Tonya Spaeth Ahlschwede

From:	Vivian Torres <judgetorres@schuchartlaw.com></judgetorres@schuchartlaw.com>
Sent:	Wednesday, December 1, 2021 3:46 PM
To:	Amrutha Jindal
Cc:	Brent Smith; Eric Sundin; Genie Wright; Kitty Schild; Kristin Etter; Tonya Spaeth
	Ahlschwede; Sue Castro; Nichole
Subject:	Re: Personal Bond Requests for In-Custody Clients on this week's docket

Good Afternoon,

Please be advised that I am in the process of signing Ms. Jindal's 7 bonds. I will send them shortly if my technology cooperates.

Thank you.

Vivian Torres Retired Senior Judge

On Wed, Dec 1, 2021 at 7:44 AM Amrutha Jindal <<u>amrutha@restoringjustice.org</u>> wrote: Thank you very much. I've attached amended proposed orders that reflect the revisions that were made on Ms. Etter's cases.

Mr. Smith - All of the clients scheduled for arraignment will sign written waivers which I will submit to you today and file. I know you're at the conference, and your office said that email would be the best way to reach you. Please let me know if you have any objection to the bond requests. I am available by phone (cell is 832-386-6198) and by email today if discussion is needed.

Thank you all for your assistance in addressing and expediting these matters.

Best, Amrutha

On Tue, Nov 30, 2021 at 3:40 PM Vivian Torres <<u>judgetorres@schuchartlaw.com</u>> wrote: Yes, since Judge Shahan is out sick I can help. I am assigned to his court.

Please confer with the state regarding the PR Bonds.

In order to expedite this matter attached are Mr. Smith's comments regarding Ms Etter's bond form and one of the bonds I revised and signed.

Mr. Smith also requested that the defendants waive arraignment and sign the waiver. He is on the road to a conference and may not have seen your email.

I can take care of this tomorrow in order to give the state time to review the cases.

On Tue, Nov 30, 2021 at 2:33 PM Amrutha Jindal <<u>amrutha@restoringjustice.org</u>> wrote: Hi Judge Torres, That was Judge Shahan who is out sick this week due to Covid. Would you, Judge Schild, or Judge Wright be able to assist?

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On Tue, Nov 30, 2021 at 2:31 PM Vivian Torres <<u>iudgetorres@schuchartlaw.com</u>> wrote: Ms Jindal,

Please forward your request to the judge who was set to hear your cases.

Thank you.

Vivian Torres Retired Senior Judge

On Tue, Nov 30, 2021 at 1:20 PM Amrutha Jindal <<u>amrutha@restoringjustice.org</u>> wrote: Good afternoon Judge Torres,

I am reaching out to you regarding my organization's 7 clients who are in custody and were scheduled for court on December 2nd. I know Ms. Etter has been in touch with you and Mr. Smith about a similar situation in her cases.

As noted below, four clients were scheduled for arraignments and three have already been arraigned and were scheduled for motion hearings. All 7 clients have been in custody for almost 90 days - since September 5th or 6th. In all cases, we have filed Applications for Writs of Habeas Corpus requesting release on personal bond that we intended to address this week (I am happy to send you copies of those Applications if you'd like).

We are attaching Proposed Orders in our 7 cases. Please let us know if you have any questions or need more information from us.

December 2nd - 8:30 am Arraignment Docket

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- Luis Carlos Soltero Castellon, 10558CR
- Javier Ahedo Arias, 10562CR
- Valentin Hernandez Cordova, 10538CR

December 2nd - 1:30 pm Motions Docket

- David Rodriguez, 10573CR
- Germen Antonio Elvir Garcia, 10591CR
- Angel Alexander Pineda Hernandez, 10586CR

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Amrutha N. Jindal	<u>832-386-6198</u> <u>844-737-3363</u>
(she/her/hers) Chief Defender Attorney	amrutha@restoringjustice.org
	www.restoringjustice.org
	P.O. Box 2813, Houston, TX 77252

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Tonya Spaeth Ahlschwede

From:	Vivian Torres <judgetorres@schuchartlaw.com></judgetorres@schuchartlaw.com>
Sent:	Wednesday, December 1, 2021 2:06 PM
To:	Sylvia Delgado
Cc:	Genie Wright; Kitty Schild; Rachel Garza(AUS); Sue Castro; Tonya Spaeth Ahlschwede;
	bsmith@co.kinney.tx.us; n.mata@co.kinney.tx.us
Subject:	Re: PR Bond requests

I will attempt to join your zoom conference at 4:45.

