

## Tonya Spaeth Ahlschwede

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**From:** Yvette Garcia <yvette.garcia@co.kinney.tx.us>  
**Sent:** Sunday, November 28, 2021 4:46 PM  
**To:** Kitty Schild; Segovia; briscoe.atc@tdcj.texas.gov; Lisa Chamblee Greenwalt; Tere Faz; Clerk; Nicole Mata; BPU OLS; Brent Smith; Tonya Spaeth Ahlschwede; Sue Castro; Kristin Etter; sylvia@sdelgadolaw.com  
**Subject:** Cancellation of County OLS Zoom Invite 12.03.21

Good evening, everyone

Hope you are all well and your holidays were filled with lots of rest and relaxation with family.

This is to notify you that all hearings for November 29 thru December 3, 2021 have been cancelled.

Unfortunately, the Judge and I have come down within Covid and shortage of staff and has prevented us from conducting any further business at this time .

We apologize for any inconvenience and will try to get back to normal just as soon as we get to feeling better. In the meantime, I will try my best to deliver any last orders still pending asap.

Thank you

God Bless and Take Care!

Yvette Garcia

---

**From:** Yvette Garcia  
**Sent:** Tuesday, November 23, 2021 4:35 PM  
**To:** Kitty Schild <kschild@elp.rr.com>; Segovia <segovia.atc@tdcj.texas.gov>; briscoe.atc@tdcj.texas.gov <briscoe.atc@tdcj.texas.gov>; Lisa Chamblee Greenwalt <greenwalt@gvvc.com>; Tere Faz <terefaz@yahoo.com>; Clerk <clerk.ralvarado@co.kinney.tx.us>; Nicole Mata <n.mata@co.kinney.tx.us>; BPU <bpuols@452da.net>; Brent Smith <bsmith@co.kinney.tx.us>; Tonya Spaeth Ahlschwede <tsa@452da.net>; Sue Castro <kc.courts@co.kinney.tx.us>; Kristin Etter <ketter@trla.org>; sylvia@sdelgadolaw.com <sylvia@sdelgadolaw.com>  
**Subject:** Kinney County OLS Zoom Invite 12.03.21

Kinney County is inviting you to a scheduled Zoom meeting.

Topic: Kinney County's OLS Zoom Meeting  
Time: Dec 3, 2021 08:30 AM Central Time (US and Canada)

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<https://txcourts.zoom.us/j/93810981290>

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## Tonya Spaeth Ahlschwede

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**From:** Sylvia Delgado <sylvia@sdelgadolaw.com>  
**Sent:** Sunday, November 28, 2021 6:14 PM  
**To:** Yvette Garcia; Segovia; briscoe.atc@tdcj.texas.gov; Lisa Chamblee Greenwalt; Tere Faz; Clerk; Nicole Mata; BPU OLS; Brent Smith; Tonya Spaeth Ahlschwede; Sue Castro; Kristin Etter  
**Subject:** Re: Cancellation of County OLS Zoom Invite 12.03.21

Oh Yvette, so sorry to hear that.  
I would like to confirm: is this true for Judge Shahan and Judge Torres's court, too?  
Sylvia

On 11/28/2021 4:45 PM, Yvette Garcia wrote:

Good evening, everyone

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Yvette Garcia

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--

Sylvia Delgado  
OLS Crim.Def.Atty.

## Tonya Spaeth Ahlschwede

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**From:** Kristin Etter <ketter@trla.org>  
**Sent:** Monday, November 29, 2021 8:52 AM  
**To:** Yvette Garcia; Kitty Schild; Segovia; briscoe.atc@tdcj.texas.gov; Lisa Chamblee Greenwalt; Tere Faz; Clerk; Nicole Mata; BPU OLS; Brent Smith; Tonya Spaeth Ahlschwede; Sue Castro; sylvia@sdelgadolaw.com  
**Cc:** Rachel Garza(AUS)  
**Subject:** RE: Cancellation of County OLS Zoom Invite 12.03.21

Good morning all –

Ms. Garcia, I am so sorry to hear that I am hoping for a swift recovery for both you and the Judge. If there is anything we can do to help, aside from not bothering you so you can focus on your health, please let me know.

In the meantime, I will be reaching out to the parties to see if there is a way we can obtain reset dates and agreed personal bonds for those in custody. We already notified our out-of-custody clients for this week. To make it easier, we can file waivers of arraignment and request pretrial hearing dates at a time in the future that will be convenient for the court.

Best,  
Kristin

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**Sent:** Monday, November 29, 2021 8:58 AM  
**To:** Tonya Spaeth Ahlschwede; bsmith@co.kinney.tx.us  
**Cc:** Rachel Garza(AUS)  
**Subject:** FW: Cancellation of County OLS Zoom Invite 12.03.21

Good morning –

Below is a list of our clients who are in-custody that were scheduled for arraignments this week. We would like to file waivers of arraignments and request a pretrial motions hearing in those cases. Is it possible to get a reset date and agreed personal bonds without having to involve Yvette? Please let me know and thank you.

