

NO. \_\_\_\_\_

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IN THE COURT OF CRIMINAL APPEALS  
FOR THE STATE OF TEXAS

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*In re* William M. Windsor, Relator

William M. Windsor,  
Relator

v.

Judge Cindy Ermatinger, Judge Mary Murphy, Keith Dean,  
Judge William C. Bosworth, Jr., Ellis County District Court,  
Tenth Court of Appeals, Respondents

State of Texas,  
Real Party in Interest

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from Cause No. 90744  
443rd District Court, Ellis County, Texas  
Judge Cindy Ermatinger, Judge Mary Murphy, Keith Dean,  
Judge William C. Bosworth, Jr.

from Appeal No. 10-16-00206-CR  
Tenth Court of Appeals

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**PETITION FOR WRIT OF PROHIBITION**

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William M. Windsor (“Petitioner” or “Windsor”) files this “Petition for Writ of Prohibition,” and shows the Court:

**IDENTITY OF PARTIES AND COUNSEL**

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

Judge Cindy Ermatinger, Respondent, 443rd District Court, 109 S. Jackson Street, Waxahachie, Texas 75165, 972-825-5284, Fax: 972-825-5276, cindy.ermatinger@co.ellis.tx.us.

Judge Mary Murphy, First Administrative Judicial Region, 133 N. Riverfront Blvd. LB 50, Dallas, TX 75207, 214-653-2943, Fax: 214-653-2957, 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, 817-556-6040, Fax: 817-556-6043, billb@johnsoncountytexas.org.

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

Tenth Court of Appeals, McLennan County Courthouse, 501 Washington Avenue, Room 415, Waco, Texas 76701-1373, 254-757-5200, Fax: 254-757-2822, sharri.Roessler@txcourts.gov.

State of Texas, Real Party in Interest, Assistant Ellis County District Attorney Ms. M. Ann Montgomery-Moran, 109 S. Jackson Street, Waxahachie, Texas 75165, 972-825-5035, ann.montgomery@co.ellis.tx.us.

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**STATEMENT OF THE CASE**

This Writ of Prohibition seeks to prohibit judge(s) in Case #90744 from taking any further action without appointing an attorney for William M. Windsor.

Ellis County District Court Case #90744 is an action for a \$100,000 judgment in an alleged failure to appear on a bond. Ellis County District Court Case #39746-CR is a January 14, 2015 indictment of William M. Windsor for “felony bond jumping.”

Judge Cindy Ermatinger is the judge in the 443rd Judicial District Court in Ellis County Texas. A Motion for Recusal was assigned to a mediator named Keith Dean who may or may not be a judge, Presiding Judge Mary Murphy, Judge Melinda Wilkinson, and now Judge William C. Bosworth, Jr. None of the judges have acted on many requests for a court-appointed attorney. William M. Windsor also sought relief from the Tenth Court of Appeals, but they have done nothing.

This is a case in which Judge Cindy Ermatinger has conspired with the prosecuting attorneys to use a fraudulent and forged document claiming it to be the

Bond when it is not. The evidence is crystal clear, shown in Case #10-16-00207-CR and 10-16-00202-CR, referenced and incorporated herein as if attached hereto.

William M. Windsor's requests for a public defender have been ignored. Upon information and belief, Judge Cindy Ermatinger, Mary Murphy, Keith Dean, and Judge William C. Bosworth are attempting to force him to attend a motion hearing so he can be arrested on bogus charges. Appointing counsel for William M. Windsor would thwart their plan.

### **STATEMENT OF JURISDICTION**

The Texas Rules of Appellate Procedure, Rule 52, provides that the Court of Appeals has jurisdiction. The Tenth Court of Appeals has jurisdiction over Ellis County courts, so it was the appropriate appellate court for William M. Windsor to initially seek relief. Article V, Section 5 of the Texas Constitution grants jurisdiction to the Tenth Court of Appeals. This issue was presented to the Tenth Court of Appeals, but it has failed to act. Appeals of such matters are criminal appeals, so this Court has jurisdiction to consider William M. Windsor's Writ of Prohibition. (*State v. Sellers*, 790 S.W.2d 316, 321 (Tex. Crim. App. 1990).)

### **ISSUE PRESENTED**

Must the courts below be prohibited from denying William M. Windsor a Public Defender before anything else is done in Case #90744?

