

**BEFORE THE STATE COMMISSION****ON JUDICIAL CONDUCT**

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**INQUIRY CONCERNING  
JUDGE NO. 94**

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**RESPONSE TO NOTICE OF FORMAL PROCEEDINGS**

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**COMES NOW**, Judge No. 94, also known as the Honorable Thomas G. Jones ("Judge Jones"), Justice of the Peace, Precinct 1, Place 1, in Dallas County, Texas, and would show the Special Master the following:

The burden of proof to establish allegations of judicial misconduct is as a matter of law placed on the Commission to prove each and every allegation by a preponderance of the evidence. *In Re: Thoma* 873 S.W.2d 477, 489 (Tex. Rev. Trib. 1994). Article V, § 1-a(6) of the Texas Constitution requires that before a Judge may be disciplined or censured for violations of the Code of Judicial Conduct, the violations must be willful.

The Courts have very clearly defined what type of conduct constitutes "willful conduct."

*"Moreover, we specifically hold that the term "willful" as applied in the Texas Constitution, Article V, Section 1-a(6)A is the improper or wrongful use of the power of office by a Judge acting intentionally or with gross indifference to his conduct. It involves more than errors in judgment or mere lack of diligence. Necessarily, the term would incompass conduct involving moral turpitude, dishonesty, corruption, misuse of office, or bad faith, generally whatever the motive." In Re: Thoma, at 489-490.*

## OBJECTIONS TO THE ALLEGATIONS IN NOTICE OF FORMAL PROCEEDINGS

Judge Jones respectfully objects to the language in each of the charges that allege “*willful or persistent conduct that was clearly inconsistent with the proper performance of his duties and cast public discredit on the judiciary, constitute a failure to follow the law, and a failure to maintain professional competence in the law,*” in that each and every one of these phrases are unconstitutionally vague, and prohibit Judge Jones from knowing the specific allegations against him, and prohibit him from preparing a defense to these broad and unconstitutionally vague allegations.

### CHARGE I RESPONSE TO COMPLAINT NO. 1, BY JOHNNIE JONES (CJC NO. 06-0163-JP)

The Commission alleges that Judge Jones’ denial of Johnnie Jones’ (“Defendant”) appeal bond and Affidavit of Indigency without conducting a hearing constituted the facts which substantiate the various allegations against him.

Judge Jones’ denial of the Defendant’s appeal bond was entirely correct and proper for the following reasons:

1. The Defendant was two months late filing his appeal bond.
2. The bond itself was totally deficient.
3. There is no provision in the law to appeal a traffic case by filing a paupers oath in the place of an appeal bond.
4. A Defendant cannot pay the fine or any part of the fine and still appeal the case.

The Commission admits in paragraph 10 of the allegations against Judge Jones that the Defendant entered a plea of *nolo contendere* on September 8, 2005 (see **EXHIBIT “1,”** a signed copy of Defendant’s written plea of no contest).

Also, by the Commission’s admission in paragraph 13, Defendant attempted some time in the month of November to file an appeal bond and an Affidavit of Indigency in Judge Jones’ Court. It is undisputed that the Defendant did not attempt to file an appeal bond until approximately two months after his plea of *nolo contendere*. Article 45.0426A of the Texas Code of Criminal Procedure requires that a bond on a Justice of the Peace criminal case must be filed “*not later than the 10<sup>th</sup> day after the day the judgment was entered.*” It is agreed by all of the parties that the Defendant did not attempt to file the appeal bond until some time in November, which would have been approximately two months after the judgment on his case was entered.

The Texas Supreme Court has ruled that the requirement that a bond be filed on time to perfect the appeal is mandatory, jurisdictional, and the time period cannot be delayed. *Glidden Co. v. Aetna Casualty Insurance Co.*, 291 S.W.2d 315, 317-318 (Tex. 1956). See also, *Mendes v.*

*Shamrock Oil & Gas*, 401 S.W.2d 106,108.

In addition to the appeal bond being tendered approximately fifty days late, the bond that was tendered by the Defendant was totally and facially deficient in the following ways (see **EXHIBIT "2"**).

1. The bond failed to state that there was judgment recovered against any party;
2. It failed to state who was making the appeal;
3. It failed to state who the principal on the bond was;
4. It failed to have any sureties for the bond;
5. It failed to be signed by the principal. (Just the failure to sign the bond makes the appeal a nullity, *Henslee v. State*, 375 S.W.2d 474, 475);
6. It failed to be signed by the sureties; and
7. It failed to be dated, and was, in fact, an incorrect civil appeal bond form that was almost totally blank and not executed by the sureties or the principal, and therefore, did not meet the requirements of Article 45.0425, or any of the other requirements of an appeal bond.

In addition to all of the foregoing, there is no specific procedure in the Code of Criminal Procedure for providing a proper Pauper's Oath Affidavit to appeal a traffic case, in lieu of, satisfying a requirement for an appeal bond.

Finally, the Defendant cannot plead *nolo contendere* to pay part of a fine and request an extension on the rest of the fine (as the Commission concurred in their paragraphs 10 and 11), and then sixty days later come to the Court and request an appeal of a judgment which had been partially satisfied. *Crawford v. Campbell*, 124 S.W.3d 778-781.

Consequently, Judge Jones acted properly, legally, and correctly, when he denied the appeal bond, and the Affidavit of Indigency without conducting a hearing, and therefore, those actions could not be in violation of Article V of the Texas Constitution, nor any of the Canons of the Texas Code of Judicial Conduct.

The numerous other factual allegations made by Mr. Jones in Complaint I are also false, but they have not been addressed by Judge Jones, since they are not the bases of Charge I.

**CHARGE II**  
**RESPONSE TO COMPLAINT NO. 2, BY ROBERT WIGHTMAN-CERVANTES**  
**(CJC NO. 06-0214-JP)**

The Commission alleges that Judge Jones made a conscious decision that his staff would not check the accuracy of their computer entries by comparing them with the underlying court records before allowing a collection firm to contact Defendants.

First, this allegation is also completely without merit or factual basis. In order for the Court to understand the situation in Dallas County, a short rendition of the procedures used by Dallas County would be necessary.

Over the objection of all of the JPs (Justice of the Peace), the Sheriff, and the Constables of Dallas County, the Dallas County Commissioners instituted a procedure called the AutoCite Procedure, in which all traffic tickets in Dallas County written by Constables, Deputy Constables, Sheriffs, and Deputy Sheriffs, are first referred to the County AutoCite Collection Center, which attempts to cajole and coerce the traffic Defendants into paying a fine directly to Dallas County, without actually going through the Courts. Despite the various venue and jurisdictional issues raised by the County's attempt at using this AutoCite Collection Center to circumvent the Courts, the County Commissioners continued to use the Collection Center from 2002 until some time in late 2007, or early 2008.

In the summer of 2008, after the Commissioners Court shut down the AutoCite Center, an additional 150,000 cases (over and above the regular case load of approximately 135,000 cases) were transferred to Judge Jones' court in one day. That left the Judge with a case load of 285,000 new cases in 2008, not including the 2007 cases that had not yet been disposed.

Under this procedure, the AutoCite Collection Center took pleas to the cases and attempted and collected the fines due with its own civil collection agency, which has absolutely no relation or correlation to any of the Courts or Sheriffs or Constables, and operates totally independent of any of the elected officials involved. The JPs cannot correct, change, or modify anything on the computers of the AutoCite Center or their lawyers. The AutoCite Collection Center set up by the Commissioner's Court of Dallas County only sent the cases back to the Courts when the Defendants did not respond at all, or did not pay as agreed, or when the Defendants requested a trial.

Under the AutoCite procedure, the law firm has the first contact with delinquent Defendants, not the Court. The Court objects to that contact, but can do nothing about it, because that is the way the County Commissioners set the procedure up.

The delays, incorrect correspondence, and collection letters to the Defendants in the AutoCite system are not in any way caused or permitted by Judge Jones, nor could they be a violation by him of Article V of the Texas Constitution, or a violation of any Canon of the Texas Code of Judicial Conduct.

**CHARGE III**  
**RESPONSE TO COMPLAINT NO. 3 BY CORA CANADY**  
**(CJC NO. 06-0883-JP)**

The Commission alleges that Judge Jones had a conversation with a property manager of the Chaucer Village Apartments concerning the merits of a Cora Canady's case, in which the apartment complex sought an eviction order against Ms. Canady a few hours after dismissing the suit in open court. Every single one of these factual allegations is false.

First, there were actually two eviction suits filed in Judge Jones' court by the apartment complex against Ms. Canady. The first suit was *Cause No. 05-06167*, which was filed by the Chaucer Village Apartments complex on the 16<sup>th</sup> day of December, 2005. An appearance date was set for December 28, 2005, at which time, a trial was held based on testimony and evidence, and Judge Jones held in the Chaucer Village Apartments' favor.

Ms. Canady then appealed this eviction judgment to the County Court of Appeals in *Cause No. 06-377-B* in the County Court at Law No. 2 in Dallas County, Texas. Pursuant to an agreement of the parties, the County Court at Law No. 2 in *Cause No. CC-06-377-B*, dismissed Ms. Canady's appeal for want of prosecution (see **EXHIBIT "3"**).

Also, by agreement of the parties, the Court released the funds that Ms. Canady had placed in the registry of the Court back to Ms. Canady on April 18, 2006 (see **EXHIBIT "4"**).

Subsequent to that, a second eviction case was filed by the Chaucer Village Apartments against Ms. Canady again for failure to pay her rent on April 18, 2006 (see **EXHIBIT "5"**). This second eviction was *Cause No. JE-06-01780H*. It was a forcible entry and detainer case.

On April 21, 2008, a trial was scheduled, but Ms. Canady came before the Court on this second case and asked for a continuance, and a continuance was granted.

The case was reset for May 1, 2006 at 10:00 a.m. On May 1, 2006 at 10:00 a.m., a trial was held, the Court again, based on testimony and evidence, held for Chaucer Village Apartments and against Ms. Canady.

Ms. Canady again appealed Judge Jones' judgment to the County Court of Appeals No. 2 in Dallas County, Texas under *Cause No. CC-06-6827-B*. A trial was held in the County Court in Ms. Canady's appeal, and the County Court found against Ms. Canady, granted the Chaucer Village Apartments an Order granting possession of the property. The Court of Appeals found Ms. Canady guilty of forcible entry and detainer in the Chaucer Village Apartments, and found that the Chaucer Village Apartments is entitled to the possession of the property, and issued a Writ of Possession.

The County Court at Law No. 2 further awarded the sum of \$1,802.50 for back rent owed and court costs against Ms. Canady. A copy of the County Court at Law No. 2's judgment granting

possession, and the judgment of \$1,802.50 are attached as **EXHIBIT "6."** The Appeals Court did not reverse Judge Jones in either case, in fact, they sustained his judgments.

At no time did Judge Jones ever have an *ex parte* conversation or any other conversation with the property manager about the merits of Ms. Canady's case without Ms. Canady being present. The first finding against Ms. Canady was appealed to the Court of Appeals, and the Court of Appeals dismissed Ms. Canady's appeal on the agreement of the parties that the money paid into the registry, of the Court by Ms. Canady in the amount of \$1,030, be released to Ms. Canady. It is Judge Jones' belief and understanding that the \$1,030 was later paid to the Chaucer Village Apartments by Ms. Canady for the dismissal of the first eviction.

In light of the fact that Ms. Canady failed to pay the next month's rent, another eviction was filed against her, she lost in Judge Jones' court, and appealed that in the Appellate Court, which also found that Judge Jones was correct in his judgment and signed an Order granting possession of the property to Chaucer Village Apartments as rent, and finding an \$1,802.50 judgment for back rent against Ms. Canady.

In fact, when one of the litigants attempted to have Judge Jones' clerk talk to the Judge about the case, Judge Jones instructed the clerk to advise the litigant that the case was pending in the Appellate Court, and that he had no jurisdiction to discuss the case or take any action in the case, and that if that person wanted to have some contact with regard to the case in the County Court at Law No. 2, they could do so by submitting something in writing to Judge Payton, who was the Judge of that Court. At no time did Judge Jones ever have any contact with any litigant personally without the other litigant being present.

Judge Jones' actions did not constitute a violation of Article V of the Texas Constitution or any Canon of the Texas Code of Judicial Conduct, nor did Judge Jones ever evict Ms. Canady from the property, since that final Order came on appeal from the County Court, and not Judge Jones' Court. Therefore, the issuance of any such Order could not possibly be a violation of Article V or any Canon of the Texas Code of Judicial Conduct, as far as Judge Jones is concerned.

**CHARGE IV**  
**RESPONSE TO COMPLAINT NO. 4 BY PHIL SMART**  
**(CJC NO. 06-0927-JP)**

The Commission alleges that Judge Jones made a conscious decision to send a Notice of Judgment to Complainant, Phil Smart, indicating that a judgment had been entered against him, when in fact, the suit had been dismissed, and Mr. Smart had not been served with citation on the suit.

The facts with regard to this complaint are pretty much uncontested. On December 23, 2003 a Ms. Tonnelle R. Byrd filed a law suit against Mr. Smart for \$4,946.17. However, the Plaintiff

failed to provide the Constable a good address for Mr. Smart to be served. A citation was issued to the Constable on December 30, 2003, to serve Mr. Smart, but the citation was returned as unexecuted, since there was no valid address given to the Constable in order to serve Mr. Smart.

In March of 2004, the Plaintiff was advised in writing that the Constable was unable to locate Mr. Smart at the address provided, and she had fifteen days to provide a good address, or the case would be dismissed without no further notice. Ms. Byrd failed to provide any further information, and the lawsuit was subsequently dismissed for want of prosecution (see **EXHIBIT "7"**).

On June 6, 2005, a clerk in Judge Jones' court erroneously sent Mr. Smart a Notice of Judgment letter saying that a judgment was entered against him on June 2, 2005, in the amount of **nothing**. The clerk should have sent a Notice of Dismissal letter, not a zero judgment letter.

Immediately upon discovering that the clerk had sent the wrong type of notice to Mr. Smart, the Judge instructed Lenita Bailey, who is Chief Clerk Supervisor, to write a letter of apology to Mr. Smart explaining what had happened, and apologizing to him for any inconvenience that the Notice might have caused. The letter also explained that there was no judgment against him, and that the case had been dismissed because the Plaintiff failed to pursue the matter (see **EXHIBIT "8"**).

Dallas County employees are covered under the Dallas County Civil Service Rules and Regulations, as set out in the Local Government Code, §158.012, et. seq., the clerks in Judge Jones' court are not his direct employees, but are employees of the County, who have the rights, duties, and privileges, provided by civil service. Since Judge Jones did not instruct or intentionally allow the clerk to send Mr. Smart the wrong document setting out notice of the dismissal of his case, Judge Jones' actions could not possibly be knowingly, intentional, or willful, nor could they possibly be a violation of Article V of the Texas Constitution or the Canons. Nor could a simple clerk's paper error (which occurred without any knowledge, consent, or direction of the Judge) be an act by the Court that fails to promote public confidence in the integrity and impartiality of the judiciary. Especially in light of the fact that, when Judge Jones did find that out, he had his chief clerk immediately write a letter of apology to Mr. Smart explaining what happened and apologizing for any inconvenience the Notice of Judgment might have caused him. The Court immediately placed additional safeguards in effect to see that this problem does not arise again, and it has not occurred again.