Please prepare the bond forms as requested and forward them to all.

Thank you. Vivian Torres Retired Senior Judge

On Wed, Dec 1, 2021 at 10:48 AM Sylvia Delgado <<u>sylvia@sdelgadolaw.com</u>> wrote: Judges,

I do not have the cooperation of the County Attorney on Agreed Orders until and unless they get on a docket. (see below)

That leaves me unable to proceed as planned.

I am requesting No Fee PR bonds, jail release, court dates in the future that will allow time for processing. That would be without the blessing of the State.

I am requesting a conference call with the Court Coordinators, Judges and County Attorneys. If I send a Zoom link for today at 4:45pm will you all be able to join me?

Sylvia

On 11/30/2021 7:38 PM, Brent Smith wrote:

We are agreeing only to those defendants that are on the actual docket. Including any others at this point creates confusion and chaos in trying to structure any court proceedings.

Brent Smith Kinney County Attorney

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Ms. Delgado, I will be happy to sign any agreed orders and, as I told Ms. Castro, I can handle a docket on December 10. We need to make sure that Ms. Castro is on all these emails because we are discussing things that involve her office and, at times, we're discussing things at cross purposes.

Sent from my iPhone

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Yes all are misdemeanors.

On 11/30/2021 5:29 PM, Vivian Torres wrote:

Are these all misdemeanors?

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No, I have not had my cases addressed.

But Yes, I will follow suit.

The defense will waive arraignment and have the defendants' signatures affixed.

I will email signed docs to Brent and then on to the Judges for final signatures.

I am attaching a list of defendants for which the State, and the Court, would be on notice upon review.

I am copying the State and requesting these extended incarcerations be redressed at the State's earliest convenience.

We have tried Writs, Agreed Bond Orders, docket settings, emails, friendly requests, etc. so Yes, I would happily accept any help the Courts could provide.

Thank you Your Honors.

Sylvia

On 11/30/2021 3:57 PM, Vivian Torres wrote:

Ms Delgado, do you have your cases addressed?

Attached to assist you are Mr. Smith's comments on Ms Etter's bond form and one of the bonds I revised and signed.

The way I understand it the defendant must be released under these circumstances and it is incumbent upon the court where the case is filed to address it once the matter is brought to the court's attention.

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On 11/30/2021 1:46 PM, Tonya Spaeth Ahlschwede wrote:

Judges and Defense Attorneys,

I am assisting Mr Smith. I believe Mr. Smith responded to Mrs Etter's request before. I would respectfully ask you all to give him time to respond to Mrs Delgado's request. As you all know, we are traveling to a conference that is over 5 hour drive for many of us. I just happened to see part of this email chain and haven't had time to see all the emails on my phone. I would request that each Judge only respond to the cases set on their dockets at this time and that the State have time to review Mrs Delgado's request before a decision is made. There is no way that can happen today and the cases are not set today.

I do not know what the response is for adding cases to a docket. There is an in-person docket on the 15th.

Thank you all for your professional courtesy. I am asking that we reconvene this issue.

