
Appendix

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CIVIL CAUSE NO. 90744

and EX 14-19

THE STATE OF TEXAS

Criminal Cause No. 14-158

VS.

FILED FOR RECORD

IN THE DISTRICT COURT

William M. Windsor
(Defendant/Principal) Surety

2014 DEC 30 PM 2:52

ELLIS COUNTY, TEXAS

and

MELANIE REED
DISTRICT CLERK
ELLIS COUNTY, TX

(Surety)

443RD JUDICIAL DISTRICT

JUDGMENT NISI

On December 30, 2014, the Court called for hearing the foregoing cause wherein William M. Windsor, Defendant stands charged by indictment with the felony offense of extradition hearing for State of Montana, as more fully set out and alleged in said instrument. The State of Texas appeared by its County and District Attorney. But the defendant, although duly bonded as directed by law, to appear and be present herein, came not, but failed and defaulted to appear and answer the foregoing charge, when this case was called for consideration. Whereupon, under direction of the Court, said defendant was distinctly called at the Courthouse door, and a reasonable time allowed for said defendant to respond to said call.

It appears to the Court, premises considered, that said defendant, as principal and surety, data, as surety, did on December 19, 2014, duly sign a written bond, on file in this cause, binding themselves by the terms thereof, for the personal appearance of said defendant to answer the above offense in this Court, at the above time and place. That said bond, conditioned according to the provisions therein contained, was made payable to the State of Texas, in the penal sum of \$ 100,000.00 and expressly provided that said defendant personally appear before this Court, at the Courthouse thereof, in Waxahachie, Texas, at the particular time set out in said bond, namely instanter, and there remain, and appear before this Court, and any other Court and Magistrate.

Said bond further provided that the foregoing principal and surety, agreed to pay all necessary and reasonable expenses incurred by any and all Sheriffs and other Peace officers in re-arresting said defendant, if required.

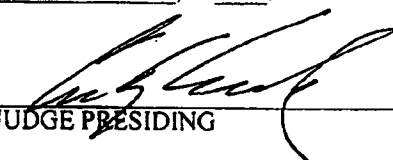
That said bond appears to be regular on its face, and sufficiently obligated the defendant to be present at the aforesaid time and place, but said defendant has failed and defaulted to appear and answer said charge herein, when required to do so when this cause was called for hearing; and that said bond should be forfeited against said defendant and surety as directed by law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that said bond be forfeited against said principal and surety, and that the State of Texas do have and recover judgment against said principal and surety, jointly and severally, for all necessary and reasonable expenses that may be incurred and occasioned by all Sheriffs and other Peace Officers in re-arresting said defendant.

IT IS HEREIN FURTHER ORDERED AND DECREED by the Court that this judgment be made final against said principal and surety at a hearing set by the Court for said purpose after said principal and surety have been duly cited, as directed by law, to appear and answer herein, and to present legal defense, if any, they may be able to offer, sufficient to exonerate the foregoing principal and surety from being liable for the forfeiture of said bond.

~~IT IS FURTHER ORDERED that an alias capias be issued for the arrest of the defendant. No bond is to be set at this time.~~

SIGNED this 30 day of December, 2014.



JUDGE PRESIDING

(Revised 11/2014)

Appendix

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CAUSE NO. 90744

STATE OF TEXAS
V
WILLIAM M. WINDSOR

§ JUDICIAL DISTRICT COURT
§
§ ELLIS COUNTY TEXAS

MOTION TO DISMISS

Now comes William M. Windsor (“William M. Windsor”) and files this Motion to Dismiss. The judgment in this case was wrongfully issued and must be dismissed. William M. Windsor shows the Court as follows:

INTRODUCTION

1. This Court acted improperly on December 30, 2014, and the actions of this Court have caused a \$100,000 judgment to be issued against William M. Windsor. This must be corrected.

2. The Ellis County Texas District Attorney Patrick Wilson had a legal obligation to provide notice of a hearing, but William M. Windsor received no notice of a hearing on December 30, 2014. William M. Windsor prepared a filed a “Motion to Cancel and for Continuance” within two business hours after he was informed by a sibling that a hearing might be taking place on December 30, 2014. This Court was wrong to ignore this Motion. This Court had a legal and ethical obligation to consider this motion. Article 1.05 of the TCCrP provides that William M. Windsor had the right to be heard, and Article 1.051 provides that he had the right to be heard through counsel. These rights were denied.

3. The Court’s rulings on December 30, 2014 were based upon false allegations. At least four key facts were falsely stated at the December 30, 2014 Hearing. These are proven false by the December 19, 2014 Transcript.

4. William M. Windsor was instructed that he was to appear for a hearing on January 21, 2015 or go to Montana and surrender himself. He did precisely as directed, so he did not do anything wrong by not appearing in Texas on December 30, 2014.

5. The so-called PR Bond was never executed at the Ellis County Jail as the Hearing Transcript shows was to be done and as the PR Bond Paperwork shows was not done. The bond is not regular as can be seen by the two versions of the bond provided herewith. This Court erred

in quashing the invalid bond and declaring that William M. Windsor failed to appear on a valid bond.

6. There was no reason to hold a December 30, 2014 hearing except to deny William M. Windsor the right he had been given to go to Montana. Corrupt Ellis County Texas District Attorney Patrick Wilson has used this Court's December 30, 2014 actions to restrain William M. Windsor of his liberty. William M. Windsor is being restrained of his liberty because a grand jury indictment is outstanding, and his arrest and prosecution in Texas is pending. He is also being denied his passport. This wrongful judgment has destroyed William M. Windsor's credit.

7. This Court declared in the Judgment NISI that William M. Windsor failed to appear or answer. This Court claimed William M. Windsor was called, but he was not called. William M. Windsor contacted the Court's clerk to advise that he could not attend as he was in Oklahoma on his way to Montana. He offered to participate by telephone. He filed a motion to cancel or for continuance at 10:30 am on December 30, 2014, three hours prior to the hearing. And he arranged for an attorney to attend the hearing. William M. Windsor both answered and appeared in several ways. The Judgment NSI must be vacated.

FACTUAL BACKGROUND

8. William M. Windsor began work on a documentary film titled "Lawless America" in February 2012. Shortly thereafter, William M. Windsor began being harassed, threatened, and cyberstalked by Sean Boushie, an employee of the University of Montana.

9. Over the next 19 months, Sean Boushie threatened William M. Windsor with bodily harm dozens of times. He posted many hundreds of statements about William M. Windsor on various websites. He sent dozens of stalking emails to him, and he ignored over a dozen cease and desist notices from William M. Windsor. He published outrageous defamatory statements, including one in which he said William M. Windsor had a dread venereal disease.

10. William M. Windsor reported the crimes of Sean Boushie to law enforcement, but they did nothing.

11. A number of other people began viciously defaming William M. Windsor because he filmed people they hated or because he dropped them from the movie due to dishonesty or some other issue.

12. The haters joined together on the Ellis County Texas website, Joeyisalittlekid.blogspot.com. The defamation is of gargantuan proportions.

13. On June 12, 2013, William M. Windsor's wife of 42 years divorced him out of fear that she, their children, or grandchildren would be killed by the people attacking him.

14. On August 4, 2013, William M. Windsor drove to Missoula, Montana to film an expose about Sean Boushie, the University of Montana, and the cover-up of Sean Boushie's crimes. This was to be done for the documentary and for the pilot for a proposed weekly television show. William M. Windsor came to Montana with the belief that Sean Boushie gets away with crimes while stalking people for one of two reasons. William M. Windsor believes he may be paid by government entities to do what he does, or he may have sexual blackmail on someone. This theory was developed after a background search revealed that the email address that Sean Boushie most uses is missoulagloryholefun@yahoo.com. A glory hole is a hole in the stall divider in a public restroom through which deviants have anonymous sex.

15. As William M. Windsor drove from Butte, Montana to Missoula, a car ahead and to the right of his car burst into flames and smoke. When William M. Windsor reached his hotel that evening, he received an email from Sean Boushie stating that he had shot at him, missed, and hit the car next to him.

16. William M. Windsor took the email, photographs of the smoke-filled highway, and evidence of hundreds of crimes by Sean Boushie and reported the shooting and other crimes of Sean Boushie to the Missoula Police Department, University of Montana Police Department, Ravalli County Sheriff's Department, Stevensville Police Department, and the FBI. Nothing was done.

17. William M. Windsor attempted to get protective orders against Sean Boushie, but the courts denied them in a manner that indicated that the courts were intentionally protecting Sean Boushie. William M. Windsor unsuccessfully petitioned the Ravalli County Justice Court, the 21st Judicial District Court in Ravalli County, the Missoula Municipal Court, and the Fourth Judicial District Court in Missoula County Montana.

