

CAUSE NO. 90744

State of Texas	§	443rd Judicial District Court
v	§	
William M. Windsor	§	Ellis County Texas

**MOTION FOR SANCTIONS AND CRIMINAL CHARGES AGAINST
ELLIS COUNTY TEXAS DISTRICT ATTORNEY
PATRICK WILSON AND THE STATE OF TEXAS**

Now comes William M. Windsor (“Windsor”) who files this Motion for Sanctions and Criminal Charges against Ellis County Texas District Attorney Patrick Wilson and the State of Texas pursuant to the Texas Rules of Civil Procedure, Texas Penal Code, and the Court’s Inherent Powers. William M. Windsor shows the Court as follows:

INTRODUCTION

1. Ellis County Texas District Attorney Patrick Wilson has used a document that he knows is both forged and incomplete as the key piece of evidence in this case and case #14-158. He has used it in multiple filings with complete knowledge that the document is a fraud upon the court.

2. Tabitha Smith, James Cook, Terry Ogden, Cheri Lujan, and Johnny Brown of the State of Texas did not witness William M. Windsor signing what the State claims is a “PR Bond” in Cause #14-158. [Affidavit of William M. Windsor in support of Sanctions and Criminal Charges (“AFFI-SANCTIONS”), Exhibit 1.] But they signed a document falsely claiming that they were a witness. [AFFI-

SANCTIONS, Exhibit 2.] This document is the key piece of evidence in this case, and it is a fraud. The actions of Ellis County Texas District Attorney Patrick Wilson caused William M. Windsor to be charged with felony bond jumping; to have a \$100,000 judgment awarded against him; to be indicted by an Ellis County Grand Jury; to be incarcerated for 35 days in Ada County Idaho and held on \$1,000,000 bond; to be incarcerated for 46 days in Missoula County Montana and held on \$1,000,000 bond; and he has not had his liberty for 507 days and counting.

[AFFI-SANCTIONS, ¶2.]

3. Ellis County Texas District Attorney Patrick Wilson and the State of Texas have committed crimes in falsifying AFFI-SANCTIONS, Exhibit 2. Ellis County Texas District Attorney Patrick Wilson and the State of Texas must be sanctioned by this Court, and Judge Cindy Ermatinger must issue a bench warrant for her arrest on Perjury, Tampering with or Fabricating Physical Evidence, Tampering with Governmental Record, Obstruction of Justice, and any other crimes that this Court feels are appropriate.

4. Ellis County Texas District Attorney Patrick Wilson has done much more. Upon information and belief, evidence will show that he conspired with the Missoula County Montana Attorney's Office to bring bogus charges against William M. Windsor so he could be extradited from Texas to Montana. Ellis County District Attorney Patrick Wilson lied to the Court to keep William M.

Windsor incarcerated for 53 days in Ellis County, and then he provided false information to Ada County Idaho and Missoula County Montana to keep him incarcerated for an additional 81 days. He did this as a service to corrupt people who are his political supporters and donors.

FACTUAL BACKGROUND

1. Factual background for this case is provided in the Affidavit of William M. Windsor dated June 3, 2016 (“AFFI-2016-06-03”). Some factual background for this case is also provided in the Affidavit of William M. Windsor dated May 9, 2016 (“AFFI-2016-05-09”) and the Affidavit of William M. Windsor in support of Sanctions and Criminal Charges (“AFFI-SANCTIONS”), referenced and incorporated herein as if attached hereto. The evidence attached as exhibits to the sworn affidavits supports the arguments made herein.

ARGUMENTS

A. THE ELLIS COUNTY DISTRICT ATTORNEY’S OFFICE FALISIFIED THE SO-CALLED “PR BOND.”

2. Exhibits 2 and 3 to AFFI-2016-06-03 constitute the document that William M. Windsor signed on December 19, 2014.

3. Exhibit 4 to AFFI-2016-06-03 is the document that Tabitha Smith, James Cook, Terry Ogden, Cheri Lujan, and Johnny Brown signed claiming to have witnessed William M. Windsor’s signature. This is what the State claims is the so-called “Bond.”