Tonya Spaeth Ahlschwede District Attorney, 452nd Judicial District Mason, McCulloch, Menard, Kimble and Edwards Counties P.O. Box 635 Mason, Texas 76856 (325) 347-8400 phone (325) 347-8404 fax tsa@452da.net

> On Nov 30, 2021, at 1:36 PM, Kitty Schild

<kschild@elp.rr.com > wrote:

I also have December 7 and 9 dockets and I'll be glad to add cases to my dockets. I think that we need to add Sue Castro to this email group. She is the court coordinator for the district judges and maybe the CCL judges from Del Rio and she's helping Yvette out. I've gotten some emails from her and just realized that she wasn't on this list. Let me know if you don't have her contact information.

Sent from my iPhone

On Nov 30, 2021, at 12:31 PM, Kitty Schild <kschild@elp.rr.com > wrote:

Absolutely.

Sent from my iPhone

On Nov 30, 2021, at 12:25: PM, Sylvia Delgado <sylvia@sdelgadola w.com> wrote:

Judge Torres and/or Judge Wright,

I have many clients

who fit the same criteria: misdemeanors, in detention for more than the time permitted by the CCP, unable to meet bonds, some with Cause numbers some without.

If we submit "Agreed No Fee PR Bond Orders" in cooperation with the State, could we email them to you for your signature this week?

Then, only if some remain unresolved, would we ask that those clients in jail more than 90 days, at that point, be added to your 12/14/21 docket? If docket space is limited, I could further narrow that by the most time spent in jail.

Thank you,

Sylvia Delgado OLS Crim.Def.Atty 903-420-0000

From: Vivian Torres <judgetorres@schuc hartlaw.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@gmai I.com>; Rachel Garza(AUS) <RachelGarza@trla. org>; tsa@452da.net <tsa@452da.net>; bsmith@co.kinney.t x.us <bsmith@co.kinney. tx.us>; n.mata@co.kinney.t x.us <n.mata@co.kinney. tx.us> Subject: Re: [External Email] 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.

Sylvia Delgado OLS Crim.Def.Atty.

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Sylvia Delgado

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OLS Crim.Def.Atty.

Sylvia Delgado OLS Crim.Def.Atty.

Tonya Spaeth Ahlschwede

From:	Vivian Torres <judgetorres@schuchartlaw.com></judgetorres@schuchartlaw.com>
Sent:	Wednesday, December 1, 2021 4:23 PM
To:	Amrutha Jindal
Cc:	Brent Smith; Eric Sundin; Genie Wright; Kitty Schild; Kristin Etter; Tonya Spaeth
	Ahlschwede; Sue Castro; Nichole
Subject:	Re: Personal Bond Requests for In-Custody Clients on this week's docket
Attachments:	10586CR, Pineda Hernandez - Order re Personal Bond.pdf; 10573CR, Rodriguez - Order
	re Personal Bond.pdf; 1053BCR, Hernandez Cordova - Order re Personal Bond.pdf;
	1055BCR, Soltero Castellon - Order re Personal Bond.pdf; 10562CR, Ahedo Arias - Order
	re Personal Bond.pdf; 10554CR, Acosta Sanchez - Order re Personal Bond.pdf; 10591CR,
	Germen Elvir Garcia - Order re Personal Bond.pdf

Attached are the signed bonds submitted by Ms. Jinda.

Please be sure to file them with the clerk and forward to the detention center. The individuals will need to sign them as well.

Thank you!

On Wed, Dec 1, 2021 at 7:44 AM Amrutha Jindal <<u>amrutha@restoringjustice.org</u>> wrote: Thank you very much. I've attached amended proposed orders that reflect the revisions that were made on Ms. Etter's cases.

Mr. Smith - All of the clients scheduled for arraignment will sign written waivers which I will submit to you today and file. I know you're at the conference, and your office said that email would be the best way to reach you. Please let me know if you have any objection to the bond requests. I am available by phone (cell is 832-386-6198) and by email today if discussion is needed.