Best,  
Kristin

Alexander Arriaga Flores  
Jose Manuel Montejo Gomez  
Javier Damian Canul  
Jesus Miguel Ortiz Canul  
Roberto Carlos Perez Canul  
Carlos Alberto Godoy Ordonez  
Jairo Joel Guevara Linarez  
Josue Naun Buezo Mendosa  
Carlos Eduardo Vasquez Mazariegos  
Jose Eliseo Bonilla Paz  
Jason Josue Lopez Bonillo  
Erick Vioney Arana Arriola  
Ivan Evier Padilla Pineda  
Luis Alberto Rodriguez Lopez  
Cristian Ariel Fajardo Lopez  
Edgar Manrique Padilla Flores  
Cristian Calix Reyes  
Cristian Josue Sambrano Guevara

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**Sent:** Monday, November 29, 2021 11:09 AM  
**To:** Tonya Spaeth Ahlschwede; bsmith@co.kinney.tx.us  
**Cc:** Rachel Garza(AUS)  
**Subject:** Personal Bond Requests  
**Attachments:** 10403CR Rodriguez Lopez, Luis Alberto - Agreed Order Granting Bond Reduction.docx; 10450CR Montejo Gomez, Jose Manuel - Agreed Order Granting Bond Reduction.docx; 10451CR Canul, Javier Damian - Agreed Order Granting Bond Reduction.docx; 10452CR Ortiz Canul, Jesus Miguel - Agreed Order Granting Bond Reduction.docx; 10453CR Perez Canul, Roberto Carlos - Agreed Order Granting Bond Reduction.docx; 10454CR Godoy Ordonez, Carlos Alberto - Agreed Order Granting Bond Reduction.docx; 10455CR Guevara Linarez, Jairo Joel - Agreed Order Granting Bond Reduction.docx; 10456CR Buezo Mendosa, Josue Naun - Agreed Order Granting Bond Reduction.docx; 10457CR Vasquez Mazariegos, Carlos Eduardo - Agreed Order Granting Bond Reduction.docx; 10458CR Bonilla Paz, Jose Eliseo - Agreed Order Granting Bond Reduction.docx; 10459CR Lopez Bonillo, Jason Josue - Agreed Order Granting Bond Reduction.docx; 10460CR Arana Arriola, Erick Vioney - Agreed Order Granting Bond Reduction.docx; 10462CR Padilla Pineda, Ivan Evier - Agreed Order Granting Bond Reduction.docx; 10473CR Fajardo Lopez, Cristian Ariel - Agreed Order Granting Bond Reduction.docx; 10475CR Padilla Flores, Edgar Manrique - Agreed Order Granting Bond Reduction.docx; 10476CR Arriaga Flores, Alexander - Agreed Order Granting Bond Reduction.docx; 10484CR Reyes, Cristian Calix - Agreed Order Granting Bond Reduction.docx; 10499CR Sambrano Guevara, Cristian Josue - Agreed Order Granting Bond Reduction.docx

Good afternoon –

I am just following up on my email from this morning with the attached personal bond requests for our in-custody clients this week. I do not want to bother Yvette with this but rather will reach out to the visiting judges or the magistrates to request rulings so please let me know as soon as you can if you are opposed or unopposed. We will file written waivers of arraignment and request the cases be reset to a pretrial motions hearing at a time in the future that is convenient for the court.

Thanks,  
Kristin

## Tonya Spaeth Ahlschwede

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**From:** Sylvia Delgado <sylvia@sdelgadolaw.com>  
**Sent:** Monday, November 29, 2021 1:45 PM  
**To:** Brandon Kirkpatrick; Yvette Garcia; Tonya Spaeth Ahlschwede; t sanchez;  
bsmith@co.kinney.tx.us  
**Subject:** Re: Livan La Pera Gonzalez

Two hours later and no reply so I will ask you **Brent**, have you seen this Order?  
Can you sign and send it to the Judge directly via email?  
Can you please send it to Segovia to get him released?  
Sylvia

On 11/29/2021 11:47 AM, Sylvia Delgado wrote:

Yvette,

Can we please proceed on this Order via email? Judge Genie Wright agreed to sign it Wednesday.  
Tonya sent to Brent last time I saw it.  
It is agreed between me and Tonya. This confinee has been in jail the longest time (110 days or so) and  
all he needs is an agreed no fee PR.  
He is suffering mental decline and depression.  
He is Cuban and will not be deported. He has family here calling about him every day.  
Please help.  
Sylvia

On 11/24/2021 12:28 PM, Brandon Kirkpatrick wrote:

I am reviewing the documents and I am not seeing the below listed person on the orders.

On 11/24/2021 1:09 PM Sylvia Delgado <[sylvia@sdelgadolaw.com](mailto:sylvia@sdelgadolaw.com)> wrote:

Please do not leave without getting Livan La Pera Gonzalez's order signed and sent off to SEGOVIA for his immediate release.  
He has been in custody 110 days without a Cause Number. He is in mental decline. The Parties agreed to a No Fee PR Bond today.  
Judge Wright agreed to sign it today.  
Sylvia

On 11/24/2021 12:04 PM, Yvette Garcia wrote:

Attached are the orders from 11.23.21 Hearing.

Happy Thanksgiving to all!