## **STATEMENT OF FACTS**

1. Judge Cindy Ermatinger, Ellis County District Attorney Patrick Wilson, and Assistant Ellis County District Attorney Ann Montgomery-Moran conspired to generate a fraudulent document that they claimed is the “Bond” in the underlying matter. They had it forged, and they have used it to destroy what’s left of William M. Windsor’s life. Tenth Court of Appeals Case #s 10-16-00206-CR, 10-16-00207-CR, and 10-16-00202-CR, and Ellis County District Court Case #s 14-158, 90744, and 39746-CR provide the evidence and are referenced and incorporated herein as if attached hereto.

2. William M. Windsor has been pro se. He first requested appointment of an attorney on June 9, 2016, when he filed a verified Emergency Motion for Public Defender in Case #90744. He also requested a court-appointed attorney on June 12, June 13, June 17, June 28, July 1, July 20, and July 22, 2016. No additional information, documentation, or verification was requested from him.

3. William M. Windsor’s repeated requests for a court-appointed attorney have been ignored as have the Affidavits of Indigence that he filed on June 26, July 20, and July 22, 2016.

4. On May 25, 2016, William M. Windsor sent a Motion for Investigator to the Clerk of the Court for filing in Case #90744. The Motion said: “William M.

Windsor cannot afford an attorney or an investigator.” William M. Windsor prayed that the Court “...order that William M. Windsor shall have the services of an investigator at the expense of Ellis County or the State....” The Court never responded. [APPENDIX-1.]

5. On June 3, 2016, William M. Windsor sent a verified Motion for Recusal of Judge Cindy Ermatinger to the Clerk of the Court for filing in Case #90744. This is pending before Judge William C. Bosworth, Judge Mary Murphy, and Keith Dean. [APPENDIX-2.]

6. On June 6, 2016, William M. Windsor filed a Reply to the State’s Response to the Motion for Investigator in Case #90744. This stated the following: “William M. Windsor is pro se. He cannot afford an attorney or an investigator. William M. Windsor has asked the Court to allow him to have the services of an investigator at the expense of Ellis County or the State.” The Prayer requested: “...order that William M. Windsor shall have the services of an investigator at the expense of Ellis County or the State; order that William M. Windsor may have a public defender if he so chooses....” The Court never responded. [APPENDIX-3.]

7. On June 6, 2016, Judge Cindy Ermatinger referred the Motion to Recuse in Case #90744 to Presiding Judge Mary Murphy. [APPENDIX-4.]

8. On June 7, 2016, Presiding Judge Mary Murphy issued an order in

Case #90744 denying the Motion to Recuse Judge Cindy Ermatinger.

[APPENDIX-5.]

9. On June 8, 2016, William M. Windsor filed a Motion for Reconsideration of Order Denying Motion for Recusal of Judge Cindy Ermatinger in Case #90744. [APPENDIX-6.]

10. On June 9, 2016, William M. Windsor filed a verified Emergency Motion for Public Defender. His requests have been ignored. In his Emergency Motion for Public Defender, he wrote: “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. William M. Windsor is indigent, and he needs the opportunity to have a public defender represent him.” His Prayer requested: “...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....” [APPENDIX-7.]

11. On June 9, 2016, William M. Windsor filed a Second Motion to Authorize Discovery on Motions Related to Recusal of Judge Cindy Ermatinger. This Motion stated: “William M. Windsor is pro se. He cannot afford the subpoenas and service of the subpoenas. He cannot afford the court reporter



expense. He cannot afford to rent a room for the depositions. The depositions will be conducted by telephone.” The Court never responded. [APPENDIX-8.]

12. On June 9, 2016, Presiding Judge Mary Murphy issued an order saying another judge would be named to hear the recusal motion regarding Judge Cindy Ermatinger. Presiding Judge Mary Murphy had jurisdiction of the case for four days. [APPENDIX-9.]

13. On June 10, 2016, William M. Windsor received a letter from Olivia Tucker, a secretary who is not authorized to issue orders as if a judge. This stated that William M. Windsor’s attendance at the recusal hearing was required by Keith Dean. [APPENDIX-10.]

14. On June 12, 2016, William M. Windsor filed an Emergency Motion Requesting Interim or Ancillary Orders. This Emergency Motion requested a decision on his Emergency Motion to Name a Public Defender. The Court never responded. [APPENDIX-11.]

15. On June 13, 2016, William M. Windsor filed a Brief in Support of his Emergency Motion for Public Defender. The Brief stated: “William M. Windsor is indigent, and he needs the opportunity to have a public defender represent him.” The Court never responded. [APPENDIX-12.]

