\$
17. Other Litigation Expenses	Amount		17a. Total Other Litigation Expenses
			\$

18. Time Period of Service Rendered: From _____ Date to _____ Date

19. Additional Comments

21. Attorney Certification - I, the undersigned attorney, certify that the above information is true and correct and in accordance with the laws of the State of Texas. The compensation and expenses claimed were reasonable and necessary to provide effective assistance of counsel.

Final Payment Partial Payment

Amanda Solomon 4-13-12
Signature Date

22. SIGNATURE OF PRESIDING JUDGE: Janie Traylor 4-16-12
Signature Date

Reason(s) for denial or variation:

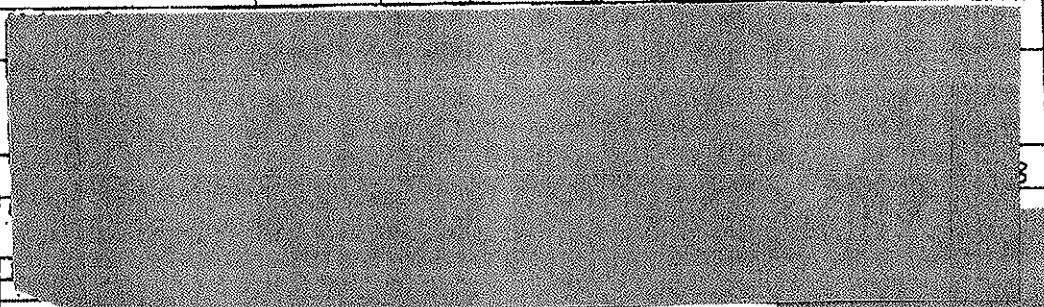
Adopted 10/23/02 - Task Force on Indigent Defense

GAINES COUNTY
CLERK
 APR 17 2012
RECEIVED

Attorney Fee Voucher

"I"

1. Jurisdiction <input type="checkbox"/> District <input checked="" type="checkbox"/> County <input type="checkbox"/> County Court at Law Court # _____	2. County: <i>Graves</i>	3. Cause Number <i>18168</i>	Offense _____	4. Proceedings <input type="checkbox"/> Trial-Jury <input type="checkbox"/> Trial-Court <input type="checkbox"/> Plea-Option <input checked="" type="checkbox"/> Plea-Bargain <input type="checkbox"/> Other
		_____	_____	_____



13.	In Court Services	Hours	Date
	Rate per Hour	Total Hours	

14.	Out of Court Services	Hours	Date
	Rate		

15.	Investigator	Amount	15a. Total Investigator Expenses
			\$

16.	Expert Witness	Amount	16a. Total Expert Witness Expenses
			\$

17.	Other Litigation Expenses	Amount	17a. Total Other Litigation Expenses
			\$

18. Time Period of Service Rendered: From 2-1-2012 to 2-9-2012
Date Date

19. Additional Comments

21. Attorney Certification - I, the undersigned attorney, certify that the above information is true and correct and in the State of Texas. The compensation and expenses claimed were reasonable and necessary to provide effective assistance.
 Final Payment Partial Payment
Amanda Solomon
Signature Date

22. SIGNATURE OF PRESIDING JUDGE:
Lance T. Cepae
Signature

Reason(s) for denial or variation:

Adopted 10/23/02 - Task Force on Indigent Defense

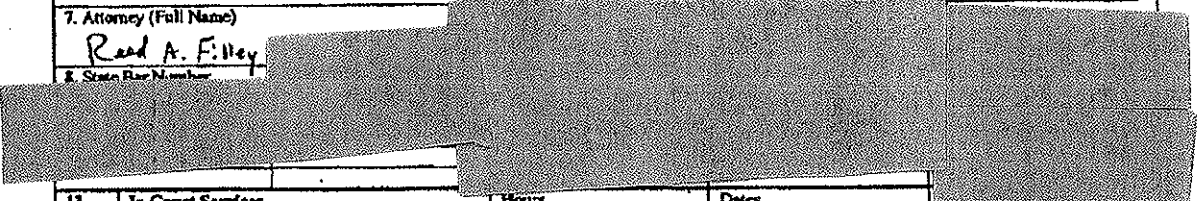
GAT

FEB 10 2012
RECEIVED

"J"

Attorney Fee Voucher

1. Jurisdiction <input type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> County Court at Law Court # _____	2. County <u>Gaines</u>	3. Cause Number <u>18574</u>	Offense <u>Burglary</u>	4. Proceedings <input type="checkbox"/> Trial-Jury <input type="checkbox"/> Trial-Court <input type="checkbox"/> Plea-Open <input type="checkbox"/> Plea-Bargain <input type="checkbox"/> Other _____
5. In the case of: State of Texas v <u>Miguel Chavez</u>				
6. Case Level <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Juvenile <input type="checkbox"/> Appeal <input type="checkbox"/> Capital Case <input type="checkbox"/> Revocation - Felony <input type="checkbox"/> Revocation - Misdemeanor <input type="checkbox"/> No Charges Filed <input type="checkbox"/> Other _____				
7. Attorney (Full Name) <u>Reed A. Filley</u>				
8. State Bar Number				



13. In Court Services	Hours	Dates	Compensation
Rate per Hour =	Total hours		\$
14. Out of Court Services	Hours	Dates	14a. Total Out of Court Compensation
Rate per Hour =	Total hours		\$
15. Investigator		Amount	15a. Total Investigator Expenses
			\$
16. Expert Witness		Amount	16a. Total Expert Witness Expenses
17.			

18. Time Period of service Rendered: From 1-30-13 to 4-26-13
Date Date

19. Additional Comments

21. Attorney Certification - I, the undersigned attorney, certify that the above information is true and correct and in accordance with the State of Texas. The compensation and expenses claimed were reasonable and necessary to provide effective assistance.

Final Payment Partial Payment
Signature [Signature] Date 4-26-13

22. SIGNATURE OF PRESIDING JUDGE: [Signature] 4-29-13
Amount Approved: _____
Reason(s) for Denial or Variation

GAINES COUNTY
AUDITOR
APR 29 2013

Adopted 10/2/09 in Force on Indigent Defense

RECEIVED

2534
MAY 13 2013
01-13 40614