--  
Sylvia Delgado

OLS Crim.Def.Atty.

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Sylvia Delgado  
OLS Crim.Def.Atty.

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**Sent:** Monday, November 29, 2021 2:09 PM  
**To:** Sylvia Delgado; Brandon Kirkpatrick; Yvette Garcia; Tonya Spaeth Ahlschwede; Tiffani Sanchez  
**Subject:** Re: Livan La Pera Gonzalez

Sylvia,

I'll look into this and get back to you within the hour on what the status is.

---

**From:** Sylvia Delgado <sylvia@sdelgadolaw.com>  
**Sent:** Monday, November 29, 2021 1:45 PM  
**To:** Brandon Kirkpatrick <michael.k@reconacontracting.com>; Yvette Garcia <yvette.garcia@co.kinney.tx.us>; Tonya Spaeth Ahlschwede <tsa@452da.net>; Tiffani Sanchez <t.sanchez@co.kinney.tx.us>; Brent Smith <bsmith@co.kinney.tx.us>  
**Subject:** Re: Livan La Pera Gonzalez

Two hours later and no reply so I will ask you **Brent**, have you seen this Order?  
Can you sign and send it to the Judge directly via email?  
Can you please send it to Segovia to get him released?  
Sylvia

On 11/29/2021 11:47 AM, Sylvia Delgado wrote:

Yvette,

Can we please proceed on this Order via email? Judge Genie Wright agreed to sign it Wednesday. Tonya sent to Brent last time I saw it. It is agreed between me and Tonya. This confinee has been in jail the longest time (110 days or so) and all he needs is an agreed no fee PR. He is suffering mental decline and depression. He is Cuban and will not be deported. He has family here calling about him every day. Please help.  
Sylvia

On 11/24/2021 12:28 PM, Brandon Kirkpatrick wrote:

I am reviewing the documents and I am not seeing the below listed person on the orders.

On 11/24/2021 1:09 PM Sylvia Delgado <[sylvia@sdelgadolaw.com](mailto:sylvia@sdelgadolaw.com)> wrote:

Please do not leave without getting Livan La Pera Gonzalez's order signed and sent off to SEGOVIA for his immediate release. He has been in custody 110 days without a Cause Number. He is in

mental decline. The Parties agreed to a No Fee PR Bond today.  
Judge Wright agreed to sign it today.  
Sylvia

On 11/24/2021 12:04 PM, Yvette Garcia wrote:

Attached are the orders from 11.23.21 Hearing.

Happy Thanksgiving to all!

--  
Sylvia Delgado  
OLS Crim.Def.Atty.

--  
Sylvia Delgado  
OLS Crim.Def.Atty.

--  
Sylvia Delgado  
OLS Crim.Def.Atty.

## Tonya Spaeth Ahlschwede

---

**From:** Brent Smith <[bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us)>  
**Sent:** Monday, November 29, 2021 2:20 PM  
**To:** Sylvia Delgado; Tonya Spaeth Ahlschwede  
**Subject:** Re: Livan La Pera Gonzalez

Sylvia,

From what I understand, the paperwork was given to the county clerk this past week to file, however, it still requires a signature from a judge before they can file it. With Judge Shahan out of the office with COVID along with his secretary sick as well, I am not sure how to best go about getting a judge signature on it. I will personally go speak to the clerk in a few minutes to see how we can best go about getting a judge's signature on it.

---

**From:** Sylvia Delgado <[sylvia@sdelgadolaw.com](mailto:sylvia@sdelgadolaw.com)>  
**Sent:** Monday, November 29, 2021 2:16 PM  
**To:** Brent Smith <[bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us)>  
**Subject:** Re: Livan La Pera Gonzalez

God bless you Brent.

On 11/29/2021 2:09 PM, Brent Smith wrote:

Sylvia,

I'll look into this and get back to you within the hour on what the status is.

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**From:** Sylvia Delgado <[sylvia@sdelgadolaw.com](mailto:sylvia@sdelgadolaw.com)>  
**Sent:** Monday, November 29, 2021 1:45 PM  
**To:** Brandon Kirkpatrick <[michael.k@reconacontracting.com](mailto:michael.k@reconacontracting.com)>; Yvette Garcia <[yvette.garcia@co.kinney.tx.us](mailto:yvette.garcia@co.kinney.tx.us)>; Tonya Spaeth Ahlschwede <[tsa@452da.net](mailto:tsa@452da.net)>; Tiffani Sanchez <[t.sanchez@co.kinney.tx.us](mailto:t.sanchez@co.kinney.tx.us)>; Brent Smith <[bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us)>  
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He is suffering mental decline and depression.

He is Cuban and will not be deported. He has family here calling about him every day.

Please help.

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Judge Wright agreed to sign it today.

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Happy Thanksgiving to all!

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Sylvia Delgado  
OLS Crim.Def.Atty.

