

COURT'S STANDING PRE-TRIAL ORDER

In order to promote informal discovery and prevent a complaint of ineffective assistance of counsel the following Court's Standing Pre-trial Order is decreed:

I. The Prosecuting Attorney without written request shall furnish the Defense Attorney the following:

1. All known exculpatory evidence.
2. All written, oral or video statements made by the defendant or any co-defendants to any person while in custody or as a result of custodial interrogation.
3. A list of all State's witnesses expected to be called on the trial in chief or in rebuttal, to include sufficient information which would identify the witnesses to a jury panel.
4. The results and reports of any scientific tests expected to be used at trial.
5. Notice of prior convictions, if any, and other crimes, wrongs or bad acts of the defendant, if any, that the State intends to use during the trial of the case.
6. The results of any physical or mental examination of the defendant or any witness or victim.
7. Prior felony or misdemeanor convictions involving moral turpitude of any State's witness.
8. Details of any plea agreements in relation to any co-defendant, accomplice or witness.
9. An inspection and examination of all physical evidence including, photographs, maps and drawings.
10. A recommended sentence for a Plea of Guilty.
11. In the event the State's recommendation is not acceptable to the Defendant, file all non-evidentiary motions with notice to the Defendant not less than seven (7) days prior to the first pre-trial date set by the Court; file all evidentiary motions with notice to the Defendant not less than seven (7) days prior to the second pre-trial date set by the Court. Any motion found to be duplicates of the Standing Pre-trial Order will be denied.

12. Witness statement, if any, after the witness has testified on direct for the State.
13. Reporter's record of any Grand Jury testimony recorded in the case.
14. Any information or evidence obtained by means of electronic surveillance or telephone monitoring.
15. The name and address of each person the prosecution may use at trial to present evidence under Rules 702,703, and 705, Texas Rules of Evidence, the witness area of expertise and a brief summary of the witness conclusory opinions. Said disclosure shall be in writing not later than the date established for the first pretrial setting except for good cause shown and then, in such event, not later than the 20th day before the date the trial begins.

II. The Prosecuting Attorney is ordered not to allude to, refer to, or in any way bring before the jury, whether as a panel or a jury selected to try the case, without first obtaining a ruling from the Court, outside the presence and hearing of the jury, any of the following:

1. Any reference, concerning the possible fact that the defendant has been accused, charged with or convicted of any offense not charged in the indictment on the Prosecution's case in chief.
2. Any request that the Defendant or his attorney stipulate to any testimony, whether it be qualification of an expert or otherwise.
3. Any reputation evidence concerning the accused until it is first determined that the witness testifying has had adequate information available to him to so testify.
4. Any mention by the prosecutor during the guilt phase of the trial concerning the punishment which should be assessed in the case.
5. Any evidence of any statements allegedly made by Defendant, whether written or oral, as a result of custodial interrogation or while the Defendant was in custody.
6. Any failure of the Defendant to protest his innocence to any law enforcement agency, including the prosecution, after his arrest.
7. Any questioning of any witness as to the existence of any evidence of the innocence of the Defendant.

8. Any statement by the prosecution at any time that the prosecution's obligation to the justice system are different from those of the defendant's attorney.
9. Any comment about the prosecutor's personal belief as to the guilt of the Defendant or the veracity of any witness.
10. Any comment that the prosecutor knows about other evidence that cannot be brought before the jury.
11. Any comment about what any absent witness would have testified to, had he or she been called as a witness.
12. Any comment as to what the people of the community expect, require, desire or wish as to the finding of the jury.
13. Display to the jury any prejudicial notations on the Prosecution's case material, including but not limited to notations such as Pen Packet, Career Criminal, Repeat Offender, Voluntary Statement, Impact Case, Habitual Offender.

The Defense Attorney without written request shall furnish the Prosecuting Attorney the following:

The name and address of each person the defense may use at trial to present evidence under Rules 702,703, and 705, Texas Rules of Evidence, the witness area of expertise and a brief summary of the witness conclusory opinions. Said disclosure shall be in writing not later than the date established for the first pretrial setting except for good cause shown and then, in such event, not later than the 20th day before the date the trial begins.