18. William M. Windsor has proven that Sean Boushie has sent him approximately 80 stalking emails and has published approximately 600 stalking comments online. The evidence is in the Fourth Judicial District Court, Dept. 3, Missoula County Montana, Case # DC-14-503 and DC-14-509.

19. On August 23, 2013, while completing filming at the center of the University of Montana campus, William M. Windsor was served with an ex parte Temporary Order of

Protection in favor of Sean Boushie. It was obtained based on outrageous lies by Sean Boushie. William M. Windsor did nothing but film while in Missoula, and he was registered with the Montana Film Commission, the University of Montana, and the City of Missoula. William M. Windsor had presented 500 pages of sworn evidence about Sean Boushie's crimes, and no one did a thing. But Sean Boushie lied and claimed William M. Windsor's filming was stalking, and he got a protective order. What has happened since provides absolute proof that Sean Boushie and the Joeyisalittlekid Gang are being protected in their unlawful and criminal activities.

20. Sean Boushie swore to Judge Sam Warren in the Missoula Municipal Court that William M. Windsor had a gun in Montana and was threatening him with it. William M. Windsor had no gun, and his ex-wife can prove it.

21. There was never a hearing to try to convert the ex parte Temporary Order of Protection to a permanent order, and the Temporary Order of Protection expired in mid-September 2013.

22. On August 31, 2013, William M. Windsor was staying in Dallas, Texas. He had lived in Marietta, Georgia. He was a resident of South Dakota, but he was in Dallas while awaiting surgery.

23. On December 4, 2013, William M. Windsor flew to Georgia to drive a truck back to Dallas with his household possessions, files, etc.

24. On December 8, 2013, a terrible ice storm hit Dallas. William M. Windsor slipped on ice, fell, fractured his skull, and lost all the hearing in his right ear. William M. Windsor spent time in intensive care at Baylor Hospital in Dallas. He spent the next couple of months recovering. Some of his hearing returned after three weeks. He had been instructed not to fly and did not fly for about a year after the accident.

25. While recuperating, William M. Windsor completed work on a lawsuit against his haters. On December 26, 2013, he drove to Ellis County Texas where he filed the lawsuit. It is case number 88611 in the 40th Judicial District Court in Ellis County Texas. William M. Windsor is the plaintiff. There are 16 named defendants and 1,000 unnamed defendants.

26. William M. Windsor left Montana on or about August 27, 2013, and he did not return until he was brought to Missoula by Missoula County Sheriff's Deputies on March 25, 2015. William M. Windsor did little or no traveling from December 2013 to April 2014.

27. On December 30, 2013, a Tweet was allegedly sent to William M. Windsor's Twitter subscribers. It included the words "Sean Boushie." This is one of the criminal charges against William M. Windsor.
28. On December 23, 2013, William M. Windsor filed a civil lawsuit against Sean Boushie and the University of Montana in the United States District Court for Montana. This is Case # 13-311-M-DLC-JCL.
29. On January 17, 2014, Sean Boushie attempted to obtain an order of protection against William M. Windsor in Ellis County Texas, but he was unsuccessful.
30. On February 6, 2014, an email was sent to Claudia Denker-Eccles, corporate counsel for the University of Montana, with notice of the filing of an affidavit of Mary Wilson in Case # 13-311-M-DLC-JCL. This is one of the criminal charges against William M. Windsor.
31. On May 4, 2014, an article was published on LawlessAmerica.com in the name of William M. Windsor. The article was about Sean D. Fleming of Madison Heights Michigan. It included the words "Sean Boushie." This is one of the criminal charges against William M. Windsor.
32. On July 4, 2014, an article was published on LawlessAmerica.com in the name of William M. Windsor. The article was about Sean D. Fleming of Madison Heights Michigan. It included the words "Sean Boushie." This is one of the criminal charges against William M. Windsor.
33. On October 2, 2014, the website www.seanboushie.com was active on the Internet, just as it had been every day since August 23, 2013. The content never changed. This is one of the criminal charges against William M. Windsor.
34. Unknown to William M. Windsor, on October 3, 2014, Information was filed with the Fourth Judicial District Court in Missoula County Montana. This resulted in a Bench Warrant for William M. Windsor. (See Record in DC-14-509 in the Fourth Judicial District Court in Missoula County Montana.) The Bench Warrant signed by Judge Karen Townsend charges William M. Windsor as follows:
- Count I: Violation of Order of Protection – 1st Offense, a misdemeanor;
 - Count II: Violation of Order of Protection – 2nd Offense, a misdemeanor;
 - Count III: Violation of Order of Protection – 3rd or Subsequent Offense, a felony;
 - Count IV: Violation of Order of Protection – 3rd or Subsequent Offense, a felony;

Count V: Violation of Order of Protection – 3rd or Subsequent Offense, a felony;

35. The alleged offenses took place on the following dates:

Count I: May 4, 2014

Count II: July 4, 2014

Count III: December 30, 2013

Count IV: February 6, 2014

Count V: October 2, 2014

36. On October 28, 2014, William M. Windsor was in the 40th Judicial District Court in Waxahachie Texas for a hearing in Case #88611. He was surprised to see District Attorney Patrick Wilson and Sheriff Johnny Brown in the audience for the hearing along with a small army of sheriff's deputies.

37. William M. Windsor was detained by the Ellis County Sheriff's Department at approximately 5:30 pm on October 28, 2014 as he left the courtroom. William M. Windsor was informed that there was a warrant from Montana. He was not told that he was under arrest, and he was not read his rights.

38. William M. Windsor was taken to the Ellis County Jail. He was not given any paperwork or explanation as to why he was there. He was not asked to prove his identity.

39. William M. Windsor was granted a \$100,000 bond and given the opportunity to post bond for "violations of a protective order." No details were given.

40. William M. Windsor's personal property was taken from him, which included his laptop and flash drive. [Exhibit-2 is a true and correct copy of the Statement of Deputy Sheriff Matt Overcash that was prepared at that time.] [Exhibit-1 is a true and correct copy of the Bench Warrant that he received at a later time.]

41. When the Ellis County bail bond companies opened later that morning, William M. Windsor contacted a bondsman who said he would provide the bond.

42. At 10:21 am on October 29, 2014, William M. Windsor was "arraigned." He was not given the opportunity to speak. The Justice of the Peace/Magistrate told him that his bond was set at \$100,000. The hearing was neither recorded nor videotaped. William M. Windsor was not told that he had the right to contest the "arrest." No time was set for a writ of habeas corpus. William M. Windsor was never told that he had such a right. He was not directed to a

court of record for the purpose of obtaining such a writ. Each of these are things that William M. Windsor later learned are required by law.

43. William M. Windsor told Booking that his bond was set by the Justice of the Peace at \$100,000. But he was told that a Texas bond would not be accepted. The Magistrate did not say that he was setting a Montana bond. (See Exhibit-3, a true and correct copy of a document titled "Arrest Report" that William M. Windsor was directed to sign at the end of the time before the Magistrate. This document says "Texas.")

44. William M. Windsor contacted Brad of "Your Bondsman" in Missoula, Montana. William M. Windsor made a payment by credit card. Brad told him that he would go to the court there on October 30, 2014 and present the bond.

45. Late in the afternoon of October 30, 2014, Brad called Booking and informed an officer and William M. Windsor that the authorities in Montana refused to accept a \$100,000 bond from him, a local bonding company that they deal with regularly.

46. On November 21, 2014, William M. Windsor appeared before Judge Cindy Ermatinger of the Ellis County District Court. He thought it would be a hearing on his Habeas Corpus Petition, but it was to ask if he wanted to waive extradition. William M. Windsor refused. He asked why his Texas bond was refused, and Judge Ermatinger said she didn't know and could do nothing about it. Judge Ermatinger did sign a "Warrant-Pending Order," and a true and correct copy of this that was given to William M. Windsor is attached hereto as Exhibit-4.

47. William M. Windsor obtained a copy of "everything in the District Attorney's file at the November 21 hearing. A true and correct copy of the probable cause statement is Exhibit-2 hereto. A true and correct copy of a Bench Warrant from Montana is Exhibit-1 hereto. A true and correct copy of the "Arrest Report" document that William M. Windsor was told to sign at the "Arraignment" is Exhibit-3 hereto. Assistant District Attorney Jake Heffernan stated at the hearing that this was the entire file. Assistant District Attorney Jake Heffernan told the Court that Montana had already been working on the Governor's Warrant. At the hearing, Judge Cindy Ermatinger signed an order. A true and correct copy of the order is Exhibit-4 hereto.