**CHARGE V**  
**RESPONSE TO COMPLAINT NO. 5, BY BRIAN BRECKENRIDGE**  
**(CJC NO. 06-0929-JP)**

The Commission alleges that Judge Jones failure to set Brian Breckenridge's tow hearing immediately at the same time he filed the suit, and that Judge Jones' decision to conduct the hearing- although there is no evidence in the Court file that Mr. Breckenridge had been notified of the setting - constituted a willful and persistent conduct, and violated Article V and various Canons of the Texas Code of Judicial Conduct.

As in the previous instances, the Commission has failed to accurately state the facts with regard to what happened in Mr. Breckenridge's case. Mr. Breckenridge was the Plaintiff in the case, in which he alleged that he had been illegally towed, and asked for a hearing to get the towing company to repay the money that he was forced to pay to get his car back. Mr. Breckenridge's vehicle was towed on May 16, 2006, and an invoice from A.J.'s Wrecker Service of Dallas, **Inc.**, was issued to him, (see **EXHIBIT "9"**). Mr. Breckenridge sued A.J.'s Wrecker Service of Dallas, on June 9, 2006. Mr. Breckenridge was given notice of the hearing when he filed the law suit that the case would be set on June 19, 2006 at 11:00 a.m. The said notice was on the citation that was issued to A.J.'s Wrecker Service of Dallas, a copy of which was provided to Mr. Breckenridge the day he filed his action. The trial date was immediately set when Mr. Breckenridge filed his case, and he was given notice of that date then.

On June 19, 2006 when Mr. Breckenridge did not show up for the hearing, the action was dismissed for the Plaintiff's failing to appear and prosecute the law suit. Immediately upon receiving notice that the Plaintiff was claiming that he did not receive notice of the setting of his case, the Court reinstated the case, and reset the case for hearing on July 14, 2006, and notified both parties by certified letter. The Commission admits that the case was reinstated, and that it was reset on July 14, 2006, and both parties were notified.

At the second hearing, Judge Jones again dismissed Mr. Breckenridge's case for two reasons.

The first reason was that the Plaintiff sued the wrong party. The second reason was that the Plaintiff filed his suit too late.

The Defendant, A.J.'s Wrecker Service, argued to the Court that the entity that Mr. Breckenridge sued, again, A.J.'s Wrecker Service, was not the same entity that towed his vehicle, which was A.J.'s Wrecker Service of Dallas **Inc.** (see the receipt provided to Mr. Breckenridge, attached here to as **EXHIBIT "10"**). The testimony at trial was they are different entities.

The second reason for dismissal argued by A.J.'s Wrecker Service, was that the Transportation Code, §685.007A, and §685.007 D, provide that any request for such a hearing must be filed **before** the fourteenth day after which the vehicle was removed and placed in the vehicle storage facility, excluding Saturdays, Sundays, and legal holidays.

Section 685.007 D provides that any person who fails to deliver such a request, in accordance with Subsection A, waives the right to a hearing, altogether. Mr. Breckenridge's request was several days past the fourteen days allowed under §685.007 of the Transportation Code, and therefore, his right to a hearing was waived, as a matter of law.

Although the Court did give him a hearing, the Court did not find in his favor because of the delay in filing and service of the wrong party. The Commission's allegation of Judge Jones' failure to set the tow hearing immediately at the same time Mr. Breckenridge filed his suit is false. The



service of process was on A.J. Wrecker Service of Dallas, and the setting of June 19, 2006, is on the original citation, which means the case was set immediately upon it being filed. The case was filed and set June 9, 2006. The trial setting date was June 19, 2006.

The Commission's second complaint is that there was no evidence in the file that Mr. Breckenridge had been notified of the setting, is also false. The citation itself has the original setting on it, and secondly, when the case was reinstated, Mr. Breckenridge was notified by certified mail, return receipt requested, of the second hearing on July 14, 2006.

In fact, he appeared in person and participated in the trial, as the Commission admits in paragraphs 34 and 35 of its allegations against Judge Jones. Even assuming Judge Jones' clerk failed to send the first notice, or the post office failed to deliver the first notice, neither of those actions constitute intentional or willful misconduct on the part of Judge Jones, which would justify any type of sanctions, or violate Article V of the Texas Constitution, particularly, in light of the fact that the case was reinstated, a trial was held, and all sides were given the opportunity to present evidence and did so. The Court has taken extra precautions to see that all notices are properly sent out in all cases, and the problem has been resolved.

**CHARGE VI**  
**RESPONSE TO COMPLAINT NO. 6, BY JOE E. WALTON**  
**(CJC NO. 06-1106-JP)**

The Claimaint, Joe E. Walton alleges that Judge Jones refused his request for a jury trial, and refused to allow him to discuss his matter with the Court or sign a jury request form. Mr. Walton claims that Judge Jones was rude and confrontational towards him, and the Commission maintains that this conduct violated Article V of the Texas Constitution, as well as, various Canons of the Texas Code of Judicial Conduct.

The actual facts with regard to Mr. Walton's allegations are as follows:

Mr. Walton received a traffic ticket on January 18, 2006. Five days later on January 23, 2006, he was given a Notice of Pretrial Hearing, which was set on February 9, 2006.

On January 23, 2006, Mr. Walton signed a Pretrial Hearing Notice and Acknowledgment, in which he requested a trial before the Court ("I waive my right to a jury,") and was expressly notified that he would have a pretrial on February 9, 2006.

At that February 9, 2006 pretrial, it was noticed that the pretrial was originally set at 1:30 p.m., the clerk marked that it was 8:00 a.m., rather than 1:30 p.m. Mr. Walton signed an Acknowledgment certifying that he received a copy of the Pretrial Hearing Notice and Acknowledgment on January 23, 2006. It was also signed by the Clerk, M.C. Johnson, on January 23, 2006, and it appears that the changes to the a.m. and p.m. were made by the Clerk, M.C. Johnson, at the January 23, 2006, hearing. A copy of that signed Acknowledgment by Mr. Walton is attached

hereto as **EXHIBIT "11."**

On February 9, 2006, at the pretrial, Mr. Walton was advised that his trial date was set on May 23, 2006. On April 7, 2006, Mr. Walton was sent notice by the Court that his case had been set for trial on May 23, 2006 at 8:00 a.m. The said Notice is attached hereto as **EXHIBIT "12."** Mr. Walton did in fact attend the Court on the trial setting of May 23, 2006, which was a non-jury trial setting. The Acknowledgment Mr. Walton signed during the February 9, 2006, pretrial, acknowledging his trial date would be on May 23, 2006 at 8:00 a.m., is attached hereto as **EXHIBIT "13,"** and is signed by Mr. Walton.

When Mr. Walton appeared, the officer issuing the ticket was unable to attend. Attached as **EXHIBIT "14,"** is a copy of a letter from the Constable to the Court dated May 23, 2006, saying that the officer was not available for Court. A copy of this letter was shown to Mr. Walton when the case was reset. On May 23, 2006, Mr. Walton was given a new trial date of July 11, 2006 at 1:30 p.m., also a non-jury trial date. Mr. Walton acknowledged the receipt of that resetting by signing a Notice of Resetting, which is attached hereto as **EXHIBIT "15."** Mr. Walton was also sent a Notice of Hearing letter dated June 1, 2006, again, notifying him of the July 11, 2006 trial setting. A copy of that notice is attached hereto as **EXHIBIT "16."**

On the July 11, 2006 setting date, Mr. Walton appeared, and for the first time, decided that he wanted to have a jury trial. The prosecutor objected to passing the case again, and announced ready for trial. The Court denied the Defendant's request for a continuance, and went to trial on the case.

He was advised at that time by Judge Jones and by the prosecutor that this was not a jury trial setting day, and that he had not requested a jury trial, and therefore, would not be entitled to a jury trial. Mr. Walton insisted that he wanted a jury trial, and that he was entitled to a jury trial. Upon that insistence, the prosecutor, Dallas County Assistant Attorney, Marty Scott, went to the Court's jacket file, found a copy of **EXHIBIT "17,"** in which Mr. Walton pled not guilty, and saw that Mr. Walton had checked that he wanted a trial before the Court, and expressly stated that he had waived his right to a jury trial.

The copy of the Pretrial Hearing Notice and Acknowledgment and plea of not guilty submitted to the Commission by Mr. Walton has been altered by Mr. Walton or some other person, and is not a true and correct copy of the plea of not guilty and request for a trial before the Court that Mr. Walton actually signed. At the time he signed that document, he was given a copy and either he or some other person has scratched out the request for a trial before the Court, and has checked a jury trial. The true facts are that Mr. Walton elected a non-jury trial, and either he or some other person on his behalf, has altered a copy of the Court's actual plea documentation. A copy of the altered plea documentation is attached hereto as **EXHIBIT "18."** The Court has the unaltered original documents signed by Mr. Walton.

Mr. Walton made his first appearance before the Court on January 23, 2006, and he made his first request for a jury trial on July 11, 2006, on the actual date the case was set for trial before the Court.

Section 45.025 of the Code of Criminal Procedure provides that in the Justice Court if the accused waives a trial by jury in writing, the Judge shall hear and determine the cause without a jury. In the case of *Tai Huynh v. The State of Texas*, 901 S.W.2d 480 (Tex. Crim. App. 1995), the Court of Criminal Appeals ruled that in a municipal or justice court, the waiver of a jury trial need not even be in writing for the Defendant to waive his right to trial by jury in a municipal or justice court. There is no statute or case law which allows a Defendant to request a trial by the Court, and then seven months later withdraw that request and ask for a jury to further delay his trial. In fact, the law is clear that the burden is on the Defendant to timely request a jury, or he waives that right completely. *Graham v. State*, 769 S.W.2d 594 (Tex. Crim. App. 1989).

At no time was Judge Jones confrontational or rude or injudicious to Mr. Walton. Judge Jones did however, firmly refuse to allow him, at the last moment, on a second non-jury trial setting to postpone the case again to seek a jury trial.

Since Mr. Walton waived his right to a jury trial in writing, the Court was well within its right to deny his last minute request for a jury trial, and such a denial is lawful, proper, and within the lawful discretion of the Court, and cannot, and does not, and will not, constitute any violation of Article V of the Texas Constitution, nor any Canon of the Texas Code of Judicial Conduct.

**CHARGE VII**  
**RESPONSE TO COMPLAINT NO. 7, BY JUDGE VICKI GRAY**  
**(CJC NO. 07-0090-JP)**

The Commission alleges that Judge Jones' decision to forfeit the fines that Lonnie D. Ward ("Defendant") paid in Navarro County in satisfaction of his Dallas County cases, and Judge Jones' refusal to close Defendant's cases, constituted conduct that was a violation of Article V of the Texas Constitution and various Canons of the Texas Code of Judicial Conduct.

In fact, Judge Jones never made any such decision to forfeit fines, nor did he intentionally refuse to close Defendant's cases in a manner that would constitute any violations of Article V, of the Texas Constitution or the Canons of the Texas Code of Judicial Conduct.

Defendant Ward's cases were, in fact, handled improperly, and the warrants were not recalled in a timely manner. However, none of the several problems that caused this failure to timely recall the warrants were the fault of Judge Jones.

On January 29, 2005, Defendant was arrested in Parker County for outstanding warrants out of Judge Jones' court for no seat belt, failure to maintain financial responsibility, and failure to display a driver's license. The Defendant had been previously cited, and had filed to appear in Judge

Jones' court, so warrants were issued for his arrest (see **EXHIBIT "19."**)

On February 3, 2005, Judge Vicki Gray, Justice of the Peace in Navarro County, allowed the Defendant to pay \$302 in cash, and he was given one day credit for time served in the Navarro County jail to discharge his obligation on all three cases (see **EXHIBIT "20"**).

Despite the clear mandate of Article 15.18 of the Code of Criminal Procedure that requires the documentation of the discharge of a Defendant convicted in an out of county offense to be sent to the Court of original jurisdiction (i.e., Judge Jones' Court), Judge Gray, in fact, sent the check from the Navarro County Trust Fund and the letter accompanying the check to the Navarro County Sheriff's Department, not to Judge Jones. The Navarro County Sheriff thereafter sent it to the Dallas County Sheriff's Department, again, not to Judge Jones (see **EXHIBIT "21,"** the letter from the Navarro County Sheriff's Department to the Dallas County Sheriff's Department), and see **EXHIBIT "22,"** which is a check from the Navarro County Trust Fund to the Dallas County Sheriff's Office and a transmittal letter.

In the transmittal letter on Exhibit "21" from the Navarro County Sheriff's Department to the Dallas County Sheriff's Department, the Navarro County Sheriff failed to distinguish whether or not the money being transmitted was a cash bond or for a fine.

Consequently, the Dallas County Sheriff's Office erroneously transferred the cash to Judge Jones' court in the form of a cash bond, rather than a receipt for the fine paid (see **EXHIBIT "23"**).

Because of the errors of Judge Gray, the Navarro County Sheriff's Department and the Dallas County Sheriff's Department, Judge Jones was forwarded a cash bond on Defendant's seat belt ticket, rather than a notation that the fines had been paid and discharged in full.

As a result of the failure of Judge Gray and the Navarro County Sheriff to follow the express requirements of Article 15.18 of the Texas Code of Criminal Procedure, Judge Jones' court correctly reset Defendant's seat belt case again for a trial, and Defendant was given notice of that setting. That notice to him of the new setting on the case was April 25, 2005 (see **EXHIBIT "24."**)

Defendant again failed to appear at that setting or come to court to explain to Judge Jones the problems that occurred, or that he previously paid and discharged the fines on those cases. As a result of his failure to appear at the new setting, Judge Jones issued a second warrant for his arrest on the seat belt case (see **EXHIBIT "25,"**). At no time was Judge Jones ever aware of the fact that the Defendant had discharged the cases in Judge Gray's court, nor was Judge Jones ever aware of the fact that Judge Gray had called his court and received an unsatisfactory response.

Immediately upon learning of the fact that the cases had been discharged in Judge Gray's court, Judge Jones withdrew the warrants that day, and subsequently instituted a grievance procedure against the clerk who Judge Gray alleged was disrespectful. The clerk subsequently left the employment of Dallas County as a result of the grievance procedure instituted by Judge Jones. As

a further precaution, all clerks have been instructed to forward all calls from any other Judges directly to Judge Jones, even if he is in trial.

The re-issuance of the warrants against the Defendant, while ultimately improper, did not constitute any wrong doing on the part of Judge Jones, or even his staff, since they were operating on the information improperly transmitted from Judge Gary to the Navarro County Sheriff's Office, which was further improperly transmitted to the Dallas County Sheriff's Office, which was further improperly transmitted to Judge Jones' Court.

Judge Jones and his staff were operating on the information provided to them, and the actions that they took were proper in light of the information that they were provided. Since no part of the problems of documentation of Defendant's cases stem from Judge Jones or his Court, neither his actions, nor the actions of any of his staff can be considered to be violations of the Texas Constitution, or the Texas Code of Judicial Conduct. Even if the clerks of Judge Jones' court improperly completed a *capias* warrant (which they did not) it would not constitute "willful conduct" on the part of Judge Jones that would justify sanctions against him.

On learning of this problem with Judge Gray and Judge Hayes, Judge Jones has implemented a policy that requires any person in the office who receives a call from anyone who identifies himself or herself to be a Judge, to get that caller directly to Judge Jones immediately, even if he is in trial. As a result of this corrective policy, to the Court's knowledge, there has been no similar problems.

