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REPORTER'S RECORD
VOLUME 1 OF 1 VOLUMES
TRIAL COURT CAUSE NOS. EX14-19, 14-158

STATE OF TEXAS) IN THE DISTRICT COURT
VS.) ELLIS COUNTY, TEXAS
WINDSOR M. WILLIAM) 443RD JUDICIAL DISTRICT

EMERGENCY HEARING

AND

ORDER OF SURRENDER

On the 30th day of December, 2014, the following proceedings came on to be heard in the above-entitled and numbered cause before the Honorable Judge Ermatinger, Judge presiding, held in Waxahachie, Ellis County, Texas;

Proceedings reported by machine shorthand.

A P P E A R A N C E S

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STATE'S EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>OFFERED</u>	<u>ADMITTED</u>	<u>VOL.</u>
None				

DEFENDANT'S EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>OFFERED</u>	<u>ADMITTED</u>	<u>VOL.</u>
None				

P R O C E E D I N G S

Tuesday, December 30, 2014

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2
3
4 THE COURT: Court will call EX14-19 and --
5 State of Texas versus William M. Windsor, Extradition,
6 and Court will call Cause No. 14-148 (sic), State of
7 Texas, William Windsor, Extradition; misdemeanor two
8 counts, felony three counts, and the Writ of Habeas
9 Corpus.

10 MS. EDGECOMB: I'm sorry, Judge. Is it 148
11 or is it 158?

12 THE COURT: There's one -- one is 14-158
13 and then the Extradition is 14-19, but they're kind of a
14 combination of two going together so.

15 Ms. Edgecomb, we're on the record now,
16 would you like to put that on the record that you're
17 Mr. Windsor's attorney?

18 MS. EDGECOMB: Yes. I'm just representing
19 Mr. Windsor just in terms of trying to find out what
20 today's hearing is about. Obviously, Mr. Windsor
21 contacted our office, indicated that he had not received
22 any notice of today of any hearing. He just stated he
23 didn't know what the hearing was about. That's all I
24 know, and I don't even know what the hearing is about,
25 Judge. So I didn't -- of course it's not Mr. Wilson's

1 fault. I mean, obviously, he didn't know I was going to
2 show up, and that's -- that's all I know, Judge. I
3 think my understanding is -- and I'm not sure --
4 obviously, I wasn't here at the last hearing is that he
5 might have received notice to return in January?
6 January something?

7 THE COURT: 21st.

8 MS. EDGECOMB: That's -- that's the only
9 notice he's ever received. He's indicated that he's
10 checked his P.O. Box. There was a P.O. Box that should
11 have been on file where he should have received any kind
12 of notice, and he hasn't received any notice of today's
13 hearing or that a hearing was scheduled. Nobody
14 contacted him. Should be motions on file for legal mail
15 in which anything having to do with the case that a P.O.
16 Box in Dallas, Texas is on file. He's turned over his
17 passport to the Court. I believe there is even an
18 e-mail account on file, Judge, where he probably could
19 have received notice as well. The only thing I know,
20 Judge, is he has not received notice to be here today.

21 THE COURT: Mr. Wilson, do you want to
22 address Ms. Edgcomb or the Court?

23 MR. WILSON: I'm not real sure what there
24 is to do at this point, Judge. Mr. Windsor is not
25 present. I guess a recitation of the facts would be

1 appropriate for the record for posterity sake.

2 THE COURT: Yes.

3 MR. WILSON: On December 19th you granted
4 Mr. Windsor a personal recognizance bond -- that -- the
5 instanter bond, and it was stated at that hearing -- I
6 stated in response to your question that once we obtain
7 the governor's warrant it would be my intent to seek out
8 Mr. Windsor and have him arrested as soon as possible.

9 That warrant was issued by Governor Perry
10 on December 23rd. It came in the hands of the Ellis
11 County Sheriff's Office on December 26th. On that day
12 they attempted to serve that warrant at the residence
13 where he claimed to be living in which he said was a --
14 which you stated as a condition of his bond. Frankly,
15 Mr. Windsor lied to this Court. He said he was living
16 at this hotel in Richardson. You conditioned his bond
17 on him staying there. Sheriff's deputies went there to
18 execute that warrant and it's stated in my motion for
19 this emergency hearing and order to appear, Mr. Windsor
20 in fact is not staying there. Hotel staff confirmed
21 that while he paid for a room, he is not actually
22 staying there. There's been no sign that he's actually
23 staying there, and so I ask that this hearing be set.
24 And because it is an instanter bond that he be ordered
25 to appear immediately and if not -- that if he doesn't

1 appear, to forfeit his bond.

2 I was also informed yesterday by means of
3 your court coordinator that Mr. Windsor did call the
4 Court and informed the Court and said he would not be
5 here today. So in fact, for the record, he does know
6 about this hearing.