48. On November 27, 2014, William M. Windsor demanded his release after 30 days in the Ellis County Jail pursuant to TCCrP Article 51 section 15. Exhibit-5 hereto is a true and correct copy of the attachment to an Inmate Request Form that William M. Windsor sent to

Booking and to Sheriff Johnny Brown. Montana did not appear in 30 days as required by law. William M. Windsor was not released.

49. William M. Windsor did not commit any crimes in Montana or Texas.

50. On December 4, 2014, William M. Windsor was very excited to learn that he was going to court. This meant attorney Juanita Edgecomb had obtained a hearing on the Petition for Writ of Habeas Corpus that she had filed. William M. Windsor felt sure that he was going home after 38 days of illegal confinement. The law and case law were clear.

51. The December 5, 2014 hearing was a disaster. Juanita Edgecomb had to ask to reset it when Ellis County Texas District Attorney Patrick Wilson appeared and argued that William M. Windsor was a fugitive from justice after committing a crime in Missoula, Montana on December 30, 2013. This was information that was not provided by Assistant Ellis County Texas District Attorney Jake Heffernan on November 21, 2014 or Ellis County Texas District Attorney Amy L. Lockhart Assistant on November 25, 2014. However, after receiving the Transcript of the November 25, 2014 Hearing, Assistant Ellis County Texas District Attorney Amy L. Lockhart seems to have revealed that the Ellis County Texas District Attorney had withheld evidence from William M. Windsor (Exhibit-6, Page 11 Lines 20-25. See also Exhibit 7, Page 12 Lines 11-15) where she seems to stop from revealing what the Ellis County Texas District Attorney Patrick Wilson had in his file. William M. Windsor believe the Ellis County Texas District Attorney Patrick Wilson told his subordinates to conceal what he had, because the contents of the file from Missoula Montana show that William M. Windsor was not charged with being a fugitive, and it shows how ridiculous the charges are. Ellis County Texas District Attorney Patrick Wilson lied to Ellis County Texas Judge Cindy Ermatinger saying this was a fugitive matter. He knew this was a lie. [A true and correct copy of the Transcript of the December 5, 2014 Hearing is Exhibit-7.]

52. William M. Windsor was beyond beside himself when Juanita Edgecomb appeared to choke. She later informed him that Assistant District Attorney Aimee had agreed to tell the Judge that William M. Windsor should be released.

53. William M. Windsor was not a fugitive and can prove he wasn't in Montana in December 2013 or any time thereafter.

54. On December 11, 2014, William M. Windsor filed a First Amended Petition for Writ of Habeas Corpus ("Habeas Corpus Petition #3"). The First Amended Petition for Writ of

Habeas Corpus sought discharge, bail and/or bail reduction, and challenged the legality of arrest pursuant to Article 51 of the TCCrP. [A true and correct copy of Habeas Corpus Petition #3 is part of the Record of this case.]

55. On December 16, 2014, William M. Windsor prepared a Notice of Appeal that was file stamped December 17, 2014. [A true and correct copy of Notice of Appeal #1 is part of the Record in this case.] Notice of Appeal #1 appealed the denial of bail at a hearing on December 2, 2014; the failure of Ellis County Texas Judge Cindy Ermatinger to release him at hearings on November 21, 2014, November 25, 2014, and December 5, 2014; the denial of hearings; illegal detainment, illegal incarceration, illegal denial of bond, and illegal denial of release pursuant to Article 51, Section 15.

56. On December 19, 2014, Ellis County Texas Judge Cindy Ermatinger held a hearing. Ellis County Texas Judge Cindy Ermatinger denied Habeas Corpus Petition #3 without explanation. [A true and correct copy of the Transcript of this Hearing is Exhibit-8.]

57. At the December 19, 2014 hearing, Ellis County Texas District Attorney Patrick Wilson stated that a requisition had not been obtained from the Governor of Montana. (Exhibit-8, Page 9 Lines 17-24, Page 10 Lines 18, Page 11 Lines 19-25, Page 12 Lines 1-7, Page 13 Lines 3-10.)

58. William M. Windsor was released from the Ellis County Texas Jail on December 19, 2014. It was supposed to be on a PR Bond that required that he appear for a hearing in Ellis County Texas on January 21, 2015 or surrender in Missoula, Montana. [Exhibit-9 is a true and correct copy of the PR Bond paperwork.] The PR Bond was not valid. William M. Windsor was simply released without being asked to sign anything at the Ellis County Texas Jail or have a Sheriff's Department officer sign anything as Ellis County Texas Judge Cindy Ermatinger said was required. [A true and correct copy of the Transcript of the December 19, 2014 Hearing is Exhibit-8. See Page 52 Lines 15-18, Page 57 Lines 1-14.]

59. On December 19, 2014, Judge Cindy Ermatinger told William M. Windsor to surrender himself to authorities in Montana or be at a hearing in this Court on January 21, 2015. Judge Cindy Ermatinger discussed William M. Windsor's severe claustrophobia and encouraged him to go to Montana to avoid a cross-country trip in chains. A true and correct copy of William M. Windsor's notes taken at this Hearing are attached as Exhibit-10 hereto. On Page 4, William M. Windsor wrote that Judge Cindy Ermatinger said "January 21, 2015 – appear for hearing."

William M. Windsor wrote that he said "I'd like to surrender in Montana." On Page 5, William M. Windsor wrote that Judge Cindy Ermatinger said "bond is date of hearing," and "January 21, 2015 at 9:00 am hearing, PR Bond \$100,000 if I don't show," and "PR Bond – can do whatever I want, I can turn myself in." William M. Windsor asked Judge Cindy Ermatinger to clarify, "so if I don't show up on January 21, 2015 or surrender in Montana prior to that date, I am out \$100 grand." She said yes. The Transcript confirms this. A true and correct copy of the Transcript of the December 19, 2014 Hearing is attached as Exhibit-8 hereto.

60. On December 19, 2014, the Ellis County Jail released William M. Windsor without having him sign anything except a receipt for my money balance and a receipt for his clothes. Exhibit-9 hereto is a true and correct copy of the "Bond" Paperwork that William M. Windsor was given. William M. Windsor later wrote to Judge Cindy Ermatinger to ask whether the Personal Recognizance Bond was valid since he was told that he would need to sign bond paperwork at the jail. There was no response. William M. Windsor has determined that it is not valid as it was not properly executed. William M. Windsor recently learned that Ellis County Texas is using a different version of the bond paperwork. A true and correct copy of this is attached as Exhibit-11 hereto. This version has been falsified with Cheri Lujan claiming to have witnessed William M. Windsor's signature.

61. The actual Bond Paperwork (Exhibit-9) shows that there were no restrictions placed on William M. Windsor's travel except that he voluntarily agreed to turn his passport over to the Clerk of the Court.

62. On December 19, 2014, William M. Windsor told Judge Cindy Ermatinger that he was working on retaining an attorney in Montana.

63. On December 19, 2014, William M. Windsor filed a Notice of Appeal in this case. Exhibit -12 hereto is a true and correct copy of the Notice of Appeal that he filed at 1:53 pm on December 19, 2014. This matter has been on appeal ever since.

64. On December 19, 2014, William M. Windsor filed his passport with the Clerk of the Court. Exhibit-13 hereto is a true and correct copy of the Notice of Filing the Passport.

65. On December 19, 2014, William M. Windsor then filed a "Notice of Change of Address for Legal Mail" with the Clerk of the Court. Exhibit-14 hereto is a true and correct copy of this Notice which shows William M. Windsor's address to be "P.O. Box 150325, Dallas, TX

75315, 770-578-1094, windsorinjail@yahoo.com. Note that no fax number was given as a means of communications.

66. Unknown to William M. Windsor, on December 19, 2014, a Montana Requisition for Rendition certificate was issued. It was March 2015 before an Idaho attorney was able to get a copy for him. (Exhibit-15 is a true and correct copy of this requisition.)

67. Unknown to William M. Windsor, on December 19, 2014, a Montana Appointment of Agent certificate was issued. It was March 2015 before an Idaho attorney was able to get a copy for him. (Exhibit-16 is a true and correct copy of this requisition.)

68. William M. Windsor arranged the Marriott Courtyard in Richardson, Texas to be his official Texas residence as required by the PR Bond. Exhibit-17 hereto is a true and correct copy of the reservation. Note that the reservation was through January 21, 2015, the date when William M. Windsor was to appear for a hearing in this Court if he did not go to Montana.