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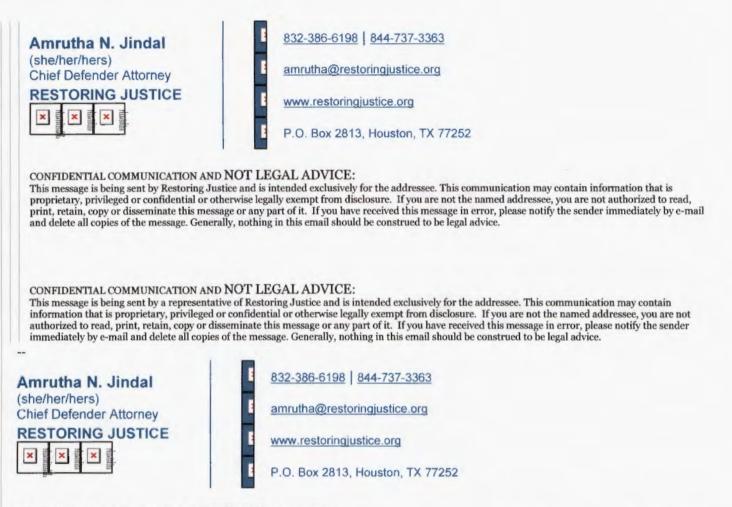
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December 2nd - 1:30 pm Motions Docket

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Amrutha N. Jindal (she/her/hers) Chief Defender Attorney RESTORING JUSTICE



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Sent:	Wednesday, December 1, 2021 3:04 PM
To:	kschild@elp.rr.com
Cc:	'Vivian Torres'; 'Genie Wright'; 'Rachel Garza(AUS)'; Tonya Spaeth Ahlschwede;
	'bsmith@co.kinney.tx.us'; 'n.mata@co.kinney.tx.us'; 'Sue Castro';
	bryan@owenscriminaldefense.com
Subject:	Kinney County PR Bond request Zoom invite (optional for Segovia if you have time)

Sylvia Delgado is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting https://zoom.us/j/94860394866?pwd=VnlEVTE3RU1IQVg1S1owTG5GemZNQT09

Meeting ID: 948 6039 4866 Passcode: 637452 One tap mobile +13462487799,,94860394866#,,,,*637452# US (Houston) +12532158782,,94860394866#,,,,*637452# US (Tacoma)

Dial by your location +1 346 248 7799 US (Houston) +1 253 215 8782 US (Tacoma) +1 669 900 9128 US (San Jose) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York) Meeting ID: 948 6039 4866 Passcode: 637452 Find your local number: https://zoom.us/u/abKNxPUiQz

On 12/1/2021 12:02 PM, kschild@elp.rr.com wrote:

I would be available if you're talking 4:45 Centr

From: "Sylvia Delgado" To: "Kitty Schild" Cc: "Vivian Torres", "Genie Wright", "Rachel Garza(AUS)", "Tonya Spaeth Ahlschwede", "Sue Castro" Sent: Wednesday December 1 2021 9:48:08AM Subject: Re: PR Bond requests

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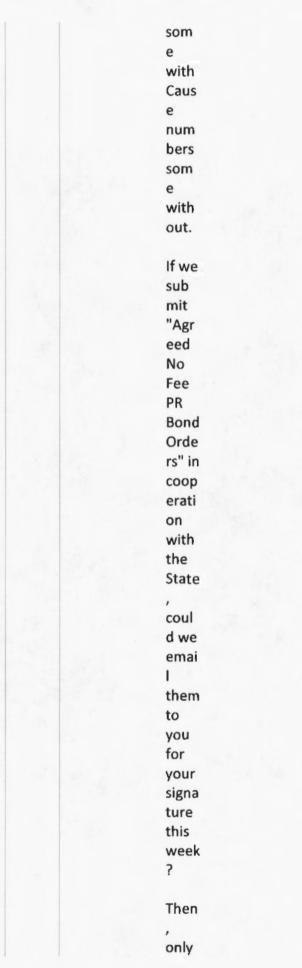
Tonya Spaeth Ahlschwede District Attorney, 452nd Judicial District Mason, McCulloch, Menard, Kimble and Edwards Counties P.O. Box 635 Mason, Texas 76856 (325) 347-8400 phone (325) 347-8404 fax tsa@452da.net