In addition, the Court has instituted a policy that when any problem with the operation of the Court is raised by any other Court or law enforcement agency, it is directly given to Judge Jones immediately.

**CHARGE VIII**  
**RESPONSE TO COMPLAINT NO. 8, BY JERRY LEE GODSEY, JR.**  
**(CJC NO. 07-0269-JP)**

The Commission alleges that Judge Jones intentionally refused to close out the cases of Jerry Lee Godsey, Jr., after Mr. Godsey pled guilty and served out his sentence in Parker County Jail, which constituted the willful and persistent conduct that was a violation of Article V and various Canons of the Texas Code of Judicial Conduct.

On or about the seventh day of January, 2003, Mr. Godsey was issued a citation for an unregistered motor vehicle, as well as, a citation for no insurance. Mr. Godsey was advised to appear at Court on March 25, 2003, he made no appearance, and on that date, two warrants were properly issued for his arrest by the clerks, as permitted by law.

On August 30, 2003, Mr. Godsey was arrested in Parker County, Texas, and was taken before Honorable W. Wayne Hayes, Justice of the Peace, Precinct, 1, Place 1, in Parker County, at which time Mr. Godsey pled guilty to the offenses and was given credit for time served on both offenses.

The out of county plea documentation from Judge Hayes' court was properly sent to Judge Jones' court on September 5, 2003, and received by Judge Jones' Court.

By virtue of a clerical error, the disposition of the cases from Parker County was not noted on the Court's computer by the personnel responsible for making those entries, and the warrants were not properly withdrawn because the clerk staff in Judge Jones' court wrongfully believed that, since there was no *capias* warrant issued, the Defendant should not be given credit for time served. Once the error was called to Judge Jones' attention on December 15, 2006, he immediately had the cases and warrants withdrawn and recalled that day.

Judge Jones further, through the call logs, determined that a clerk by the name of Kisha Lowe was responsible for the errors that were made on Mr. Godsey's case, and was responsible for not being responsive to Mr. Godsey's inquires.

On or about the time Judge Jones discovered that it was Ms. Lowe who did not help Mr. Godsey, Ms. Lowe was on maternity leave. When she attempted to come back to work for Judge Jones, he refused to have her back, and she has not worked at Judge Jones' court since that time.

At no time was Judge Jones personally aware of the failure to recall Mr. Godsey's warrants, nor was Judge Jones aware of the fact that Mr. Godsey had served his time in Parker County, nor was Judge Jones ever personally aware of the fact that Judge Hayes, or any other person, had called concerning these problems. Once Judge Jones became aware, he did everything in his power that day, to correct all the problems Mr. Godsey encountered.

A clerical error in the court documents does not constitute a violation of the Constitution or Texas Code of Judicial Conduct, nor does it constitute any possible "willful conduct" on the part of Judge Jones, which would justify sanctions against him.

On learning of this problem with Judge Gray and Judge Hayes, Judge Jones has implemented a policy that requires any person in the office who receives a call from anyone who identifies himself or herself to be a Judge, to get that caller directly to Judge Jones immediately, even if he is in trial. As a result of this corrective policy, to the Court's knowledge, there has been no similar problems.

In addition, the Court has instituted a policy that when any problem with the operation of the Court is raised by any other Court or law enforcement agency, it is directly given to Judge Jones immediately.

**CHARGE IX**  
**RESPONSE TO COMPLAINT NO. 9, BY NICKALETTE COOK BRISBY AND JOHN COOK**  
**(CJC NO. 07-0393-JP)**

The Commission alleges that Judge Jones' improperly calculated the time requirement for a vehicle registration by Nickalette Cook Brisby, and issued an inaccurate arrest warrant for Ms.

Brisby, and failed to respond to the Commission's inquiry in a timely manner, all of which constituted violations of Article V of the Texas Constitution, and various Canons of the Texas Code of Judicial Conduct.

The actual facts of this case are that on April 25, 2006, Ms. Brisby was cited by a Deputy Constable Officer for misuse of a dealer's tag and expired license plate. At the time her citations were issued to Ms. Brisby, by Deputy Kelly Head, a Dallas County Deputy Constable, Ms. Brisby showed Deputy Head a copy of the Bill of Sale for the car listing the purchase date as March 30, 2006. Ms. Brisby provided the same documentation to the Court at the time of her trial before the Court, held on October 24, 2006.

Texas Administrative Code Title 43, Part I, Chapter 8, Subchapter E, Rule 8.144, provides that a car purchased at a public motor auction (as Ms. Brisby's car was), must have an application for title within twenty working days of the purchase at the public auction. No title was applied for on Ms. Brisby's vehicle until April 28, 2006. (A copy of the Application for Title is attached hereto as **EXHIBIT "26"**).

Ms. Brisby's own documentation showed that the car was purchased on March 30, 2006, and the citation was written on April 25, 2006. To be in compliance with the Transportation Code §501.0234(f), a vehicle registration in Texas must be filed within twenty working days of the date of the sale of the vehicle. At the time of the citation, and even more so at the time of the registration of the vehicle, the vehicle was in violation of the Transportation Code, Article 501.0234(f), and the Court was legally correct in so ruling (see the Affidavit of Deputy Head attached hereto as **EXHIBIT "27"**).

Further, the Commission in paragraph 73 of the facts substantiating Complaint IX, by Ms. Brisby, the Commission maintains that the Court issued improper *capias pro fine* warrants, in that they failed to state that Nickalette had already been convicted of the offense. The Court's jackets and the computer in the Court reflect that no *capias pro fine* warrants were ever issued for Ms. Brisby. Since no *capias pro fine* warrants were ever issued, they could not have been issued improperly.

And, even if *capias pro fine* warrants were issued, and issued improperly or defectively, that would not constitute judicial misconduct on the part of Judge Jones that would justify sanctions against Judge Jones as a matter of law, since they were issued by the clerk of the court, as allowed in the applicable version of the Texas Code of Criminal Procedure, §23.01, and a clerical mistake is not the necessary "willful conduct" required to sanction Judge Jones.

With regard to the charge that the Judge was several months late in submitting his response to the Commission on this charge when he was first requested to do so, Judge Jones provided his prior counsel with all of the information necessary for a response in a timely manner after it was submitted to him by prior counsel.

If in fact, prior counsel was late in submitting the request to Judge Jones, or was late in sending in the responses made by Judge Jones. Judge Jones would still not be guilty of a willful violation of the Code of Judicial Conduct, or even disrespect to the Commission.

Even if Judge Jones himself was lacking in diligence in being several months late in the response (he was not), that itself also would not constitute a willful violation of the Code of Judicial Conduct, as a matter of law. "*Willful conduct (necessary to violate the Code of Judicial Conduct) is the intentional or grossly indifferent misuse of judicial office, involving more than error of judgment or a lack of diligence.*" *In Re: Bell*, 894 S.W.2d 119 (Tex. Spec. Ct. Rev. 1995); see also *In Re: Thoma* at 489.

Judge Jones properly calculated the time requirements for the vehicle registration in Ms. Brisby's case, using her own evidence, and did not ever issue any *capias pro fine* warrants, and was not in willful violation of the Code of Judicial Conduct by his response to these allegations being submitted several months late by prior counsel.

Therefore, the Judge is not in violation of Article V of the State Constitution, nor 33.001(b)(5) of the Government Code for failure to cooperate with the Commission, when in fact, he did cooperate with the Commission. Nor is Judge Jones in willful violation of any Canon of the Texas Code of Judicial Conduct.

**CHARGE X**  
**RESPONSE TO COMPLAINT NO. 10, BY TERRY JAMES**  
**(CJC NO. 07-0557-JP)**

The Commission fails to state any valid complaint against Judge Jones for his recusal of himself in Mr. Terry James' case, even if all their allegations are true.

Mr. James had appeared in Judge Jones' court as a Defendant more than once prior to this case. During the prior cases, Mr. James had publically complained that the Judge was unfair, biased, and in concert with the prosecutor. Mr. James also filed civil proceedings against Judge Jones. Judge Jones rightfully felt that their contacts tainted his relationship with Mr. James, and the Judge wanted to avoid even the appearance of impropriety or bias, so the Judge transferred the case on his own motion. In light of their prior contacts, Judge Jones is obligated under Rule 18B(2)(a) of the Texas Rules of Civil Procedure, to recuse himself. Rule 18B provides that:

*"a Judge shall [emphasis ours] recuse himself in any proceedings in which:*

*(a) his impartiality might reasonably be questioned, and*

*(b) he has a personal bias or prejudice concerning the subject matter or party, or personal knowledge of disputed evidentiary facts concerning the proceedings."*



Judge Jones had, had previous problems with Mr. James making false accusations against him, and therefore, Judge Jones, by rule, is **obligated** to recuse himself from hearing Mr. James' case. Judge Jones took the only proper action he could have taken, and that was to transfer the case before any decisions in the case were made with regard to Mr. James.

Under Rule 18B, a Judge may "*sua sponte*" recuse himself without the necessity of any Motion being filed by any of the litigants. *McElwee v. McElwee*, 911 S.W.2d 182 (Tex. App.--Houston[1<sup>st</sup> Dist.]1995, re-hearing overruled, writ denied); and *Metzger v. Sebek*, 892 S.W.2d. 20, (Tex. App.--Houston [1<sup>st</sup> Dist.]1994, writ denied, re-hearing denied, re-hearing writ of error overruled, cert. denied,) 516 U.S. 868 (1995).

It would have been a violation of the Texas Rules of Civil Procedure and of the Texas Code of Judicial Conduct for Judge Jones to have taken any action on this case or heard the case; therefore, his voluntary recusal of himself as a Judge before any action was taken was proper, and could not constitute violation of Article V of the Texas Constitution, nor Section 33.001 of the Texas Government Code, nor any Canon of the Texas Code of Judicial Conduct. In fact, had Judge Jones actually heard the case and ruled on any of the substantive issues in the case. Mr. James could (and surely would) then accuse him of being in violation of Canon 2A and Canon 3B(2), and Canon 3B(5).

As a matter of law, the failure of Judge Jones' pervious counsel to file a response to the Commission's inquiry in a timely manner does not constitute intentional conduct on the part of the Judge, and cannot be a basis for sanctions against him as a matter of law. An error of judgment on a mere lack of diligence, cannot, as matter of law, constitute a willful act, as that is required under the Texas Constitution, Article 5, Section 1-AA, 1a(6)A (most particularly when the lack of diligence was on the part of Judge Jones' prior counsel, and not any act on his part. *In Re. Thoma*, at 489.

Finally, the case was transferred to another Judge in the same precinct. The case could have been properly brought in that precinct, in the transferee Court, in the first place, since it is in the same precinct. No violation of any law, rule, or code of judicial conduct was committed by Judge Jones' transfer of Mr. James' case, or in the transfer to another court in the same precinct.

**CHARGE XI**  
**RESPONSE TO COMPLAINT NO. 11, BY TAMMIE KAY SMITH**  
**(CJC NO. 07-0559-JP)**

The facts with regard to Ms. Smith's allegations are as follows.

Ms. Smith came to the Court with her minor son for a traffic ticket. The Court was distributing forms for the litigant's to fill out with regard to their financial responsibility, so the Court could properly and justly determine the proper punishment on any Defendant found guilty.

Ms. Smith inquired of the Court whether or not she would be responsible for her son's fine. The Court advised her that because of her son's age, she might, under certain circumstances, be responsible for the payment of the boy's fine. Smith became very angry, and began arguing with Judge Jones, saying that she believes that the boy should be personally responsible, and not her, since it was the boy who was driving the vehicle.

After that, the Judge was answering questions from the other Defendants in the Court, and Smith kept interrupting him, and disrupting the court room by saying that no matter what Judge Jones said, she was never going to pay the boy's fines, and it was the boy's problem, not hers.

Judge Jones asked Ms. Smith on three separate occasions not to interrupt his conversations with the other Defendants in the Court.

On the third occasion, Judge Jones called Ms. Smith up to the bench, turned off the microphone, and told her that if she interrupted him again while he was talking to any of the other Defendants, he would hold her in contempt. He then sent her back to her seat in the courtroom. Shortly thereafter, Ms. Smith again interrupted the Court while Judge Jones was talking to another Defendant, and reiterated the fact that she absolutely refused to pay any fine for her son, and that nothing that the Judge said or did would make her do so.

At that time (which constituted at a minimum the fourth time Ms. Smith interrupted the Court while it was in session talking to other Defendants) Judge Jones asked the bailiff, Deputy Otha Jackson #127, to remove Ms. Smith from the courtroom. As Deputy Jackson attempted to remove her from the courtroom, she acted in an aggressive manner, and began to refuse to leave the courtroom voluntarily, at which time Judge Jones held her in contempt.

Because of her contemptuous behavior and refusal to follow the instructions of Deputy Jackson to leave the courtroom, Deputy Jackson used his own judgment to handcuff Ms. Smith and to place her in the jury box. He was required to remain in the courtroom while the court was in session. Judge Jones did not instruct Deputy Jackson on what action to take with Ms. Smith other than to remove her from the courtroom.

It was Ms. Smith's refusal to reply to no less than four instructions from the Court not to interrupt, and it was her refusal to follow the instructions of Deputy Jackson, which caused her to be in contempt of court, and which caused her to be handcuffed (see Deputy Jackson's Affidavit attached hereto as **EXHIBIT "28"**).

Allowing Ms. Smith to interrupt the Court proceedings on numerous occasions at her will, and allowing her to refuse to follow the instructions of the Court and Deputy Jackson, and disrupt the proceedings, would have constituted a violation of the Texas Code of Judicial Conduct 3B(3). The action that Judge Jones took was necessary and proper. Particularly in light of the only punishment the Court ordered was that Ms. Smith be removed from the courtroom.

After Ms. Smith apologized to the Judge, he withdrew his finding of contempt against Ms. Smith, and attempted to treat her in a compassionate and understanding manner. It was by Ms. Smith's own admission, even before her apology, that the Court asked Deputy Jackson to adjust the handcuffs on Ms. Smith to make them more comfortable for her when she told the Court that they were hurting her wrists.

Any non-respectful response to the Court while it is in session, in the courtroom, is grounds for contempt. *In Re: Bell*, 894 S.W.2d 119 at 127-129. The actions of Ms. Smith impeded and obstructed the court proceedings, and were properly considered contemptuous by the Court. Even when a Court holds people in contempt frequently and too easily, that is not willful conduct, as that is required to justify sanctions under the Texas Code of Judicial Conduct. *In Re: Brown*, 512 S.W.2d 317 at 324.

Judge Jones' actions do not constitute any violation of Article 5, Section 1 of the Texas Constitution, nor do they constitute a violation of any Canon of the Texas Code of Judicial Conduct. In fact, they were correct and proper, and in compliance with those same Texas Code of Judicial Conduct Canons.

**CHARGE XII**  
**RESPONSE TO COMPLAINT NO. 12, BY CAROLYN JOHNSON-LEGENDRE**  
**(CJC NO. 07-0966-JP)**

The Commission alleges that Judge Jones intentionally prevented Carolyn Johnson-Legendre from raising her defenses to her speeding ticket at trial, and failing to advise Ms. Johnson-Legendre that she had the option of paying out her fine or performing community service, and the failure of his counsel to respond to the Commission's inquiry in a timely manner.