4. The State of Texas altered the so-called “Bond” after William M. Windsor saw it. The so-called “Bond” that Windsor signed was not witnessed and

was not signed in front of or by anyone from the Ellis County Jail. It also included pages missing from the State's so-called "BOND."

5. Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran obtained what William M. Windsor signed on December 19, 2014. They were in the courtroom. The Hearing Transcript proves exactly what they knew and that they had the signed documents in their possession at the close of the Hearing. Assistant Ellis County Texas District Attorney Ann Montgomery-Moran stated on the record that William M. Windsor was to sign at the Ellis County Jail, and she knows that never happened. She knows that the alleged witness signatures by Tabitha Smith, James Cook, Terry Ogden, Cheri Lujan, and Johnny Brown are fraudulent. Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran also know that two pages of the so-called "Bond" have been concealed from the court.

B. THE TEXAS CODE OF CRIMINAL PROCEDURE ARTICLE 22.13(A)(1) PROVIDES THAT THIS CASE AGAINST WILLIAM M. WINDSOR SHOULD NOT HAVE BEEN PURSUED BECAUSE THE BOND IS NOT A VALID AND BINDING UNDERTAKING IN LAW, BUT ELLIS COUNTY TEXAS DISTRICT ATTORNEY PATRICK WILSON PURSUED IT MALICIOUSLY AND WITH FULL KNOWLEDGE OF HIS WRONGFUL ACTS.

6. On December 19, 2014, William M. Windsor signed a so-called "PR Bond." It was not witnessed nor accepted by the Ellis County Jail. Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran were there in the courtroom witnessing everything that took place with the so-called "Bond" so they knew it was not

witnessed as required by law. In fact, Assistant Ellis County Texas District Attorney Ann Montgomery-Moran stated this legal requirement on the record.

7. William M. Windsor was not asked to sign as the Surety, so the required surety signature is non-existent. Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran knew it was not signed as required by law.

8. William M. Windsor was released from the Ellis County Texas Jail on December 19, 2014 without being asked to sign anything and without anyone witnessing anything as to the so-called "Bond." William M. Windsor's testimony in this regard is uncontroverted as is his copy of the so-called "Bond" that shows nothing was signed except what was done in Judge Cindy Ermatinger's courtroom. Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran knew it was not signed as required by law.

9. Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran have pursued this case maliciously and with full knowledge of their wrongful acts.

C. THE TEXAS CODE OF CRIMINAL PROCEDURE ARTICLE 22.13(A)(5) PROVIDES THAT WILLIAM M. WINDSOR MUST BE EXONERATED BECAUSE HE WAS INCARCERATED IN BOISE, IDAHO AND MISSOULA, MONTANA NOT LATER THAN THE 270TH DAY AFTER THE DATE OF HIS ALLEGED FAILURE TO APPEAR IN COURT. THIS LEGAL REQUIREMENT WAS IGNORED BY ELLIS COUNTY DISTRICT ATTORNEY PATRICK WILSON AND ASSISTANT ELLIS COUNTY DISTRICT ATTORNEY ANN MONTGOMERY-MORAN.

10. Pursuit of this legal action against William M. Windsor after February 19, 2015 was wrongful because Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran knew William M. Windsor was incarcerated in Boise, Idaho and Missoula, Montana not later than the 270th day after the date of his alleged failure to appear in court. (Texas Code of Criminal Procedure Article 22.13(a)(5).) (*Safety National Casualty Corp. v. State*, 273 S.W.3d 730 (Tex.App. Dist.1 11/07/2008); *Michael J. Todd v. the State of Texas*, No. 14-10-00031-CR (Tex.App. Dist.14 03/01/2011); *Mendez v. State*, 03-12-00200-CV (Tex.App. Dist.3 10/25/2013).)

11. William M. Windsor was incarcerated in the Ada County Jail in Boise, Idaho 51 days after the December 30, 2014 hearing. The 270-day period is calculated from the date that the principal fails to appear in court. (Tex. Code Crim. Proc. Ann. art. 22.13(a)5(B).)