7 This -- this motion that I filed yesterday
8 I faxed it to his reported residence at that hotel in
9 care of the hotel. So he obviously knows about it, and
10 I would suggest that he is simply engaging in another
11 one of his attempts to manipulate the legal system to
12 his benefit. I'm not sure what purpose he has in trying
13 to retain Ms. Edgecomb to show up here at a moment's
14 notice. It's certainly not her fault. I just don't
15 think there's anything to do at this point except to ask
16 the bailiff to call his name three times at the
17 courthouse steps and forfeit his bond and proceed.

18 THE COURT: Ms. Edgecomb, did you get a
19 copy of the motion that was sent to Mr. Windsor?

20 MS. EDGECOMB: No. That's not Mr. Wilson's
21 fault obviously.

22 THE COURT: No, no.

23 MS. EDGECOMB: He didn't know. He could
24 have sent me one.

25 THE COURT: Patrick, do you have an extra

1 copy so she can just look at it, or I can have her make
2 a copy out of my file.

3 MR. WILSON: No, I've got an extra copy.

4 MS. EDGECOMB: And -- and just really
5 quick, Judge, did he -- Mr. Windsor file anything by any
6 chance?

7 THE COURT: I'm just looking --

8 MS. EDGECOMB: A motion for -- to continue?

9 THE COURT: The Court has a letter. It
10 looks like it was filed to Mr. Wilson.

11 MS. EDGECOMB: Okay.

12 THE COURT: And with the little note to me
13 and he printed out the Code of Criminal Procedure. I
14 don't see a motion. Let me look to make sure. Looking
15 at the file, it looks like the last motions from
16 Mr. Windsor was his Motion for Writ on December 19th.

17 MS. EDGECOMB: On December 19th?

18 THE COURT: Yeah, and we heard that. I do
19 not see --

20 MS. EDGECOMB: Okay.

21 THE COURT: -- a new motion.

22 MS. EDGECOMB: That's fine. Okay.

23 So at this point, Judge, then I'm -- I'm
24 assuming the emergency motion is to have Mr. Windsor
25 appear because a warrant has been issued?

1 THE COURT: That is correct.

2 MS. EDGECOMB: Okay.

3 THE COURT: Mr. Wilson, do you want to put
4 on any testimony that he's violated the conditions of
5 his PR bond?

6 MR. WILSON: Sure, Judge, I'd be happy to
7 do that. I would like to call Phil Slaughter to the
8 stand.

9 THE COURT: All right.
10 Please raise your right hand.
11 (Witness sworn)

12 Thank you. Take a seat.

13 MR. WILSON: Just for record, Ms. Edgecomb
14 has been provided copy of the motion on file yesterday.

15 MS. EDGECOMB: Correct.

16 THE COURT: Also on the record, Mr. Windsor
17 is not in the courtroom at this time.

18 PHILLIP SLAUGHTER,
19 having been first duly sworn, testified as follows:

20 DIRECT EXAMINATION

21 BY MR. WILSON:

22 Q. Would you state your name please.

23 A. Phillip Slaughter.

24 Q. How are you employed?

25 A. I'm Sergeant with Ellis County Sheriff's

1 Office.

2 Q. Sergeant Slaughter, were you working on
3 December 26th of 2014?

4 A. Yes, sir.

5 Q. On that day did you come into possession of a
6 -- an original warrant that was issued by Governor Rick
7 Perry of the State of Texas?

8 A. Yes, sir.

9 Q. Was that a warrant -- an extradition warrant
10 for the arrest of a William Windsor?

11 A. Yes, sir.

12 Q. And did you personally attempt to serve that
13 warrant?

14 A. Yes, sir.

15 Q. Can you tell the Court about your experience in
16 attempting to serve that warrant?

17 A. We went to the hotel in Richardson, the address
18 we were given where he claimed to be staying at. When
19 we got to the hotel I spoke with hotel staff. They said
20 he rented a room there until January 21st and gave us a
21 room number and even provided us the location of the
22 room. We went to the room, knocked on the door, didn't
23 get any answer. They opened the door. We went in,
24 didn't look like anybody lived there. The -- there was
25 no personal effects or anything inside this room.

1 The gentleman with the hotel then contacted
2 his cleaning staff, spoke to them and they said they've
3 been in that room --

4 MS. EDGECOMB: Objection, hearsay.

5 MR. WILSON: Judge, the Rules of Evidence
6 apply to an extradition hearing -- a hearing related to
7 an extradition matter, I think that's what we're talking
8 about here.

9 MS. EDGECOMB: We're talking about -- what
10 we're talking about is surrender of bond and he wants to
11 bring somebody in to say that -- from the staff that
12 said, you know, this is what they're saying, then he
13 needs to present someone.