The actual facts concerning this case are that Deputy Constable, Andrew Harris, was working radar traffic in a school zone when he observed Ms. Carolyn Johnson-Legendre driving thirty-one miles an hour in a posted twenty mile an hour school zone. Ms. Johnson-Legendre sped through the school zone, and it was necessary for the Deputy Constable to turn his red lights on and chase Ms. Johnson-Legendre to pull her over.

The location in which the Officer finally stopped Ms. Johnson-Legendre's vehicle, was past the school zone.

When the Deputy got out of his car and attempted to obtain the pertinent information for the purposes of the citation, Ms. Johnson-Legendre, was uncooperative, argumentative, and prolonged the traffic stop for a number of minutes by failing to cooperate with the officer.

By the time the officer was able to pursue Ms. Johnson-Legendre, to get the pertinent information from her, and to check on her for possible warrants or other issues, and to go back to the squad car to actually issue the citation, the citation itself was printed a 4:35 p.m.

The school zone ceased being a school zone at 4:30 p.m., but the officer testified that Ms. Johnson-Legendre had been speeding through the school zone significantly before the 4:30 p.m. time period, and in fact her vehicle was actually stopped prior to 4:30 p.m.

The Officer also testified that while the citation itself was completed and printed at 4:35 p.m., the offense occurred substantially before that, and before the 4:30 p.m. school zone speed limit changed.

Ms. Johnson-Legendre was provided with a court date a number of months after the offense because the AutoCite organization which originally handled the ticket was dilatory in forwarding the trial request to the Court when Ms. Johnson-Legendre asked for a trial. After receiving Ms. Johnson-Legendre's case from the AutoCite organization, Ms. Johnson-Legendre promptly received a trial setting from the Court.

The case in fact went to trial, the prosecution presented its case, and Officer Harris gave his testimony concerning the actual time in which Ms. Johnson-Legendre actually drove through the 20 miles per hour school zone at thirty-one miles an hour, and why she was pulled over some distance from the actual school zone (see Officer Harris' Affidavit attached hereto as **EXHIBIT "29"**).

The Court then gave Ms. Johnson-Legendre the opportunity to cross-examine the Officer, which in fact she did.

After the officer was cross-examined by Ms. Johnson-Legendre, she was permitted to give her testimony and present any evidence that she wished to Judge Jones. She did in fact give her testimony and submitted her evidence. Judge Jones did not prevent Ms. Johnson-Legendre from raising her defenses at trial. As a matter of fact, he allowed her to cross-examine the Officer with regard to those defenses and to give her own testimony with regard to those defenses.

The Court believed the Officer's account of where and when the offense occurred, and not Ms. Johnson-Legendre's account. That belief cannot constitute any violation of the Texas Constitution or any of the Canons of the Judicial Code of Conduct.

The facts of the situations alleged to support Charge XII do not make any mention of the Court failing to give Ms. Ms. Johnson-Legendre the option of paying out her fine or performing community service, and therefore, as a matter of law, do not constitute any evidence of that allegation.

However, Ms. Johnson-Legendre was in fact offered the option of community service, defensive driving, and deferred adjudication with all the other Defendants at her June the 13<sup>th</sup> 2007, plea docket. Offering community service is completely in the discretion of the Court, and even if it had not been offered to Ms. Johnson-Legendre, that would not constitute a violation of the Constitution or any Canons of the Texas Code of Judicial Conduct.

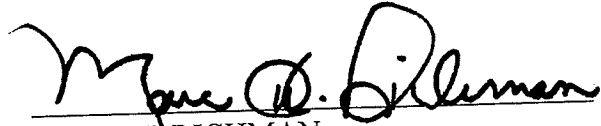
PRAYER

WHEREFORE ALL PREMISES CONSIDERED, Judge Thomas G. Jones prays the Special Master find that the Commission has failed to prove the contested allegations of fact by a preponderance of the evidence, and as a matter of law, has failed to prove Judge Thomas G. Jones has violated the State Constitution or the Canons of the Judicial Code of Conduct, or the Government Code, as alleged in each charged levied against Judge Thomas G. Jones.

Respectfully submitted,

LAW OFFICES OF MARC H. RICHMAN

By:

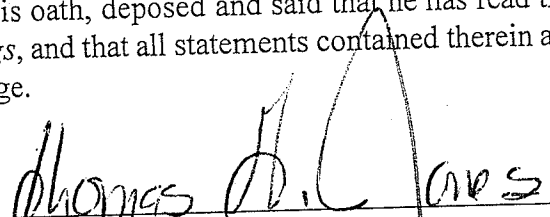


MARC H. RICHMAN  
State Bar No. 16878000  
Legal Arts Center  
304 South Record Street, Suite 200  
Dallas, Texas 75202  
Telephone:(214) 742-3133  
Facsimile: (214) 939-3759


VERIFICATION

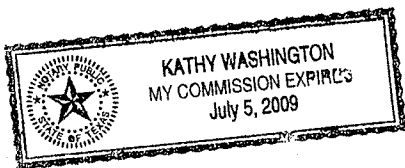
STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS       §

BEFORE ME, the undersigned authority, on this day personally appeared JUDGE THOMAS G. JONES, who by me being first duly sworn, on his oath, deposed and said that he has read the foregoing *Response to Notice of Formal Proceedings*, and that all statements contained therein are true and correct and based on his personal knowledge.

  
\_\_\_\_\_  
JUDGE THOMAS G. JONES

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 8<sup>th</sup> day of January, 2009.

  
\_\_\_\_\_  
NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS



CHARGE I  
RESPONSE TO COMPLAINT NO. 1  
BY JOHNNIE JONES  
(CJC NO. 06-0163-JP)

**Exhibits 1 and 2**

Case # JT 0406206H

You have been charged with a TRAFFIC VIOLATION, and you have the right to employ an attorney.  
"You may be able to require that this charge be dismissed by taking a driving safety course. However, you will lose that right if you do not provide written notice to the court on or before your appearance date of you desire to do so."

PLEA OF NOLO CONTENDERE

I, the undersigned, do hereby enter my appearance in the above number cause of the offense of \_\_\_\_\_ charge in the Court of Dallas County, Texas. I have been informed of my right to a jury trial. I understand that upon my plea of NOLO CONTENDERE (meaning no contest), the court will enter a judgment of guilty and assess a fine as a penalty. I do hereby plead nolo contendere to said offenses as charged, I waive my right to a jury trial and I agree to pay the penalty assessed.

PLEA OF GUILTY

I, the undersigned, do hereby enter my appearance in the above number cause of the offense of \_\_\_\_\_ charged in the court of Dallas County, Texas. I understand that upon my plea of guilty the court will enter a judgment of guilty and assess a fine as a penalty. I do hereby plead guilty to the said offense as charged, I waive my right to a jury trial and I agree to pay the penalty assessed.

CHECK ONE IF YOU HAVE ENTERED A PLEA OF GUILTY

- I am not indigent, but I request that I be allowed to pay out by installments, restitution, fine(s) and court cost pursuant to the terms and conditions set by the Court.
- I am indigent, but request an indigent hearing.

Johnny J. Jones 09/09/05 AA M 08/14/05 07627634  
 Defendant Signature Date Race Sex Date of Birth Driver's License #

1717 Hudspeth Ave #106, Dallas, Texas 75216 214-374-1009  
 Home Address City/State/Zip Code Home Phone #

Defendant's plea as entered above is subject to Judge's approval  App  Rejected

The State of Texas IN THE JUSTICE OF THE  
 v.s. PEACE COURT PRECINCT #1  
 DALLAS COUNTY, TEXAS

SCHEDULED PAYMENT AGREEMENT  
ONE TIME FEE OF \$25.00 FOR ONE EXT. ONLY

CASE #	FINE / COURT COST AMT	DUE DATE	EXT. DATE	CLK Initials
JT0406206H	321 <sup>10</sup>	10/8/05	11/8/05	JK

WAIVER

THE COURT HAS EXPLAINED TO ME MY RIGHT TO BE RELEASED TO PAY THE FINE AND/OR COURT COST AT SOME LATER DATE IN THE MANNER PRESCRIBED IN ARTICLE 42.15 CCP. I UNDERSTAND THAT I HAVE SUCH RIGHT AND I HEREBY EXPRESSLY WAIVE SUCH A RIGHT IN THE ABOVE STYLED CASE(S) AND REQUEST THAT I BE IMPRISONED IN THE JAIL FOR SUFFICIENT LENGTH OF TIME TO DISCHARGE THE FULL AMOUNT OF FINE AND/OR COURT COST ADJUDGED AGAINST ME AS PROVIDED FOR BY ARTICLE 43.09 CCP.

Signature Johnny J. Jones Date 09/09/05

NO EXTENSIONS BY PHONE

This is your formal notice that in the event you fail to make each payment on time pursuant this installment agreement, then you are required to appear at this court on the same date you payment is due each month. The purpose of this hearing is for you to show-cause why you have failed to make such payment. In the event you fail to appear, then a warrant for your arrest will be issued and your failure to appear will result in a failure to appear charge against you. I hereby acknowledge the receipt of a copy of the Scheduled Payment Agreement and continuance agreement (notice of hearing date) and I understand and agree that I will appear on each due date of each payment, if I fail to make required payments.

Signature Johnny J. Jones Date 09/09/05

EXHIBIT "1"

7. (enclosure) 10/18/05



Johnny J. Jones  
Plaintiff

Vs.

STATE OF TEXAS  
Defendant

§  
§  
§  
§  
§  
§  
§

JUSTICE OF THE PEACE

PRECINCT 1, PLACE 1

DALLAS COUNTY TEXAS

**APPEAL BOND**

*Thomas G. Jones*

WHEREAS on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before ~~Albert B. Cercone~~  
Justice of the Peace, Precinct ~~3~~ <sup>1</sup>, Place 1, in the County of Dallas, State of Texas,  
\_\_\_\_\_ recovered a judgment against  
\_\_\_\_\_ for the sum of \$ \_\_\_\_\_,  
besides costs of suit, from which judgment the said \_\_\_\_\_  
has appealed to the County Court at Law of Dallas County.

NOW THEREFORE we, \_\_\_\_\_ as  
principal, and \_\_\_\_\_ and \_\_\_\_\_ as sureties  
acknowledge ourselves bound to pay unto the said \_\_\_\_\_  
the sum of \$ \_\_\_\_\_, conditioned that the said \_\_\_\_\_  
shall prosecute his appeal to effect and shall pay off and satisfy the judgment which may be rendered  
against him on such appeal.

WITNESS our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Principal Address / City / Zip / Phone

\_\_\_\_\_  
Surety Address / City / Zip / Phone

\_\_\_\_\_  
Surety Address / City / Zip / Phone

**EXHIBIT "2"**

Examined and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

*Payment arrangements already made*  
Judge ~~At Cercone~~, Justice of the Peace ~~3~~-1, Dallas County, Texas  
*Thomas G. Jones*

*B. (enclosure)*

*therefore, request denied. AH*

CHARGE III  
RESPONSE TO COMPLAINT NO. 3  
BY CORA CANADY  
(CJC NO. 06-0883-JP)

**Exhibits 3, 4, 5, and 6**

CAUSE NO. CC-06-377-b

CHAUCER VILLAGE APTS.  
Plaintiff (Appellee)

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

IN THE COUNTY COURT

v.

AT LAW NO. 2

CORA CANADY  
Defendant (Appellant)



DALLAS COUNTY, TEXAS

Order of Dismissal

BE IT REMEMBERED that on February 9, 2006 came on to be heard the Defendant's (Appellant) appeal from the Justice Court. Defendant, Cora Canady appeared for trial. Plaintiff, Chaucer Village Apts. did not appear.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the appeal in dismissed for want of prosecution. All costs are taxed against Plaintiff, Chaucer Village Apts.

All relief not expressly granted herein is DENIED.

SIGNED this the 10 day of Feb, 2006.

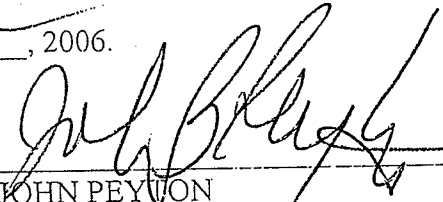
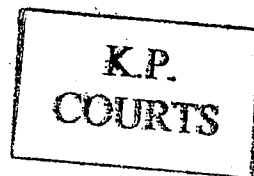
  
\_\_\_\_\_  
JOHN PEYTON  
JUDGE PRESIDING

EXHIBIT "3"

190 0499

Cause No. cc-06-377-b



CHAUCER VILLAGE APTS.

IN THE COUNTY COURT

VS

AT LAW NO. 2

CORA CANADY

DALLAS COUNTY, TEXAS

ORDER RELEASE FUNDS

On this the 18 day of Nov, 2006 came the plaintiff to request the clerk in the above numbered and titled case to instruct Dallas County, Clerk, Dallas Texas to release the funds in the amount of \$1,030.00 from the registry of the court.

It is therefore ordered, adjudged and decreed that the Dallas County Clerk shall release \$1,030.00 from the registry of the court to Cora Canady whose address is:

7575 Chaucer Place #1124  
Dallas, Texas 75237

Signed Apr 18 February 18, 2006

A large, stylized handwritten signature in black ink, written over a horizontal line.

Judge Presiding

EXHIBIT "4"

191 1144

4/21/08 Confirmed is granted *pk*

May 1, De @ 10 AM

*[Handwritten signature]*  
~~From To Amt Rec'd H/CC due Change due~~

JE-0601780H  
FORCIBLE ENTRY & DETAINER

RO5850

JE-0601780H

App 04/28/06

PLAINTIFF:  
CHAUCER VILLAGE APTS  
AGENT, C. ANYANMU  
7575 CHAUCER PL  
DALLAS, TX 75237  
(972) 780 8321

DEFENDANT:  
CANADY, CORA PL #1124  
7575 CHAUCER PL  
DALLAS, TX 75237

PLAINTIFF'S ATTORNEY

DEFENDANT'S ATTORNEY

EXHIBIT "5"

FILED 04/18/06 ATTY \$9.00  
RENT \$515.00

1,030 + Ct. Cost

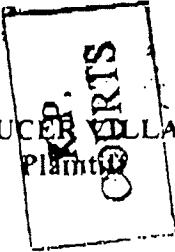
THOMAS G. JONES  
JUSTICE OF THE PEACE PREC. 1-1  
DALLAS COUNTY  
7201 SOUTH POLK ST. STE. 112  
DALLAS, TEXAS 75232  
(972) 228-0280

*[Handwritten signature]*

3/1

WHO

~~THOMAS G. JONES~~



CHAUCER VILLAGE APTS.  
Plaintiff  
v.  
CORA CANADY  
Defendant

CAUSE NO. CC-06-6827-b

§ IN THE COUNTY COURT  
§  
§ AT LAW NO. 2  
§  
§ DALLAS COUNTY, TEXAS  
§

ORDER GRANTING POSSESSION

On this day came on to be heard the above-entitled and numbered cause and Chaucer Village Apts, Plaintiffs appeared and announced ready for trial, and Cora Canady, Defendant, appeared ready for trial. No jury having been demanded, all matters of fact and things in controversy were submitted to the Court.

The Court, after hearing the evidence and arguments, finds that it has jurisdiction over this cause of action and the parties. The Court, after hearing the evidence and argument of the parties finds that Defendant Cora Canady is guilty of forcible detainer and Plaintiff Chaucer Village Apts is entitled to possession of the property located at 7575 Chaucer Pl. 1124, Dallas, TX 75237. It is therefore ordered that Plaintiff is entitled to a writ of possession of the above described premises on or after the sixth day from the date of this Judgment.