“...surety is exonerated from liability from forfeiture if principal is incarcerated ‘not later than the 270th day after the date of the principal’s failure to appear in court’.” (*Michael J. Todd v. the State of Texas*, No. 14-10-00031-CR (Tex.App. Dist.14 03/01/2011).)

12. The State has been aware of this since February 19, 2015, yet they have pursued this action as well as criminal charges against William M. Windsor in Ada County Idaho and Missoula County Montana as well as Ellis County Texas. Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran have refused to dismiss the case despite notification of the law by William M. Windsor.

D. THE STATE HAD A LEGAL OBLIGATION TO PROVIDE NOTICE OF A HEARING TO WILLIAM M. WINDSOR, AND THE STATE FAILED TO DO SO. ELLIS COUNTY DISTRICT ATTORNEY

PATRICK WILSON LIED TO THE COURT CLAIMING NOTICE WAS PROVIDED.

13. The State had a legal obligation to provide notice of a hearing, but William M. Windsor received no notice of a hearing on December 29 or 30, 2014.

14. Texas Rules of Civil Procedure Rule 21 provides the applicable rules:

(a) Filing and Service Required. Every pleading, plea, motion, or application to the court for an order, whether in the form of a motion, plea, or other form of request, unless presented during a hearing or trial, must be filed with the clerk of the court in writing, must state the grounds therefor, must set forth the relief or order sought, and at the same time **a true copy must be served on all other parties**, and must be noted on the docket.

(b) Service of Notice of Hearing. An application to the court for an order and **notice of any hearing** thereon, not presented during a hearing or trial, **must be served upon all other parties not less than three days before the time specified for the hearing**, unless otherwise provided by these rules or shortened by the court. [**emphasis added.**]

15. William M. Windsor was not served. The alleged notice did not give three days' notice. The hearing was not legal.

16. Texas Rules of Civil Procedure Rule 21a (a) (2) provides:

Documents Not Filed Electronically. A document not filed electronically may be served in person, by mail, by commercial delivery service, by fax, by email, or by such other manner as the court in its discretion may direct.

17. Rule 21 a provides:

(e) Proof of Service. **The party or attorney of record shall certify to the court compliance with this rule in writing over signature and on the filed instrument.** A certificate by a party or an attorney of record, or the return of the officer, or the affidavit of any other person showing service of a notice shall be prima facie evidence of the fact of service. **Nothing herein shall preclude any party from offering proof that the document was not received**, or, if service was by mail, that the document was not received within three days from the date that it was deposited in the mail, and upon so finding, **the court may** extend the time for taking the action required of such party or **grant such other relief as it deems just.** [**emphasis added.**]

18. Ellis County Texas District Attorney Patrick Wilson violated the law and William M. Windsor's rights in failing to provide notice. He has provided proof that no document was received, and this has been confirmed by the Marriott Hotel in Richardson, TX where William M. Windsor had a room.

19. Written notice is required by law. There is no evidence of notice. Ellis County Texas District Attorney Patrick Wilson claimed that he sent a fax, but no fax was submitted as evidence, and there was no evidence of notice at the December 30, 2014 Hearing. No notice was ever received by William M. Windsor. Yet Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran have knowingly and maliciously pursued this improper cause of action.

E. ELLIS COUNTY TEXAS DISTRICT ATTORNEY PATRICK WILSON HAS COMMITTED MANY VIOLATIONS OF THE TEXAS PENAL CODE.

a. Ellis County Texas District Attorney Patrick Wilson has violated the following Texas Penal Code ("TPC") criminal laws: TPC Sec. 36.04 Improper Influence; TPC Sec. 36.05 Tampering with Witness; TPC Sec. 36.06 Obstruction; TPC Sec. 37.02 Perjury; TPC Sec. 37.09 Tampering with or Fabricating Physical Evidence; TPC Sec. 37.10 Tampering with Governmental Record; TPC Sec. 38.171 Failure to Report a Felony; TPC Sec. 39.02 Abuse of Official Capacity; TPC Sec. 39.03 Official Oppression; TPC Sec. 71.02 Engaging in Organized Criminal Activity; Obstruction of Justice; Subornation of Perjury.