14 THE COURT: I will sustain her objection.
15 You just tell me what all you saw and what you found.

16 THE WITNESS: Okay.

17 THE COURT: What his room looked like, was
18 his vehicle -- things like that.

19 THE WITNESS: His vehicle was not in the
20 parking lot. We checked the parking lot. The room was
21 completely clean, had not been -- didn't look like it
22 had been touched at all. The bed was perfectly made and
23 speaking to the gentleman at the -- that handles the
24 lobby area and is running the hotel for the day, he then
25 told us it had been --

1 MS. EDGECOMB: Objection --

2 THE WITNESS: -- rented until in 21st.

3 MS. EDGECOMB: Objection to hearsay as to
4 what any staff might have said. Again same objection.

5 MR. WILSON: Judge, if I may. The Rules of
6 Evidence explicitly state that they do not apply to bond
7 hearings or extradition hearings. They apply only at a
8 hearing to revoke or increase bond. This is not such a
9 hearing. This is simply a hearing related to the
10 extradition of William Windsor. The Rules of Evidence
11 explicitly say the Rules of Evidence don't apply --

12 MS. EDGECOMB: Again --

13 MR. WILSON: -- to an extradition hearing.

14 MS. EDGECOMB: And again if he's trying to
15 bring in -- bring it in for the truth of the matter,
16 outside statement, again he can produce the witness that
17 he spoke to say what it is he actually said.

18 THE COURT: Sustained. I'll sustain her.

19 THE WITNESS: There was no evidence anyone
20 had been living in that room or been in that room.

21 MR. WILSON: Nothing further -- well, one
22 more question.

23 Q. (BY MR. WILSON) Have you been able to locate
24 Mr. Windsor since that time?

25 A. No, sir.

1 MR. WILSON: Pass the witness.

2 CROSS-EXAMINATION

3 BY MS. EDGECOMB:

4 Q. I'm sorry, could you state your name again
5 for --

6 A. Phillip Slaughter.

7 Q. And are you Detective Slaughter?

8 A. Sergeant.

9 Q. Sergeant Slaughter. Okay?

10 A. Yes.

11 Q. Sergeant Slaughter, you indicated a hotel.
12 What hotel are you talking about?

13 A. The Marriott. I actually didn't bring it with
14 me. It's a Courtyard Marriott at -- the -- address that
15 we were provided, I left it sitting on my desk on a
16 sticky note it was written on.

17 Q. Okay. And room number did you go to?

18 A. 242.

19 Q. And would you agree that -- have you ever
20 stayed in a hotel before obviously?

21 A. Yes.

22 Q. Okay. All right. Would you agree hotels are
23 made daily by staff? I mean cleaned up and beds are
24 made?

25 A. Yes and the staff told us they had not.

1 Q. Again that wasn't the question. Would you
2 agree that staff makes the beds every day? Cleans and
3 or --

4 A. Depends on the hotel.

5 Q. Depends on the hotel, correct?

6 A. Correct.

7 Q. All right. So other than what his staff might
8 have told you would you agree that perhaps it's possible
9 that staff could have gone in there and made the beds?

10 A. They could have made the bed I guess.

11 Q. Okay. All right. So could have been clean and
12 could have been made, right?

13 A. I don't believe it was.

14 Q. My question is do you believe it's possible?

15 A. According to them it wasn't, so --

16 Q. Again --

17 A. -- I don't believe it's possible.

18 Q. -- that's not the question. Is it possible
19 that the -- that room could have already been made?

20 A. I don't think so.

21 Q. Now, you indicated there were no personal
22 effects, correct?

23 A. Correct.

24 Q. Okay. Now, a person that's also necessarily --
25 that's staying there doesn't necessarily have to leave

1 their things in a hotel room, correct?

2 A. Correct.

3 Q. Okay. All right. You indicated you didn't see
4 a vehicle, correct?

5 A. Yes.

6 Q. Was that based on one visit?

7 A. We were there for four and a half hours.

8 Q. That was based on one visit on one day?

9 A. Yes, by me, yes.

10 Q. Correct. Okay. So it's possible that he was
11 just not there on that day, correct?

12 A. According to --

13 Q. Again --

14 A. -- a Richardson officer --

15 Q. Again is it possible --

16 A. As far as my personal knowledge during that
17 four-hour period he was not there.

18 Q. Correct. Okay --

19 A. He did not appear to have be there.

20 Q. All right. Do you believe a vehicle is a
21 moving vehicle?

22 A. That a vehicle is a moving vehicle?

23 Q. That it can be moved?

24 A. Yes.

25 Q. Somebody can get in a car and move a vehicle,

1 correct?