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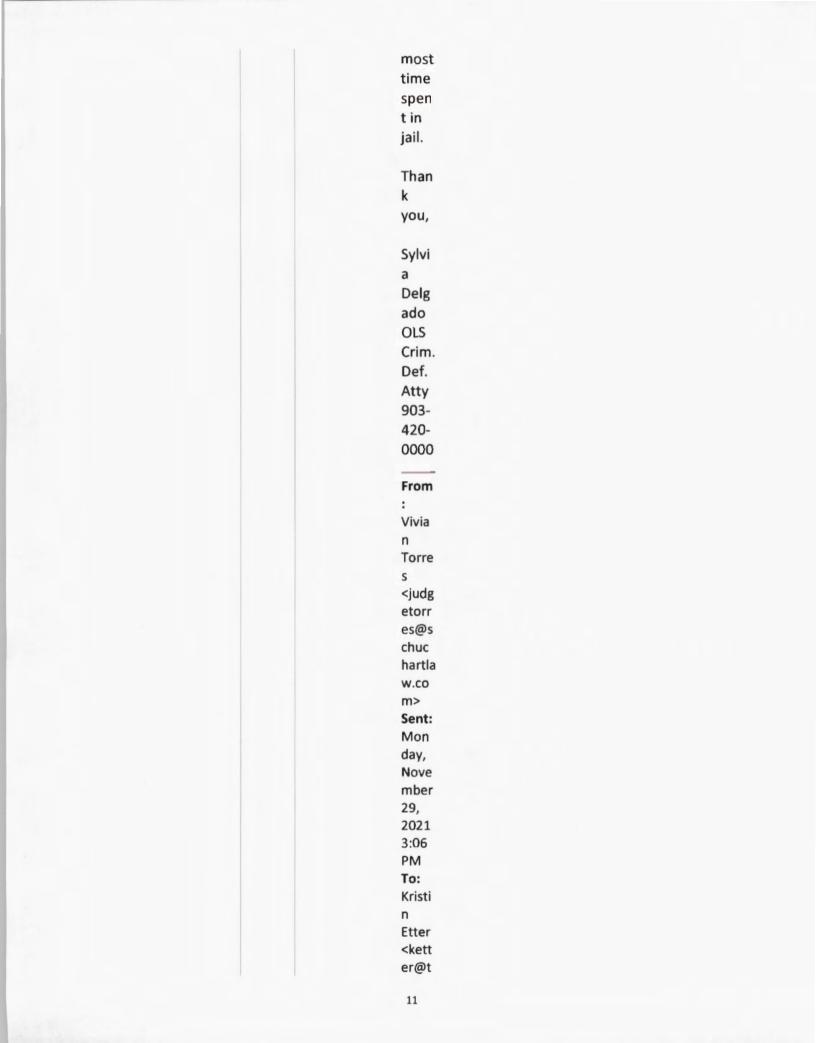
this email group . She is the court coord inato r for the distri ct judge s and mayb e the CCL judge s from Del Rio and she's helpi ng Yvett e out. l've gotte n some email s from her and just realiz ed that she wasn' tori this list. Let me know if you don't have

her conta ct infor matio n. Sent from my iPhon е On Nov 30, 2021, at 12:31 PM, Kitty Schild <ksch ild@e lp.rr.c om> wrot e: Absol utely. Sent from my iPhon e On Nov 30, 2021, at 12:25 PM, Sylvia Delga do <sylvi a@sd elgad olaw. com>