20. **Sec. 36.04. IMPROPER INFLUENCE.** (a) **"A person commits an offense if he privately addresses a representation, entreaty, argument, or other communication to any public servant who exercises or will**

exercise official discretion in an adjudicatory proceeding with an intent to influence the outcome of the proceeding on the basis of considerations other than those authorized by law.” [emphasis added.] Ellis County Texas District Attorney Patrick Wilson has had improper influence with Judge Cindy Ermatinger.

21. **Sec. 36.05. TAMPERING WITH WITNESS.** (a) “**A person commits an offense if, with intent to influence the witness, he** offers, confers, or agrees to confer any benefit on a witness or prospective witness in an official proceeding, or he **coerces a witness or a prospective witness in an official proceeding:** (1) **to testify falsely;** (2) to withhold any testimony, information, document, or thing; (3) to elude legal process summoning him to testify or supply evidence; (4) to absent himself from an official proceeding to which he has been legally summoned; or (5) to abstain from, discontinue, or delay the prosecution of another. (b) A witness or prospective witness in an official proceeding commits an offense if he knowingly solicits, accepts, or agrees to accept any benefit on the representation or understanding that he will do any of the things specified in Subsection (a).” [emphasis added.] Ellis County Texas District Attorney Patrick Wilson has tampered with Tabitha Smith, James Cook, Terry Ogden, Cheri Lujan, and Johnny Brown.

22. **Sec. 36.06. OBSTRUCTION OR RETALIATION.** (a) “**A person commits an offense if the person intentionally or knowingly harms or threatens to harm another by an unlawful act:** (1) **in retaliation for** or on account of the service or status of another as a: (A) public servant, witness, prospective witness, or informant; or (B) **person who has reported or who the actor knows intends to report the occurrence of a crime;** or (2) **to prevent or delay the service of another as a:** (A) public servant, witness, prospective witness, or informant; or (B) **person who has reported or who the actor knows intends to report the occurrence of a crime.**” [emphasis added.] Ellis County

Texas District Attorney Patrick Wilson has committed obstruction and retaliation because William M. Windsor has reported crimes by Ellis County Texas District Attorney Patrick Wilson, Ellis County Texas Sheriff Johnny Brown, and Ellis County and Texas judges.

23. **Sec. 37.02. PERJURY.** (a) **“A person commits an offense if, with intent to deceive and with knowledge of the statement’s meaning: (1) he makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or (2) he makes a false unsworn declaration under Chapter 132, Civil Practice and Remedies Code.”** [emphasis added.] Ellis County Texas District Attorney Patrick Wilson’s filings in this case have constituted perjury.

24. **Sec. 37.09. TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE.** (a) **“A person commits an offense if, knowing that an investigation or official proceeding is pending or in progress, he: (1) alters, destroys, or conceals any record, document, or thing with intent to impair its verity, legibility, or availability as evidence in the investigation or official proceeding....”** [emphasis added.] Ellis County Texas District Attorney Patrick Wilson has altered and destroyed evidence.

25. **Sec. 37.10. TAMPERING WITH GOVERNMENTAL RECORD.** (a) **“A person commits an offense if he: (1) knowingly makes a false entry in, or false alteration of, a governmental record....”** [emphasis added.] Ellis County Texas District Attorney Patrick Wilson has altered evidence.

26. **Sec. 38.171. FAILURE TO REPORT FELONY.** (a) **A person commits an offense if the person: (1) observes the commission of a felony** under circumstances in which a reasonable person would believe that an offense had been committed in which serious bodily injury or death may have resulted; and (2) **fails to immediately report the commission of the offense to a peace**

officer or law enforcement agency under circumstances in which: (A) a reasonable person would believe that the commission of the offense had not been reported; and (B) the person could immediately report the commission of the offense without placing himself or herself in danger of suffering serious bodily injury or death.” **[emphasis added.]** Ellis County Texas District Attorney Patrick Wilson knows that felonies have been committed by Ellis County Texas District Attorney Ann Montgomery-Moran and others, and she has failed to report them.