2 A. Yes.

3 Q. All right. So -- and this is a hotel, right?

4 A. Correct.

5 Q. What day was that again?

6 A. Friday.

7 Q. December the 20 --

8 A. Six

9 Q. -- six? Day after Christmas?

10 A. Yes.

11 Q. All right. Okay. So people visit people
12 correct, Christmastime?

13 A. Sure.

14 Q. Okay. All right. That doesn't necessarily
15 mean you're not still residing there, correct? If you
16 visit --

17 A. I just know he wasn't there, and it didn't
18 appear he had been there.

19 Q. All right. Okay. All right. Now -- and you
20 indicated you went to room 242, correct?

21 A. Yes.

22 Q. Okay. Did you actually check the room log?

23 A. Did I --

24 Q. The log at the hotel room where somebody signs
25 in?

1 A. No, the gentleman at the counter that handles
2 all that told me.

3 Q. So you never checked the log -- hotel log, sign
4 in log, anything like that?

5 A. No. There was no sign in log.

6 Q. Okay. All right.

7 MS. EDGECOMB: Pass the witness.

8 MR. WILSON: Nothing further, Your Honor,
9 from this witness.

10 THE COURT: I have a question for you.

11 THE WITNESS: Yes, ma'am.

12 THE COURT: Do you know how Mr. Windsor
13 found out about this hearing date today?

14 THE WITNESS: I do not know.

15 THE COURT: Nothing further.

16 MS. EDGECOMB: I have one question.

17 REXCROSS-EXAMINATION

18 BY MS. EDGECOMB:

19 Q. Do you know if he -- Mr. Windsor received
20 notice of today's hearing?

21 A. I do not.

22 Q. So you --

23 A. I did not serve him with notice, so I don't
24 know.

25 Q. Okay. So you have no personal knowledge that

1 he has notice of today's hearing?

2 A. I do not.

3 MS. EDGECOMB: Okay. Thank you.

4 THE WITNESS: Thank you.

5 MR. WILSON: Your Honor, she's not going to
6 like this, but I would like to call your coordinator,
7 Melissa Butler, as a witness.

8 MS. EDGECOMB: We'll, I'm going to object.
9 She was in here and counsel had every opportunity to
10 invoke the rule prior to that -- prior to calling her.

11 MR. WILSON: Well...

12 THE COURT: I think that we can let her
13 testify.

14 Let me swear you in.

15 (Witness sworn)

16 You may be seated.

17 MELISSA BUTLER,

18 having been first duly sworn, testified as follows:

19 DIRECT EXAMINATION

20 BY MR. WILSON:

21 Q. For the record could you state your name.

22 A. Melissa Butler.

23 Q. And, Ms. Butler, how are you employed?

24 A. In the 443rd as the court coordinator.

25 Q. And are you responsible for setting the dockets

1 and schedulings of the Court's matters?

2 A. Yes, sir.

3 Q. And yesterday did you receive a phone call from
4 an individual who purported to be Bill or William
5 Windsor?

6 A. Yes, sir.

7 Q. And is that a name you're familiar with in this
8 court?

9 A. Yes, sir.

10 Q. And what did that individual -- what was the
11 purpose of that individual calling you?

12 A. To state that he would not be at the hearing,
13 and he would be appearing by telephone.

14 Q. And was that in reference to this hearing we're
15 having right now at 1:30?

16 A. Yes, sir.

17 Q. So obviously that person knew about this
18 hearing; is that correct?

19 A. Yes, sir.

20 MR. WILSON: Pass the witness.

21 CROSS-EXAMINATION

22 BY MS. EDGECOMB:

23 Q. And when you indicated you spoke to somebody on
24 the telephone are you -- are you familiar with
25 Mr. Windsor's voice?

1 A. Yes, ma'am.

2 Q. And did Mr. Windsor indicate to you that he had
3 not received notice of the hearing?

4 A. He never stated he rec -- he stated that
5 someone contacted him about the hearing.

6 Q. Okay. But do you schedule hearings?

7 A. Yes, ma'am.

8 Q. Okay. And for this scheduling today how did
9 you receive notice to schedule it?

10 A. It was filed with the clerk's office.

11 Q. Okay. And once it's filed with the clerk's
12 office, how do you get a hold of a person, like a defendant
13 or anybody else that's scheduled -- attached to the
14 hearing? How do you notify them?

15 A. If it's a -- if the attorney's asking for the
16 setting then I would not send notice.

17 Q. So if it's a pro se, how would you contact a
18 pro se?

19 A. If the pro se litigant filed for the notice?

20 Q. Whoever filed for the notice, how do you
21 contact a pro se?

22 A. That's not my obligation as a pro -- like I
23 wouldn't send notice to you if you were the attorney of
24 record nor would I send notice to the pro se because it
25 was set by the attorney.