69. William M. Windsor arranged the Marriott Towne Place to be his Missoula Montana residence while his trial was pending. Exhibit-18 hereto is a true and correct copy of the reservation. Note that the reservation was to start on January 18, 2015, prior to the January 21, 2015 date when William M. Windsor was originally to appear in Montana.

70. On December 23, 2014, William M. Windsor spoke with the office of the General Counsel to the Governor of Texas. He was told that nothing had been received in their office from Montana or anywhere else in the name of William M. Windsor. William M. Windsor asked for the General Counsel to call him. He was never called.

71. Unknown to William M. Windsor, on December 23, 2014, a Texas Governor's Warrant was issued. It was March 2015 before an Idaho attorney was able to get a copy for him. (Exhibit-19 is a true and correct copy of this requisition.)

72. On December 26, 2014, William M. Windsor called the office of the General Counsel to the Governor of Texas and received a recording saying that the office would be closed until January 29, 2015. William M. Windsor thought there would be no Texas Governor's Warrant until after January 29, 2015, if at all. But rather than risk more confinement in the Ellis County Jail run by people who knowingly violate the law, William M. Windsor continued with plans to get to Montana by car.

73. William M. Windsor worked to prepare for his departure for Montana from December 20, 2014 to December 29, 2014. His primary goal was to pack up the items that he or

his Montana attorney would need and clothing, computer equipment, office equipment, legal files, and basic household necessities for living in Missoula Montana while awaiting trial as well as do essential computer work on pending cases, get a physical, get medication prescriptions and refills, purchase some necessary items, and prepare for the possibility that he might not return to Texas for a long time, if ever.

74. In December, William M. Windsor sent several open records requests and other letters to the Clerk of the Court, the Ellis County Sheriff's Department, and the Ellis County District Attorney. Each showed this address: "P.O. Box 150325, Dallas, TX 75315, 770-578-1094, windsorinjail@yahoo.com. Exhibit-20 hereto includes true and correct copies of seven letters, including two (2) to the Ellis County District Attorney Patrick Wilson (dated December 26 and December 27, 2014), one to the Ellis County Sheriff's Department (dated December 29, 2014), one to the Ellis County Clerk of Court (dated December 26, 2014), one to the 40th Judicial District Court (dated December 26, 2014), one to the Governor of the State of Texas (dated December 27, 2014), and one to the Attorney General of the State of Texas (dated December 27, 2014). Ellis County District Attorney Patrick Wilson knew that he could reach William M. Windsor by telephone, by email, by mail at PO Box 150325 in Dallas, and at 110 E Center Street #1213 in Madison, South Dakota. He also knew that Waxahachie attorney Juanita Edgecomb was working with him and that he was working with Act Swift Bail Bonds in Waxahachie, Texas, but Ellis County District Attorney Patrick Wilson did not ever attempt to contact William M. Windsor in any of these well-known ways.

75. On December 28, 2014, William M. Windsor emailed a letter to Jennifer Clark, Chief Deputy District Attorney in Missoula Montana, and to the District Attorney there. William M. Windsor requested copies of any and all documents relevant to the Bench Warrant that is part of the documents in this case. William M. Windsor requested copies of anything sent to or received from the Offices of the Governors in Montana and/or Texas. There was no response from Jennifer Clark or the District Attorney. Exhibit-21 hereto is a true and correct copy of the letter sent by email to Jennifer Clark.

76. On December 29, 2014, William M. Windsor made contact with the law firm in Missoula, Montana that he wanted to represent him. He arranged to go to Missoula Montana to meet with them and turn himself in because of the requirements of the PR Bond.

77. On December 29, 2014 at approximately 11:00 am, William M. Windsor went to the United States Post Office, obtained a new key for PO Box 150325 since his key disappeared during his incarceration, and picked up all mail that had been held. William M. Windsor reviewed the mail while waiting for the new key, and there were only two envelopes from Ellis County. Both were receipts from Melanie Reed, the Clerk of the Court. Exhibit-22 hereto includes true and correct copies of the two letters from the Clerk of the Court, Melanie Reed. There was no mail from the Court, the District Attorney, or the State of Texas. William M. Windsor had received no phone calls from this Court or the State. William M. Windsor had not received any emails from this Court or the State. Nothing was received from his South Dakota mail forwarding service either.

78. On December 29, 2014, William M. Windsor completed his packing and headed out of Texas.

79. Late in the afternoon on December 29, 2014, William M. Windsor was told by a sibling in Florida that there may be a hearing scheduled in this matter on December 30, 2014.

80. On December 29, 2014 just moments before 5:00 pm, William M. Windsor called and spoke with Judge Cindy Ermatinger's Coordinator, Melissa. She informed him that the State had requested a hearing. William M. Windsor told her that he was on the way to Montana and would be unable to attend, and he told her that he had received absolutely no notice of the hearing. Melissa did not tell him what the hearing was to be about. He told her that he could only participate by telephone. Judge Cindy Ermatinger had requested confirmation of his telephone number at the December 19, 2014 hearing, as the Transcript confirms.

81. William M. Windsor drove to Oklahoma City Oklahoma. He was headed to Montana as discussed with this Court and as Judge Cindy Ermatinger clearly stated was one of the two options for him.

82. The morning of December 30, 2014, William M. Windsor drafted a Motion to Cancel Hearing and Motion for Continuance. At 11:34 am, two hours before the alleged hearing, William M. Windsor emailed this to the Clerk of the Court, Melanie Reed, for filing, and immediately thereafter, he emailed it to Attorney Juanita Edgecomb in Waxahachie and asked her to file it with the Clerk of the Court, which he understands was done. Exhibit-23 hereto is a true and correct copy of the email to Melanie Reed and the Motion to Cancel Hearing and Motion for Continuance.

83. William M. Windsor was not called by the Court on December 30, 2014 or at any time. He never received a notice about a December 30, 2014 hearing.

84. Attorney Juanita Edgecomb did attend the December 30, 2014 Hearing. She reported to him that Judge Cindy Ermatinger said he violated the PR Bond by not appearing for the hearing. Attorney Juanita Edgecomb informed William M. Windsor that Ellis County District Attorney Patrick Wilson told the Court that he had sent notice of the hearing to William M. Windsor's "last known address," a fax machine at the Marriott Courtyard in Richardson, Texas. Ellis County District Attorney Patrick Wilson claimed he had a fax confirmation. Attorney Juanita Edgecomb informed William M. Windsor that Judge Ermatinger indicated he was told to keep his address current and the Marriott was the address provided so that is where they sent notice. Attorney Juanita Edgecomb informed William M. Windsor that Judge Ermatinger also stated that William M. Windsor was to inform the Court of my intent to go to Montana if that was his plan and that he never informed them prior to the hearing of his intent to go so she decided to forfeit the bond.

85. What Juanita Edgecomb reported to William M. Windsor, if accurate, contained many false statements by Judge Cindy Ermatinger and Ellis County District Attorney Patrick Wilson. It also included hearsay as well as omissions by Court Coordinator Melissa. The PR Bond did not require William M. Windsor to attend any hearings except the January 21, 2015 hearing that was later canceled. Ellis County District Attorney Patrick Wilson did not send notice of the hearing to William M. Windsor in any manner and certainly not to his last-known address, to his email, to his PO Box, or to his South Dakota address, each of which had been provided to him, and Ellis County District Attorney Patrick Wilson never called William M. Windsor at the phone number he gave in court on December 19, 2014 and on various letters and filings sent to him. The Desk Clerk at the Marriott Courtyard in Richardson told William M. Windsor on December 30, 2014 that no fax had been received for him and no mail had been received. William M. Windsor never gave a fax number at a hotel or anywhere else as a means to send him legal notices. The Transcript of the December 19, 2014 Hearing shows that the Court did not tell William M. Windsor that he was to inform the Court of his intent to go to Montana. William M. Windsor did inform Court Coordinator Melissa on December 29, 2014 that he was headed to Montana. In addition, he emailed Melanie Reed the morning of December

30, 2014 with the Motion to Cancel and Motion for Continuance (Exhibit-23) that clearly states that he was headed to Montana to surrender. This Court was informed by that filing.

86. William M. Windsor's story and his plans to surrender in Montana have been publicized online. Exhibit-24 includes true and correct copies of articles that have been published on www.LawlessAmerica.com since William M. Windsor was released from the Ellis County Jail on December 19, 2014. Note the December 28, 2014 article in which it stated "...likely have to turn himself in by January 20 in Missoula, Montana," and "Bill Windsor very well may be destined to die in a Montana prison." Note the December 29, 2014 article at 5:51 pm where William M. Windsor wrote about the surprise hearing that he did not receive notice of; William M. Windsor wrote that he would attend by phone and explained the terms of the PR bond which required either that he attend the January 21, 2015 hearing or surrender in Montana. Note the December 30, 2014 article titled "Bill Windsor is Alive and Well between Dallas, Texas and Missoula, Montana" that says "I'm still heading to Montana." Note the January 1, 2015 article that says William M. Windsor was "en route to Missoula, Montana."

