

State Commission on Judicial Conduct

For SCJC use only.

PO Box 12265
Austin, TX 78711-2265
Tel. (512) 463-5533 · Toll Free: (877) 228-5750

Complaint Form

- If you are filing a complaint about more than one judge, please use a separate form for each judge.
- You may complete this form online before printing.
- Send the completed form and any additional pages or related documents to SCJC.

*Indicates required fields. Please note that faxed complaints will NOT be accepted.

*Submitter Name: William M. Windsor

*Judge: Cindy Ermatinger

*Mailing Address: 110 East Center Street

*Court Number: 443rd Judicial District C

*City, State Zip: Madison, SD 57042

*City and County: Waxahachie - Ellis Cou

*Date of Birth: 10/02/1948

*Submitter Email: bill@billwindsor.com

Your Day Phone: (770) 578 - 1094

Your Evening Phone: (770) 578 - 1094

Your Cell/Other Phone: () -

Best time to call you: bill@billwindsor.c A.M P.M

If your complaint involves a court case, please provide the following information:

Cause Number: 97044

Status of your case: Pending Concluded On Appeal

Your attorney: not applicable

Opposing Attorney: Patrick Wilson

Address:

Address: 109 S Jackson Street

City/Zip:

City/Zip: Waxahachie, TX 75165

Phone Number: () -

Phone Number: (972) 825 - 5035

PLEASE FILL IN ALL INFORMATION AVAILABLE FOR ANY WITNESSES (attach additional pages as needed)

Name: Kelly Pelletier

Name: Melanie Reed

Address: 109 S Jackson Street, V

Address: 109 S Jackson Street, V

Phone Number: () -

Phone Number: () -

What did this person witness?

She witnessed everything that took place in the courtroom in Case #14-158 on December 19, 2014 and December 30, 2014.

What did this person witness?

She received emails from William M. Windsor for Judge Cindy Ermatinger that were never docketed or dealt with. I believe Judge Cindy Ermatinger told Melanie Reed to destroy the emails.

If you are submitting documents, please provide copies, not originals.

I understand that as part of the Commission's investigation the judge may be provided a copy of this complaint. Please note - the Commission will do its best to maintain your confidentiality, if you so request. However, it may not be possible for us to pursue our investigation without revealing your identity at some point. If it is necessary to reveal your identity directly to the judge, we will advise you before proceeding.

*I request that my identity be kept confidential. Yes No

*Signature: William M. Windsor

*Date: 06/03/2016

the alleged misconduct. If more space is needed, attach additional sheets. Please sign and date each additional sheet. Your complaint should be as specific as possible, PLEASE DO NOT CITE CASE LAW IN YOUR COMPLAINT.

Judge Cindy Ermatinger has been involved in three cases involving William M. Windsor -- Case #14-158, 90744, and 39746-CR. She has been corrupt from Day 1.

The Motion to Recuse Judge Cindy Ermatinger filed June 3, 2016 contains the complete factual background. It is being provided so it is not being re-printed here by cut and paste.

This commission won't like hearing this, but the courts and law enforcement in Ellis County are hopelessly corrupt. The State needs to go in and clean house if it cares about corruption.

Case #90744 is a case in which the State of Texas has used a fraudulent bond, and Judge Cindy Ermatinger knows it. Judge Cindy Ermatinger has conspired with Ellis County District Attorney Patrick Wilson and Assistant Ellis County District Attorney Ann Montgomery-Moran. The fraudulent bond has been used in multiple filings with Judge Cindy Ermatinger's complete knowledge that the document is a fraud. This is proven by the Transcript of the December 19, 2014 Hearing where the "Bond" was prepared and signed.

The actions of Ellis County Texas District Attorney Patrick Wilson, Assistant Ellis County District Attorney Ann Montgomery-Moran, and Judge Cindy Ermatinger caused William M. Windsor to be wrongfully 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. Judge Cindy Ermatinger conspired with Ellis County District Attorney Patrick Wilson and Assistant Ellis County District Attorney Ann Montgomery-Moran.

To say that Judge Cindy Ermatinger's impartiality might reasonably be questioned is a gross understatement. Judge Cindy Ermatinger has a personal bias or prejudice concerning the subject matter and William M. Windsor.