16. On June 13, 2016, William M. Windsor emailed a request for a Public Defender to Clerk of the Ellis County District Court, Melanie Reed. Neither

Melanie Reed nor the Court ever responded. No one ever responded.

[APPENDIX-13.]

17. On June 17, 2016, William M. Windsor filed an Objection to the State's Request for a Trial Setting. It objected that "William M. Windsor's requests for a public defender have been ignored." The Court never responded.

[APPENDIX-14.]

18. On June 22, 2016 at 1:20 pm CDT, William M. Windsor filed a Motion to Recuse Keith Dean, the mediator named to consider the recusal. Keith Dean had jurisdiction over the case for 13 days. [APPENDIX-15.]

19. On June 22, 2016 at 1:24 pm CDT, William M. Windsor filed a Motion to Recuse Judge Mary Murphy. [APPENDIX-16.]

20. On June 22, 2016, William M. Windsor filed a Petition for Writ of Mandamus and a Docketing Statement with the Tenth Court of Appeals. This was Appeal No. 10-16-00206-CR.

21. On June 23, 2016, William M. Windsor filed a Motion for Temporary Relief in Appeal No. 10-16-00206-CR with the Tenth Court of Appeals. The Court never responded. [APPENDIX-17.]

22. On June 23, 2016, William M. Windsor filed a First Amended Petition for Writ of Mandamus in Appeal No. 10-16-00206-CR with the Tenth Court of Appeals. The Court never responded.

23. On June 23, 2016, William M. Windsor filed an Appendix to the First Amended Petition for Writ of Mandamus in Appeal No. 10-16-00206-CR with the Tenth Court of Appeals. The Court never responded.

24. On June 23, 2016, Judge Cindy Ermatinger issued a letter in Case #90744 purporting to set all matters except summary judgment motions for hearing on June 28, 2016; to set summary judgment motions for hearing on July 14, 2016; and set the trial for August 9, 2016. This stated that my attendance at the non-evidentiary hearing was required. [APPENDIX-18.]

25. On June 26, 2016, William M. Windsor filed an Affidavit of Indigence in Case #90744. The Court never responded. [APPENDIX-19.]

26. On June 27, 2016, the State filed a Response and Objection to the Emergency Motion for Public Defender. The State did not contest the Affidavit of Indigence. The Court never responded. [APPENDIX-20.]

27. On June 27, 2016, William M. Windsor received a letter from Chief Justice Nathan Hecht that stated that William M. Windsor's Motion for Recusal of Judge Mary Murphy was assigned to Judge Melinda Wilkinson. [APPENDIX-21.]

28. On June 28, 2016, William M. Windsor filed a Reply to the State's Response and Objection to the Emergency Motion for Public Defender. In his Reply, he stated: "William M. Windsor has never been served with a Citation in this criminal matter, and he has never filed an Answer. He was never given the

opportunity to have a public defender named. William M. Windsor has never been read his rights, and the sworn testimony he is giving in this case and the legal arguments he is making is information that a criminal defense attorney would likely advise him not to share. He has been denied the fundamental protections that a criminal defendant must be given.” William M. Windsor stated: “This is a criminal case, and William M. Windsor is entitled to a court-appointed attorney.” And: “Statutes and case law provide authority that William M. Windsor is entitled to a court-appointed attorney.” “William M. Windsor prays that his Emergency Motion to Name a Public Defender is granted; that a Public Defender be named....” The entire Reply was about this issue. The Court never responded.

[APPENDIX-22.]

29. On June 28, 2016, William M. Windsor filed an Emergency Motion for Ruling by Judge Melody Wilkinson. This Emergency Motion asked that a court-appointed attorney be named for me. The Court never responded.

[APPENDIX-23.]

30. On June 28, 2016, William M. Windsor filed a First Amended Motion for Temporary Relief in Appeal No. 10-16-00206-CR with the Tenth Court of Appeals. The Court never responded. [APPENDIX-24.]

31. On July 1, 2016, William M. Windsor filed an “Emergency Motion for Ruling by Judge Assigned.” This Emergency Motion asked that a court-

appointed attorney be named for me. This has been ignored by all judges who have been assigned to this case. [APPENDIX-25.]

32. On July 1, 2016, William M. Windsor filed an Emergency Motion for Ruling by Judge Mary Murphy. This Emergency Motion asked that a court-appointed attorney be named for me. She did not address it. [APPENDIX-26.]