27. **Sec. 39.02. ABUSE OF OFFICIAL CAPACITY.** (a) **“A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another, he intentionally or knowingly: (1) violates a law relating to the public servant's office or employment; or (2) misuses government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant's custody or possession by virtue of the public servant's office or employment.”** **[emphasis added.]** Ellis County Texas District Attorney Patrick Wilson has intentionally and knowingly violated laws relating to her office.

28. **Sec. 39.03. OFFICIAL OPPRESSION.** (a) **“A public servant acting under color of his office or employment commits an offense if he: (1) intentionally subjects another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that he knows is unlawful; (2) intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing his conduct is unlawful; or (3) intentionally subjects another to sexual harassment.”** **[emphasis added.]** Ellis County Texas District Attorney Patrick Wilson intentionally subjected William M. Windsor to mistreatment, arrest, detention, search, seizure, and lien that she knows is unlawful.

29. **Sec. 71.02. ENGAGING IN ORGANIZED CRIMINAL ACTIVITY.** (a) **“A person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, the person commits or conspires to commit one or more of the following: (9) any offense under Chapter 36....”**

[**emphasis added.**] Ellis County Texas District Attorney Patrick Wilson has engaged in organized criminal activity.

F. ELLIS COUNTY TEXAS DISTRICT ATTORNEY PATRICK WILSON HAS COMMITTED MANY VIOLATIONS OF THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT.

30. Ellis County Texas District Attorney Patrick Wilson has violated the following Texas Disciplinary Rules of Professional Conduct (“TDRPC”): TDRPC Preamble 4 A Lawyer’s Responsibilities; TDRPC Rule 3.01 Meritorious Claims and Contentions; TDRPC Rule 3.03 Candor Toward Tribunal; TDRPC Rule 3.04 Fairness in Adjudicatory Proceedings; TDRPC Rule 3.05 Maintaining Impartiality of Tribunal; TDRPC Rule 3.09 Special Responsibilities of a Prosecutor; TDRPC Rule 8.03 Reporting Professional Misconduct; TDRPC Rule 8.04 Misconduct.

31. **TDRPC Preamble 4 -- A Lawyer’s Responsibilities** – “A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs. A lawyer should use the law's procedures only for legitimate purposes and not to harass or intimidate others. A lawyer should demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials. While it is a lawyer's duty, when necessary, to challenge the rectitude of official action, it is also a lawyer's duty to uphold legal process.” Ellis County Texas District Attorney Patrick Wilson is a disgrace to the legal profession. He has ignored his Responsibilities.

32. **Rule 3.01. Meritorious Claims and Contentions** – “A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless the lawyer reasonably believes that there is a basis for doing so that is not frivolous. (Comment 1) The advocate has a duty to use legal procedure for the fullest benefit of the client's cause, but also a duty not to abuse legal procedure. The law, both procedural and substantive, affects the limits within which an advocate may proceed. Likewise, these Rules impose limitations on the types of actions that a lawyer may take on behalf of his client. See Rules 3.02-3.06, 4.01- 4.04, and 8.04. However, the law is not always clear and never is static. Accordingly, in determining the proper scope of advocacy, account must be taken of the law's ambiguities and potential for change. (Comment 2) All judicial systems prohibit, at a minimum, the filing of frivolous or knowingly false pleadings, motions or other papers with the court or the assertion in an adjudicatory proceeding of a knowingly false claim or defense. A filing or assertion is frivolous if it is made primarily for the purpose of harassing or maliciously injuring a person. It also is frivolous if the lawyer is unable either to make a good faith argument that the action taken is consistent with existing law or that it may be supported by a good faith argument for an extension, modification or reversal of existing law. (Comment 3) A filing or contention is frivolous if it contains knowingly false statements of fact. It is not frivolous, however, merely because the facts have not been first substantiated fully or because the lawyer expects to develop vital evidence only by discovery. Neither is it frivolous even though the lawyer believes that the client's position ultimately may not prevail. In addition, this Rule does not prohibit the use of a general denial or other pleading to the extent authorized by applicable rules of practice or procedure. Likewise, a lawyer for a defendant in any criminal proceeding or for the respondent in a proceeding that could result in commitment may so defend the proceeding as to require that every element of the case be established. (Comment 4)