## Tonya Spaeth Ahlschwede

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**From:** Kristin Etter <ketter@trla.org>  
**Sent:** Monday, November 29, 2021 2:50 PM  
**To:** Vivian Torres; Kitty Schild; Genie Wright  
**Cc:** Rachel Garza(AUS); Tonya Spaeth Ahlschwede; bsmith@co.kinney.tx.us; n.mata@co.kinney.tx.us  
**Subject:** Personal Bond Requests  
**Attachments:** 10403CR Rodriguez Lopez, Luis Alberto - Agreed Order Granting Bond Reduction.docx; 10450CR Montejó Gomez, Jose Manuel - Agreed Order Granting Bond Reduction.docx; 10451CR Canul, Javier Damian - Agreed Order Granting Bond Reduction.docx; 10452CR Ortiz Canul, Jesus Miguel - Agreed Order Granting Bond Reduction.docx; 10453CR Perez Canul, Roberto Carlos - Agreed Order Granting Bond Reduction.docx; 10454CR Godoy Ordonez, Carlos Alberto - Agreed Order Granting Bond Reduction.docx; 10455CR Guevara Linarez, Jairo Joel - Agreed Order Granting Bond Reduction.docx; 10456CR Buezo Mendosa, Josue Naun - Agreed Order Granting Bond Reduction.docx; 10457CR Vasquez Mazariegos, Carlos Eduardo - Agreed Order Granting Bond Reduction.docx; 10458CR Bonilla Paz, Jose Eliseo - Agreed Order Granting Bond Reduction.docx; 10459CR Lopez Bonillo, Jason Josue - Agreed Order Granting Bond Reduction.docx; 10460CR Arana Arriola, Erick Vioney - Agreed Order Granting Bond Reduction.docx; 10462CR Padilla Pineda, Ivan Evier - Agreed Order Granting Bond Reduction.docx; 10473CR Fajardo Lopez, Cristian Ariel - Agreed Order Granting Bond Reduction.docx; 10475CR Padilla Flores, Edgar Manrique - Agreed Order Granting Bond Reduction.docx; 10476CR Arriaga Flores, Alexander - Agreed Order Granting Bond Reduction.docx; 10484CR Reyes, Cristian Calix - Agreed Order Granting Bond Reduction.docx; 10499CR Sambrano Guevara, Cristian Josue - Agreed Order Granting Bond Reduction.docx

Good afternoon Judge Torres, Judge Schild and Judge Wright -

I am reaching out to you all directly in an effort to not bother Ms. Garcia with anything related to OLS while she focuses on her health. I have reached out to Mr. Smith and Ms. Ahlschwede about personal bonds for our clients in custody (attached) as many of them set on the docket this week have been in custody more than 90 days but have not yet heard back.

Would it be possible to schedule a conference call or zoom meeting to discuss this matter as well as general issues related to the OLS dockets and how best we can proceed while also supporting and giving space to those in Kinney County that need time to focus on their health?

Please let me know and thank you.

Best,  
Kristin

---

**From:** Kristin Etter  
**Sent:** Monday, November 29, 2021 11:08 AM  
**To:** tsa@452da.net <tsa@452da.net>; bsmith@co.kinney.tx.us <bsmith@co.kinney.tx.us>  
**Cc:** Rachel Garza(AUS) <RachelGarza@trla.org>  
**Subject:** Personal Bond Requests

Good afternoon –

I am just following up on my email from this morning with the attached personal bond requests for our in-custody clients this week. I do not want to bother Yvette with this but rather will reach out to the visiting judges or the magistrates to request rulings so please let me know as soon as you can if you are opposed or unopposed. We will file written waivers of arraignment and request the cases be reset to a pretrial motions hearing at a time in the future that is convenient for the court.

Thanks,  
Kristin

## Tonya Spaeth Ahlschwede

---

**From:** Kitty Schild <kschild@elp.rr.com>  
**Sent:** Monday, November 29, 2021 3:04 PM  
**To:** Kristin Etter  
**Cc:** Vivian Torres; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; bsmith@co.kinney.tx.us; n.mata@co.kinney.tx.us  
**Subject:** Re: Personal Bond Requests  
**Attachments:** 10403CR Rodriguez Lopez, Luis Alberto - Agreed Order Granting Bond Reduction.docx; 10450CR Montejo Gomez, Jose Manuel - Agreed Order Granting Bond Reduction.docx; 10451CR Canul, Javier Damian - Agreed Order Granting Bond Reduction.docx; 10452CR Ortiz Canul, Jesus Miguel - Agreed Order Granting Bond Reduction.docx; 10453CR Perez Canul, Roberto Carlos - Agreed Order Granting Bond Reduction.docx; 10454CR Godoy Ordonez, Carlos Alberto - Agreed Order Granting Bond Reduction.docx; 10455CR Guevara Linarez, Jairo Joel - Agreed Order Granting Bond Reduction.docx; 10456CR Buezo Mendosa, Josue Naun - Agreed Order Granting Bond Reduction.docx; 10457CR Vasquez Mazariegos, Carlos Eduardo - Agreed Order Granting Bond Reduction.docx; 10458CR Bonilla Paz, Jose Eliseo - Agreed Order Granting Bond Reduction.docx; 10459CR Lopez Bonillo, Jason Josue - Agreed Order Granting Bond Reduction.docx; 10460CR Arana Arriola, Erick Vioney - Agreed Order Granting Bond Reduction.docx; 10462CR Padilla Pineda, Ivan Evier - Agreed Order Granting Bond Reduction.docx; 10473CR Fajardo Lopez, Cristian Ariel - Agreed Order Granting Bond Reduction.docx; 10475CR Padilla Flores, Edgar Manrique - Agreed Order Granting Bond Reduction.docx; 10476CR Arriaga Flores, Alexander - Agreed Order Granting Bond Reduction.docx; 10484CR Reyes, Cristian Calix - Agreed Order Granting Bond Reduction.docx; 10499CR Sambrano Guevara, Cristian Josue - Agreed Order Granting Bond Reduction.docx

I have all day Wednesday and Friday free. I can be available tomorrow before noon your time and 2 pm or later (CT). Thursday I have two medical appointments.