33. On July 1, 2016, Judge Melody Wilkinson sent a letter stating that she had recused herself. Judge Melinda Wilkinson failed to act not later than the end of the third working day after the date on which the appointing authority received my request for court appointed counsel. She had jurisdiction for four days. [APPENDIX-27.]

34. Chief Justice Nathan Hecht had jurisdiction over the case for 12 days from July 1 to 12, 2016.

35. On July 12, 2016, Chief Justice Nathan Hecht assigned the case to Judge William C. Bosworth, Jr. [APPENDIX-28.] William M. Windsor was not notified of this. As of July 23, 2016, Judge William C. Bosworth, Jr. has had jurisdiction of the case for 12 days. Judge William C. Bosworth, Jr. failed to act not later than the end of the third working day after the date on which the appointing authority received my request for court appointed counsel.

36. On Monday July 18, 2016 at 1:56 pm, William M. Windsor received an email with a letter from Judge William C. Bosworth, Jr. about an alleged July

25, 2016 hearing saying his “physical presence at this hearing is REQUIRED.”

There has been no order setting a hearing. There is no basis to REQUIRE William M. Windsor’s attendance. Judge Cindy Ermatinger has been REQUIRING William M. Windsor’s attendance at motion hearings for many months. The only reason these judges keep REQUIRING his attendance is so he can be arrested.

[APPENDIX-29.]

37. On Wednesday July 20, 2016 at 11:42 am, William M. Windsor sent an email to Judge William C. Bosworth stating that he seems to have overlooked the motion that William M. Windsor attached. William M. Windsor asked for a public defender to be named. [APPENDIX-30.]

38. Just a little over an hour later at 12:55 pm, William M. Windsor received an email from Olivia Tucker, sending an Affidavit of Indigence that Judge Bosworth asked her to send to him. William M. Windsor had previously filed his Affidavit of Indigence. [APPENDIX-31.]

39. On July 20, 2016 at 3:36 pm, William M. Windsor sent an email to Judge William C. Bosworth with another copy of his Affidavit of Indigence. William M. Windsor also provided Judge Bosworth with a personal affidavit. William M. Windsor asked whether the Affidavit would be accepted without a notary as he was unable to travel to a notary. [APPENDIX-32.] There was no response.

40. On July 20, 2016 at 6:52 pm, William M. Windsor sent an email to Olivia Tucker advising her that he had sent his Affidavit of Indigence directly to Judge Bosworth. [APPENDIX-33.]

41. On July 21, 2016 at 8:54 pm, William M. Windsor sent an email to Judge William C. Bosworth asking him to advise if he needed someone to drive him to a notary. There was never a response from Judge Bosworth. William M. Windsor went to a notary, and his Affidavit was notarized. [APPENDIX-34.]

42. On Friday July 22, 2016, William M. Windsor filed his Second Affidavit of Indigence under oath. He addressed all of the points in the Texas Code of Criminal Procedure (“CCP”) Article 26.04(m): (“In determining whether a defendant is indigent, the court or the courts’ designee may consider the defendant’s income, source of income, assets, property owned, outstanding obligations, necessary expenses, the number and ages of dependents, and spousal income that is available to the defendant.”) [APPENDIX-35.]

43. On July 22, 2016, William M. Windsor filed an Emergency Motion for Continuance. This stated: “On July 20, 2016 at 11:42 am, I sent an email to Judge William C. Bosworth stating that he seems to have overlooked the motion that I attached. I asked for a public defender to be named.” [APPENDIX-36.]

44. On July 23, 2016, William M. Windsor sent his Affidavit of Indigency to the Clerk of the Ellis County District Court for filing in Case #14-158.

45. On July 23, 2016, William M. Windsor sent his Affidavit of Indigency to the Clerk of the Ellis County District Court for filing in Case #39746-CR.

46. On July 23, 2016, William M. Windsor filed his Brief in Support of his Motion for Continuance in Case #90744. [APPENDIX-37.]

47. On July 24, 2016, William M. Windsor filed his Affidavit of Indigency in Appeal #10-16-00202-CR, Appeal #10-16-00206-CR, and Appeal #10-16-00207-CR. The same affidavit is filed in each Appeal. [APPENDIX-38 is the Affidavit filed in Appeal No. 10-16-00206-CR.]

48. On July 24, 2016, William M. Windsor will file his Affidavit of Indigency in this new appeal when the Petition for Writ of Prohibition is efiled.