A lawyer should conform not only to this Rule's prohibition of frivolous filings or assertions but also to any more stringent applicable rule of practice or procedure. For example, the duties imposed on a lawyer by Rule 11 of the Federal Rules of Civil Procedure exceed those set out in this Rule. A lawyer must prepare all filings subject to Rule 11 in accordance with its requirements. See Rule 3.04(c)(1).” Ellis County Texas District Attorney Patrick Wilson is a disgrace to the legal profession. He has pursued a frivolous action and much worse; he has committed a giant fraud upon the court to destroy William M. Windsor’s life.

33. **Rule 3.03. Candor Toward Tribunal** – “A lawyer shall not knowingly: make a false statement of material fact or law to a tribunal; fail to disclose a fact to a tribunal when disclosure is necessary to avoid assisting a criminal or fraudulent act; in an ex parte proceeding, fail to disclose to the tribunal an unprivileged fact which the lawyer reasonably believes should be known by that entity for it to make an informed decision; fail to disclose to the tribunal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or offer or use evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall make a good faith effort to persuade the client to authorize the lawyer to correct or withdraw the false evidence. If such efforts are unsuccessful, the lawyer shall take reasonable remedial measures, including disclosure of the true facts. The duties stated in paragraphs (a) and (b) continue until remedial legal measures are no longer reasonably possible. (Comment 1): The advocate's task is to present the client's case with persuasive force. Performance of that duty while maintaining confidences of the client is qualified by the advocate's duty of candor to the tribunal.” Ellis County Texas District Attorney Patrick Wilson is a disgrace to the legal profession. He has lied and presented fraudulent documents to the court. He has made factual misrepresentations. He has made

misleading and bogus legal arguments. He has made legal arguments based on a knowingly false representation of law constituting dishonesty toward the tribunal. He has used false evidence with the court. William M. Windsor has provided undeniable proof of the false evidence, but she has continued to use it.

34. **Rule 3.04. Fairness in Adjudicatory Proceedings** – “A lawyer shall not: unlawfully obstruct another party's access to evidence; in anticipation of a dispute unlawfully alter, destroy or conceal a document or other material that a competent lawyer would believe has potential or actual evidentiary value; or counsel or assist another person to do any such act; falsify evidence, counsel or assist a witness to testify falsely, or pay, offer to pay, or acquiesce in the offer or payment of compensation to a witness or other entity contingent upon the content of the testimony of the witness or the outcome of the case. The procedure of the adversary system contemplates that the evidence in a case is to be marshalled competitively by the contending parties.” Ellis County Texas District Attorney Patrick Wilson has obstructed William M. Windsor’s access to evidence, has unlawfully altered, destroyed, or concealed documents. See Texas Penal Code, §§ 37.09(a)(1), 37.10(a)(3). See also 18 U.S.C. §§ 1501-1515. Falsifying evidence is also generally a criminal offense. *Id.* §§ 37.09(a)(2), 37.10(a)(1), (2). Paragraph (a) of this Rule applies to evidentiary material generally, including computerized information.

35. **Rule 3.05. Maintaining Impartiality of Tribunal** – “A lawyer shall not: seek to influence a tribunal concerning a pending matter by means prohibited by law or applicable rules of practice or procedure; except as otherwise permitted by law and not prohibited by applicable rules of practice or procedure, communicate or cause another to communicate ex parte with a tribunal for the purpose of influencing that entity or person concerning a pending matter....” Ellis County Texas District Attorney Patrick Wilson has worked with Judge Cindy Ermatinger

to damage William M. Windsor. The Ellis County Texas courts are a criminal racketeering enterprise.