The Court further finds that Plaintiff is entitled to the sum of \$1,802.50 for back rent owed and court cost. It is therefore further ordered that plaintiff is granted the sum of \$1,802.50 for back rent owed and court cost. All relief not granted is hereby denied.

SO ORDERED this 15 day of June 2006.

JUDGE PRESIDING

EXHIBIT "6"

CHARGE IV  
RESPONSE TO COMPLAINT NO. 4  
BY PHIL SMART  
(CJC NO. 06-0927-JP)

**Exhibits 7 and 8**

\*\*\*\*\*  
\* JUSTICE & CLERKS CIVIL DOCKET \*  
\* JUSTICE OF THE PEACE \*  
\* PRECINCT 1 PLACE 1. \*  
\*\*\*\*\*

JUSTICE & CLERKS CIVIL DOCKET

FILE NUMBER 0300606H  
FILE TYPE JS-SMALL CLAIM

COURT IN SESSION THIS DATE AND THE ABOVE NUMBERED AND ENTITLED CAUSE CAME TO BE HEARD FOR DISMISSAL BY COURT FOR WANT OF PROSECUTION.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT THAT THIS SUIT BE DISMISSED FOR WANT OF PROSECUTION BY THE PLAINTIFF  
ROD, TONNETTE R.

AND THE DEFENDANT  
STEWART, PHILLIP STEWART  
HENCE WITHOUT PAY AND ALL COSTS BE TAXED AGAINST THE PLAINTIFF, FOR WHICH LET EXECUTION ISSUE.

EXHIBIT "7"

0000007

*Thomas H. Jones*

JUSTICE OF THE PEACE

SIGNED AND ENTERED THIS 06-02-05

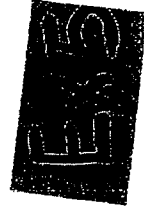


EXHIBIT





**DALLAS COUNTY**  
JUSTICE OF THE PEACE  
PRECINCT 1, PLACE 1  
THOMAS G. JONES, JUDGE



July 27, 2006

222 Americana  
Palmer, TX 75152

Dear Mr. Phillip Smart:

This correspondence is in reference to a letter sent to you dated 6/6/05, in which you were informed that the case filed against you had been dismissed.

However, the intent of that letter was not clear because; 1) You were not aware that you had been sued; 2) the letter stated a judgment had been entered against you for zero (0) dollars, when in fact, the case was dismissed, because the plaintiff failed to pursue the matter.

This letter is to confirm that no judgment has been issued against you and the case has been dismissed.

We apologize for any inconvenience this may have caused you. And, should you have any questions regarding this matter, please do not hesitate to contact this court.

Sincerely,

*L. Bailey*

L. Bailey  
Civil Clerk, Supervisor

EXHIBIT *J-1*

EXHIBIT "8"

000008



CHARGE V  
RESPONSE TO COMPLAINT NO. 5  
BY BRIAN BRECKENRIDGE  
(CJC NO. 06-0929-JP)

**Exhibits 9 and 10**

CPD 2-415

S & J VSF LLC  
4206 E. Ledbetter  
Dallas, Texas 75216  
(214) 371-8697

I N V O I C E

VSF #: 0565402VSF  
Date: 05/16/06 Time: 22:24:43  
Vehicle Towed By: AJ's Wrecker Service Of Dallas, Inc.  
TXDOT: 005215058C

Number: 11495

Vehicle Removed From:  
Name: Graphic Solutions  
Address: 3002 Indiana Blvd  
Dallas  
TX 75226  
(214) 748-3274

Vehicle Identification #: 1HGES16395L025686  
Year: 2005  
Make: Honda  
Model: Civic  
Color: Black  
Tag #: 909FBZ  
State: TX

Driver #: 211 Truck: 28  
Impoundment: Inventory & Registration

EXHIBIT "9"

Towed To: 4206 E. Ledbetter Dallas, Texas 75216  
Police Report #: 25210

Location on Lot: Row qt Position: s ? #27

Name: Breckenridge Brian Lee  
Date: 05/16/06  
Time: 23:52:12  
DL #: 01953955  
Proof Of Ownership: DI

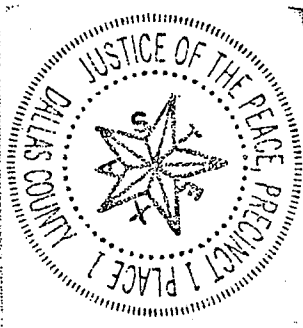
Towing:	95.00
Impoundment:	20.00
Storage:	20.00
Pass Through Fee:	
1st Notification:	
2nd Notification:	
Labor P.T.R. Charge (Unhook):	
Dolly/Go Jack, Drive Line, Linkage:	
Taxes:	3.30
TOTAL DUE:	138.30
TOTAL RECEIVED:	138.30
BALANCE DUE:	.00

The owner or operator of a vehicle that has been removed and placed in a VSF without the consent of the owner or operator of the vehicle is entitled to a hearing to determine: (1) Whether probable cause existed for the removal of the vehicle (2) Whether a towing charge imposed or collected in connection with the removal of the vehicle was greater than the amount authorized by the political subdivision or under Trans.Code Sec. 643.001, 643.003, 643.004 or 643.005. (3) Whether a towing charge imposed or collected in connection with the removal of the vehicle was greater than the amount filed with DOT under Tans.Code 643.207 and available on the DOT internet website, (www.dot.state.tx.us). A person entitled to a hearing under this chapter must deliver a written request for the hearing to the court before the 14th day after the date the vehicle was placed in a VSF, excluding Saturdays, Sundays and legal holidays. If notice is not given, the 14-day deadline for requesting a hearing does not apply, and the owner or operator of the vehicle may deliver a written request at any time. A person who fails to deliver a request waives the right to a hearing. A request for a hearing must contain: (1) The name, address and phone number of the owner or operator of the vehicle (2) The location where the vehicle was removed (3) The date the vehicle was removed (4) The name, address and phone number of the person or law enforcement agency that authorized the removal, of the VSF in which the vehicle was placed and of the towing company that removed the vehicle (5) A copy of any receipt or notification that the owner or operator received from the towing company or the VSF (6) If the vehicle was removed from a parking facility, one or more photos that show the location and text of any sign(s) posted at the facility restricting parking of vehicles or a statement that no such sign(s) was posted at the parking facility. The court may charge a \$10 filing fee for a hearing under this chapter. The court may award to the prevailing party: (1) Court cost (2) The reasonable cost of photos submitted under Section 685.007(b)(8) (3) An amount equal to the amount that the towing charge exceeded fees regulated by a political subdivision, authorized by this code or by Chapter 2303, Occupations Code. I acknowledge that I have received forms 04-10 and do give my consent with all the information it contains. I agree that all of the information on this receipt is true and correct.

OFFICE OF ANIMAL WRECKER SERVICE OF DALLAS

YOU ARE HEREBY COMMANDED TO BE AND APPEAR BEFORE THOMAS G. JONES  
JUSTICE OF THE PEACE, PRECINCT 1, PLACE 1, DALLAS COUNTY, TEXAS, AT  
201 SOUTH FELL ST., STE. 112, DALLAS, TEXAS 75222  
ON 6-19-06 AT 1:00 AM. THEN AND THERE TO SHOW CAUSE, IF ANY WHY  
LIBERAL BOND REMAINING

COPY OF PLAINTIFF'S MOTION/APPLICATION IS ATTACHED HERETO AND MADE  
PART HEREOF AS THOUGH WRITTEN IN  
EVEN UNDER MY HAND THIS 06-09-06



*Thomas H. Jones*  
THOMAS H. JONES  
JUSTICE OF THE PEACE  
PRECINCT 1, PLACE 1  
DALLAS COUNTY, TEXAS

OFFICER'S RETURN

WAS DELIVERED TO A J's Wrecker Service of Dallas  
AND EXECUTED ON JUN 09 2006 7:55 AM  
6-13-06

DELIVERING TO 4206 E Ledbetter Dallas, TX (Cindy)

BEARING HAND DEFENDANT'S IN PERSON. A TRUE DEPENDANT, CONSTABLE  
DALLAS COUNTY PRECINCT 1

BY DEPUTY SHERIFF/CONSTABLE DALLAS COUNTY, TEXAS

LEAVE

BY 60-03 *Debi Jones* 137 DEPUTY

CAUSE NO. J500000000  
PLAINTIFF:  
BRIAN BRENNEISE, BRIAN

5

~~30030370~~  
JUDGE P.F. EG  
DALLAS COUNTY, TEXAS  
DALLAS COUNTY, TEXAS

*get 30030370*

DEFENDANT: THOMAS G. JONES  
AUG WRECKER SERVICE OF DALLAS

4206 E. LEDBETTER  
DALLAS, TX 75222

NOTICE

SET DATE: 06-19-06 AT 11:00 AM

ISSUE DATE: 06-09-06

AGENCY: CONST 1 DENICK EVAN

*Thomas H. Jones*  
THOMAS H. JONES  
JUSTICE OF THE PEACE  
PRECINCT 1, PLACE 1  
DALLAS COUNTY, TEXAS

EXHIBIT "10"

TEXAS COUNTY OF DALLAS  
DALLAS SHERIFF SERVICE OF DALLAS

BY MEANS OF THIS HEARING TO BE AND APPEAR BEFORE THOMAS O. JONES  
SHERIFF, JUSTICE OF THE PEACE, PRECINCT 1, PLACE 1, DALLAS COUNTY, TEXAS, AT  
11:30 AM, 505 SADDLE DR, EULESS, TX 76039  
POLK ST, STE. 112, DALLAS, TEXAS 75232  
ON \_\_\_\_\_, AT 01:30 PM, THEN AND THERE TO SHOW CAUSE, IF ANY WHY

CAUSE NO. JS0600236H  
PLAINTIFF:  
BRECKENRIDGE, BRIAN

505 SADDLE DR  
EULESS, TX 76039  
(817) 475-6514

DEFENDANT:  
M.J'S WRECKER SERVICE OF DALLAS

4206 E. LEDBETTER  
DALLAS, TX 75216



*Thomas O. Jones*  
THOMAS O. JONES  
JUSTICE OF THE PEACE  
PRECINCT 1, PLACE 1  
DALLAS COUNTY, TEXAS

**FILE COPY**  
NOTICE

SET DATE: 07-14-06 AT 01:30 PM

ISSUED DATE: 07-06-06

AGENCY: CONST 1 DERICK EVANS

THOMAS O. JONES  
JUSTICE OF THE PEACE  
PRECINCT 1, PLACE 1,  
DALLAS COUNTY, TEXAS

*Thomas O. Jones*  
cit

TO HAND ON \_\_\_\_\_ AND EXECUTED ON \_\_\_\_\_

OFFICER'S RETURN

HEARING TO \_\_\_\_\_

THE WITHIN NAMED DEFENDANT'S IN PERSON, A TRUE COPY OF THIS NOTICE.

REMOVING NOTICE \$ \_\_\_\_\_ SHERIFF/CONSTABLE DALLAS COUNTY, TEXAS

RELEASE \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_ BY \_\_\_\_\_ DEPUTY

CHARGE VI  
RESPONSE TO COMPLAINT NO. 6  
BY JOE E. WALTON  
(CJC NO. 06-1106-JP)

**Exhibits 11, 12, 13, 14, 15, 16, 17, and 18**

PLEA OF NOT GUILTY

I, the undersigned, do hereby enter my appearance in the above number cause of the offense of \_\_\_\_\_, charged in the Court of Dallas County, Texas. I do hereby enter a plea of not guilty and request the said cause be set for

- Jury Trial
- trial before the court- (I waive my right to a jury trial) and that I be notified of the time and date to appear for said trial.

PRE-TRIAL HEARING NOTICE ACKNOWLEDGMENT

DEFENDANT INFORMATION

DEFENDANT ATTORNEY INFORMATION

NAME JOE E. WALTON  
 ADDRESS 2388 POMONA  
 CITY DALLAS ZIP 75214  
 EMPLOYER \_\_\_\_\_  
 ADDRESS MA  
 WORK PHONE# \_\_\_\_\_  
 HOME PHONE# \_\_\_\_\_  
 TX DL# D5751332  
 DOB ASAP RACE/SEX /

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
 PHONE# \_\_\_\_\_  
 STATE BAR NO \_\_\_\_\_

YOU ARE HEREBY NOTIFIED TO APPEAR FOR YOUR PRE-TRIAL HEARING ON THE FOLLOWING CASE(S):

JT- 06 44889 -H JT- \_\_\_\_\_ -H  
 JT- \_\_\_\_\_ -H JT- \_\_\_\_\_ -H  
 JT- \_\_\_\_\_ -H JT- \_\_\_\_\_ -H

EXHIBIT "11"

\*\*\*\*\*YOU MUST APPEAR FOR YOUR PRE-TRIAL HEARING ON THE ABOVE CASE(S):\*\*\*\*\*

\*\*PRE-TRIAL ON 02/09/06 AT 1:30 PM

YOUR FAILURE TO APPEAR IN COURT ON THE ABOVE DATE WILL RESULT IN THE ISSUANCE OF A (NEW) WARRANT FOR YOUR ARREST AS WELL AS ADDITIONAL CRIMINAL CHARGES FOR FAILURE TO APPEAR.

I CERTIFY THAT I RECEIVED A COPY OF THIS PRE-TRIAL HEARING NOTICE ACKNOWLEDGEMENT.

JOE E. WALTON DEFENDANT'S PRINTED NAME  
[Signature] DEFENDANT'S SIGNATURE  
1-23-2006 DATE

[Signature] CLERK OF THE COURT  
01/23/06 DATE

Judge Thomas G. Jones JP1-1 7201 S. Polk St. Ste. 112 Dallas, Texas. 75232 972-228-0280 000010



NOTICE OF HEARING

THOMAS G. JONES  
JUSTICE OF THE PEACE, PRECINCT 1 PLACE 1  
7201 SOUTH POLK ST. STE. 112  
DALLAS, TEXAS 75232  
(972) 228-0280

DATE 04/07/06

WALTON, JOE EARL  
7388 CORONADO  
DALLAS, TX 75214

CASE NUMBER JT-0644889H

STATE OF TEXAS VS WALTON, JOE EARL

OFFENSE - SPEEDING - SCHOOL ZONE 28/ 20  
CITATION NUMBER 002779442-1

THE ABOVE CASE HAS BEEN SET FOR TRIAL  
ON 05-23-06 AT 08:00 AM.

RESPECTFULLY,

THOMAS G. JONES

CC: COURT  
CONSTABLE PRECINCT 1

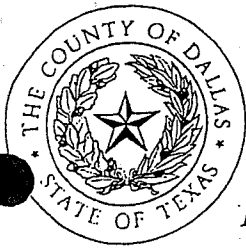
/BRAZIEL 140

EXHIBIT

*[Handwritten signature]*

EXHIBIT "12"

000011



4

JUSTICE OF THE PEACE  
PRECINCT 1, PLACE 1  
THOMAS G. JONES, JUDGE

YOUR COURT DATE WAS ON FEBRUARY 09, 2006  
NEW TRIAL DATE WILL BE ON MAY 23, 2006 AT 01:30PM/08:00 A.M

8:00 AM

*Joe E. Walton*  
DEFENDANT'S SIGNATURE

2-09-06  
DATE

Joe E. Walton  
PRINT

- Case Number
- 1)
  - 2)
  - 3)
  - 4)

CLERKS INITIALS \_\_\_\_\_

7201 S POLK ST., STE 112, DALLAS, TEXAS 75232-3831

EXHIBIT "13"

000027

EXHIBIT 1-1

DERICK EVANS

5



CONSTABLE, PRECINCT 1  
DALLAS COUNTY

Date: May 23, 2006

To: Judge Thomas G. Jones, Justice of th Peace Precinct 1-1

Re: Officer available for court.