The Defense Attorney will be responsible for the following:

1. To interview the defendant in depth.
2. To review the charging instrument
3. To review the Penal Code for the elements of the offense, the punishment range, and the possibility of probation.
4. To seek informal discovery from the State.
5. To interview such witnesses as may be favorable to the Defendant.

6. To inquire if there is a Plea Bargain recommendation and convey the same to the Defendant with a discussion of the Defendant's options.
7. In the event the State's recommendation is not acceptable to the Defendant, file all non-evidentiary motions with notice to the State not less than seven (7) days prior to the first pre-trial date set by the Court; file all evidentiary motions with notice to the State not less than seven (7) days prior to the second pre-trial date set by the Court. Any motion found to be duplicates of the Standing Pre-trial Order will be denied.
8. In the event of trial, subpoena defense witnesses.
9. In the event of a jury trial, assure that the Defendant is appropriately dressed in non-custodial attire.
10. In the event of conviction, appeal or file a written Waiver of Appeal.

V. The Defense Attorney is ordered not to allude to, refer to, or in any way bring before the jury, whether as a panel or a jury selected to try this case, without first obtaining a ruling from the Court, outside the presence and hearing of the jury, any of the following:

1. The personal opinion or belief of attorney for Defendant concerning the guilt or innocence of the Defendant.
2. The personal opinion of attorney for the Defendant regarding the credibility of any evidence in this cause.
3. Inquiry whether or not the witnesses for the State have been arrested for, charged, or accused of any criminal misconduct.
4. Whether the Defendant or any Co-Defendant took, or offered to take, a polygraph examination concerning his alleged involvement in the offense charged in the indictment.
5. The personal habits of the State's witnesses such as drinking, use of drugs or sexual activity.
6. The proposed terms of any plea bargaining in this case.
7. Whether the attorney for Defendant is appointed or retained or the amount of such attorney's compensation.
8. Whether the Defendant was offered immunity for testimony in a related case.

9. The general character or reputation of any witness or defendant until it is first determined that the witness testifying has had adequate information available to him to so testify.
10. Whether the Complainant wished to dismiss charges against the Defendant.
11. That the defendant's attorney knows about other evidence that cannot be brought before the jury.
12. Any comment concerning facts to which an absent witness would have testified.
13. Any testimony of witnesses other than Defendant regarding exculpatory statements or expression of contrition made by Defendant
14. Any testimony from any witness as to what type and degree of punishment should be assessed.
15. What punishment may have been assessed against other defendants for similar or different offenses.
16. Whether any Co-Defendant was found not guilty or charges dismissed.
17. Testimony as to condition in confinement facilities, to include reference to violence among inmates, living or working condition, or facilities available for inmate rehabilitation.
18. Any offer on the part of Defendant's attorney to stipulate to any testimony or evidence without first complying with the legal requirements for stipulated evidence in criminal cases.

All attorneys are directed to comply with the following:

1. Comply with the TRIAL GUIDELINES and ATTORNEY INSTRUCTIONS and familiarize witnesses with the requirements of the WITNESS INSTRUCTIONS.
2. Inform the Court if any bench conference is to be recorded by the Court Reporter.

VII. The Court Reporter shall be responsible for the following:

1. Recording all arraignments, pre-trial hearing, voir dire, trial, final arguments, sentencing and any post-trial hearings.
2. Maintain custody of all exhibits admitted into evidence during a court proceeding.
3. At the completion of a proceeding transfer all exhibits admitted into evidence to the custody of the District Clerk together with an exhibit list.

**CINDY ERMATINGER
JUDGE PRESIDING**

ATTORNEY INSTRUCTIONS

You have notified this Court that you have been retained to represent the defendant or you have been placed upon this Court's list of attorneys eligible for appointment to represent indigent criminal defendants charged with felony offenses in Ellis County.