49. As of July 24, 2016, Judge William C. Bosworth, Jr. will have had jurisdiction of the case for 13 days.

### **ARGUMENT**

**MUST THE COURTS BELOW BE PROHIBITED FROM DENYING WILLIAM M. WINDSOR A PUBLIC DEFENDER BEFORE ANYTHING ELSE IS DONE IN CASE #90744? YES.**

50. The evidence shows that William M. Windsor was never offered a court-appointed attorney. The evidence shows that he first requested a court-appointed attorney **45 days ago**. He first requested appointment of an attorney on June 9, 2016, when he filed a verified Emergency Motion for Public Defender in Case #90744. 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 evidence shows that his requests were ignored.

50. The evidence also shows that William M. Windsor filed an Affidavit of Indigence for the first time 29 days ago. It was not contested. No judge has responded to it.

51. William M. Windsor seeks a writ of prohibition to control or prevent action in a lower court. (*Holloway v. Fifth Court of Appeals*, 767 S.W.2d 680, 682 (Tex. 1989).) He asks that the judge(s) of the Ellis County District Court and Tenth Court of Appeals be prohibited from taking any further action in Case #90744 and Appeal No. 10-16-00206-CR until an attorney has been appointed for William M. Windsor. (See *Tilton*, 925 S.W.2d at 676 n.4.)

52. Denying William M. Windsor a public defender is a violation of his Constitutional rights and his rights pursuant to the “Ellis County Court Plan.”

53. The “Ellis County Court Plan” published at <http://tidc.tamu.edu/IDPlan/ViewPlan.aspx?PlanID=259> 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 of anything, much less a claim that he was not qualified.

54. The “Ellis County Court Plan” provides that counsel is supposed to be appointed as soon as possible to indigent defendants, but no later than the end of the third working day after the date on which the appointing authority received the defendant’s request for court appointed counsel. 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.

55. It has been 45 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 responded. So, the “Ellis County Court Plan” and the Code of Criminal Procedure have been violated. No judge may now do anything but appoint an attorney to represent William M. Windsor.

56. There is nothing discretionary about the act that William M. Windsor seeks to have restricted. The judge(s) in case #90744 have been required by law and the Constitution to appoint an attorney for him.

To merit relief through a writ of prohibition, an applicant must first show that the act he wishes the higher court to restrict “does not involve a discretionary or judicial decision.” *Simon v. Levario*, 306 S.W.3d 318, 320 (Tex. Crim. App. 2009). Second, an applicant must show that he has no adequate remedy at law. *State ex rel. Young v. Sixth Judicial Dist. Court of Appeals*, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007). “In some cases, a remedy at law may technically exist; however, it may nevertheless be so uncertain, tedious, burdensome, slow, inconvenient, inappropriate or

ineffective as to be deemed inadequate.” *Smith v. Flack*, 728 S.W.2d 784, 792 (Tex. Crim. App. 1987). Equitable principles are necessarily involved when we consider whether mandamus or prohibition should issue. *Id.* The ministerial-act requirement is satisfied if the relator can show a clear right to the relief sought because the facts and circumstances dictate but one rational decision under unequivocal, well-settled, and clearly controlling legal principles. *In re Bonilla*, 424 S.W.3d 528, 533 (Tex. Crim. App. 2014).

57. In this case, William M. Windsor has no other vehicle for obtaining relief. There is no procedural mechanism to appeal ignoring his requests for a court-appointed attorney. William M. Windsor has no adequate remedy at law. His rights against self-incrimination have already been violated. There is no remedy to turn back the clock against what has happened and will continue to happen in the underlying case. The law obligated the Ellis County District Court to act on William M. Windsor’s request, and he was ignored...again and again and again. The Tenth Court of Appeals ignored William M. Windsor’s Petition for Writ of Mandamus and his Motion for Temporary relief filed over a month ago.

58. The judges in this matter have abused their discretion. Based upon the facts and the law, judges were required by law to appoint an attorney for William M. Windsor.

A trial court abuses its discretion when it acts in an arbitrary or unreasonable manner without reference to guiding rules or principles. *Arevalo*, 983 S.W.2d at 804. To show a clear abuse of discretion, an appellant must show that, under the circumstances of the case, the facts and law permitted the trial court to make but one decision. *Id.*; *Cronen v. Smith*, 812 S.W.2d 69, 71 (Tex. App.-Houston [1st Dist.] 1991, orig. proceeding).

59. This Court must not allow anything further to be done in Case #90744 without William M. Windsor being given the opportunity to have a public defender represent him.