This letter is to inform you that officer T. Braziel #140 will be unavailable for court on the following date(s) 05/23/06.

Thank you,

*Sheryl Malone*  
Sheryl Malone  
Chief Clerk

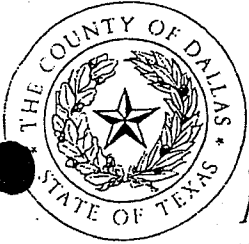
RECEIVED  
MAY 23 2006  
CLERK

RECEIVED  
MAY 23 2006  
CLERK

EXHIBIT "14"

000030

EXHIBIT 1-1



JUSTICE OF THE PEACE  
PRECINCT 1, PLACE 1  
THOMAS G. JONES, JUDGE

6

YOUR COURT DATE WAS ON MAY 23, 2006  
NEW TRIAL DATE WILL BE ON JULY 11, 2006 @ 1:30 P.M

X Joe E. Walton  
DEFENDANT'S SIGNATURE

X 5-23-2006  
DATE

X JOE E WALTON  
PRINT

Case Number

- 1) JT0644889H
- 2)
- 3)
- 4)

CLERKS INITIALS RM

7201 S POLK ST., STE 112, DALLAS, TEXAS 75232-3831

EXHIBIT "15"

EXHIBIT 11

000031

7

NOTICE OF HEARING

JUSTICE OF THE PEACE, PRECINCT 1 PLACE 1  
7201 SOUTH POLK ST, STE. 112  
DALLAS, TEXAS 75232  
(972) 228-0280

DATE 06/01/06

WALTON, JOE EARL  
7338 CORONADO  
DALLAS, TX 75214

CASE NUMBER JT-0644889H

STATE OF TEXAS VS WALTON, JOE EARL

OFFENSE - SPEEDING - SCHOOL ZONE 28/ 20  
CITATION NUMBER 002779442-1

THE ABOVE CASE HAS BEEN SET FOR RESET TRIAL  
ON 07-11-06 AT 01:30 PM.

RESPECTFULLY,

THOMAS G. JONES

CC: COURT CONSTABLE PRECINCT 1

/BRAZIEL 140

**PLEA OF NOT GUILTY**

I, the undersigned, do hereby enter my appearance in the above number cause of the offense of \_\_\_\_\_, charged in the Court of Dallas County, Texas. I do hereby enter a plea of not guilty and request the said cause be set for

- Jury Trial
  - trial before the court- (I waive my right to a jury trial)
- and that I be notified of the time and date to appear for said trial.

**PRE-TRIAL HEARING NOTICE ACKNOWLEDGMENT**

DEFENDANT INFORMATION

DEFENDANT ATTORNEY INFORMATION

NAME JOE E. WATSON  
 ADDRESS 2388 POMONA  
 CITY DALLAS ZIP 75214  
 EMPLOYER \_\_\_\_\_  
 ADDRESS MA  
 WORK PHONE# \_\_\_\_\_  
 HOME PHONE# \_\_\_\_\_  
 TX DL# D5781332  
 DOB 1-5-54 RACE/SEX \_\_\_\_\_

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
 PHONE# \_\_\_\_\_  
 STATE BAR NO \_\_\_\_\_

YOU ARE HEREBY NOTIFIED TO APPEAR FOR YOUR PRE-TRIAL HEARING ON THE FOLLOWING CASE(S):

JT- 06-44889 -H JT- \_\_\_\_\_ -H  
 JT- \_\_\_\_\_ -H JT- \_\_\_\_\_ -H  
 JT- \_\_\_\_\_ -H JT- \_\_\_\_\_ -H

EXHIBIT "17"

\*\*\*\*\*YOU MUST APPEAR FOR YOUR PRE-TRIAL HEARING ON THE ABOVE CASE(S):\*\*\*\*\*

\*\*\*PRE-TRIAL ON 02/09/06 AT 1:20:00 AM MD

YOUR FAILURE TO APPEAR IN COURT ON THE ABOVE DATE WILL RESULT IN THE ISSUANCE OF A (NEW) WARRANT FOR YOUR ARREST AS WELL AS ADDITIONAL CRIMINAL CHARGES FOR FAILURE TO APPEAR.

I CERTIFY THAT I RECEIVED A COPY OF THIS PRE-TRIAL HEARING NOTICE ACKNOWLEDGMENT.

JOE E. WATSON  
DEFENDANT'S PRINTED NAME

[Signature]  
DEFENDANT'S SIGNATURE

1-23-2006  
DATE

[Signature]  
CLERK OF THE COURT

01/23/06  
DATE

PLEA OF NOT GUILTY

I, the undersigned, do hereby enter my appearance in the above number cause of the offense of \_\_\_\_\_, charged in the Court of Dallas County, Texas. I do hereby enter a plea of not guilty and request the said cause be set for

~~trial~~ Jury Trial  
trial before the court- (I waive my right to a jury trial)  
and that I be notified of the time and date to appear for said trial.

PRE-TRIAL HEARING NOTICE ACKNOWLEDGMENT

DEFENDANT INFORMATION

DEFENDANT ATTORNEY INFORMATION

NAME JOE E. WALTON NAME \_\_\_\_\_  
ADDRESS 2328 POWERS ADDRESS \_\_\_\_\_  
CITY DALLAS ZIP 75214 ADDRESS \_\_\_\_\_  
EMPLOYER \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
ADDRESS \_\_\_\_\_ WORK PHONE#( MA ) \_\_\_\_\_  
HOME PHONE#( ) \_\_\_\_\_ PHONE# \_\_\_\_\_  
TX DL# 05731332  
DOB 4/15/47 RACE/SEX / STATE BAR NO \_\_\_\_\_

YOU ARE HEREBY NOTIFIED TO APPEAR FOR YOUR PRE-TRIAL HEARING ON THE FOLLOWING CASE(S):

JT- 06 44889 -H- JT- \_\_\_\_\_ -H-  
JT- \_\_\_\_\_ -H- JT- \_\_\_\_\_ -H- EXHIBIT "18"  
JT- \_\_\_\_\_ -H- JT- \_\_\_\_\_ -H-

\*\*\*\*\*YOU MUST APPEAR FOR YOUR PRE-TRIAL HEARING ON THE ABOVE CASE(S):\*\*\*\*\*

\*\*\*PRE-TRIAL ON 02/09/06 AT 1:30 0800 AM / PM \*\*\* JF

YOUR FAILURE TO APPEAR IN COURT ON THE ABOVE DATE WILL RESULT IN THE ISSUANCE OF A (NEW) WARRANT FOR YOUR ARREST AS WELL AS ADDITIONAL CRIMINAL CHARGES FOR FAILURE TO APPEAR.

I CERTIFY THAT I RECEIVED A COPY OF THIS PRE-TRIAL HEARING NOTICE ACKNOWLEDGEMENT.

JOE E. WALTON DEFENDANT'S PRINTED NAME DEFENDANT'S SIGNATURE 1-23-2006 DATE

MIC JOHNSON I CERTIFY THAT THE ABOVE DEFENDANT WAS GIVEN A TRUE AND CORRECT COPY OF THIS PRE-TRIAL HEARING NOTICE ACKNOWLEDGMENT. DATE 01/23/06

CHARGE VII  
RESPONSE TO COMPLAINT NO. 7  
BY JUDGE VICKI GRAY  
(CJC NO. 07-0090-JP)

**Exhibits 19, 20, 21, 22, 23, 24, and 25**



THE STATE OF TEXAS

TO ANY SHERIFF, CONSTABLE OR PEACE OFFICER OF THE STATE OF TEXAS--  
GREETINGS:

YOU ARE HEREBY COMMANDED TO ARREST AND DETAIN

WARD, LONNIE DEON

IF TO BE FOUND IN YOUR COUNTY AND BRING BEFORE ME, THOMAS G. JONES  
A JUSTICE OF THE PEACE IN AND FOR PRECINCT NO. 1, PLACE NO. 1, OF DALLAS  
COUNTY, TEXAS, AT MY OFFICE LOCATED IN THE CITY OF DALLAS, TEXAS  
IN SAID DALLAS COUNTY, TEXAS--INSTANTLY--THEN AND THERE TO ANSWER THE  
LAW OF TEXAS FOR AN OFFENSE AGAINST THE LAWS OF SAID STATE, TO WIT:

SEATBELT \$151.00

A MISDEMEANOR OF WHICH OFFENSE THE SAID WARD, LONNIE DEON  
IS ACCUSED BY THE WRITTEN COMPLAINT OF SHERIFF  
AND UNDER THE OATH OF CLEMONS FILED BEFORE ME.

DATE OF OFFENSE SEPTEMBER 21, 2002

DATE COMPLAINT FILED OCTOBER 01, 2002

WARRANT ISSUED TO CONST 1 DERICK EVANS

HEREIN FAIL NOT BUT OF THIS WRIT MAKE DUE RETURN, SHOWING HOW YOU HAVE  
EXECUTED THE SAME.

WITNESS MY OFFICIAL SIGNATURE, THIS FEBRUARY 27, 2004

*Thomas G. Jones*  
JUSTICE OF THE PEACE

SHERIFF OR CONSTABLE RETURN:

FEB 27 2004

CAME TO HAND THE DAY OF

DERICK EVANS, CONSTABLE

Dallas County Precinct 1

SHERIFF--CONSTABLE, TEXAS

FEES \$ DEPUTY.

WARRANT NO. JT02-34318H

BOND AMOUNT \$ 200.00

JUSTICE OF THE PEACE  
PRECINCT NO. 1 PLACE NO. 1  
DALLAS COUNTY, TEXAS

7829812  
THE STATE OF TEXAS

019999

WARD, LONNIE DEON  
5571 PINSON  
FT. WORTH, TX 76119

TDL:16848250  
DOB:01-28-80  
B/MALE

SEATBELT \$151.00

MISDEMEANOR

WARRANT OF ARREST

WARRANT ISSUED FEBRUARY 27, 20

EXHIBIT "19"

FEB 27 PM 4:11  
DALLAS CO. TX

THOMAS G. JONES  
JUSTICE OF THE PEACE PREC. 1-1  
DALLAS COUNTY  
7201 SOUTH POLK ST.  
DALLAS, TEXAS 75232  
(972) 228-0280

TO ANY SHERIFF, CONSTABLE OR PEACE OFFICER OF THE STATE OF TEXAS-  
GREETINGS:

YOU ARE HEREBY COMMANDED TO ARREST AND DETAIN

WARD, LONNIE DEON

THOMAS G. JONES  
TO BE FOUND IN YOUR COUNTY AND BRING BEFORE ME, PLACE NO. 1, OF DALLAS  
A JUSTICE OF THE PEACE IN AND FOR PRECINCT NO. 1, TEXAS  
COUNTY, TEXAS, AT MY OFFICE LOCATED IN THE CITY OF DALLAS  
IN SAID DALLAS COUNTY, TEXAS--INSTANTER--THEN AND THERE TO ANSWER THE  
DATE OF TEXAS FOR AN OFFENSE AGAINST THE LAWS OF SAID STATE, TO WIT:

SEATBELT \$201.00

A MISDEMEANOR OF WHICH OFFENSE THE SAID WARD, LONNIE DEON  
IS ACCUSED BY THE WRITTEN COMPLAINT OF SHERIFF  
AND UNDER THE OATH OF CLEMONS FILED BEFORE ME.

DATE OF OFFENSE SEPTEMBER 21, 2002

DATE COMPLAINT FILED OCTOBER 01, 2002

WARRANT ISSUED TO CONST 1 DERRICK EVANS

HEREIN FAIL NOT BUT OF THIS WRIT MAKE DUE RETURN, SHOWING HOW YOU HAVE  
EXECUTED THE SAME.

WITNESS MY OFFICIAL SIGNATURE, THIS JUNE 07, 2005

*Thomas G. Jones*  
JUSTICE OF THE PEACE

SHERIFF OR CONSTABLE RETURN:

CAME TO HAND THE \_\_\_\_\_ DAY OF \_\_\_\_\_ AND  
EXECUTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

THOMAS G. JONES  
SHERIFF-CONSTABLE, PRECINCT NO. \_\_\_\_\_  
DALLAS COUNTY, TEXAS  
DEPUTY,  
FRES \$ \_\_\_\_\_

WARRANT NO. JTO2-3 16H  
BOND AMOUNT \$ 200.00

JUSTICE OF THE PEACE  
PRECINCT NO. 1 PLACE NO. 1  
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS  
VS.

WARD, LONNIE DEON  
5571 PINSON  
FT. WORTH, TX 76119

ALLIANCE WARRANT

TDL:16848250  
DOB:01-28-80  
B/MALE

SEATBELT \$201.00

MISDEMEANOR

WARRANT OF ARREST

WARRANT ISSUED JUNE 07, 2005

THOMAS G. JONES  
JUSTICE OF THE PEACE PREC. 1-  
DALLAS COUNTY  
7201 SOUTH POLK ST. STE. 112  
DALLAS, TEXAS 75232  
(972) 228-0280

TO ANY SHERIFF, CONSTABLE OR PEACE OFFICER OF THE STATE OF TEXAS -  
ARRESTINGS:

YOU ARE HEREBY COMMANDED TO ARREST AND DETAIN

WARD, LONNIE DEON

IF TO BE FOUND IN YOUR COUNTY AND BRING BEFORE ME, THOMAS G. JONES  
A JUSTICE OF THE PEACE IN AND FOR PRECINCT NO. 1, PLACE NO. 1, OF DALLAS  
COUNTY, TEXAS, AT MY OFFICE LOCATED IN THE CITY OF DALLAS, TEXAS  
IN SAID DALLAS COUNTY, TEXAS--INSTANTER--THEN AND THERE TO ANSWER THE  
LAW OF TEXAS FOR AN OFFENSE AGAINST THE LAWS OF SAID STATE, TO WIT:

INSURANCE (NONE) \$401.00

A MISDEMEANOR OF WHICH OFFENSE THE SAID WARD, LONNIE DEON  
IS ACCUSED BY THE WRITTEN COMPLAINT OF SHERIFF FILED BEFORE ME.  
AND UNDER THE OATH OF ELEMMONS

DATE OF OFFENSE SEPTEMBER 21, 2002

DATE COMPLAINT FILED OCTOBER 01, 2002

WARRANT ISSUED TO CONST & DERRICK EVANS

HEREIN FAIL NOT BUT OF THIS WRIT MAKE DUE RETURN, SHOWING HOW YOU HAVE  
EXECUTED THE SAME.