The following duties and responsibilities of attorney representation are in place:

1. Attorneys are expected to meet all time requirements set out in any notice of settings and in the Standing Pretrial Order or to obtain an extension. Attorneys are expected to be on time for all Court appearances or notify the Court, Court Coordinator, Court Reporter or leave messages regarding delays. Resets should be requested prior to the time designated for appearance. Resets will not be granted without obtaining a date certain for a rescheduled appearance.
2. Attorneys are required to comply with all appellate court time limits or to obtain appropriate extensions prior to the expiration of those time limits.
3. In the event Waiver of Appeal is not filed, retained attorney remains as defendant's counsel for all criminal case purposes including any appeal to the Court of Appeals until expressly permitted to withdraw and substitute counsel is either retained or appointed. *Bonner v. State* 29 S.W.3d 360 (Tex. App. Waco 2000).
4. Attorneys are required to appeal a conviction to the Court of Appeals or file a Waiver of Right of Appeal with the Court or receive express permission from the Court to withdraw. *Ex Parte Axel* 757 S.W.2d 369 (Tex. Cr. App. 1988). No additional appointment or notice from this Court to do so is required or necessary. *Ward v. State* 740 S.W.2d 794 (Tex. Cr. App. 1987). Unless a defendant objects, the Court reserves discretion to replace appointed trial counsel with a different appointed appellate counsel.
5. Appointed attorneys are required to obtain trial court authorization in order to file a Petition for Discretionary Review with the Court of Criminal Appeals, unless appointed attorney desires to do so pro bono. Authorization will be granted in only the most unusual circumstances. (*Polk v. State* 676 S.W.2d 408 (Tex. Cr. App. 1984)). The attorney appointment is automatically continued for the purpose of response to any State PDR or State motions for rehearing.
6. In the event the Court of Appeals affirms a conviction, attorneys are required to inform the defendant of the result of the appeal and of the availability of discretionary review and that defendant has no constitutional right to the appointment of an attorney for that purpose and that the Court has not appointed an attorney for that purpose. *Ex Parte Wilson* 956 S.W.2d 25 (Tex. Cr. App. 1997)
7. Appointed attorneys who file an appellate brief of the type set forth in *Anders v. California* 386 U.S. 738 must comply with the requirements enunciated in *Stafford v. State* 813 S.W.2d 503 (Tex. Cr. App. 1991). Any appellate brief, whether "Anders" or not, ordered to be re-briefed by the Court of Appeals because of inadequacy will not be compensated.
8. Appointed attorneys are required to inform and remind their clients of the requirements of Accused's Instructions Regarding Court-Appointment of Attorney which is attached.
9. Failure to comply with these requirements may result in remedial measures to include removal from the appointment list or suspension from criminal defendant representation in this Court as determined by the Court on an individual basis.

TRIAL GUIDELINE ORDER
(Effective November 1,2007)

1. **ATTIRE:**

Attorneys should be appropriately attired becoming officers of the Court. Male attorneys are expected to wear a coat and tie. Female attorneys are expected to wear suitable dress or suit. Sunglasses are not permitted.

2. **REFRESHMENTS:**

Food or drinks are not allowed in the courtroom at any time for anyone. Attorneys and their clients will not be allowed to chew gum, eat candy or have any other substance in their mouth while their case is being heard and witnesses will not be allowed to do so while testifying.

3. **EXEMPTIONS:**

The Court should be advised in advance of any physical or medical condition which requires an exemption from No. 1 or No. 2.

4. **PRETRIAL AND TRIAL SETTINGS:**

A. CIVIL CASES are set when the Court receives a written request from either party. A formal order setting the case for pretrial and trial will be issued by the Court. The Court's Order will control over any conflicts with Rule 11 or Scheduling Order agreements between the parties. Indefinite continuances subject to a request for reset, if agreed, will generally be granted.