Sent from my iPhone

On Nov 29, 2021, at 1:50 PM, Kristin Etter <ketter@trla.org> wrote:

Good afternoon Judge Torres, Judge Schild and Judge Wright -

I am reaching out to you all directly in an effort to not bother Ms. Garcia with anything related to OLS while she focuses on her health. I have reached out to Mr. Smith and Ms. Ahlschwede about personal bonds for our clients in custody (attached) as many of them set on the docket this week have been in custody more than 90 days but have not yet heard back.

Would it be possible to schedule a conference call or zoom meeting to discuss this matter as well as general issues related to the OLS dockets and how best we can proceed while also supporting and giving space to those in Kinney County that need time to focus on their health?

Please let me know and thank you.

Best,

Kristin

---

**From:** Kristin Etter

**Sent:** Monday, November 29, 2021 11:08 AM

**To:** tsa@452da.net <tsa@452da.net>; bsmith@co.kinney.tx.us <bsmith@co.kinney.tx.us>

**Cc:** Rachel Garza(AUS) <RachelGarza@trla.org>

**Subject:** Personal Bond Requests

Good afternoon –

I am just following up on my email from this morning with the attached personal bond requests for our in-custody clients this week. I do not want to bother Yvette with this but rather will reach out to the visiting judges or the magistrates to request rulings so please let me know as soon as you can if you are opposed or unopposed. We will file written waivers of arraignment and request the cases be reset to a pretrial motions hearing at a time in the future that is convenient for the court.

Thanks,  
Kristin

## Tonya Spaeth Ahlschwede

---

**From:** Vivian Torres <judgetorres@schuchartlaw.com>  
**Sent:** Monday, November 29, 2021 3:06 PM  
**To:** Kristin Etter  
**Cc:** Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; bsmith@co.kinney.tx.us; n.mata@co.kinney.tx.us  
**Subject:** Re: Personal Bond Requests

Good Afternoon,

I just saw Ms Etter's email regarding the individuals that are in detention and have been for more than the time permitted by the Code of Criminal Procedure.

In order to address this matter without disturbing the recovery of Judge Shahan and Ms Garcia, I will address the bond requests unless I receive an objection from Mr. Smith, the county attorney, or other ACA by 5:00 pm today. I will include in the bond a reset date of December 14th which is my next scheduled OLS docket.

Mr. Smith or Ms Etter, you will need to file the bonds with the county clerk and make sure they are forwarded to the appropriate detention center. I realize that this may result in an additional day in detention for your clients but this is the only way I can think of to address this matter under the circumstances. It would be best if Mr. Smith or other ACA would work with defense counsel to resolve this.

Thank you.

Vivian Torres  
Retired Senior Judge

On Mon, Nov 29, 2021 at 2:50 PM Kristin Etter <[ketter@trla.org](mailto:ketter@trla.org)> wrote:

Good afternoon Judge Torres, Judge Schild and Judge Wright -

I am reaching out to you all directly in an effort to not bother Ms. Garcia with anything related to OLS while she focuses on her health. I have reached out to Mr. Smith and Ms. Ahlschwede about personal bonds for our clients in custody (attached) as many of them set on the docket this week have been in custody more than 90 days but have not yet heard back.

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Please let me know and thank you.

Best,  
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**Sent:** Monday, November 29, 2021 11:08 AM  
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**Cc:** Rachel Garza(AUS) <[RachelGarza@trla.org](mailto:RachelGarza@trla.org)>

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**From:** Kristin Etter <ketter@trla.org>  
**Sent:** Monday, November 29, 2021 3:38 PM  
**To:** Vivian Torres  
**Cc:** Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; bsmith@co.kinney.tx.us; n.mata@co.kinney.tx.us  
**Subject:** Re: [External Email] Personal Bond Requests

Good afternoon -

Thank you all for your prompt responses and I will await further instruction from you all, as well as input from Mr. Smith or anyone else representing the State. Also Judge Torres, it is not a problem at all for us to file the bonds with the county clerk's office and to provide them to the appropriate detention centers.

Please do not hesitate to contact me if anyone needs any further information or has any questions.

I hope everyone stays safe and healthy and am hoping for a speedy recovery for anyone who is being impacted by covid.