BY MY OFFICIAL SIGNATURE, THIS JUNE 07, 2005

*Thomas G. Jones*  
JUSTICE OF THE PEACE

SHERIFF OR CONSTABLE RETURN:

NAME TO HAND THE \_\_\_\_\_ DAY OF \_\_\_\_\_ AND  
EXECUTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

FEE \$ \_\_\_\_\_ SHERIFF-CONSTABLE, PRECINCT NO. \_\_\_\_\_  
DEPUTY. DALLAS COUNTY, TEXAS

WARRANT NO. JT02-343  
BOND AMOUNT \$ 200.00

JUSTICE OF THE PEACE  
PRECINCT NO. 1 PLACE NO. 1  
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS  
VS.

WARD, LONNIE DEON  
5571 PINGSON  
FT. WORTH, TX 76119

ALIAS WARRANT

TUL: 16848250  
DOB: 01-28-80  
B/MALE

INSURANCE (NONE) \$401.00

MISDEMEANOR

WARRANT OF ARREST

WARRANT ISSUED JUNE 07, 2005

THOMAS G. JONES  
JUSTICE OF THE PEACE PREC. 1-1  
DALLAS COUNTY  
7201 SOUTH POLK ST. STE. 112  
DALLAS, TEXAS 75232  
(972) 228-0280

TO ANY SHERIFF, CONSTABLE OR PEACE OFFICER OF THE STATE OF TEXAS-  
ARRESTINGS:

YOU ARE HEREBY COMMANDED TO ARREST AND DETAIN

WARD, LONNIE DEON

THOMAS G. JONES  
IF TO BE FOUND IN YOUR COUNTY AND BRING BEFORE ME, PLACE NO. 1, OF DALLAS  
A JUSTICE OF THE PEACE IN AND FOR PRECINCT NO. 1, PLACE NO. 1, TEXAS  
COUNTY, TEXAS, AT MY OFFICE LOCATED IN THE CITY OF DALLAS, TEXAS  
IN SAID DALLAS COUNTY, TEXAS--INSTANTER--THEN AND THERE TO ANSWER THE  
S TE. OF TEXAS FOR AN OFFENSE AGAINST THE LAWS OF SAID STATE, TO WIT:

FAIL TO DISPLAY DL \$241.00

A MISDEMEANOR OF WHICH OFFENSE THE SAID WARD, LONNIE DEON  
IS ACCUSED BY THE WRITTEN COMPLAINT OF SHERIFF FILED BEFORE ME.  
AND UNDER THE OATH OF CLEMMONS

DATE OF OFFENSE SEPTEMBER 21, 2002

DATE COMPLAINT FILED OCTOBER 01, 2002

WARRANT ISSUED TO CONST 1 DERRICK EVANS

HEREIN FAIL NOT BUT OF THIS WRIT MAKE DUE RETURN, SHOWING HOW YOU HAVE  
EXECUTED THE SAME.

IN WITNESS MY OFFICIAL SIGNATURE, THIS JUNE 07, 2005

*Thomas G. Jones*  
JUSTICE OF THE PEACE

SHERIFF OR CONSTABLE RETURN:

CAME TO HAND THE DAY OF  
EXECUTED THE DAY OF

SHERIFF-CONSTABLE, PRECINCT NO. \_\_\_\_\_ TEXAS  
DALLAS COUNTY, TEXAS

DEPUTY.

WARRANT NO. JT02-343

BOND AMOUNT \$ 200.00

JUSTICE OF THE PEACE  
PRECINCT NO. 1 PLACE NO. 1  
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS  
VS.

WARD, LONNIE DEON  
5571 PINSON  
FT. WORTH, TX 76119

**ALIAS WARRANT**

TDL: 16848250  
DOB: 01-28-80  
B/MALE

FAIL TO DISPLAY DL \$241.00  
MISDEMEANOR

WARRANT OF ARREST

WARRANT ISSUED JUNE 07, 2005

THOMAS G. JONES  
JUSTICE OF THE PEACE PREC. 1-1  
DALLAS COUNTY  
7201 SOUTH POLK ST. STE. 112  
DALLAS, TEXAS 75232  
(972) 228-0280

exh 3

DISCHARGE OF DEFENDANT CONVICTED ON OUT-OF-COUNTY OFFENSE

ORDERED, THAT Lannie Ward, DEFENDANT, WAS DISCHARGED IN THE FOLLOWING MANNER, IN ACCORDANCE WITH ARTICLE 15.18, CODE OF CRIMINAL PROCEDURE (CHECK ALL THAT APPLY):

PAID SAID AMOUNT IN ~~FULL~~ <sup>\$302.00</sup>; AND/OR  
 WAS GIVEN CREDIT FOR FINES AND COSTS AT 1 DAYS SERVED IN THE NAVARRO COUNTY JAIL.

OR

DEFENDANT HAS BEEN RELEASED FOR THE FOLLOWING REASON(S) (CHECK ONE):  
 INDIGENCY (SEE ATTACHED SWORN AFFIDAVIT OF INDIGENCY);  
 ILLNESS/INJURIES \_\_\_\_\_; OR  
 OTHER: \_\_\_\_\_

SIGNED AND ENTERED THIS THE 3 DAY OF February, 2005

Vicki Gray  
JUSTICE OF THE PEACE  
NAVARRO COUNTY, TEXAS

\*\*\*\*\*

TRANSMITTAL TO COURT HAVING JURISDICTION

I, Vicki Gray, JUSTICE OF THE PEACE OF NAVARRO COUNTY, TEXAS, DO HEREBY CERTIFY THIS IS A TRUE AND CORRECT TRANSCRIPT OF THE ABOVE-STYLE AND NUMBERED CAUSE AND IN ACCORDANCE WITH ART. 15.18, TEXAS CODE OF CRIMINAL PROCEDURE, DO DECLARE THAT ON THIS THE 3 DAY OF February, 2005, BEFORE THE 11<sup>th</sup> BUSINESS DAY AFTER THE PROCEEDINGS THAT WERE HELD IN THE CASE, AND DO HEREWITH TRANSMIT THE WRITTEN PLEA, ALL ORDERS ENTERED IN THE CASE AND ANY FINE AND /OR COSTS COLLECTED IN THE CASE WERE TRANSMITTED TO THE JUSTICE/MUNICIPAL COURT HAVING JURISDICTION OF THE CASE, \_\_\_\_\_, JUSTICE OF THE PEACE Dallas COUNTY, TEXAS /OR \_\_\_\_\_, MUNICIPAL JUDGE, CITY OF \_\_\_\_\_.

EXHIBIT "20"

SIGNED AND ENTERED THIS THE 3 DAY OF February, 2005

Vicki Gray  
JUSTICE OF THE PEACE  
NAVARRO COUNTY, TEXAS



**Navarro County Sheriff's Department**

Criminal Justice Center  
312 West 2 nd. Ave.  
Corsicana, TX 75110  
903-654-3002

*exh. 4*

Leslie Cotten  
Sheriff

Don Barron  
Chief Deputy

Date 01/31/2005

Dallas County SO  
133 N. Industrial Blvd  
Dallas, Tx 75207

Dear Sir:

Attached is a check for fines and/or cash bonds for the case listed below:

WARRANT J02343184, J0234319H AMOUNT \$302.00 CHARGE: no seat belt, FMFR, fail d

Defendant: Lonnie Dean Ward FOR: fines

Check Number 29207

Leslie Cotten, SHERIFF

BY Tommie Blue  
Deputy

EXHIBIT "21"

EXHIBIT C-1

000009

NAVARRO COUNTY  
TRUST FUND  
300 W. THIRD AVE. SUITE 10  
CORSICANA, TX 75110

FIRST STATE BA  
CORSICANA, TX J  
88-1060/1119

02920

029207  
1/31/2005

PAY TO THE  
ORDER OF

Dallas County Sheriff's Office

\$ \*\*\*\*\*\$302.00

\*\*\*\*\*Three Hundred Two and NO/100 \*\*\*\*\* DOLLARS

Dallas County Sheriff's Office  
133 N. Industrial Blvd.  
Dallas, Texas 75207

*[Signature]*  
COUNTY AUDITOR

*[Signature]*  
COUNTY TREASURER

⑈029207⑈ ⑆111910607⑆ 220 070 7⑈

⑈0000030200⑈

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

exh. 4

EXHIBIT "22"

000010

EXHIBIT C-1

exh. 5

FOR DEPOSIT ONLY  
DALLAS COUNTY SHERIFF  
LUP. SHERIFF

DO NOT SIGN / WRITE / STAMP BELOW THIS LINE.  
FOR FINANCIAL INSTITUTION USAGE ONLY

PROSPERITY BANK  
FDG 416  
03/07/04  
N 0066  
0001  
0001  
0001

11000038  
691285  
BANK OF AMERICA NA  
ENT-216 INC-216 PK-216  
11000038  
02/28/04



**Navarro County Sheriff's Department**

Criminal Justice Center  
312 West 2 nd. Ave.  
Corsicana, TX 75110  
903-654-3002

*exh. 4*

Leslie Cotten  
Sheriff

Don Barron  
Chief Deputy

Date 01/31/2005

Dallas County SO  
133 N. Industrial Blvd  
Dallas, Tx 75207

Dear Sir:

Attached is a check for fines and/or cash bonds for the case listed below:

WARRANT J02343184, J0234319H AMOUNT \$302.00 CHARGE: no seat belt, FMFR, fail d

Defendant: Lonnie Dean Ward FOR: finer

Check Number 29207

Leslie Cotten, SHERIFF

BY Tommie Blue  
Deputy

EXHIBIT "21"

EXHIBIT C-1

000009



BAIL BOND (Cash Bond)  
THE STATE OF TEXAS, COUNTY OF DALLAS

JAIL LOCATION

5/25

Other

**LONNIE**

**DEON**

**WARD**

(First)

(Middle)

(Last)

Race: **Black**

Sex: **Male**

DOB: **01/28/1980**

Bond No: **R0234318**

MISDEMEANOR \_\_\_\_\_

FELONY

Judge:

Book-in No:

Date: **2/24/2005**

Case/Warrant No: **J0234318H**

Time: **12:33 PM**

**CASH BOND**

Receipt No: **05014126**

Know all men by these presents: that we **LONNIE DEON WARD** as Principal, and the undersigned **LONNIE D WARD** as Surety, are held firmly bound unto the State of Texas in the penal sum of **thirty seven** dollars (\$ **37.00** ) and in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by any peace officer in re-arresting the said Principal in the event any of the stated conditions of this bond are violated for the payment of which sum or sums will and truly to be made, we do bind ourselves, and each of us, our heirs, executors and administrators, jointly and severally.

The condition of this bond is that the defendant has been charged with **SEATBELT** and to secure his/her release from custody is entering into this obligation binding him to make a personal appearance (instanter) before Court to which the same may be transferred and based on said charge.

This bond shall remain in effect until discharged by due course of law

Witness our hand this **24th** day of **February**, A.D. **2005**.

Principal's signature witnessed by:

Jailer \_\_\_\_\_  
Agency: \_\_\_\_\_

Principal  
Address: **5571 PINSON**  
City: **FT WORTH** State: **TX**  
Zip: **76119** Phone: \_\_\_\_\_

CASH

BOND

Taken and approved by me this \_\_\_\_\_ day  
of \_\_\_\_\_

Surety  
Address: **5571 PINSON**  
City: **FT WORTH** State: **TX**  
Zip: **76119** Phone: ( ) \_\_\_\_\_

Lupe Valdez, Sheriff, Dallas Co., Texas  
By: \_\_\_\_\_ Deputy

EXHIBIT "23"

EXHIBIT J-1

000020



5/25

**BAIL BOND (Cash Bond)** FILED JAIL LOCATION  
THE STATE OF TEXAS, COUNTY OF DALLAS Other

vs.  
**LONNIE DEON WARD**  
(First) (Middle) (Last)  
Race: **Black** Sex: **Male** DOB: **01/28/1980**

Bond No: **R0234319**  
Judge:  
Date: **2/24/2005**  
Time: **12:19 PM**

MISDEMEANOR  
**CASH BOND**

FELONY   
Book in No: **JUDGE THOMAS G. JONES**  
Case/Warrant No: **00234319H**  
Receipt No: **05014124**

Know all men by these presents: that we LONNIE DEON WARD as Principal, and the undersigned LONNIE D WARD as Surety, are held firmly bound unto the State of Texas in the penal sum of one hundred eighty dollars (\$ **180.00** ) and in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by any peace officer in re-arresting the said Principal in the event any of the stated conditions of this bond are violated for the payment of which sum or sums will and truly to be made, we do bind ourselves, and each of us, our heirs, executors and administrators, jointly and severally.

The condition of this bond is that the defendant has been charged with NISURANCE (NONE) and to secure his/her release from custody is entering into this obligation binding him to make a personal appearance (instanter) before Court to which the same may be transferred and based on said charge.

This bond shall remain in effect until discharged by due course of law

Witness our hand this 24th day of February, A.D. 2005.

Principal's signature witnessed by:

Jailer  
Agency: \_\_\_\_\_

Principal  
Address: **5571 PINSON**  
City: **FT WORTH** State: **TX**  
Zip: **76119** Phone: \_\_\_\_\_

CASH

BOND

Taken and approved by me this \_\_\_\_\_ day  
of \_\_\_\_\_

Surety  
Address: **5571 PINSON**  
City: **FT WORTH** State: **TX**  
Zip: **76119** Phone: ( ) \_\_\_\_\_

Lupe Valdez, Sheriff, Dallas Co., Texas  
By: \_\_\_\_\_ Deputy



FILED

5/25

BAIL BOND (Cash Bond) THE STATE OF TEXAS, COUNTY OF DALLAS

JAIL LOCATION

AM 9:59

Other

LONNIE

DEON

WARD

(First)

(Middle)

(Last)

Race: Black

Sex: Male

DOB: 01/28/1980

JUDGE THOMAS G. JONES FEB 24 2005

Bond No: R0234320

MISDEMEANOR

Judge:

Date: 2/24/2005

Time: 12:44 PM

CASH BOND

Book-in No:

Case/Warrant No: J0234320H

Receipt No: 05014129

Know all men by these presents: that we LONNIE DEON WARD as Principal, and the undersigned LONNIE D WARD as Surety, are held firmly bound unto the State of Texas in the penal sum of eighty five dollars (\$ 85.00 ) and in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by any peace officer in re-arresting the said Principal in the event any of the stated conditions of this bond are violated for the payment of which sum or sums will and truly to be made, we do bind ourselves, and each of us, our heirs, executors and administrators, jointly and severally.

The condition of this bond is that the defendant has been charged with FAIL TO DISPLAY DL and to secure his/her release from custody is entering into this obligation binding him to make a personal appearance (instanter) before Court to which the same may be transferred and based on said charge.