Judge Cindy Ermatinger has violated numerous laws and numerous provisions of the Texas Code of Judicial Conduct. She is allowing documents that she knows are fraudulent to be used by the State.

FIRST GROUNDS FOR RECUSAL:

Rule 18b (b) (3) Grounds for Recusal.

“A judge must recuse in any proceeding in which: the judge has personal knowledge of disputed evidentiary facts concerning the proceeding...”

William M. Windsor says Exhibits 2 and 3 constitute the Bond in this matter. The State says Exhibit 4 is the bond. Judge Cindy Ermatinger has personal knowledge of what was signed in front of her and by whom on December 19, 2016. She has copies. She knows what the terms of the bond were. She can identify the documents that she personally gave to William M. Windsor. Judge Cindy Ermatinger knows who was and was not in the courtroom on December 19, 2014. She knows the signatures on Exhibit 4 were not made in her courtroom.

SECOND GROUNDS FOR RECUSAL:

Rule 18b (b) (1) Grounds for Recusal.

“The judge’s impartiality might reasonably be questioned.”

The first things that Judge Cindy Ermatinger ever said to William M. Windsor were that she didn’t know anything about why William M. Windsor was not being allowed bail in the criminal case that she was handling and that he had to file a Petition for Writ of Habeas Corpus in Missoula Montana rather than in her court. These ridiculous statements establish that Judge Cindy Ermatinger was not impartial. It was clear to William M. Windsor that she was part of the conspiracy to unlawfully incarcerate him.

Judge Cindy Ermatinger had an obligation to deal with the bond allegedly given to William M. Windsor by the Ellis County magistrate who conducted his extradition “arraignment.” She knew that judges in Montana had no jurisdiction over a prisoner in Texas.

Ellis County Texas Judge Cindy Ermatinger refused to release William M. Windsor at hearings on November 21, 2014, November 25, 2014, and December 5, 2014. She had no legal basis for her refusal.

Judge Cindy Ermatinger ignored all the facts and the law, denied petitions for habeas corpus with no legal basis whatsoever. Virtually every aspect of the Texas extradition statutes was violated in the 563-day incarceration of William M. Windsor in the Ellis County Jail. Judge Cindy Ermatinger ignored all of the wrongdoing.

Judge Cindy Ermatinger then feigned ignorance of the terms of William M. Windsor's release on bond. She blocked the filing of William M. Windsor's Motion to Cancel Hearing and Motion for Continuance. It was never docketed though absolutely received by the Clerk of the Court.

Judge Cindy Ermatinger lied in court on December 30, 2014. She made statements proven false by the Transcript of the December 19, 2014 Hearing. When this was proven to her, she ignored the proof.

Judge Cindy Ermatinger has ignored all of William M. Windsor's filings in Case #14-158 and Case #90744.

Judge Cindy Ermatinger is now conspiring with to try to force William M. Windsor to come to Ellis County Texas to be arrested on the fraudulently-obtained indictment.

Judge Cindy Ermatinger has violated Rule 7 (a) (1) of the Texas Administrative Rules: "(1) diligently discharge the administrative responsibilities of the office...."

Judge Cindy Ermatinger has violated Rule 7 (a) (2) of the Texas Administrative Rules: "(2) rule on a case within three months after the case is taken under advisement...."

Judge Cindy Ermatinger has also violated Rule 7(a)(6)(e) of the Texas Administrative Rules: "(e) local rules, consistently applied, to regulate docketing procedures and timely pleadings, discovery and motions." She has failed to establish any rules; she runs her proceedings like Judge Roy Bean and the other judges of Ellis County who are as corrupt as the day can be long.

An unanswered Motion to Dismiss required a decision on the dispositive motion that asked the Court to dispose entirely of the claims in favor of the Defendant without need for further trial court proceedings. This should have been done not later than October 1, 2015.

Judge Cindy Ermatinger is part of a criminal racketeering organization that controls the courts and law enforcement in Ellis County Texas. Everything that she does is for the corrupt organization and against William M. Windsor and others unlucky enough to land in criminal court in Ellis County Texas.

Judge Cindy Ermatinger has no impartiality!

