



**Hon. Narce D. Villarreal**  
**JUSTICE OF THE PEACE**  
KINNEY COUNTY, TEXAS  
P.O. Drawer 389  
207 E Spring Street  
Brackettville, Texas 78832-0389  
**Tel. (830) 563-2881 Fax (830) 563-3077**

September 6, 2022

Joel Lieurance  
Senior Policy Monitor  
Texas Indigent Defense Commission

Re: Response to TIDC Findings and Recommendation

Mr. Joel Lieurance,

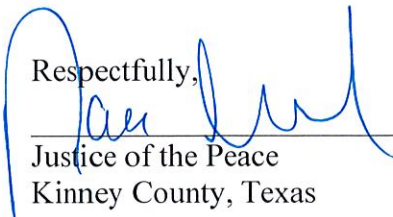
I am in response to the summary of findings and recommendations.

1. **There was no method to complete financial paperwork at the time of the hearing.** At the time Article 15.17(a) hearing is conducted, and whenever a request for counsel is made, a Financial Affidavit form is provided. Assistance is provided in filling out the necessary form to request the appointment of counsel.
2. **Additionally, the magistrate did not forward request to the appointing authority within 24 hours of being made.** The request and the accompanying forms are diligently being emailed to the court coordinators within 24 hours of the request being made.
3. **Finding 3.** County and District Judge Response.
4. **Finding 4.** County and District Judge Response.
5. **Case file review also showed the Kinney County Justice Court did not accurately report requests for counsel during magistrate warnings to the Office of Court Administration (OCA) during FY21.**

The Justice Court is diligently working to report to the Office of Court Administration (OCA) an accurate number of persons who request counsel at Article 15.17 hearings as required by Title 1, Rule 171.7 of the Texas Administrative Code.

The necessary changes to improve the indigent defense system have been implemented from the last meeting.

Respectfully,

  
\_\_\_\_\_  
Justice of the Peace  
Kinney County, Texas



TULLY SHAHAN  
KINNEY COUNTY  
Post Office Box 348  
Brackettville, Texas 78832-0348  
830.563.2401



November 7, 2022

Joel Lieurance  
Senior Policy Monitor  
Texas Indigent Defense Commission

Re: Response to TIDC Findings and Recommendations

Mr. Lieurance,

**Response to Findings 3 & 4**

We are continuing our best to be in substantial compliance under Article 15.17 hearing requirement. There is an assigned employee on Sheriff Coe's staff, Lt. Feagley, who oversees this procedure and the prompt appointment of attorneys for each defendant and the emailing of the information to [operationlonestar@lpdo.org](mailto:operationlonestar@lpdo.org) in Lubbock, Texas.

Documents attached hereto are the documents filled out at the time of request of counsel.

The request for non-misdemeanor appointment cases are now being emailed to our court coordinators in the County Judge's office to timely appoint counsel. This practice hopefully will satisfy timely appointments under Article 1.051(1) of C.C.P.

For OLS cases, Lt. Feagley in the County Jail is in charge of timely giving notice to appointed counsels at LPDO. We are working together and communicating regularly to make sure our timelines and waivers of counsel under Article 1.051 are done correctly.

We understand the importance of these timely and legal procedures that must be followed to abide by the Code. We welcome your review and will strive in the future to do our best to follow the procedures you have outlined for us.

Answer read and approved by:

A handwritten signature in blue ink, appearing to read "Tully Shahan".

Judge Tully Shahan  
County Judge

A handwritten signature in blue ink, appearing to read "Roland Andrade".

Roland Andrade  
District Judge  
63rd Judicial District

CAUSE NO. \_\_\_\_\_

STATE OF TEXAS

§

v.

§

\_\_\_\_\_  
DEFENDANT

§

§

SITTING AS MAGISTRATE  
KINNEY COUNTY, TEXAS

**APPOINTMENT OF COUNSEL**

Defendant was arrested for the charge(s) of: \_\_\_\_\_

on \_\_\_\_\_, 20\_\_ at \_\_\_\_\_m.

During magistration of Defendant on \_\_\_\_\_, 20\_\_ at \_\_\_\_\_, they requested appointment of counsel.

Pursuant to the Code of Criminal Procedure and this county's indigent defense plan:

\_\_\_\_\_ is appointed to represent the accused on the following pending charges: \_\_\_\_\_

\_\_\_\_\_. Representation shall continue until the matters are resolved or further order of the court.

**Attorney's Contact Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: (\_\_\_\_) \_\_\_\_\_

Email Address: \_\_\_\_\_

This court forwards this request to Judge \_\_\_\_\_ for the appointment of counsel.

SIGNED on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Sitting as a Magistrate  
Kinney County, Texas

**DEFENDANT'S FINANCIAL AFFIDAVIT  
AFIDAVIT FINANCIERA DE EL ACUSADO**

DATE / FECHA: \_\_\_\_\_

CAUSE NO. / NUMERO DE CAUSA: \_\_\_\_\_

OFFENSE / LA INFRACCION: \_\_\_\_\_

NAME / NOMBRE: \_\_\_\_\_

DATE OF BIRTH / FECHA DE NACIMIENTO: \_\_\_\_\_

DRIVER'S LICENSE NO. / NUMERO DE LICENCIA DE CONDUCIR: \_\_\_\_\_

ADDRESS / DOMICILIO: \_\_\_\_\_

MAILING ADDRESS / LA DIRECCION POSTAL: \_\_\_\_\_

EMAIL / CORREO ELECTRONICO: \_\_\_\_\_

TELEPHONE NO. / NUMERO DE TELEFONO: \_\_\_\_\_

LIST ALL DEPENDANTS IN HOUSEHOLD (Name, Relationship, and Age):

ENUMERE TODOS LOS DEPENDIENTES DEL HOGAR: (Nombre, Relación, y Edad):

\_\_\_\_\_

EMPLOYER / EMPLEADOR: \_\_\_\_\_

NET MONTHLY INCOME / INGRESOS NETOS MENSUALES: \_\_\_\_\_

MONTHLY EXPENSES / GASTOS MENSUALES: \_\_\_\_\_

GOVERNMENTS ASSISTANCE / ASISTENCIA DEL GOBIERNO:  YES/SI  NO

My signature affirms that the information and facts I have provided for the court are within my personal knowledge and are true and correct. I understand that if I intentionally or knowingly give false information either on this affidavit or during the hearing of this motion, that I may be prosecuted for the offense of aggravated perjury, a felony, punishable imprisonment not to exceed ten (10) years and a fine not to exceed five thousand dollars (\$5,000.00).

Mi firma afirma que la información y los datos que he proporcionado a el tribunal son de mi conocimiento personal y son verdaderos y correctos. Yo entiendo que, si yo intencionalmente o a sabiendas doy falsa información en este affidavit o durante la audiencia de la moción, puedo ser procesado por la ofensa de perjurio agravado, una felonía, pena de prisión punible no exceder más de diez (10) años y una multa de no más de cinco mil dólares (\$5,000.00).

\_\_\_\_\_  
DATE / FECHA

\_\_\_\_\_  
DEFENDANT / ACUSADO

- For District Court Cases email to Court Coordinator(s):  
vanessa.payne@valverdecountry.texas.gov; OR ana.guia@valverdecountry.texas.gov
- For County Court Cases email to Court Coordinator: yvette.garcia@co.kinney.tx.us

operationlonestar@lpdo.org