This bond shall remain in effect until discharged by due course of law

Witness our hand this 24th day of February, A.D. 2005

Principal's signature witnessed by:

Jailer Agency:

Principal Address: 5571 PINSON City: FT WORTH State: TX Zip: 76119 Phone: \_\_\_\_\_

CASH

BOND

Taken and approved by me this \_\_\_\_\_ day of \_\_\_\_\_

Surety Address: 5571 PINSON City: FT WORTH State: TX Zip: 76119 Phone: ( ) \_\_\_\_\_

Lupe Valdez, Sheriff, Dallas Co., Texas By: \_\_\_\_\_ Deputy

\*\*\*\*\*  
 \*\* THOMAS G. JONES \*\*  
 \*\* DALLAS COUNTY \*\*  
 \*\* JUSTICE OF THE PEACE PRECINCT 1 FLAG 1 \*\*  
 \*\* 7201 SOUTH POLK ST. STE. 112 \*\*  
 \*\* DALLAS, TEXAS 75232 \*\*  
 \*\* (972) 228-0250 \*\*  
 \*\*\*\*\*

DATE: 04/09/85

DEFENDANT:  
 WARD, LONNIE DEON  
 2574 PINSON  
 FT. WORTH, TX 76119

RE: CASE NO. JT-0234310H  
 THE STATE OF TEXAS VS. WARD, LONNIE DEON  
 OFFENSE: SEATBELT \$151.00

YOU ARE HEREBY ORDERED TO APPEAR BEFORE THIS COURT ON OR BEFORE 2:00 P.M. ON THE 25 DAY OF  
 MAY, 2005 TO ENTER A PLEA TO THE ABOVE REFERENCED CHARGE. YOUR FAILURE TO ANSWER  
 OR APPEAR WILL RESULT IN A BOND FORFEITURE AND A WARRANT FOR YOUR ARREST BEING RE-ISSUED.

IF YOU DESIRE TO ENTER A PLEA OF NO CONTEST, THE MINIMUM FINE WILL BE ASSESSED.

IF YOU DESIRE TO ENTER A PLEA OF NOT GUILTY AND REQUEST A TRIAL, CONTACT THE COURT ON OR  
 BEFORE THE ABOVE LISTED DATE.

RESPECTFULLY,

*Thomas G. Jones*  
 THOMAS G. JONES  
 JUSTICE OF THE PEACE

CC: COURT

EXHIBIT "24"

TO ANY SHERIFF, CONSTABLE OR PEACE OFFICER OF THE STATE OF TEXAS-  
GREETINGS:

YOU ARE HEREBY COMMANDED TO ARREST AND DETAIN

WARD, LONNIE DEON

IF TO BE FOUND IN YOUR COUNTY AND BRING BEFORE ME, THOMAS G. JONES  
A JUSTICE OF THE PEACE IN AND FOR PRECINCT NO. 1, PLACE NO. 1, OF DALLAS  
COUNTY, TEXAS, AT MY OFFICE LOCATED IN THE CITY OF DALLAS, TEXAS  
I SAID DALLAS COUNTY, TEXAS--INSTANTER--THEN AND THERE TO ANSWER THE  
LAW OF TEXAS FOR AN OFFENSE AGAINST THE LAWS OF SAID STATE, TO WIT:

SEATBELT \$201.00

A MISDEMEANOR OF WHICH OFFENSE THE SAID WARD, LONNIE DEON  
IS ACCUSED BY THE WRITTEN COMPLAINT OF SHERIFF  
AND UNDER THE OATH OF CLEMMONS FILED BEFORE ME.

DATE OF OFFENSE SEPTEMBER 21, 2002

DATE COMPLAINT FILED OCTOBER 01, 2002

WARRANT ISSUED TO CONST 1 DERRICK EVANS

HEREIN FAIL NOT BUT OF THIS WRIT MAKE DUE RETURN, SHOWING HOW YOU HAVE  
EXECUTED THE SAME.

WITNESS MY OFFICIAL SIGNATURE, THIS JUNE 07, 2005

*Thomas G. Jones*  
JUSTICE OF THE PEACE

SHERIFF OR CONSTABLE RETURN:

CAME TO HAND THE \_\_\_\_\_ DAY OF \_\_\_\_\_ AND  
EXECUTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

FEES \$ \_\_\_\_\_ SHERIFF-CONSTABLE, PRECINCT NO. \_\_\_\_\_  
DEPUTY, DALLAS COUNTY, TEXAS

WARRANT NO. JT02-3088  
BOND AMOUNT \$ 200.00

JUSTICE OF THE PEACE  
PRECINCT NO. 1 PLACE NO. 1  
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS  
VS.

WARD, LONNIE DEON  
5571 PINSON  
FT. WORTH, TX 76119

*ALLIANCE WARRANT*

TDL:16848250  
DOB:01-28-80  
B/M/MALE

SEATBELT \$201.00

MISDEMEANOR

WARRANT OF ARREST

WARRANT ISSUED JUNE 07, 2005

EXHIBIT "25"

THOMAS G. JONES  
JUSTICE OF THE PEACE PREC. 1-  
DALLAS COUNTY  
7201 SOUTH POLK ST. STE. 112  
DALLAS, TEXAS 75232  
(972) 228-0280

CHARGE IX  
RESPONSE TO COMPLAINT NO. 9  
BY NICKALETTE COOK BRISBY  
AND JOHN COOK  
(CJC NO. 07-0393-JP)

**Exhibits 26 and 27**



Texas Department of Transportation

TITLE APPLICATION RECEIPT

COUNTY: DALLAS TAC NAME: DAVID CHILDS EFFECTIVE DATE: 04/28/2006
DATE: 04/28/2006 EXPIRATION DATE: 3/2007
PLATE NO: 065LNY TIME: 05:09PM TRANSACTION ID: 05746938833170948
DOCUMENT NO: 05746938833170948 EMPLOYEE ID: 09C2212

OWNER NAME AND ADDRESS
NICKALETTE COOK
4511 HAMBLEN DR
DALLAS, TX 75232

REGISTRATION CLASS: PASSENGER-LESS/EQL 6000
PLATE TYPE: PASSENGER PLT
STICKER TYPE: WS

VEHICLE IDENTIFICATION NO: 4A3AJ56G0RE084644 VEHICLE CLASSIFICATION: PASS
YR/MAKE: 1994/MITS MODEL: BODY STYLE: 4D UNIT NO:
EMPTY WT: 3000 CARRYING CAPACITY: 0 GROSS WT: 3000 TONNAGE: 0.00 TRAILER TYPE:
BODY VEHICLE IDENTIFICATION NO: TRAVEL TRLR LNG/WDTH: 0
PREV OWNER NAME: RITE CHOICE AUTO SALES PREV CITY/STATE: DALLAS, TX

INVENTORY ITEM(S) YR
PASSENGER PLT 2007
WINDSHIELD STICKER

VEHICLE RECORD NOTATIONS
RELEASE OF PERSONAL INFO RESTRICTED

Table with 2 columns: FEES ASSESSED, AMOUNT. Includes items like TITLE APPLICATION FEE (13.00), TERP FEE (20.00), SALES TAX FEE (46.88), etc.

METHOD OF PAYMENT AND PAYMENT AMOUNT:
CHECK #1050 \$ 132.68
TOTAL AMOUNT PAID \$ 132.68

ODOMETER READING: EXEMPT BRAND:
OWNERSHIP EVIDENCE: AUCTION SALES RECEIPT
1ST LIEN

SALES TAX CATEGORY: SALES/USE

Table with 2 columns: Description, Amount. Includes Sales Tax Date: 04/13/2006, Sales Price \$750.00, Less Trade In Allowance \$0.00, etc.

2ND LIEN

3RD LIEN

Handwritten signatures and notes.

A ticket has not been received for expired registration on the above described vehicle.

THIS RECEIPT TO BE CARRIED IN ALL COMMERCIAL VEHICLES.

Current law requires an additional \$1.00 fee (already included) in counties with 50,000 or more vehicles.
THIS RECEIPT IS YOUR PROOF OF APPLICATION FOR CERTIFICATE OF TITLE AND REGISTRATION.



# DERICK EVANS



## CONSTABLE, PRECINCT 1 DALLAS COUNTY

December 24, 2008

Dallas County Constable's Office - Pct. 1  
7201 S. Polk St.  
Dallas, Tx 75232

RE: Citation #002793513

To Whom It May Concern:

On April 25, 2006 Ofc K.S. Head #107 was working traffic enforcement on Ledbetter (near its intersection with Woodhollow), in the city and county of Dallas, Tx when she observed a 1994 Mitsubishi 4-door displaying a temporary tag that was not filled out completely. The temporary tag displayed an expiration date only. Ofc Head initiated a traffic stop and contacted the driver who identified herself with TX DL #18254705 as Brisby, Nickalette Nicole (b/f, 06-17-80). Ms Brisby presented a copy of her bill of sale listing the purchase date as 03-30-06. The date the offense occurred and the expiration date on the temporary tag were more than 21 days after the purchase date. Cardboard temporary tags are good for not more than 21 days after the date of purchase. The 1994 Mitsubishi also displayed the hard license plates under the cardboard tag and an expired motor vehicle registration sticker. If Ms. Brisby felt she was cited improperly, she failed to file a complaint with this office allowing us the opportunity to secure and review the video tape which is kept for 90 days.

Ms Brisby was subsequently provided with a court date. The prosecution presented the case and Ofc Head gave her testimony. Once the prosecution was finished Ms Brisby was advised she could question Ofc Head and the prosecution regarding the citation. Once Ms Brisby advised she was finished questioning Ofc Head, she was provided an opportunity to give her testimony and present any evidence to the court and Judge Thomas G. Jones. Once she advised she was finished with her testimony and evidence presentation, Judge Thomas G. Jones ruled on the case.

Respectfully,

Signature K.S. Head #107

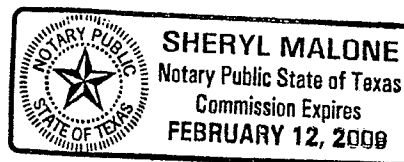
Deputy Kelly Head #107

**SWORN TO AND SUBSCRIBED  
BEFORE ME, THIS 24th DAY OF  
DECEMBER, 2008**

EXHIBIT "27"

Sheryl Malone  
Notary Public Dallas, County Texas

Sheryl Malone 02/12/09



CHARGE XI  
RESPONSE TO COMPLAINT NO. 11  
BY TAMMIE KAY SMITH  
(CJC NO. 07-0559-JP)

**Exhibit 28**

**AFFIDAVIT OF DEPUTY OTHA JACKSON #127**

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS       §

**BEFORE ME**, the undersigned authority, on this day personally appeared DEPUTY OTHA JACKSON #127, and being, by me, duly sworn, deposes and states as follows:

“My name is OTHA JACKSON, and I am duly competent to make this Affidavit. I am over eighteen (18) years of age, of sound mind, and I am capable of making this Affidavit. I have personal knowledge of the facts herein stated, and they are true and correct.

I am employed with the Dallas County Constable's Office, Precinct 1. I am currently assigned as bailiff for Judge Thomas G. Jones, Justice of the Peace, Precinct 1, Place 1. Regarding the events of February 1, 2007, I recall that Judge Thomas G. Jones as he normally does, invites the people in court to ask questions to which he would respond accordingly. Mrs. Smith asked her question, Judge Jones responded, and moved to the next person. As Judge Jones attempted to respond to the questions of others present in the court, Mrs. Smith would interrupt before he could finish. This occurred about 2 to 3 times. Each time the Judge would ask Mrs. Smith not to interrupt but she continued.

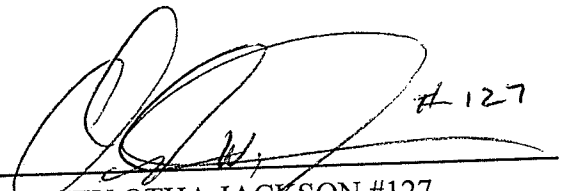
At one point Mrs. Smith was called to the bench the Judge informed her that he was placing her on notice that if she continued to interrupt she would be held in contempt. Mrs. Smith returned to her seat, but continued to interrupt the Judge and the court proceedings. The Judge called her to the bench and reminded her of his previous warning and at that point held her in contempt.

When the Judge held Mrs. Smith in contempt, it is normal protocol that I then detain the individual by placing them in handcuffs. At no time did Judge Jones order me to place Mrs. Smith

in handcuffs. I handcuffed Mrs. Smith with her hands behind her back, as she began to complain the Judge asked me about the proper procedure for the use of handcuffs and could I provide her relief by handcuffing her with her hands in front. I informed the Judge that I could and he then asked that I do so. I complied with the Judges' request and handcuffed her with her hands in front."

FURTHER AFFIANT SAYETH NOT.

SIGNED this 7 day of JANUARY, 2009.

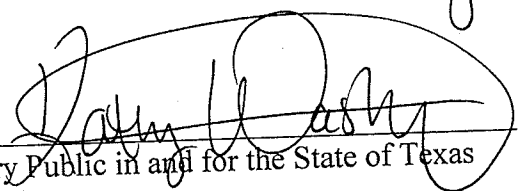
 #127  
DEPUTY OTHA JACKSON #127  
Affiant

STATE OF TEXAS §  
  §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared DEPUTY OTHA JACKSON #127, who stated to me on oath that he has read the foregoing Affidavit and has personal knowledge of the facts stated therein, and they are true and correct, and that he has executed this Affidavit for the purposes therein expressed.

SWORN AND SUBSCRIBED TO BEFORE ME on the 7<sup>th</sup> day of January, 2009.



  
Notary Public in and for the State of Texas

CHARGE XII  
RESPONSE TO COMPLAINT NO. 12  
BY CAROLYN JOHNSON-LEGENBRE  
(CJC NO. 07-0966-JP)

**Exhibits 29**

# DERICK EVANS



## CONSTABLE, PRECINCT 1 DALLAS COUNTY

December 24, 2008

Dallas County Constable's Office - Pct. 1  
7201 S. Polk St.  
Dallas, Tx 75232

RE: Citation #002759940

To Whom It May Concern:

On November 30, 2005 Ofc A. Harris #131 was working traffic enforcement in the 3100 blk of Martin Luther King Jr Blvd (which is a school zone between the hours of 2:45 pm and 4:30 pm), in the city and county of Dallas, Tx when he observed a 2000 Saturn 4-door traveling at a speed that appeared to be greater than the posted speed of 20 mph. Ofc A. Harris verified the speed of the Saturn using his radar and discovered the speed to be 31 mph. Ofc A. Harris initiated a traffic stop and made contact with the driver, who identified herself with TX DL #09568713 as Legendre, Carolyn Johnson (b/f, 07-15-62).

While attempting to obtain pertinent information for citation purposes, Ofc Harris was met with opposition. Ms. Legendre was uncooperative, argumentative and prolonged the traffic stop several minutes. At the time of the traffic stop the flashing lights indicating an active school zone were activated. The times for an active school zone are also clearly posted on the signs. The vehicle was stopped prior to 4:30 pm. The citation was completed and printed at 4:35 pm. An average traffic stop takes approximately 5-7 minutes when all necessary information is obtained in a timely manner. Ofc Harris did make abbreviated notes on his citation indicating that Ms. Legendre was uncooperative and rude during his stop, and a copy of the citation has been attached. If Ms. Legendre felt she was stopped after the school zone ended, she failed to file a complaint with this office allowing us the opportunity to secure and review the video tape which is kept for 90 days.

Ms Legendre was subsequently provided with a court date. The prosecution presented the case and Ofc Harris gave his testimony. Once the prosecution was finished Ms. Legendre was advised she could question Ofc Harris and the prosecution regarding the citation. Once Ms. Legendre advised she was finished questioning Ofc Harris, she was provided an opportunity to give her testimony and present any evidence to the court and Judge Thomas G. Jones. Once she advised she was finished with her testimony and evidence presentation, Judge Thomas G. Jones ruled on the case.

Respectfully,

**EXHIBIT "29"**

Signature Andrew Harris 131

Deputy Andrew Harris #131

SWORN TO AND SUBSCRIBED BEFORE ME,  
THIS 24 DAY OF DECEMBER, 2008

Sheryl Malone  
Notary Public Dallas, County Texas  
Sheryl Malone 02/12/09