87. On December 30, 2014, Judge Cindy Ermatinger quashed the bond. There was thus no longer any legal obligation for William M. Windsor to surrender. William M. Windsor didn't commit any crimes in Montana or anywhere else. He wasn't in Montana on December 30, 2013 as Ellis County District Attorney Patrick Wilson claimed. The alleged Bench Warrant did not identify him, and it lacks the necessary affidavit and information that is required for a valid bench warrant. The alleged bench warrant claims a \$100,000 bond was set, but Montana law requires that a bond may be set only following an appearance. (Montana Annotated Code 46-9-201.) William M. Windsor never appeared before a Montana judge. The whole deal is what William M. Windsor considers to be a lynching with absolutely, completely, totally, outrageously corrupt law enforcement and judges at every level in the most corrupt state in the Union -- Montana. William M. Windsor knows that there will be significant corruption in any legal matters involving him in Montana.

88. Ellis County Texas District Attorney Patrick Wilson actually published a Wanted Poster for William M. Windsor – wanted for publishing a man's name, sending an email, allegedly sending a Tweet, and filming a movie that will expose Ellis County Texas District Attorney Patrick Wilson as a dishonest and very corrupt elected official. [A true and correct copy of William M. Windsor's Wanted Poster is Exhibit-25.] This has been published online and is

available for the world to see at the Ellis County Texas District Attorney's Facebook Page. Presumably this Wanted Poster has been sent to the FBI, Interpol, every police department and sheriff's department in the country, and all offices of the United States Post Office.

89. William M. Windsor has been widely advertised as a fugitive and wanted criminal subject to a bench warrant, contempt charges, and a \$100,000 judgment, all of which illegally restrain his liberty. . [A true and correct copy of the judgment is Exhibit-59.]

90. William M. Windsor was in communication with the prosecuting attorney and the court in Montana while he was en route from Texas to Montana.

91. On January 7, 2015, prosecuting attorney Jennifer Clark gave William M. Windsor until January 29, 2015 to surrender in Missoula Montana. (A true and correct copy of this email is Exhibit-26.)

92. On January 12, 2015, William M. Windsor sent a Notice of Appeal to the Clerk of the District Court in Ellis County Texas. [A true and correct copy of Notice of Appeal #3 is Exhibit-27.] Notice of Appeal #3 appealed the December 30, 2014 revocation of the alleged bond of December 19, 2014.

93. On January 19, 2015, William M. Windsor filed a Motion to Quash the Bench Warrant in the Fourth Judicial District Court in Missoula County Montana.

94. Unknown to William M. Windsor, on January 14, 2015, he was allegedly indicted by the Ellis County Grand Jury for the crime of felony bond jumping. (A true and correct copy of this unsigned indictment is Exhibit-28.)

95. Unknown to William M. Windsor, on January 21, 2015, a capias warrant was issued for him. (A true and correct copy of this capias is Exhibit-29.)

96. On January 28, 2015, Judge John W. Larson changed the date of William M. Windsor's scheduled surrender to February 5, 2015. (A true and correct copy of this order is Exhibit-30.)

97. On February 4, 2015, William M. Windsor filed a motion requesting a change of judge. (A true and correct copy of this motion is Exhibit-31.)

98. On February 4, 2015, William M. Windsor was in Coeur d'Alene Idaho, just a short drive away from Missoula Montana.

99. On February 4, 2015, Judge John W. Larson issued an order vacating the February 5, 2015 hearing. (A true and correct copy of this order is Exhibit-32.) This meant there was no longer a date set for surrender.

100. On February 17, 2015, Judge John W. Larson and Judge James A. Haynes signed an "Invitation to Assume Jurisdiction & Acceptance." A true and correct copy of this document is attached hereto as Exhibit-33.) Judge James A. Haynes never set a new date for William M. Windsor to surrender.

101. On February 19, 2015, William M. Windsor went to the Federal Express office on Eagle Road in Meridian Idaho to ship court filings. Unknown to him, Ellis County District Attorney Patrick Wilson faxed his wanted poster to Federal Express stores and post offices nationwide. A Federal Express worker recognized William M. Windsor and called the Meridian Police Department. William M. Windsor had asked her for directions to the AT&T store, so she sent the police there.

102. William M. Windsor was standing at the counter at the back of the AT&T store with his back to the windows and doors. He saw the eyes of the two male employees get as big as saucers with shocked looks on their faces. William M. Windsor suspects that as many as six police officers came in behind him apparently with guns drawn. One officer said: "William M. Windsor, put your hands behind you with your thumbs up." All of William M. Windsor's personal property was removed from his hands and pockets as he was frisked and handcuffed. He was put into the tiny back seat of a police car with his hands cuffed behind his severely claustrophobic body. Officer Geoff Rowe had taken William M. Windsor into custody.

103. Neither Officer Geoff Rowe nor anyone else with the Meridian Police Department had any paperwork to indicate that William M. Windsor should be picked up. William M. Windsor requested any such documents, and there were none. The Meridian Police Department acted on the call from the FedEx lady who had received an alleged wanted poster by fax.

104. William M. Windsor was never read his rights – ever.

105. Officer Geoff Rowe took William M. Windsor to the Ada County Jail in Boise Idaho, and he was booked into the Ada County Jail at about 1:00 pm on February 19, 2015.

106. The fanny pack that William M. Windsor was carrying and the contents of his pockets were inventoried by Officer Michaelson. Then Officer Geoff Rowe came out of the booking area of the jail and said he was taking all of William M. Windsor's personal property as

evidence for Texas. Only his driver's license was put into his personal property at the Ada County Jail. William M. Windsor was not even allowed to write down a phone number from his address book or phone. Zero money was put onto his books though Ada County Jail rules say that all money will be put on your books. William M. Windsor had \$10,000 in cash in his fanny pack so he would have the 10% needed on the \$100,000 bond. He also had checks and credit cards that he was prepared to use for bond, if needed. But everything was taken away.

107. Officer Geoff Rowe obtained some documents by fax from Ellis County Texas. He had no idea why he had him prior to that. Officer Geoff Rowe flipped through these papers in William M. Windsor's presence, but he refused to give copies to him as he requested. He told William M. Windsor that his bond was \$2.1 million and that Texas really wanted him.

108. On Friday, February 20, 2015, William M. Windsor was taken to TV Court in the Ada County Jail with Judge Theresa Gardunia. He was shackled for the first time in his life.

109. TV Court is normally arraignment for newly-arrested people. Judge Theresa Gardunia was not prepared for an extradition case. There was no Ada County Prosecutor at my hearing. A clerk handed William M. Windsor two unsigned unsworn affidavits of probable cause by Ada County Prosecutor Kari Higbee. William M. Windsor told Judge Theresa Gardunia that they were unsigned, false, and Kari Higbee falsely claimed to have personal knowledge but it was all hearsay. Judge Theresa Gardunia did not make a finding of probable cause. All she did was set bond of \$50,000 on each of the two Ada County Idaho charges for Texas and Montana that had been established despite no documents other than these so-called affidavits. (Exhibit-34 and Exhibit-35 hereto are true and correct copies of these so-called affidavits of probable cause.)

110. On March 26, 2015, an arrest warrant was filed in DC-14-509 in the Fourth Judicial District Court in Missoula Montana. (A true and correct copy of this is Exhibit-52.)

111. On March 27, 2015, William M. Windsor appeared before Judge James A. Haynes in Missoula County Montana. Bond was set at \$5,000. (A true and correct copy of the Minutes from this hearing is Exhibit-53.)

112. On May 9, 2015, William M. Windsor posted bond and was released from the Missoula County Detention Center. He is wearing a GPS Ankle Monitor, and his whereabouts are constantly monitored.

113. On June 2, 2015, Judge James A. Haynes issued an Amended Criminal Trial Preparation Order. The trial is now scheduled for September 28, 2015. (DC-14-509 Docket.)

114. Ellis County Texas District Attorney Patrick Wilson has committed fraud upon the court, has violated his oath of office as well as criminal statutes, and prosecuted Case No. 39746CR as a personal vendetta.