1 Q. Okay. So if the State filed it then you would
2 not contact anybody about notice?

3 A. Correct.

4 Q. That's what I was getting to. Okay. So if the
5 State filed this hearing you wouldn't have contacted
6 Mr. Windsor to inform him there was a hearing?

7 A. No, ma'am.

8 Q. Okay. And unless you would have known he had
9 an attorney you still wouldn't have contacted the
10 attorney either?

11 A. Correct.

12 Q. You would then rely on the State to make that
13 contact and that notice?

14 A. Yes, ma'am.

15 MS. EDGECOMB: Thank you. No further
16 questions.

17 MR. WILSON: I have --

18 THE COURT: Mr. Wilson?

19 MR. WILSON: -- no further questions.

20 THE COURT: All right. You may step down.
21 Mr. Wilson, anything else?

22 MR. WILSON: No, Your Honor.

23 THE COURT: Bailiff, can you go out and
24 call for William N. -- M. Windsor, please?

25 THE BAILIFF: Yes, ma'am.

1 No response, Judge.

2 THE COURT: Thank you. Bailiff called the
3 halls. Mr. William M. Windsor is not here. You fill
4 out a certificate of call for me?

5 THE BAILIFF: Yes, ma'am.

6 THE COURT: Thank you.

7 Mr. Wilson, you got the -- you received the
8 governor's warrant when you got back from Christmas
9 holiday on the 26th?

10 MR. WILSON: Sheriff's Office did.

11 THE COURT: Sheriff's Office?

12 MR. WILSON: Yes, Your Honor. I can show
13 it to you if you would like to see it.

14 THE COURT: Yes, I would like to see it.

15 MS. EDGECOMB: Can we get a copy of that
16 also, Judge?

17 THE COURT: Actually, it isn't mine to give
18 a copy of.

19 MR. WILSON: I don't know that it's mine to
20 give a copy of either.

21 THE COURT: It's a warrant.

22 MR. WILSON: I'm not real comfortable --

23 THE COURT: No.

24 MR. WILSON: -- providing copies of
25 warrants.

1 THE COURT: Yeah. There won't be a copy
2 made today, Ms. Edgecomb.

3 MS. EDGECOMB: Okay.

4 THE COURT: Any party want to argue?

5 MS. EDGECOMB: Just briefly, Judge.

6 THE COURT: Sure.

7 MS. EDGECOMB: Just on notice, Judge.

8 That's it.

9 THE COURT: Yes.

10 MS. EDGECOMB: Basically then this sounds
11 like just an emergency motion to appear is what it's
12 sounding like and/or surrender, and as indicated again
13 Mr. Windsor received no notice that the warrant was
14 issued and/or that there was an attempt to serve. There
15 was no notice made today of the emergency hearing. If
16 they want him to surrender all they have to do is
17 contact him and we'll -- I mean could have contacted my
18 office. I probably could have contacted him myself too
19 and had him surrender had I known there was a warrant.
20 Obviously -- but -- I mean I certainly understand
21 Mr. Wilson is coming from and didn't know that could
22 have been a possibility. I would have been able to
23 totally get him to surrender. As it is, he didn't have
24 notice of today's hearing, and that's the only reason he
25 contacted my office was to find out what the hearing was

1 about. I believe the Court -- and keep in mind, Judge,
2 I wasn't here that day on the last hearing again, but I
3 believe the Court indicated that he could surrender
4 himself to Montana. I'm not sure if that's what the
5 Court indicated.

6 So there was a -- I think there's an
7 indication on that notice or that motion that should
8 have been filed -- I don't think -- and you indicated
9 there's no filing, Judge. So I do apologize.

10 THE COURT: That's okay.

11 MS. EDGECOMB: That indicated that he has
12 been told he could surrender himself to Montana and that
13 he's made contact with an attorney in Montana. So
14 there's also -- there's obviously a very good
15 possibility that that's a possibility that he might
16 already be in Montana. I -- you know honestly, I really
17 don't know, Judge.

18 THE COURT: I understand.

19 MS. EDGECOMB: I don't know where
20 Mr. Windsor is located right now other than -- the only
21 thing we're arguing right now is the notice for today's
22 hearing, and if he needs to be here to surrender
23 himself, fine. I'll contact him. We'll get him to
24 surrender himself if we can get another court date.
25 That's fine unless I can find out also are you

1 surrendering yourself to Montana, in which case, at that
2 point obviously Mr. Wilson's got every right to ask for
3 the bond to be forfeited if he doesn't appear by that
4 next hearing date. We just need enough sufficient time.
5 I mean -- what is today? Today's --

6 THE COURT: The 30th.

7 MS. EDGECOMB: I mean Tuesday -- Tuesday?
8 We're on Tuesday? I'm sorry. I'm just lost this week.
9 Working through Christmas. If we want do it by Friday,
10 I can have him hear by Friday. Court open on Friday?