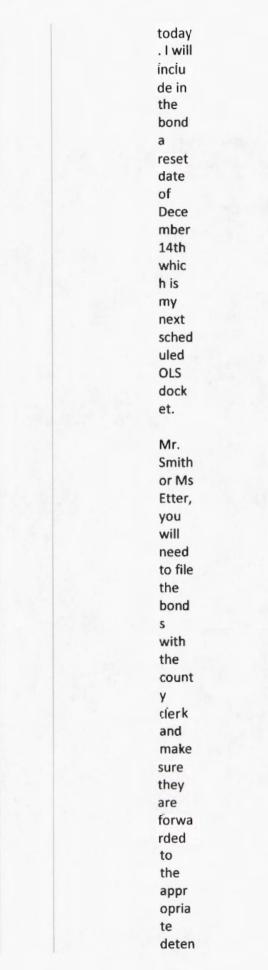




rla.or g> Cc: Kitty Schild <ksch ild@e lp.rr.c om>; Genie Wrig ht <geni ejwri ght@ gmail .com >; Rach el Garza (AUS) <Rac helGa rza@ trla.o rg>; tsa@ 452d a.net <tsa @45 2da.n et>; bsmit h@co .kinn ey.tx. us <bsm ith@ co.ki nney. tx.us >; n.mat a@co .kinn ey.tx. us <n.m ata@

co.ki nney. tx.us > Subje ct: Re: [Exte rnal Email] Perso nal Bond Requ ests Good After noon, l just saw Ms Etter' s email regar ding the indivi duals that are in deten tion and have been for more than the time permi tted by the Code of Crimi nal

Proce dure. In order to addre SS this matt er witho ut distur bing the recov ery of Judge Shah an and Ms Garci a, I will addre ss the bond reque sts unles s I rece ive a n objec tion from Mr. Smith , the count У attor ney, or other ACA by 5:00 pm



tion cente r.l realiz e that this may result in an additi onal day in deten tion for your client s but this is the only way I can think of to addre SS this matt er unde r the circu msta nces. It woul d be best if Mr. Smith or other ACA woul d work with defen se couns

resol ve this. Than k you. --Sylvia Delga do OLS Crim. Def.A tty.

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Sylvia Delgado OLS Crim.Def.Atty.

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Sylvia Delgado OLS Crim.Def.Atty.

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Sylvia Delgado OLS Crim.Def.Atty.

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--Sylvia Delgado OLS Crim.Def.Atty.