Best,  
Kristin

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**From:** Vivian Torres <judgetorres@schuchartlaw.com>  
**Sent:** Monday, November 29, 2021 3:06 PM  
**To:** Kristin Etter <ketter@trla.org>  
**Cc:** Kitty Schild <kschild@elp.rr.com>; Genie Wright <geniejwright@gmail.com>; Rachel Garza(AUS) <RachelGarza@trla.org>; tsa@452da.net <tsa@452da.net>; bsmith@co.kinney.tx.us <bsmith@co.kinney.tx.us>; n.mata@co.kinney.tx.us <n.mata@co.kinney.tx.us>  
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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

## Tonya Spaeth Ahlschwede

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**From:** Brent Smith <bsmith@co.kinney.tx.us>  
**Sent:** Monday, November 29, 2021 3:41 PM  
**To:** Vivian Torres; Kristin Etter  
**Cc:** Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; Nicole Mata  
**Subject:** Re: Personal Bond Requests

Judge Torres,

I would ask that you please give us until tomorrow to review these proposed orders and formulate an agreed proposal.

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**Sent:** Monday, November 29, 2021 3:06 PM  
**To:** Kristin Etter <ketter@trla.org>  
**Cc:** Kitty Schild <kschild@elp.rr.com>; Genie Wright <geniejwright@gmail.com>; Rachel Garza(AUS) <RachelGarza@trla.org>; tsa@452da.net <tsa@452da.net>; Brent Smith <bsmith@co.kinney.tx.us>; Nicole Mata <n.mata@co.kinney.tx.us>  
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**Sent:** Monday, November 29, 2021 3:46 PM  
**To:** Brent Smith  
**Cc:** Kristin Etter; Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; Nicole Mata  
**Subject:** Re: Personal Bond Requests

That will be fine Mr. Smith. I will wait until noon tomorrow.

If I understood Ms Etter's email all these individuals have been in detention for some time therefore, I think it is urgent that we address the matter as soon as possible.

Thank you.

Vivian Torres  
Retired Senior Judge

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Best,  
Kristin

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**Cc:** Rachel Garza(AUS) <[RachelGarza@trla.org](mailto:RachelGarza@trla.org)>  
**Subject:** Personal Bond Requests

Good afternoon –

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Thanks,  
Kristin

## Tonya Spaeth Ahlschwede

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**From:** Kristin Etter <ketter@trla.org>  
**Sent:** Monday, November 29, 2021 4:09 PM  
**To:** Vivian Torres; Brent Smith  
**Cc:** Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; Nicole Mata  
**Subject:** Re: [External Email] Personal Bond Requests

Thank you, Judge Torres.

Mr. Smith, I can be reached anytime at this email address or on my cell phone at 512-203-3795 if you need to discuss any proposals.

Best,  
Kristin

---

**From:** Vivian Torres <judgetorres@schuchartlaw.com>  
**Sent:** Monday, November 29, 2021 3:45 PM  
**To:** Brent Smith <bsmith@co.kinney.tx.us>  
**Cc:** Kristin Etter <ketter@trla.org>; Kitty Schild <kschild@elp.rr.com>; Genie Wright <geniejwright@gmail.com>; Rachel Garza(AUS) <RachelGarza@trla.org>; tsa@452da.net <tsa@452da.net>; Nicole Mata <n.mata@co.kinney.tx.us>  
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Retired Senior Judge

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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

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**From:** Brent Smith <bsmith@co.kinney.tx.us>  
**Sent:** Monday, November 29, 2021 8:30 PM  
**To:** Vivian Torres  
**Cc:** Kristin Etter; Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; Nicole Mata  
**Subject:** Re: Personal Bond Requests  
**Attachments:** 2021 Nov 29 - Prosecutor Suggested PR Bond.docx

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Thanks,  
Kristin

**ORDER GRANTING PERSONAL BOND ON CLASS A MISDEMEANOR ONLY**

The Court enters the following ORDERS: Bond shall be set for said Defendant as follows: A **No-Fee Personal Recognizance (PR) Bond on Defendant's pending charge for Class A misdemeanor CRIMINAL TRESPASS only** in the amount of \$3,000.00.

IT IS FURTHER ORDERED that the following condition(s) shall apply:

1. Defendant **shall report to his attorney** of record *at least once within 30 days of this Order and at least once every 30 days thereafter* in person, by text, or by telephone to report his contact information *while this case remains pending*; and
2. Defendant shall appear for a Pre-Trial setting on                     **U.S. Central Time via Zoom and by Zoom** for all other court settings, **including trial, if Defendant is for any reason unable to personally appear** at the Kinney County Courthouse, or as directed by his/her attorney of record, and as ordered by this Court; and
3. If Defendant fails to appear at the next Court setting or any subsequent setting, the Defendant may face an additional charge for Bail Jumping and Failure to Appear under Tex. Pen. Code §38.10, and
4. The Defendant shall be immediately released from TDCJ custody **on the charge of Class A misdemeanor CRIMINAL TRESPASS only**.

