

NO. 10-16-00207-CR

IN THE TENTH COURT OF APPEALS
FOR THE STATE OF TEXAS

In re William M. Windsor, Relator

William M. Windsor,
Relator

v.

Judge Cindy Ermatinger and Clerk of Court Melanie Reed,
Respondents

State of Texas,
Real Party in Interest

from Cause No. 14-158
443rd District Court, Ellis County, Texas
Judge Cindy Ermatinger

MOTION FOR COURT-APPOINTED ATTORNEY

William M. Windsor files this “Motion for Court-Appointed Attorney.”

William M. Windsor filed an Affidavit of Indigence with this Court on July 23, 2016. This complied with the Texas Rules of Appellate Procedure. There was no contest.

William M. Windsor filed an Affidavit of Indigence with the District Court on several occasions, most recently on July 22, 2016. This complied with the Texas Rules of Civil Procedure and the Ellis County Court Plan. There was no contest. William M. Windsor first requested appointment of an attorney on June 9, 2016, when he filed a verified Emergency Motion for Public Defender in Case #90744 in the 443rd Judicial District Court in Ellis County Texas. He also requested a court-appointed attorney on June 12, June 13, June 17, June 28, July 1, July 20, and July 22, 2016. The “Ellis County Court Plan” provides that if the accused requests, but is not qualified to receive, court appointed counsel, the Court shall so notify the accused within three working days after receiving the application for court appointed counsel. William M. Windsor was never notified.

The “Ellis County Court Plan” clearly states that appointment of counsel cannot be delayed beyond the timelines specified in these rules and in the Code of Criminal Procedure.

It has been **61 days** since William M. Windsor made his first request for court-appointed counsel, and neither Judge Cindy Ermatinger, Presiding Judge Mary Murphy, Keith Dean, Judge Melody Wilkinson, Chief Justice Nathan Hecht, nor Judge William C. Bosworth, Jr. have appointed counsel or even responded in any manner to the requests.

The United States Constitution and the Texas Constitution provide that an attorney will be provided for those who cannot afford one. William M. Windsor cannot afford an attorney, and he needs one appointed immediately.

William M. Windsor asks that this Court appoint counsel for William M. Windsor to handle matters related to this case.

This 9th day of August 2016,




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

CERTIFICATION

I hereby certify that I have reviewed the Motion for Court-Appointed Attorney, and every factual statement in the Motion is supported by competent evidence.

This 9th day of August 2016,



William M. Windsor

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this Motion for Court-Appointed Attorney by email:

Judge Cindy Ermatinger, Respondent, 443rd District Court, 109 S. Jackson Street, Waxahachie, Texas 75165, cindy.ermatinger@co.ellis.tx.us.

Judge Mary Murphy, First Administrative Judicial Region, 133 N. Riverfront Blvd. LB 50, Dallas, TX 75207, cshiver@firstadmin.com, alisa.frame@firstadmin.com.

Keith Dean, Mediator, 5665 Dallas Parkway, Suite 200, Frisco, TX 75034, 214-704-4854, judgekeithdean@yahoo.com.

Judge William C. Bosworth, Jr., Respondent, 413th District Court, Guinn Justice Center, 204 S. Buffalo Ave., Room 202, Cleburne, TX 76033, billb@johnsoncountytexas.org.

Melanie Reed, Respondent, 109 S. Jackson Street, Waxahachie, Texas 75165, 972-825-5284, Fax: 972-825-5276, melanie.reed@co.ellis.tx.us.

State of Texas, Real Party in Interest, 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 of August 2016,



William M. Windsor