Tonya Spaeth Ahlschwede

From:	Sylvia Delgado <sylvia@sdelgadolaw.com></sylvia@sdelgadolaw.com>
Sent:	Wednesday, December 1, 2021 8:44 PM
То:	Vivian Torres; bsmith@co.kinney.tx.us; kc.courts@co.kinney.tx.us; Tonya Spaeth Ahlschwede
Cc:	kschild@elp.rr.com; geniejwright@gmail.com; Eric Fletcher; RachelGarza@trla.org; n.mata@co.kinney.tx.us
Subject:	Fwd: Signed PR bonds with cause number (1 of 2)
Attachments:	211201 - PR Bond - Alain Ramirez - signed - cause no added.pdf; 211201 - PR Bond - Alexis Herrera-Pinon - signed.pdf; 211201 - PR Bond - Andres Cazarez Leija - signed - cause no added.pdf; 211201 - PR Bond - Anselmo Perez Martinez - signed - cause no added.pdf; 211201 - PR Bond - Antenor Dominguez-Jimenez - signed - cause no added.pdf; 211201 - PR Bond - Arin Noel Hernandez Sabedra - signed.pdf; 211201 - PR Bond - Arturo Bonilla Mejia - signed.pdf; 211201 - PR Bond - Arturo Ramos-Guardiola - signed - cause no added.pdf; 211201 - PR Bond - Arvin Braulio Hernandez-Ramirez -
	signed - cause no added.pdf; 211201 - PR Bond - Bayron Ramon Figueroa Hernandez - signed - cause no added.pdf; 211201 - PR Bond - Benavidez Oliva Oziel - signed - cause no added.pdf; 211201 - PR Bond - Carlos Cruz Mejia - signed - cause no added.pdf; 211201 - PR Bond - Cesar Daniel Lopez Enamorado - signed - cause no added.pdf; 211201 - PR Bond - Domingo Gutierrez-Hernandez - signed - no cause number.pdf; 211201 - PR Bond - Ebelio Rodriguez Ehtzin - signed - cause no added.pdf; 211201 - PR
	Bond - Elmer Rolando Garcia - signed - cause no added.pdf; 211201 - PR Bond - Elvin Alfredo Raudales - signed - cause no added.pdf; 211201 - PR Bond - Erick Gutierrez- Lomas - signed - cause no added.pdf; 211201 - PR Bond - Frander Noel Ulloa Redondo
	 signed.pdf; 211201 - PR Bond - Gerardo Adolfo Reyna-Quinones - signed - cause no added.pdf; 211201 - PR Bond - Hugo Enrique Vasquez-Aguero - signed - cause no added.pdf; 211201 - PR Bond - Jesus Alfonso Verastegui Aranda - signed.pdf; 211201 -
	PR Bond - Jose Antonio Robles Garcia - signed.pdf; 211201 - PR Bond - Juan Antonio Verastegui Hernandez - signed.pdf; 211201 - PR Bond - Juan Carlos Sanchez Gamas - signed- cause no added.pdf; 211201 - PR Bond - Lorenzo Jimenez-Chacha - signed -
	cause no added.pdf; 211201 - PR Bond - Lorenzo Jimenez-Hernandez - signed - cause no added.pdf; 211201 - PR Bond - Lucio Gil Gonzalez - signed - cause no added.pdf; 211201 - PR Bond - Luis Alberto Olivas-Juarez - signed - cause no added.pdf; 211201 -
	PR Bond - Manuel De Jesus Pacheco Murillo - signed.pdf; 211201 - PR Bond - Marco Antonio Castro - signed - cause no added.pdf; 211201 - PR Bond - Martin Lopez
	Paredes - signed - cause no added.pdf; 211201 - PR Bond - Marvin Josue Mejia-Fuentes - signed - cause no added.pdf; 211201 - PR Bond - Miguel Cebrero Lemuz - signed - cause no added.pdf; 211201 - PR Bond - Obdulio Peralta-Hernandez - signed - cause no added.pdf; 211201 - PR Bond - Omar Avalos-Contreras - signed - cause no added.pdf; 211201 - PR Bond - Oscar Alexis Colin-Alvarez - signed - cause no added.pdf; 211201 - PR Bond - Pablo De Jesus Monsrreal Ibarra - signed - cause no
	added.pdf; 211201 - PR Bond - Ramon Alberto Campos Lopez - signed - Cause no added.pdf; 211201 - PR Bond - Ramon Alberto Campos Lopez - signed.pdf; 211201 - PR Bond - Raul Rodriguez-Ramirez - signed - cause no added.pdf; 211201 - PR Bond - Santos Gabino Vasquez Arteaga - signed - cause no added.pdf; 211201 - PR Bond - Selvin Adiel Torchez-Mateo - signed - cause no added.pdf; 211201 - PR Bond - Salvador Alejandro Orellana Martinez - signed - cause no added.pdf; 211201 - PR Bond - Uvaldo Avalos Salazar - signed - cause no added.pdf; 211201 - PR Bond - Victor Manuel Dominguez Jimenez- signed - cause no added.pdf; 211201 - PR Bond - Victor
	Sai Munoz Rodriguez - signed - cause no added.pdf; 2211201 - PR Bond - Pascual Cupil Vicente - signed.pdf

Judge Torres,

Here are Confinee signed Bond Orders WITH CAUSE NUMBERS. I will have filed a WAIVER OF ARRAIGNMENT AND PLEA OF NOT GUILTY, meaning I will not need a live court appearance. Please send the to the other Judges as you think best. I truly 100% do appreciate you all! Sylvia Delgado

In the following email, there are 10 additional signed bond orders for which we cannot find Cause Numbers. Two other individuals, Jose Alberto Tolen Poxtan and Noe Cantarero-Ponce have been in jail the longest (125 days and 115 days, respectively, as of 12/1/21). For all intents and purposes, it appears they are lost in the system.

Attached now are the 47 confinees with cause numbers.