B. CRIMINAL CASES are set for arraignment following a Grand Jury indictment. A Pretrial Order will be entered by the Court at the time the indictment is filed with the District Clerk. Defendants and attorneys are required to be present at all Court settings. Prosecution attorneys will be present to facilitate settlement. Unilateral motions for continuance will not be considered without first obtaining a contingent appearance date from the Court or Court Coordinator in the event the motion is granted. Agreed continuances are subject to Court approval and must contain an appearance date for the matters continued.

(1) Arraignment Inter Alia - Arraignment or Waiver thereof will be conducted. Court dates will be announced. Name and representation issues will be resolved.

(2) First Pretrial - All pretrial motions which do not require presentation of testimony must be filed not later than seven (7) days prior to date of pretrial with notice to opposing counsel. Pretrial motions found to be redundant with the Court's Pretrial Order will be denied.

(3) Second Pretrial - All pretrial motions which may require presentation of testimony must be filed not later than seven (7) days prior to the second pretrial date with notice to opposing counsel. ALL PLEA AGREEMENTS ARE REQUIRED TO BE COMPLETED ON OR BEFORE THIS SETTING.

5. **ORDER OF TRIAL FOR CIVIL AND CRIMINAL:**

Beginning at 9:00 A.M. on the first day of jury selection, juries will be selected for all cases set by the Court within a designated period and everyone will be given a schedule for trial within that period. Cases which cannot be reached within the designated period will be reset with a new jury panel.

After qualifying the panel, the Court will confer with all attorneys and determine the order of trials. Until that time, you are to assume that your case is first and that testimony will begin at 9:00 A.M. the day immediately following jury selection. Removing the jury from the courtroom for evidentiary matters should be kept to a minimum. Attorneys are directed to bring such matters to the Court's attention before the jury is brought into the courtroom and before the end of recess. The Court will hear those matters before 9:00 A.M., after 5:00 P.M., during the lunch hour or during a regular recess in order to minimize the inconvenience and duration of detainment to the jury.

6. EXHIBITS:

Exhibit labels may be obtained from the Court Reporter or you may use your own. Affix labels to your exhibits before trial. State/Plaintiff exhibits are marked in numerical sequence; Defendant/Respondent exhibits in alphabetical sequence. If there are more than 26 exhibits for Defendant, mark them AA, BB etc. Keep in mind exhibits may be grouped together for reference such as la, lb or A1, A2, etc. It is not required that previously marked exhibits be offered in sequence or offered at all.

7. DIAGRAMS. LISTS AND CHARTS:

If you intend to use diagrams, lists or charts, they will be prepared prior to trial or during recess, to best use available time. Attorneys are not permitted to write the witness' testimony on a board as a repetition of the witness' testimony. Attorneys may prepare such illustrations for closing arguments.

8. CONDUCT:

For uncontested matters, the attorneys and witness shall present the prove up from a seated or standing position at counsel table.

For contested matters the attorneys shall conduct the questioning of witnesses from a seated position at counsel table. If it is necessary for the attorney to approach the witness in order to show the witness an exhibit, the attorney may do so without obtaining permission of the Court.

Attorneys should rise to make objections. Objections should state legal grounds. No argument will be allowed except upon invitation by the Court. When objection is made, opposing attorney and witness must allow objecting attorney to state objection and receive Court's response before continuing.

Confidential conferences between opposing counsel during trial to resolve evidence or procedure problems are encouraged.

9. TIME LIMITS:

Time limits will be placed on opening statements and closing arguments. Attorneys will be advised by the Court when there is one minute left. Additional time warnings will be given by the Court on attorney's request. At the conclusion of the time limit, the attorney must cease speaking and be seated. Time limits will not be placed on voir dire unless the Court determines the process is being abused. If a time limit is necessary because of the number of juries to be selected, the attorneys will be advised prior to commencement.

10. JURY SELECTION:

No attorney may announce recess, breaks, direct the jury or jury panel to rise or perform any act without first obtaining permission of the Court outside the hearing of the jury.