SIGNED this the \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JUDGE PRESIDING

*The aforementioned bond conditions were understood and agreed to by me.*  
Signed on this \_\_\_\_ day of \_\_\_\_\_, 2021 by:

\_\_\_\_\_  
DEFENDANT

## Tonya Spaeth Ahlschwede

---

**From:** Kristin Etter <ketter@trla.org>  
**Sent:** Monday, November 29, 2021 8:57 PM  
**To:** Brent Smith; Vivian Torres  
**Cc:** Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; Nicole Mata  
**Subject:** Re: Personal Bond Requests

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**To:** Brent Smith; Vivian Torres  
**Cc:** Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; Nicole Mata  
**Subject:** Re: Personal Bond Requests

Good afternoon -

Would it be possible to have a brief call or zoom meeting today to resolve this issue expeditiously? The proposed orders we sent yesterday used the exact format that was provided to us previously by Kinney County and used already in dozens of cases. However, I am open to modifying or editing if it is necessary so please let me know. I can be available at any time for further discussion.

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Mr. Smith or Ms Etter, you will need to file the bonds with the county clerk and make sure they are forwarded to the appropriate detention center. I realize that this may result in an additional day in detention for your clients but this is the only way I can think of to address this matter under the circumstances. It would be best if Mr. Smith or other ACA would work with defense counsel to resolve this.

Thank you.

Vivian Torres  
Retired Senior Judge

On Mon, Nov 29, 2021 at 2:50 PM Kristin Etter <[ketter@trla.org](mailto:ketter@trla.org)> wrote:  
Good afternoon Judge Torres, Judge Schild and Judge Wright -

I am reaching out to you all directly in an effort to not bother Ms. Garcia with anything related to OLS while she focuses on her health. I have reached out to Mr. Smith and Ms. Ahlschwede about personal bonds for our clients in custody (attached) as many of them set on the docket this week have been in custody more than 90 days but have not yet heard back.

Would it be possible to schedule a conference call or zoom meeting to discuss this matter as well as general issues related to the OLS dockets and how best we can proceed while also supporting and giving space to those in Kinney County that need time to focus on their health?

Please let me know and thank you.

Best,  
Kristin

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**From:** Kristin Etter

**Sent:** Monday, November 29, 2021 11:08 AM

**To:** [tsa@452da.net](mailto:tsa@452da.net) <[tsa@452da.net](mailto:tsa@452da.net)>; [bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us) <[bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us)>

**Cc:** Rachel Garza(AUS) <[RachelGarza@trla.org](mailto:RachelGarza@trla.org)>

**Subject:** Personal Bond Requests

Good afternoon –

I am just following up on my email from this morning with the attached personal bond requests for our in-custody clients this week. I do not want to bother Yvette with this but rather will reach out to the visiting judges or the magistrates to request rulings so please let me know as soon as you can if you are opposed or unopposed. We will file written waivers of arraignment and request the cases be reset to a pretrial motions hearing at a time in the future that is convenient for the court.

Thanks,  
Kristin

## **Tonya Spaeth Ahlschwede**

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**From:** Brent Smith <bsmith@co.kinney.tx.us>  
**Sent:** Tuesday, November 30, 2021 12:28 PM  
**To:** Kristin Etter; Vivian Torres  
**Cc:** Kitty Schild; Genie Wright; Rachel Garza(AUS); Tonya Spaeth Ahlschwede; Nicole Mata  
**Subject:** Re: Personal Bond Requests

Good afternoon Ms. Etter,

Thank you for your follow-up email last night. I momentarily stopped in Junction in order to reply to your email. Please let me clarify certain points:

First, with respect to your statement regarding our "concern about the personal bond only applying to the Class A (and it is a Class B in some cases) misdemeanor," our concern is actually that upon receipt of the "Order of Personal Recognizance Bond" jailers may end up releasing defendants from pretrial custody on all charges, and not just the misdemeanor charges (whether Class A or B) that an individual faces under the unique Kinney County cause number. So we are not intending to limit the application of the personal bond only to Class A misdemeanors.

Secondly, the language we are proposing about bail jumping is intended to underscore the importance with which Kinney County is treating these cases. We are not saying that bail jumping charges will be filed, only that such charges may be filed for failure to appear. We think it fair for the County Court to admonish these individuals that other charges may be filed if they fail to appear. And, to your concerns, section 38.10 (c) provides a defense if the actor has a "reasonable excuse" for failing to appear. Because of the written waivers, there will be no in-court arraignment and therefore no other opportunity for the Court to admonish these defendants.

With the understanding that defendants are waiving arraignment in writing and that (1) defendants are only being released on Kinney County misdemeanor charges, whether Class A or B, and no other offenses which they may be facing, and that (2) Kinney County has an interest in admonishing defendants about another offense which could be charged if they should fail to appear at future settings, we will not oppose personal bonds for these defendants.

If you need to discuss these matters further, I will try to make time available.

Regards,

Brent Smith  
Kinney County Attorney

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**From:** Kristin Etter <ketter@trla.org>  
**Sent:** Monday, November 29, 2021 8:56 PM  
**To:** Brent Smith <bsmith@co.kinney.tx.us>; Vivian Torres <judgetorres@schuchartlaw.com>  
**Cc:** Kitty Schild <kschild@elp.rr.com>; Genie Wright <geniejwright@gmail.com>; Rachel Garza(AUS)

<RachelGarza@trla.org>; tsa@452da.net <tsa@452da.net>; Nicole Mata <n.mata@co.kinney.tx.us>

**Subject:** Re: Personal Bond Requests

Good evening -

Mr. Smith, thank you for your proposal and for your agreement to not oppose personal bonds for the clients we previously sent to you that were scheduled for arraignments this week.