ARGUMENT

I. **THIS COURT ACTED IMPROPERLY ON DECEMBER 30, 2014, AND WILLIAM M. WINDSOR MUST BE EXONERATED OF LIABILITY FROM THE ALLEGED FORFEITURE OF A \$100,000 BOND. THE JUDGMENT NISI MUST BE VOIDED.**

A. **THE STATE HAD A LEGAL OBLIGATION TO PROVIDE NOTICE OF A HEARING TO WILLIAM M. WINDSOR, AND THE STATE FAILED TO DO SO. THEREFORE, THE HEARING OF DECEMBER 30, 2014 IS VOID.**

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

116. Texas Rules of Civil Procedure Rule 21 provides the applicable rules for service:

- (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.**]

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

118. 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.

119. 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.]

120. The State violated the law and William M. Windsor's rights in failing to provide notice. William M. Windsor has provided proof that no document was received, and this has been confirmed by the Marriott Hotel in Richardson Texas where he had a room.

121. 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. (See Exhibit-56, Transcript of December 30, 2014 Hearing.) No notice was ever received.

B. THIS COURT HAD A LEGAL AND ETHICAL OBLIGATION TO CONSIDER WILLIAM M. WINDSOR'S MOTION TO CANCEL THE HEARING AND MOTION FOR CONTINUANCE, AND THE COURT FAILED TO DO SO.

122. William M. Windsor prepared a filed a "Motion to Cancel and for Continuance" within two business hours after he was informed that a hearing might be taking place on December 30, 2014. This Court was wrong to ignore this Motion. This Court had a legal and ethical obligation to consider this motion.

123. Article 29.03 of the Texas Code of Criminal Procedure ("TCCrP") provides that a continuance should be granted for sufficient cause for reasons fully set forth in the motion. The issues were fully set forth in William M. Windsor's Motion to Cancel and for Continuance and were valid. Exhibit-23 is a true and correct copy of the Motion.

124. Holding a hearing without notice to William M. Windsor when he was out of state doing what this Court instructed him to do is an abuse of "discretion" and a violation of William M. Windsor's Constitutional rights to due process and Article 1.04 of the TCCrP.

C. WILLIAM M. WINDSOR'S RIGHT TO BE HEARD WAS DENIED AT THE DECEMBER 30, 2014 HEARING.

125. Article 1.05 of the TCCrP provides that William M. Windsor had the right to be heard and Article 1.051 provides that he had the right to be heard through counsel. This right was denied.

126. William M. Windsor's telephone call to Court Coordinator Melissa requested that the Court call him so he could participate in the Hearing by telephone, but he was not called.

127. William M. Windsor's Motion to Cancel and for Continuance explained that he was in the process of retaining counsel on this matter in the state of Montana, and he requested a continuance until his new counsel could appear for him. This fundamental legal right to be heard was denied by this Court.

D. THIS COURT MADE A RULING ON DECEMBER 30, 2014 USING FALSE INFORMATION THAT IS PROVEN FALSE BY THE TRANSCRIPT OF THE DECEMBER 19, 2014 HEARING.

128. At least four key facts were falsely stated at the December 30, 2014 Hearing:
- a. The PR Bond did not require William M. Windsor to attend any hearings except the January 21, 2015 hearing that has now been canceled.
 - b. Ellis County District Attorney Patrick Wilson did not send notice of the hearing to William M. Windsor in any manner and certainly not at his last-known address. The Desk Clerk at the Marriott Courtyard in Richard has told William M. Windsor that no fax was received for him and no mail was received. William M. Windsor never gave a fax number at a hotel or anywhere else as a means to send him legal notices as is shown by every document filed in this case or in cases 88611 and 90610 in Ellis County Texas.
 - c. The Transcript of the December 19, 2014 Hearing shows that the Court did not tell William M. Windsor that he was to inform the Court of his intent to go to Montana. In addition, William M. Windsor did inform Court Coordinator Melissa on December 29, 2014 that he was headed to Montana. William M. Windsor also published this online. Exhibit-24 hereto includes true and correct copies of articles that William M. Windsor published online.
 - d. The record in this case also shows that William M. Windsor emailed the Clerk of the Court, Melanie Reed, the morning of December 30, 2014 with the Motion to Cancel and Motion for Continuance (Exhibit-23) that clearly states that William M. Windsor was actually headed to Montana to surrender, and a hard copy of this Motion was filed with the Clerk prior to the Hearing.

129. There was no factual basis for the actions of this Court on December 30, 2014.

E. THIS CASE HAD BEEN APPEALED TO THE TENTH COURT OF APPEALS, SO THIS COURT HAD NO JURISDICTION.

130. William M. Windsor appealed the denial of his Petition for Writ of Habeas Corpus on December 19, 2014, and William M. Windsor immediately filed a Notice of Appeal as is shown on the Docket.

131. As the case was on appeal, this Court had no jurisdiction.

F. THERE WAS NO CASE AGAINST WILLIAM M. WINDSOR IN TEXAS ANYMORE, SO THIS COURT HAD NO JURISDICTION.

132. William M. Windsor allegedly had a bench warrant from Montana. He was not charged with any crime in Texas. This Court had jurisdiction over him solely in regard to extradition.

133. William M. Windsor was no longer in Texas at the time of the December 30, 2014 Hearing; he was en route to Montana where he planned to turn himself in to the authorities, accompanied by his Montana attorney. This Court ceased to have jurisdiction over him.

G. THIS COURT MUST FIND THAT WILLIAM M. WINDSOR DID NOT DO ANYTHING WRONG WHEN HE DID PRECISELY WHAT THE COURT DIRECTED HIM TO DO ON DECEMBER 19, 2014.

134. William M. Windsor was instructed that he was to appear for a hearing on January 21, 2015 or go to Montana and surrender himself. He did precisely as directed, so he did not do anything wrong by not appearing in Texas on December 30, 2014.

135. William M. Windsor prepared to go to Montana and was out of state on the way to Montana when the December 30, 2014 Hearing was held without him.

H. WILLIAM M. WINDSOR WAS RELEASED WITHOUT A VALID BOND ON DECEMBER 19, 2014, SO THIS COURT ERRED IN QUASHING THE INVALID BOND AND DECLARING WILLIAM M. WINDSOR FAILED TO APPEAR ON A VALID BOND.

136. The so-called PR Bond was never executed at the Ellis County Jail as the Hearing Transcript shows was to be done and as the PR Bond Paperwork shows was not done. This Court erred in quashing the invalid bond and declaring that William M. Windsor failed to appear on a valid bond.

137. Ellis County Texas District Attorney Patrick Wilson has falsified a version of the PR Bond document. Exhibit-9 hereto is a true and correct copy of the PR Bond that was given to William M. Windsor in the courtroom on December 19, 2014. William M. Windsor was never given anything else, and he was not asked to sign at the Ellis County Texas Jail as he was told he would. Exhibit-11 hereto is a true and correct copy of a falsified PR Bond that Ellis County Texas District Attorney filed in Missoula County Montana.

138. As the alleged bond is clearly irregular, there is no legal basis for the Judgment NISI.

I. THERE WAS APPARENTLY NO REASON FOR A DECEMBER 30, 2014 HEARING EXCEPT TO DENY WILLIAM M. WINDSOR THE RIGHT TO GO TO MONTANA AND TURN HIMSELF IN AS WAS DISCUSSED WITH THIS COURT AS WILLIAM M. WINDSOR'S PLAN.

139. There was no reason to hold a December 30, 2014 hearing except to deny William M. Windsor the right he had been given to go to Montana.

140. District Attorney Patrick Wilson has knowingly lied to this Court, and he has knowingly violated a host of laws in causing William M. Windsor to be held without bond for 53 days in the Ellis County Jail. He then lied to get William M. Windsor held for 35 more days in Ada County Idaho and 46 days in Missoula County Montana.

141. William M. Windsor has been saddled with a \$100,000 judgment due to the errors of this Court and the dishonesty of Ellis County Texas District Attorney Patrick Wilson.

142. Ellis County Texas District Attorney Patrick Wilson has used this Court's December 30, 2014 actions to restrain William M. Windsor of his liberty.

143. Ellis County Texas District Attorney Patrick Wilson has pursued criminal charges against William M. Windsor for "felony bond jumping."

144. Ellis County Texas District Attorney Patrick Wilson obtained a grand jury indictment against William M. Windsor for felony bond jumping.

145. As a result, William M. Windsor was held in the Ada County Idaho Jail for 35 days without bond and in the Missoula County Detention Center for 46 days without bond.

146. Texas Penal Code ("TPC") Chapter 38, Section 38.10 applies only to Texas prisoners released on Texas crimes. It is for those who failed to appear at a Texas criminal

proceeding. It does not apply in this case, but the law is unimportant to Ellis County Texas District Attorney Patrick Wilson.