36. **Rule 3.09. Special Responsibilities of a Prosecutor** – “The prosecutor in a criminal case shall: refrain from prosecuting or threatening to prosecute a charge that the prosecutor knows is not supported by probable cause; ... make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal....” Ellis County Texas District Attorney Patrick Wilson knows there is no probable cause to be pursuing this case and related cases against William M. Windsor. He has not produced the evidence that he has to William M. Windsor.

37. **Rule 8.03. Reporting Professional Misconduct** – “...a lawyer having knowledge that another lawyer has committed a violation of applicable rules of professional conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, shall inform the appropriate disciplinary authority. ... a lawyer having knowledge that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the appropriate authority.” Ellis County Texas District Attorney Patrick Wilson has failed to report professional misconduct of Assistant Ellis County District Attorney Ann Montgomery-Moran and Judge Cindy Ermatinger.

38. **Rule 8.04. Misconduct** – “A lawyer shall not: violate these rules, knowingly assist or induce another to do so, or do so through the acts of another, whether or not such violation occurred in the course of a client-lawyer relationship; commit a serious crime or commit any other criminal act that reflects adversely on

the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects; engage in conduct involving dishonesty, fraud, deceit or misrepresentation; engage in conduct constituting obstruction of justice; ... knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; violate any disciplinary or disability order or judgment....” Ellis County Texas District Attorney Patrick Wilson has committed ALL of this misconduct.

PRAYER

39. William M. Windsor prays that this Motion is granted; that State’s Exhibit A to the State’s Motion for Summary Judgment and to the State’s Response to William M. Windsor’s Motion for Summary Judgment be stricken and not permitted as evidence in this or any other case; that Ellis County Texas District Attorney Patrick Wilson be sanctioned; that the State of Texas be sanctioned, including payment of \$10,000,000 to William M. Windsor; that Ellis County Texas District Attorney Patrick Wilson be arrested on a bench warrant; that Ellis County Texas District Attorney Patrick Wilson be charged with the crimes identified herein, and any other crimes that this Court feels are appropriate; that Ellis County Texas District Attorney Patrick Wilson be reported to the Texas Bar Association for disciplinary action; that contempt of court charges will be pursued against Ellis County Texas District Attorney Patrick Wilson; and that this Court grant such other and further relief as the Court feels is appropriate.

Submitted this 3rd day June 2016,



William M. Windsor

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

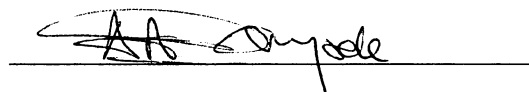
This 3rd day of June 2016,



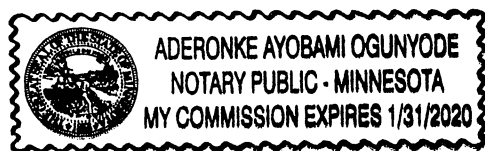
William M. Windsor

Personally appeared before me, the undersigned Notary Public duly authorized to administer oaths, William M. Windsor, who after being duly sworn deposes and states that he is authorized to make this verification and that the facts alleged in the foregoing are true and correct based upon his personal knowledge.

Sworn and subscribed before me this 3rd day of June 2016,



Notary Public



06/03/16

CERTIFICATE OF SERVICE

William M. Windsor has sent a copy of this Motion for Sanctions and Criminal Charges against Ellis County District Attorney Patrick Wilson and the State of Texas by email/mail to Ellis County District Attorney Patrick Wilson, 109 S. Jackson Street, Waxahachie, Texas 75165, patrick.wilson@co.ellis.tx.us and Assistant Ellis County District Attorney Ms. M. Ann Montgomery-Moran, 109 S. Jackson Street, Waxahachie, Texas 75165, ann.montgomery@co.ellis.tx.us.

This 3rd day June 2016,



William M. Windsor

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770-578-1094 -- Email: bill@billwindsor.com