60. William M. Windsor is without means to employ counsel of his own choosing and hereby requests a court to appoint counsel for him.

**PRAYER**

WHEREFORE, William M. Windsor prays that this Court:

- a. grant this Petition;
- b. order the judge assigned to Case #90744 to assign a public defender to represent William M. Windsor;
- c. order a stay in Case #90744 until the public defender can be familiarized with the case; and
- d. grant any other relief that this Court deems just and proper.

Submitted this 24th day of July 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 Petition for Writ of Prohibition, and every factual statement in the Petition is supported by competent evidence included in the appendix or record.

Signed this 24th day of July 2016,



**William M. Windsor**

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of this Petition for Writ of

Prohibition 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.

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

Tenth Court of Appeals, McLennan County Courthouse, 501 Washington Avenue, Room 415, Waco, Texas 76701-1373, 254-757-5200, Fax: 254-757-2822, Sharri.Roessler@txcourts.gov.

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.

Signed this 24th day of July 2016,

*William M. Windsor*

**William M. Windsor**

**APPENDIX**

1. Motion for Investigator in Case #90744.
2. Motion for Recusal of Judge Cindy Ermatinger in Case #90744.
3. Reply to the State's Response to the Motion for Investigator in Case #90744.
4. Judge Cindy Ermatinger referral of the Motion to Recuse in Case #90744 to Presiding Judge Mary Murphy.
5. Order in Case #90744 denying the Motion to Recuse Judge Cindy Ermatinger.
6. Motion for Reconsideration of Order Denying Motion for Recusal of Judge Cindy Ermatinger in Case #90744.
7. Emergency Motion for Public Defender in Case #90744.
8. Second Motion to Authorize Discovery on Motions Related to Recusal of Judge Cindy Ermatinger in Case #90744.
9. Presiding Judge Mary Murphy Order saying another judge would be named to hear the recusal motion regarding Judge Cindy Ermatinger in Case #90744.
10. June 10, 2016 Letter from Olivia Tucker in Case #90744.

11. Emergency Motion Requesting Interim or Ancillary Orders in Case #90744.
12. Brief in Support of Emergency Motion for Public Defender in Case #90744.
13. June 13, 2016 emailed request for a Public Defender to Clerk of the Ellis County District Court, Melanie Reed in Case #90744.
14. Objection to the State's Request for a Trial Setting in Case #90744.
15. Motion to Recuse Keith Dean in Case #90744.
16. Motion to Recuse Judge Mary Murphy in Case #90744.
17. Motion for Temporary Relief in Appeal No. 10-16-00206-CR.
18. June 23, 2016 Letter from Judge Cindy Ermatinger.
19. Affidavit of Indigence in Case #90744.
20. State's Response and Objection to the Emergency Motion for Public Defender in Case #90744.
21. June 27, 2016 Letter from Chief Justice Nathan Hecht.
22. William M. Windsor's Reply to the State's Response and Objection to the Emergency Motion for Public Defender in Case #90744.
23. Emergency Motion for Ruling by Judge Melody Wilkinson.
24. First Amended Motion for Temporary Relief in Appeal No. 10-16-00206-CR with the Tenth Court of Appeals.

25. Emergency Motion for Ruling by Judge Assigned in Case #90744.
26. Emergency Motion for Ruling by Judge Mary Murphy in Case #90744.
27. July 1, 2016 Letter from Judge Melody Wilkinson.
28. July 12, 2016 Letter from Chief Justice Nathan Hecht.
29. July 18, 2016 at 1:56 pm Email with a letter from Judge William C. Bosworth, Jr.
30. July 20, 2016 at 11:42 am William M. Windsor email to Judge William C. Bosworth, Jr.
31. July 20, 2016 at 12:55 pm email from Olivia Tucker.
32. July 20, 2016 at 3:36 pm William M. Windsor email to Judge William C. Bosworth, Jr.
33. July 20, 2016 at 6:52 pm William M. Windsor email to Olivia Tucker.
34. July 21, 2016 at 8:54 pm William M. Windsor email to Judge William C. Bosworth, Jr.
35. Second Affidavit of Indigence filed in Case #90744.
36. Emergency Motion for Continuance filed in Case #90744.
37. Brief in Support of Motion for Continuance.
38. Affidavit of Indigency filed in Appeal #10-16-00202-CR, Appeal #10-16-00206-CR, and Appeal #10-16-00207-CR.