Jury panel members may not be questioned regarding their ability to act in accordance with any requirement of the law without first informing the jury panel that the law requires a panel member who subsequently takes the juror's oath to so act. Jury panel members may not be reserved for group challenges or for additional questions and challenges. A challenge shall be made upon a member when the attorney is satisfied the answers disqualify the member. A failure to challenge at the appropriate time constitutes a waiver. Exceptions will be made for member responses which may prejudice the panel or where a prospective juror may request a private interview.

Attorneys are prohibited from attempting to define the term "beyond a reasonable doubt" or equating the term with some conceived example, or expanding the legal definitions of "preponderance of the evidence" or "clear and convincing evidence." Attorneys may not question the jurors regarding what the legal definition means to the jurors. Attorneys may not substitute their own definition or interpretation for that definition prescribed by law or deviate from the definition prescribed by law. For example, attorneys may not equate "preponderance of the evidence" with "tipping the scales"; "going just past the fifty-yard line"; "just slightly more than the other side"; or equate the definition with some other conceived quantity of proof. Attorneys may not dissect the term "beyond a reasonable doubt" by stating it "means you do not have any reasonable doubt" or "no reasonable doubt"; "beyond a reasonable doubt means you don't have a doubt and the doubt is reasonable"; etc.; or nor attempt to quantify the term "beyond a reasonable doubt" with some conceived quantity of proof. However, the attorneys may tier the legal standards of proof and their relation to each other and commit the jurors to apply the appropriate standard required by law in a particular case and commit the jurors not to apply any other standards that might be cited as examples.

Attorneys are ordered not to commit potential jurors by relating facts of a case. Attorneys are ordered not to present the jury panel with facts or circumstances the attorney expects to be presented in the instant case during trial. The attorney is not a sworn witness subject to cross examination and relating such matters as a fact prevents a determination as to whether the potential juror can apply the law fairly and impartially if presented with proper facts or circumstances from sworn evidentiary sources from which facts, credibility and weight could be evaluated in context. Attorneys may not present analogous facts which correspond to their own case in order to commit jurors on fact situations. The attorneys are ordered not to ask the potential jurors what the juror wants to see or hear in a case or what the juror thinks is important in a case or ask a juror whether the juror believes a particular fact or circumstance to be important, the method being merely inverse commitment questions on facts from non-evidence sources. *Sanchez v. State* 165 S.W.3d 707 (Tex. Crim. App. 2005); *Hyundai v. Vasquez* 189 S.W.3d 743 (Tex. 2006); *Barajas v. State* 93 S.W.3d 36 (Tex. Crim. App. 2003).

Attorney biographical information is not relevant to any case, subject to cross examination or comment by opposing attorney and therefore not permitted. Other examples of matters not to be disclosed are manner and means involved in the case; biography of anyone involved in the case, except the minimum necessary to identify a party or attorney or witness to the jury for acquaintance inquiry; whether or not a particular person has a criminal record or does not have a criminal record;

or whether or not an application for community supervision has been filed in a particular case; etc. The examples are not exclusive.

This instruction does not prevent the attorney from inquiring whether a potential juror could apply the law applicable to a civil case or the law applicable to prosecutions or defenses or whether or not a juror could consider the entire range of punishment in a proper case or whether or not the juror can fairly and impartially apply the law after being informed of the requirements of the law.

Any request to deviate or clarify is a pretrial matter and is to be taken up at pretrial and no later than before addressing the jury. No attorney is permitted to dispute the Court's instructions on the conduct of jury selection in the presence of the jury panel. The Court will provide adequate time to make objections on the record outside the presence of the jury panel.

The jury is bound to receive the law from the Court and be governed thereby. Tex CCP 36.13; Mouton v State 923 S.W.2d 219; Sparf v. U.S. 15 S.Ct. 273 Therefore, no attorney may state to the jury or jury panel that the Judge has misstated the law, is incorrect on the law, or dispute any law pronounced by the Court in the hearing of the jury or jury panel. If any attorney feels the Judge has done so, the attorney may request a hearing outside the presence of the jury or jury panel and if the Judge refuses to make a correction as requested, may object on the record outside the presence of the jury in order to preserve error.