THIRD GROUNDS FOR RECUSAL:

Rule 18b (b) (1) Grounds for Recusal. The judge has a personal bias or prejudice concerning the subject matter or a party.

For all the reasons stated above and the facts, it is clear that Judge Cindy Ermatinger has a personal bias for the Ellis County District Attorney's Office and against William M. Windsor.

If Judge Cindy Ermatinger did not have this bias and prejudice, there never would have been a December 30, 2014 hearing as she knew William M. Windsor was out of Texas on his way to Montana as she established as the terms for his release. She would have accepted William M. Windsor's Motion to Cancel Hearing and Motion for Continuance as a reasonable excuse for not attending the hearing. She, at the very least, would have allowed him to participate by telephone.

If Judge Cindy Ermatinger did not have this bias and prejudice, William M. Windsor's subsequent filings would have "reminded" her of the terms of his release and that the forfeiture of the bond, the Judgment NISI, and the Indictment were all improper. She would have acted upon the fraudulent Bond used by the Ellis County District Attorney's Office.

If Judge Cindy Ermatinger did not have this bias and prejudice, William M. Windsor's valid motions would have been dealt with rather than ignored.

If Judge Cindy Ermatinger did not have this bias and prejudice, she would not be conspiring with Ellis County District Attorney Patrick Wilson and Assistant Ellis County District Attorney Ann Montgomery-Moran to lure William M. Windsor to Ellis County Texas to be arrested on completely bogus charges.

VIOLATIONS OF THE TEXAS CODE OF JUDICIAL CONDUCT

Judge Cindy Ermatinger has committed MANY violations of the Texas Code of Judicial Conduct.

Canon 1: Upholding the Integrity and Independence of the Judiciary. Judge Cindy Ermatinger's actions are an outrage. She has conspired with the prosecutors, has allowed evidence to be destroyed, and has allowed fraudulent evidence to be used. And, this is evidence that SHE has copies of in her files. SHE handed the real evidence to William M. Windsor. She has ignored all of William M. Windsor's court filings. The list goes on and on of the things she has done that demonstrate a complete void of integrity and independence.

Canon 2: Avoiding Impropriety and the Appearance of Impropriety in All of the

Judge's Activities. Judge Cindy Ermatinger did not comply with the law did not act in a manner that promotes public confidence in the integrity and impartiality of the judiciary. Anyone who looks at what Judge Cindy Ermatinger did and didn't do in these cases will see that she violated the law, the Rules, and committed crimes. She has no integrity, and she lacks impartiality.

Canon 3: Performing the Duties of Judicial Office Impartially and Diligently. Judge Cindy Ermatinger is not faithful to the law. It is also possible that she is incompetent. No judge who is competent would tell a defendant in her court that she knows nothing about bail bonds or that the State of Montana's judges have control over her courtroom. Judge Cindy Ermatinger has performed her judicial duties with total bias for the prosecution and complete prejudice against William M. Windsor. Judge Cindy Ermatinger did not accord William M. Windsor with the right to be heard according to law. Judge Cindy Ermatinger initiated, permitted, and considered ex parte communications outside the presence of William M. Windsor with the district attorney's employees. It was blatant. Judge Cindy Ermatinger did not dispose of judicial matters promptly, efficiently, and fairly; she ignored all of William M. Windsor's filings. Judge Cindy Ermatinger received information clearly establishing that Ellis County Texas District Attorney Patrick Wilson and Assistant Ellis County Texas District Attorney Ann Montgomery-Moran committed many violations of the Texas Disciplinary Rules of Professional Conduct, and she did nothing. She has received motions for sanctions and criminal charges, and she has done nothing. Judge Cindy Ermatinger has knowledge that these lawyers have committed violations of the Texas Disciplinary Rules of Professional Conduct that raise substantial questions as to the lawyers' honesty, trustworthiness, and fitness as a lawyer, and she did nothing. They are her co-conspirators, her partners in a criminal racketeering operation, so she couldn't report them, and they couldn't report her.

Canon 6: Compliance with the Code of Judicial Conduct. What a joke. She has committed one violation after another. This Commission should be advised that Judge Bob Carroll and Judge Grubb are just as bad, perhaps far worse. Ellis County is a cesspool of corruption in the courts and law enforcement.