11 THE COURT: Yes. We're just not open
12 Thursday.

13 MS. EDGECOMB: I'm just trying to remember
14 for Dallas days also, Judge. I'm not sure which courts
15 are open and which of them are closed.

16 THE COURT: I think we're just closed
17 Thursday. Yeah.

18 MS. EDGECOMB: So we're just closed
19 Thursday? I'm working through the holiday. So if we
20 need to reschedule this and get him here and be here by
21 Friday, obviously that's more than enough time to get
22 him here, say hey, governor's warrant's been issued, you
23 need to surrender yourself. Either go directly to the
24 Sheriff's Office, get yourself surrendered and/or you
25 need to appear for this hearing, in which case you're

1 going to be taken into custody, one or the other get
2 yourself surrendered, get yourself to the hearing, one
3 or both or if you do not appear this bond is going to be
4 forfeited in which case you need to be in Montana at
5 that point because the judge also did inform you you
6 could surrender yourself to Montana as well. So if
7 you're in Montana I need to know as well or the Court
8 needs know so they know how to proceed at that point.
9 Give us proof you're in Montana too. That's the only
10 thing we're asking. I mean obviously he didn't receive
11 sufficient notice of this hearing. I don't know --
12 other than calling Mr. Wilson to the stand, I have no
13 idea how he served notice.

14 THE COURT: I think he said he faxed it to
15 the hotel -

16 MR. WILSON: Right.

17 THE COURT: -- correct?

18 MR. WILSON: And that's in my certificate
19 of service, and I have the fax confirmation that that's
20 where it was sent to.

21 MS. EDGECOMB: I mean that's all we have.
22 That's it.

23 THE COURT: Thank you.

24 MS. EDGECOMB: So...

25 THE COURT: Thank you.

1 MS. EDGECOMB: Thanks.

2 THE COURT: Mr. Wilson?

3 MR. WILSON: Again, he -- Mr. Windsor
4 signed an instanter PR bond on December the 19th.
5 Notice of this proceeding was sent to his hotel
6 yesterday. Frankly, that was only a courtesy. He is
7 currently a wanted man in two states at this point in
8 time. I don't have any obligation to provide him notice
9 to surrender himself. If he wants to surrender himself,
10 he can walk into any police station at in any moment in
11 time and do that. We don't need to reset this matter so
12 he can -- a fugitive can surrender himself. I would
13 simply ask that you forfeit the bond. I don't believe
14 there's a need to issue an additional capias or warrant
15 at this point in time because of the active warrant
16 that's already out there, and I ask that you forfeit his
17 bond.

18 THE COURT: Thank you. Ms. Edgecomb, do
19 you want to -- before I rule do you want to step out and
20 call him and find his location?

21 MS. EDGECOMB: I don't have --

22 THE COURT: See if he's close -- nearby?

23 MS. EDGECOMB: I don't have a number,
24 Judge, unfortunately. I mean I --

25 THE COURT: We have his number.

1 MS. EDGECOMB: Oh, do you?

2 THE COURT: Uh-huh.

3 MS. EDGECOMB: Oh, yeah, I mean I can.

4 THE COURT: Yes.

5 MS. EDGECOMB: We can try and see if we can
6 get a hold of him.

7 THE COURT: Let's try that.

8 MS. EDGECOMB: Okay.

9 THE COURT: The number he gave us on the
10 extradition appearance bond is 770 --

11 MS. EDGECOMB: Okay.

12 THE COURT: -- 578 --

13 MS. EDGECOMB: Okay.

14 THE COURT: -- 1094.

15 MS. EDGECOMB: Okay.

16 THE COURT: Why don't we just go off the
17 record for a minute and let you step out and see if you
18 can call him.

19 MS. EDGECOMB: Great.

20 THE COURT: That's the number he uses,
21 Ms. Edgecomb.

22 MS. EDGECOMB: Okay. All right.

23 THE COURT: Off the record.

24 (Break in proceedings)

25 THE COURT: Back on the record in William

1 M. Windsor, Extradition, but it's actually the Emergency
2 Hearing and Order of Surrender hearing today.

3 Yes, Ms. Edgecomb?

4 MS. EDGECOMB: In calling that telephone
5 number it only indicates that because of so many phone
6 calls that are coming through you will -- it's best to
7 contact me by e-mail. That's what it says exactly.

8 THE COURT: Yeah --

9 MS. EDGECOMB: If you call it, you'll find
10 out that's exactly what it says, Judge. But you can
11 only leave a message and/or -- I tried to send an
12 e-mail. Obviously, we can't sit here forever waiting on
13 a response.