All juror questionnaires must be surrendered to the District Clerk along with the strike list. Attorneys and those with whom the attorney has shared the questionnaires shall not retain a copy of any juror questionnaires at any time nor disclose same without Court order upon good cause shown. Tex CCP 35.26

11. AIDS:

A lectern, a tripod and drawing paper, screen and VCR are available in the courtroom. A document camera and laptop connections for power point or DVD play are available. (Attorneys should ensure that this system will work with their equipment prior to trial and familiarize themselves with the equipment operation before trial.¹) All electronic equipment is subject to malfunction. In such event, attorneys are required to proceed with traditional non-mechanical aids.

12. TRIAL:

The Court or the Bailiff will summon all witnesses except in unusual circumstances. The Bailiff will provide appropriate seating for witnesses placed under the "Rule".

Witnesses are expected to be present at trial and awaiting their turn to be called to testify. The attorneys should advise the Court well in advance of any problems with the attendance of a witness that would interfere with the rapid and continuous presentation of the witnesses to the jury.

If requests to approach the bench during jury trial are granted, the Court Reporter is generally not in a position to record the conference unless a request to record is made and the Court is given the opportunity to make accommodation. Only one attorney for each side will be allowed.

Plaintiff/State/Petitioner/Relator/Movant is assigned to the counsel table nearest the jury box. Defendant or Respondent is assigned to the opposite table.

Attorneys should familiarize their clients and witnesses with the attached Party and Witness Instructions.

(This Trial Guideline Order supersedes any prior "Trial Guidelines" entered by the Court.)

CINDY ERMATINGER
JUDGE PRESIDING

PARTY AND WITNESS INSTRUCTION

Parties and witnesses will not be allowed to appear before the court in attire inappropriate for the dignity of the proceedings. Witnesses and parties are not required to wear suits or dresses, but will not be allowed to appear before the court in bare feet, shorts or bare midriffs. Vulgar or offensive words or pictures on clothing will not be permitted. Sunglasses will not be permitted.

Food or drinks are not allowed in the courtroom at any time for anyone. You will not be allowed to chew gum, eat candy or have any other substance in your mouth while appearing before the court.

The court should be advised in advance of any medical condition which requires an exemption.

Speak slowly and clearly.

Always wait until the attorney finishes the question completely before you give your answer.

Always answer out loud and never just nod your head or say "un uh" and "uh huh".

Be RESPONSIVE: Listen to the question and ONLY ANSWER THAT QUESTION. DO NOT VOLUNTEER STATEMENTS that are not responsive to the question. Your attorney will have the opportunity to ask more questions or ask for an explanation of your answer IF THE ATTORNEY DEEMS IT NECESSARY.

You are directed not to nod your head in assent OR shake your head in disagreement OR exhibit elation OR disgust with witness testimony.

At the request of either party, the witness shall, except for parties and their spouses, be directed to remain out of the courtroom at some place where they CANNOT HEAR THE TESTIMONY delivered by any other witness. Such witnesses are NOT TO CONVERSE OR DISCUSS WITH EACH OTHER OR ANY OTHER PERSON about the case, while it is on trial, EXCEPT such witness may discuss the case with the attorneys on either side if they so desire.

ANY PERSON VIOLATING SUCH RULE MAY BE PUNISHED BY CONTEMPT AND/OR THE TESTIMONY MAY BE DISALLOWED.

REVISED
ACCUSED'S INSTRUCTIONS REGARDING COURT-APPOINTED ATTORNEY

The taxpayers of Ellis County are required to pay for services of the attorney appointed to represent you and you will be required to reimburse Ellis County for that expense. In the event you receive a suspended sentence and are placed on community supervision, you will be required to reimburse those expenses as a condition of supervision. In the event you are sentenced to imprisonment, you will be required to reimburse those expenses as court cost in the judgment.