As far as your concern about the personal bond only applying to the Class A (and it is a Class B in some cases) misdemeanor, we would obviously be unopposed and have only included the cause number specific to the misdemeanor charge.

The language you proposed about the bail jumping is a new proposal that has not been included in previous personal bond agreements and one that I do not believe to be appropriate or necessary given the circumstances that you are aware our clients have found themselves in after either being deported or detained in ICE custody. As you know, our clients that have been deported continue to attend court via zoom but may not be able to attend future in-person court settings without the federal government's authorization via the immigration parole process. And our clients in ICE custody have been unable to attend court proceedings despite our attempts due to ICE facilities declining our requests to facilitate zoom proceedings or transportation. However, I'm happy to further discuss this provision, as well as any other issue, with you and the court at any time. I know you will be out of town the remainder of the week but please let me know if you are available to speak sometime tomorrow to finalize this.

Best,  
Kristin

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**From:** Brent Smith <bsmith@co.kinney.tx.us>

**Sent:** Monday, November 29, 2021 8:30 PM

**To:** Vivian Torres <judgetorres@schuchartlaw.com>

**Cc:** Kristin Etter <ketter@trla.org>; Kitty Schild <kschild@elp.rr.com>; Genie Wright <geniejwright@gmail.com>; Rachel Garza(AUS) <RachelGarza@trla.org>; tsa@452da.net <tsa@452da.net>; Nicole Mata <n.mata@co.kinney.tx.us>

**Subject:** [External Email] Re: Personal Bond Requests

Ms. Etter,

Thank you for your emails today and your offer to submit written waivers of arraignment. We assume that these waivers will be signed by your clients.

Please advise your clients that we will make the same offers in exchange for your clients' guilty pleas that have been made in earlier cases. That is, in exchange for their pleas of guilty to a reduced charge, the State will recommend sentences of "time served" and the payment of no fines. However, these offers will remain open only until the next setting.

Regarding your proposed "Order for Personal Recognizance Bond," we would like to see the language highlighted in yellow within the attached word document.

We would like to see additional specificity about in-court appearances. And, to avoid possible confusion that may arise at the Briscoe and Segovia Units upon receipt of the Order, we would ask the Court to consider

language that specifies that the order of release applies only to the misdemeanor charges filed in Kinney County and to no other offenses, including felonies, that a defendant may be charged with.

To this end, please see the attached sample language for an Order for Personal Bond, using your format.

With these changes, we would have no other objections to your clients being released on personal bonds.

On a different note, I will be out of the office for the remainder of the week attending a conference with the other elected prosecutors assisting with OLS. I will stay in touch with my secretary if anything further arises.

Sincerely,

Brent Smith  
Kinney County Attorney

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**From:** Vivian Torres <[judgetorres@schuchartlaw.com](mailto:judgetorres@schuchartlaw.com)>  
**Sent:** Monday, November 29, 2021 3:45 PM  
**To:** Brent Smith <[bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us)>  
**Cc:** Kristin Etter <[ketter@trla.org](mailto:ketter@trla.org)>; Kitty Schild <[kschild@elp.rr.com](mailto:kschild@elp.rr.com)>; Genie Wright <[geniejwright@gmail.com](mailto:geniejwright@gmail.com)>; Rachel Garza(AUS) <[RachelGarza@trla.org](mailto:RachelGarza@trla.org)>; tsa@452da.net <[tsa@452da.net](mailto:tsa@452da.net)>; Nicole Mata <[n.mata@co.kinney.tx.us](mailto:n.mata@co.kinney.tx.us)>  
**Subject:** Re: Personal Bond Requests

That will be fine Mr. Smith. I will wait until noon tomorrow.

If I understood Ms Etter's email all these individuals have been in detention for some time therefore, I think it is urgent that we address the matter as soon as possible.

Thank you.

Vivian Torres  
Retired Senior Judge

On Mon, Nov 29, 2021 at 3:41 PM Brent Smith <[bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us)> wrote:  
Judge Torres,

I would ask that you please give us until tomorrow to review these proposed orders and formulate an agreed proposal.

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**From:** Vivian Torres <[judgetorres@schuchartlaw.com](mailto:judgetorres@schuchartlaw.com)>  
**Sent:** Monday, November 29, 2021 3:06 PM  
**To:** Kristin Etter <[ketter@trla.org](mailto:ketter@trla.org)>  
**Cc:** Kitty Schild <[kschild@elp.rr.com](mailto:kschild@elp.rr.com)>; Genie Wright <[geniejwright@gmail.com](mailto:geniejwright@gmail.com)>; Rachel Garza(AUS) <[RachelGarza@trla.org](mailto:RachelGarza@trla.org)>; tsa@452da.net <[tsa@452da.net](mailto:tsa@452da.net)>; Brent Smith <[bsmith@co.kinney.tx.us](mailto:bsmith@co.kinney.tx.us)>; Nicole Mata <[n.mata@co.kinney.tx.us](mailto:n.mata@co.kinney.tx.us)>  
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