CONCLUSION

147. The actions of this Court on December 30, 2014 are a travesty of justice. It is clear that Ellis County Texas District Attorney Patrick Wilson has lied repeatedly to this Court, and he intentionally scheduled a hearing without notice to William M. Windsor so he could accuse him of a crime, attempt to have him arrested, and have him hit with a \$100,000 judgment. This Court declared in the Judgment NISI that William M. Windsor failed to appear or answer. This Court claimed William M. Windsor was called, but he was not called. William M. Windsor contacted the Court's clerk to advise that he could not attend as he was in Oklahoma on his way to Montana. He offered to participate by telephone. He filed a motion to cancel or for continuance at 10:30 am on December 30, 2014, three hours prior to the hearing. And he arranged for an attorney to attend the hearing. William M. Windsor both answered and appeared in several ways. The Judgment NSI must be vacated. William M. Windsor left Texas for Montana precisely as was arranged with this Court. William M. Windsor is in Montana preparing to stand trial.

PRAYER

WHEREFORE, William M. Windsor prays that this Court:

- a. order that the PR Bond was not fully executed and is invalid;
- b. order that the Judgment NISI issued by this Court on December 30, 2014 is vacated; and
- c. grant any other relief that this Court deems just and proper.

Submitted this 1st day June, 2015,



William M. Windsor

PO Box 16181, Missoula Montana 59808, 770-578-1094, windsorinmontana@yahoo.com

VERIFICATION

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 on behalf of himself and that the facts alleged in the foregoing are true and correct based upon his personal knowledge, except as to the matters herein stated to be alleged on information and belief, and that as to those matters he believes them to be true.

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

This 1st day of June, 2015.

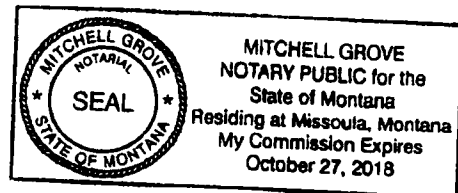
William M. Windsor

William M. Windsor

Sworn and subscribed before me this 1st day of June, 2015.

[Signature]

Notary Public



CERTIFICATE OF SERVICE

William M. Windsor has sent a copy of this Motion by mail to Ellis County District
Attorney Patrick Wilson, 109 S. Jackson Street, Waxahachie, Texas 75165.

This 12th day June, 2015,

A handwritten signature in black ink, appearing to read "William M. Windsor", written in a cursive style.

William M. Windsor

Appendix

3

CAUSE NO. 90744

FILED FOR RECORD

2016 MAR 15 AM 9:32
CAUSE NO. 14-19-14-19

THE STATE OF TEXAS

§
§
§
§
§
§

vs.

WILLIAM M. WINDSOR
(Defendant/Principal)

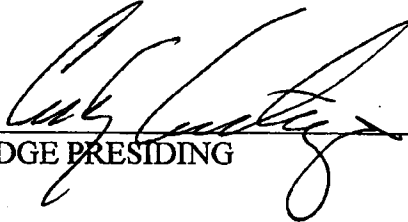
IN THE DISTRICT COURT
MELANIE CLARK
DISTRICT CLERK
ELLIS COUNTY, TEXAS

443RD JUDICIAL DISTRICT

ORDER SETTING HEARING

IT IS ORDERED that a hearing before this court on the Plaintiff's Motion for Summary Judgment is set for the 15th day of April, 2016, at 9:00 a.m., in the 443rd District Courtroom of Ellis County, Texas, located in Waxahachie, Texas.

SIGNED this 14 day of March, 2016.



JUDGE PRESIDING

Appendix

4

CAUSE NO. 90744

CAUSE NO. 14-158

THE STATE OF TEXAS

§ IN THE DISTRICT COURT

§

V

§ ELLIS COUNTY TEXAS

WILLIAM M. WINDSOR,
DEFENDANT, PRINCIPAL,
SURETY

§

§ 443RD JUDICIAL DISTRICT

DEMAND FOR ORDERS ON PENDING MOTIONS

Now comes William M. Windsor who files this Demand for Orders on Pending Motions pursuant to case law, and shows the Court as follows:

1. This Court has never ruled on a single motion filed by William M. Windsor. The motions were all filed and served properly, with proper certificates of service.
2. William M. Windsor demands orders. If the Court refuses or ignores the request, he will file a Petition for Writ of Mandamus and will seek a stay while this motion is hidden by the Court.
3. The motion that William M. Windsor demands be addressed and order issued with findings of fact and conclusions of law is the Motion to Dismiss filed June 1, 2015.
4. It has been 298 days since this motion was sent to the Clerk for filing.
5. Whether to consider and rule upon a motion is not a discretionary act on the part of a trial court.

Whether to consider and rule upon a motion is not a discretionary act on the part of a trial court. *In re Ramirez*, 994 S.W.2d 682, 683 (Tex. App.-San Antonio 1998, orig. proceeding). Rather, when a motion is properly filed and pending before a trial court, the act of considering and resolving it is ministerial. *Safety-Kleen Corp. v. Garcia*, 945 S.W.2d 268, 269 (Tex. App.-San Antonio 1997, orig. proceeding) (quoting *O'Donniley v. Golden*, 860 S.W.2d 267 (Tex. App.-Tyler 1993, orig. proceeding)).

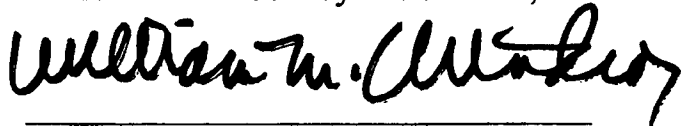
(See also *State ex rel. Young v. Sixth Judicial Dist.*, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007); *In re Ewere*, 05-14-00221-CV (Tex.App. Dist.5 02/27/2014); *In re Mendoza*, 467 S.W.3d 76 (Tex.App. Dist.14 04/21/2015); *In re Garrett*, 14-14-00669-CR, 14-14-00670-CR (Tex.App. Dist.14 08/26/2014); *In re Henderson*, WR-78, 769-03 (Tex.Crim.App. 08/26/2015); *In Re Chad Woods, Relator*, No. 14-12-00504-CR (Tex.App. Dist.14 06/14/2012); *Ex parte Bates*, 65 S.W.3d 133 (Tex.App. Dist.7 05/15/2001); *In Re Herschel Bryan Moffitt, Relator*, No. 07-13-0041-CV (Tex.App. Dist.7 02/20/2013); *In re Herrera*, No. WR-74,603-01 (Tex.Crim.App. 11/03/2010); *Simon v. Levario*, No. AP-76,183 (Tex.Crim.App. 11/18/2009); *In re Fuller*, No. 14-09-00291-CR (Tex.App. Dist.14 04/16/2009).)

PRAYER

WHEREFORE, William M. Windsor prays that this Court:

- a. grant this Motion;
- b. issue orders with findings of fact and conclusions of law not later than April 8, 2016 on these pending motions; and
- c. grant any other relief that this Court deems just and proper.

Submitted this 25th day March 2016,

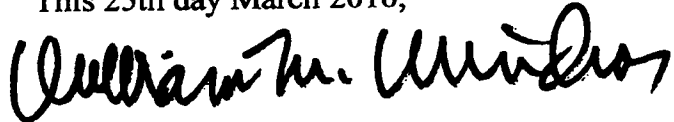


William M. Windsor
110 East Center Street #1213
Madison, South Dakota 57042
770-578-1094
Email: bill@billwindsor.com

CERTIFICATE OF SERVICE

William M. Windsor has sent a copy of this Demand by email/mail to
Assistant Ellis County District Attorney Ms. M. Ann Montgomery-Moran, 109 S.
Jackson Street, Waxahachie, Texas 75165

This 25th day March 2016,



William M. Windsor

Appendix

5

CAUSE NO. 90744

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

EMERGENCY MOTION TO NAME PUBLIC DEFENDER


William M. Windsor files this Emergency Motion to Name a Public Defender pursuant to the Texas Code of Criminal Procedure, Texas Penal Code, Texas Constitution, and U.S. Constitution, and shows the Court as follows:

1. William M. Windsor has never been served with a Citation in this criminal matter and was never given the opportunity to have a public defender named. The right to be represented by counsel is an absolute.
2. This Court continues to commit crimes and violate the Rules. Perhaps a public defender will not be so easily abused by the Court and the prosecutors.
3. William M. Windsor is three days away from Ellis County by car, cannot fly, and cannot afford to get there for hearings. He is also unwilling to risk arrest on bogus charges previously manufactured by this Court and the prosecutors.
4. William M. Windsor is indigent, and he needs the opportunity to have a public defender represent him.
5. William M. Windsor conducted an online search for "Ellis County Public Defender Office," but nothing appeared. He contacted the Texas Indigent Defense Commission, but there was no response.