If you requested appointment of an attorney through the magistrate, your request will be forwarded to the Judge of the 443th District Court not later than the next working day after your request. That judge will make the appointment within three working days after receiving the request.

The attorney appointed by the judge will be notified the day the appointment is made either in person, by telephone or by fax. A copy of the order appointing your attorney will be forwarded to the detention facility and given to you. Your attorney is then required to contact you.

If you post bond after you have requested an appointment of an attorney, it is your responsibility to contact the office of the 443rd District Court for the name, address and phone number of the attorney appointed to represent you.

In the event you retain an attorney of your own choosing after you have requested an appointed attorney, you will be required to reimburse Ellis County for those expenses incurred for the services rendered by your court-appointed attorney until relieved by your retained attorney. Your court-appointed attorney will not be relieved until the Court has received a letter of representation from your retained attorney.

The attorney appointed by the Court meets all legal criteria for representing you in this matter. Your attorney controls the case and you can only decide (1) what your plea should be; (2) whether or not to waive a jury trial; and (3) whether or not to testify. You do not have a legal right to try the case with your attorney or to file legal motions or documents in the case. All motions, oral or written, must be prepared and filed by your attorney in order to be considered by the Court.

The attorney appointed by the Court will not be relieved just because you are dissatisfied. You are not entitled to appointment of different counsel as long as present appointed counsel is providing legally effective representation. The judge is the sole person to make that determination.

JUDGE PRESIDING
443RD DISTRICT COURT

STANDARD FELONY BOND CONDITIONS

Ellis County, Texas

Effective January 1, 2020

1. Defendants shall not commit, be charged with, or be arrested for the commission of any subsequent criminal offense in violation of the laws of the State of Texas, any other state, or of the United States.
2. Defendants shall not purchase, possess, or use controlled substances, alcohol and/or firearms. Defendant shall not use any product containing THC, including products available for sale over the counter and products obtained through medical prescription in this or any other State.
3. Defendants charged with an alcohol related felony offense such as Felony DWI, Intoxication Assault, Intoxication Manslaughter, etc. shall: (i) not operate a vehicle unless the vehicle is equipped, at Defendant's own expense, with a device that uses a deep-lung breath analysis mechanism to make impractical the operation of the vehicle if ethyl alcohol is detected in the interlock device and said device shall be equipped with a camera, or at the discretion of the Community Supervision and Corrections Department, utilize an in-home deep-lung breath analysis mechanism for the detection of ethyl alcohol on the breath; (ii) abide by all monitoring rules and do not attempt to adjust, tamper with, or circumvent the interlock device; and (iii) comply with all program requirements of the provider, including but not limited to submitting to testing at each unit request, rolling retest, an abort reading, and failed/violation reading before turning the ignition off.
4. Defendants charged with any offense shall at the Judge's discretion submit to drug tests and/or portable breath tests, and shall not test positive for the presence of a controlled substance and/or alcohol in their system.
5. Defendants shall have no contact or communication, direct or indirect, with any adult victim and/or child victim involved in the case, including without limitation no communication by phone, computer, text message, email, Snapchat, social media, or other electronic means. Defendants shall not go within 1,000 feet of the victim or the victim's residence, workplace, school, or daycare. Any Defendant charged with a sex crime against a child shall not go within 1,000 feet of any school, daycare, park/playground, water park, sports complex, or place where children gather.
6. Defendants shall have no contact or communication, direct or indirect, with any co-actor involved in the case.
7. Defendants shall attend and timely appear for all noticed court hearings.
8. Defendants shall abide by any and all other terms, restrictions, and conditions of bond which are authorized by law and required of the Defendant by the Judge.

IF A DEFENDANT FAILS TO COMPLY WITH ONE OR MORE OF THE PRECEDING STANDARD FELONY BOND CONDITIONS, THEN WITHOUT FURTHER NOTICE THE DEFENDANT'S BOND MAY BE REVOKED AND A WARRANT ISSUED FOR THE DEFENDANT'S ARREST.

**JUDGE PRESIDING
443RD DISTRICT COURT**