14 THE COURT: True. I agree.

15 MS. EDGECOMB: Sounds like that's the only
16 other means of communication at this point. If that's
17 going to be the only means of communication, obviously,
18 you know -- certainly it's a warrant. I certainly
19 understand Mr. Wilson's position on the warrant at this
20 point. However, he's asking for a hearing to appear and
21 we're just -- we're just arguing we should have had
22 sufficient notice for that appearance. That's -- that's
23 all we're arguing, Judge.

24 THE COURT: Patrick, that -- that
25 governor's warrant is an active warrant now, isn't it?

1 MR. WILSON: Yes. I mean -- yes.

2 THE COURT: Okay. I thought it was. I
3 just wanted to make sure.

4 On December 19th when we were here I
5 authorized a PR bond of \$100,000, and it was instanter.
6 Mr. Windsor asked several questions about that instanter
7 that it meant if that governor's warrant came in
8 Mr. Wilson or the Sheriff's deputies or someone would go
9 out with the governor's warrant and arrest him. I made
10 the date for the hearing -- the extradition hearing on
11 January 21st of 2015, but informed Mr. Windsor and the
12 State that if the warrant came in sooner we would move
13 that date up earlier.

14 Mr. Windsor gave me the address of the
15 Marriott Courtyard as a condition of his PR bond because
16 I did not want him to go anywhere but Montana if he was
17 going anywhere. He told me that he was going to be
18 living at the Marriott Courtyard in Richardson. He also
19 was supposed to inform me if he leaves that residence,
20 and if he traveled to Montana he was to call and let me
21 know. The Court has no phone calls of any of that. He
22 also left on the extradition appearance bond the address
23 of the hotel and that phone number. He did not give any
24 e-mail address for a way for the Court or the officers
25 to reach him on that appearance bond. I am still

1 setting the date for January 21st, 2015 at nine a.m. for
2 the extradition hearing, but I am going to revoke his PR
3 bond as I believe he has violated this condition of
4 bond. I do not believe he is staying at the Marriott
5 Courtyard. He has not contacted the Court.

6 He informed my office that he knew about
7 the hearing and he was not going be here but he would be
8 by phone which informs -- think -- tells me he's not in
9 Richardson and that concerns the Court.

10 MS. EDGECOMB: And -- and, Judge, I don't
11 mean to cut you off.

12 THE COURT: That's okay.

13 MS. EDGECOMB: If I could make one -- I did
14 not realize that the Court had ordered that he would
15 inform the Court if he would travel to Montana.

16 THE COURT: Yes. I told him if he leaves
17 the hotel he must inform me if he's going to Montana.

18 MS. EDGECOMB: Correct.

19 THE COURT: Otherwise he is to stay here --

20 MS. EDGECOMB: Correct and --

21 THE COURT: -- at the hotel.

22 MS. EDGECOMB: The motion we are
23 discussing, Judge --

24 THE COURT: Yes.

25 MS. EDGECOMB: If you recall I was asking

1 if he had filed anything. He sent something and I just
2 hadn't had a chance to file it, Judge, and I do
3 apologize about that.

4 THE COURT: That's all right.

5 MS. EDGECOMB: It clearly states on here
6 that he was traveling to Montana.

7 Give me just a second.

8 THE COURT: Sure.

9 MS. EDGECOMB: On December the 30th, he is
10 headed to Montana as discussed with this Court. That's
11 all I have on the motion. Of course I wasn't able to
12 file it.

13 THE COURT: Right. He had not informed the
14 Court he was headed to Montana. The call yesterday was
15 only to let us know he was not going to be at this
16 hearing.

17 MS. EDGECOMB: Correct. But had I filed
18 this in time, Judge, I think that would have been
19 sufficient notice that that is where in fact he is.

20 THE COURT: Well, I don't think that's your
21 fault that he just hired you. That's not -- that's not
22 your fault on that, Ms. Edgcomb.

23 MS. EDGECOMB: I just wanted to let the
24 Court know that he --

25 THE COURT: Mr. Wilson, were there calls to

1 Montana to see if he had shown up before then -- I mean
2 before --

3 MR. WILSON: Judge, I spoke with elected
4 district attorney in Missoula, Montana -- Missoula
5 County, Montana yesterday, and there was no indication
6 that he had done anything of the sort in my conversation
7 with him yesterday.

8 MS. EDGECOMB: The only thing that
9 indicates here, Judge -- which I can certainly file with
10 the Court. I mean it's long-winded, which I'm sure
11 you're used to. He is in route to Montana where he will
12 turn himself in to the authorities accompanied by a
13 Montana attorney, spoken with a law firm in -- I guess
14 it's Missoula. Is it Missoula, Montana?