PRAYER

6. William M. Windsor prays that this Motion is granted; that a Public Defender be named; that a continuance be granted on all pending matters except the Motion to Dismiss and the Motion to Recuse Judge Cindy Ermatinger until the Public Defender is briefed; and that this Court grant such other and further relief as the Court feels is appropriate.

Submitted this 9th day June 2016,



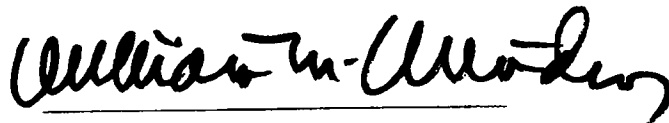
William M. Windsor

110 East Center Street #1213, Madison, South Dakota 57042
770-578-1094 -- Email: bill@billwindsor.com

VERIFICATION

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

This 9th day 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 9th day June 2016,



Notary Public



CERTIFICATE OF SERVICE

William M. Windsor has sent a copy of this Emergency Motion to Name a Public Defender by email to Assistant Ellis County District Attorney Ms. M. Ann Montgomery-Moran, 109 S. Jackson Street, Waxahachie, Texas 75165, ann.montgomery@co.ellis.tx.us.

This 9th day June 2016,



William M. Windsor

Appendix

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443RD JUDICIAL DISTRICT COURT

**Ellis County Courthouse
109 S. Jackson
Waxahachie, TX 75165
www.co.ellis.tx.us**

June 10, 2016

Mr. William Windsor (VIA E-MAIL & REGULAR MAIL)
110 East Center Street, #1213
Madison, South Dakota 57042

Re: State of Texas
Vs. William M. Windsor
Cause No: 90744

Dear Mr. Windsor,

Please be advised that Judge Keith Dean has set a hearing on your Motion for Reconsideration for June 22, 2016 at 1:30 p.m. in the Multipurpose Room of the Ellis County Courts Building, 109 South Jackson, Waxahachie, Texas. Your presence at this hearing is required.

Please be further advised that if your Motion for Reconsideration is granted, then Judge Dean will immediately hear your Motion for Recusal of Judge Cindy Ermatinger.

With regards,

Olivia L. Tucker
Court Coordinator, 443rd District Court

cc: Ms. M. Ann Montgomery (VIA E-MAIL)

:olt

Olivia Tucker - Court Coordinator
Phone (972) 825-5284
Fax (972) 825-5276
Email olivia.tucker@co.ellis.tx.us

Carolyn Peek - Court Reporter
(972) 825-5285
(972) 825-5276
carolin.peek@co.ellis.tx.us

Appendix

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Filing Status	Filing Code	Filing Type	Filing Description
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11278143 filed Wednesday, June 22, 2016 at 1:24 PM CDT by William Windsor		
Submitting	Motion (No Fee)	EFileAndServe	Motion to Recuse Judge Mary M...
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11277801 filed Wednesday, June 22, 2016 at 1:20 PM CDT by William Windsor		
Submitting	Motion (No Fee)	EFileAndServe	Motion to Recuse Keith Dean
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11269523 filed Wednesday, June 22, 2016 at 9:52 AM CDT by William Windsor		
Accepted	Certificate Of Written Disco...	EFileAndServe	
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11266464 filed Wednesday, June 22, 2016 at 1:09 AM CDT by William Windsor		
Rejected	Notice	EFileAndServe	NOTICE OF FILING OF PETITIO...
▼	Case # 10-16-00207-CR - In re William M. Windsor		
	Envelope # 11266451 filed Wednesday, June 22, 2016 at 12:57 AM CDT by William Windsor		
Accepted	Original Proceeding Petition	EFile	Petition for Writ of Mandamus in ...
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11266390 filed Tuesday, June 21, 2016 at 11:41 PM CDT by William Windsor		
Rejected	Notice	EFileAndServe	NOTICE OF FILING OF PETITIO...
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11266382 filed Tuesday, June 21, 2016 at 11:35 PM CDT by William Windsor		
Accepted	Notice Of Filing	EFileAndServe	NOTICE OF FILING OF PETITIO...
▼	Case # 10-16-00206-CR - In re William M. Windsor		
	Envelope # 11266363 filed Tuesday, June 21, 2016 at 11:18 PM CDT by William Windsor		
Accepted	Original Proceeding Petition	EFile	Petition for Writ of Mandamus

Appendix

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Filing Status	Filing Code	Filing Type	Filing Description
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11278143 filed Wednesday, June 22, 2016 at 1:24 PM CDT by William Windsor		
Submitting	Motion (No Fee)	EFileAndServe	Motion to Recuse Judge Mary M...
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11277801 filed Wednesday, June 22, 2016 at 1:20 PM CDT by William Windsor		
Submitting	Motion (No Fee)	EFileAndServe	Motion to Recuse Keith Dean
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11269523 filed Wednesday, June 22, 2016 at 9:52 AM CDT by William Windsor		
Accepted	Certificate Of Written Disco...	EFileAndServe	
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11266464 filed Wednesday, June 22, 2016 at 1:09 AM CDT by William Windsor		
Rejected	Notice	EFileAndServe	NOTICE OF FILING OF PETITIO...
▼	Case # 10-16-00207-CR - In re William M. Windsor		
	Envelope # 11266451 filed Wednesday, June 22, 2016 at 12:57 AM CDT by William Windsor		
Accepted	Original Proceeding Petition	EFile	Petition for Writ of Mandamus in ...
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11266390 filed Tuesday, June 21, 2016 at 11:41 PM CDT by William Windsor		
Rejected	Notice	EFileAndServe	NOTICE OF FILING OF PETITIO...
▼	Case # 90744 - THE STATE OF TEXAS VS. WINDSOR, WILLIAM M.		
	Envelope # 11266382 filed Tuesday, June 21, 2016 at 11:35 PM CDT by William Windsor		
Accepted	Notice Of Filing	EFileAndServe	NOTICE OF FILING OF PETITIO...
▼	Case # 10-16-00206-CR - In re William M. Windsor		
	Envelope # 11266363 filed Tuesday, June 21, 2016 at 11:18 PM CDT by William Windsor		
Accepted	Original Proceeding Petition	EFile	Petition for Writ of Mandamus

Appendix

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**443RD JUDICIAL DISTRICT COURT
JUDGE CINDY ERMATINGER**

Ellis County Courthouse
109 S. Jackson
Waxahachie, TX 75165
www.co.ellis.tx.us

FILED FOR RECORD

2016 JUN 22 PM 2:50

MELANIE REED
DISTRICT CLERK
ELLIS COUNTY, TX

June 22, 2016

Ms. M. Ann Montgomery
Asst. County & District Attorney

Mr. William Windsor
Pro Se

Re: State of Texas
Vs. William M. Windsor
Cause No: 90744

Dear Ms. Montgomery and Mr. Windsor,

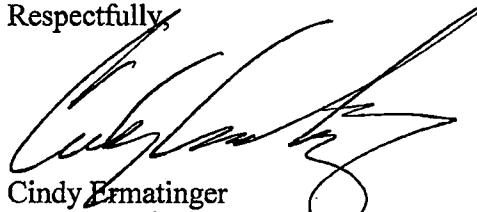
Please be advised that the above-referenced cause has been set for the following hearings and jury trial:

- (1) Hearing has been set for June 28, 2016 at 1:30 p.m. All motions filed by Plaintiff and Defendant will be heard at this setting, with the exception of the Motions for Summary Judgment filed by Plaintiff and Defendant.
- (2) Hearing has been set for July 14, 2016 at 8:30 a.m. Plaintiff's Motion for Summary Judgment & Defendant's Motion for Summary Judgment will be heard on this date.
- (3) Trial Announcement is set for August 19, 2016 at 9:00 a.m. and Jury Selection is set for August 22, 2016 at 9:00 a.m.

June 22, 2016
Page -2-

All parties are hereby REQUIRED to be present in Court for each setting listed above.

Respectfully,



Cindy Ermatinger
Judge, 443rd District Court

CE:olt

Olivia Tucker – Court Coordinator
Phone (972) 825-5284
Fax (972) 825-5276
Email olivia.tucker@co.ellis.tx.us

Carolin Peek – Court Reporter
(972) 825-5285
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carolin.peek@co.ellis.tx.us