15 THE COURT: It's Missoula County I think.

16 MR. WILSON: Yes.

17 MS. EDGECOMB: Oh, okay. All right.

18 THE COURT: Maybe it's Missoula, Montana.

19 MR. WILSON: Both.

20 THE COURT: Both?

21 MR. WILSON: I think city and county.

22 MS. EDGECOMB: I will -- I will indicate,
23 Judge, it just says law firm. It's not indicating --
24 it's not giving me specifics, and it does say attorney.
25 It's not giving me specifics either.

1 MR. WILSON: Judge, I think Ms. Edgecomb is
2 reading from online postings that Mr. Windsor is putting
3 out there, and I didn't really want to get into that but
4 I --

5 MS. EDGECOMB: Oh, it's actually --

6 MR. WILSON: Take that for what that's
7 worth.

8 MS. EDGECOMB: Well, that's true. No,
9 that's actually a motion, Judge. I do apologize. I
10 didn't have a chance to get that on file, but it's a
11 motion --

12 MR. WILSON: That's --

13 MS. EDGECOMB: That's just --

14 MR. WILSON: -- identical to what he's --

15 MS. EDGECOMB: Okay.

16 MR. WILSON: -- saying online.

17 MS. EDGECOMB: Which didn't get filed,
18 Judge. I do apologize. I thought he had filed it with
19 the Court.

20 THE COURT: Well, if he started driving
21 today he should be there by tomorrow. So the governor's
22 warrant is active, and as of right now I'm going off my
23 PR bond. If I get a call tomorrow and the State or the
24 officers let me know, you know, I'll hold that of not
25 showing up on mine but he has the governor's warrant.

1 If he's actually left today, he'll be there tomorrow.

2 MS. EDGECOMB: Okay. So we'll hold off on
3 the forfeiture just until tomorrow? The actual -- I see
4 what you're saying.

5 THE COURT: I'm going to -- I will forfeit
6 his bond, but I will not sign it until tomorrow.

7 MR. WILSON: Judge, I -- again I would
8 strongly urge you to sign it today. Mr. Windsor has had
9 ten or eleven days now since our hearing on the 19th,
10 the day he got out of jail, and I -- I -- there's no
11 reason to believe that this is anything other than an
12 additional manipulation of the legal system by
13 Mr. Windsor. Hiring Ms. Edgecomb at the 11th hour when
14 she has no knowledge of what she's walking into, and I
15 just believe he's -- he's getting what he wants if you
16 don't forfeit the bond today.

17 THE COURT: I apologize. I might have
18 misspoke. I'm going to forfeit his bond, but if I get a
19 call tomorrow I will pull that. If -- I'm sorry. I
20 think I misspoke.

21 MR. WILSON: All right.

22 THE COURT: Because when you started saying
23 that I was listening to what I said.

24 MR. WILSON: Okay.

25 THE COURT: I will -- I am going to sign it

1 today.

2 MS. EDGECOMB: Right.

3 THE COURT: But if he gets there

4 tomorrow --

5 MR. WILSON: It's moot --

6 THE COURT: -- it's moot.

7 MR. WILSON: -- once he turns himself in.

8 THE COURT: Right. Right.

9 MS. EDGECOMB: Well -- well, actually it's
10 not quite moot, Judge. I mean obviously if --

11 THE COURT: Right.

12 MS. EDGECOMB: -- it's a forfeiture, he's
13 going to owe on the forfeiture and --

14 THE COURT: That's right.

15 MS. EDGECOMB: -- he was concerned about
16 that.

17 THE COURT: That's right. I'm sure he is
18 concerned about that.

19 MS. EDGECOMB: I will make sure he knows
20 about that then.

21 THE COURT: Yes.

22 MS. EDGECOMB: Okay. All right. Thank
23 you, Judge.

24 THE COURT: Thank you. Anything further
25 from the State?

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MR. WILSON: No, Your Honor.

THE COURT: Ms. Edgecomb, anything else?

MS. EDGECOMB: No.

THE COURT: All right.

(End of proceedings)

REPORTER'S CERTIFICATE

THE STATE OF TEXAS)
COUNTY OF ELLIS)

I, Kelly Pelletier, Official Court Reporter in and
for the 443rd District Court of Ellis County, State of
Texas, do hereby certify that the above and foregoing
contains a true and correct transcription of all
portions of evidence and other proceedings requested in
writing by counsel for the parties to be included in
this volume of the Reporter's Record, in the
above-styled and numbered cause, all of which occurred
in open court or in chambers and were reported by me.

I further certify that this Reporter's Record of
the proceedings truly and correctly reflects the
exhibits, if any, admitted by the respective parties.

I further certify that the total cost for the
preparation of this Reporter's Record is \$234.00 and was
paid by William M. Windsor.

WITNESS MY OFFICIAL HAND this the 16th day of
January, 2015.

/s/
Kelly Pelletier, Texas CSR 7840
Expiration Date: 12/31/2015
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