



THE

Voir Dire

Voir dire - "To speak the truth." Black's Law Dictionary

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Patrick Wilson—County & District Attorney

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BY THE NUMBERS

The FBI recently released its annual report, "Crime in the United States." According to the report, in 2015 there were 1,276 murders in Texas. 906 of those murders were committed with firearms. Of those 906, 610 were handguns. 146 people were killed with knives or other cutting instruments. 89 people were murdered with "hands, fists, feet, etc." Click [here](#) for the complete report.

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Felony Division's Reorganization

This fall, our felony division will undergo significant changes. Thanks to the addition of a new attorney and a new support position in the budget, we are finally able to implement a long-awaited plan. We are moving to a model of having dedicated teams of attorneys, investigators, and support staff for each of the two criminal district courts in Ellis County.

Lindy Beaty will be the Chief Prosecutor for the 40th, joined by Habon Mohamed and Russell Jones. The court investigator will be Loretta Black, with Jennifer Fisher and Jesus Rodriguez as support. Ricky Sipes will be the Chief Prosecutor for the 443rd, joined by Grace Pandithurai and Jake Heffernan.



Felony Chiefs
Lindy Beaty & Ricky Sipes

The court investigator will be Marlena Pendley, with Sharon Compton and Carol Page as support. Chief Investigator Jeff Ward and Chief Felony Clerk Michele LaQuay will continue to support both courts.

Since the 443rd District Court joined the 40th as our second criminal district court in 2014, our felony staff has juggled the demands of both courts. While the courts have been graciously mindful of the demands placed on our office, the juggling has still been a burden. In the new model, the staff will only need to be concerned with the court to which they are assigned. In the process, we are reinventing our entire case processing system.

To align with the new structure, we are relocating people within the office. It will take several months to get the new system up to full speed. We strongly believe that the end result will be a quicker, more efficient process for all involved.

- Patrick Wilson

Public Information Act 101

- Request must be in writing
- No magic language or form required to trigger the PIA.
- Begin with the presumption that everything is open.
- No requirement to create new documents, answer questions or perform legal research.
- Cannot ask the requestor why he or she wants the information.
- Public information must be produced as soon as possible or no later than ten business days.
- Most information withheld requires a request for a ruling from the Attorney General.
- Discretionary exceptions must be included in the request for a ruling or they are waived.
- The law enforcement discretionary exception applies to cases pending investigation and prosecution.
- Even with the law enforcement exception, front page information must still be produced.
- Front page information is basically everything in the report up to the time of the arrest of the individual.

Legal Update

Crow v. State

In a prosecution for injury to a disabled person, must the disabled victim indicate that he felt pain to prove bodily injury? Holding: No. In this case, a video recording from the residential facility showing the defendant striking the disabled victim in the head was sufficient to prove bodily injury. Because the victim, who has the mental capacity of a 1-year-old, is unable to communicate or show signs of pain, the jury could reasonably infer that the

defendant's punch to the victim's head caused pain.

OR2016-16486

The defendant's statutory right of access to DWI video recordings under CCP Art. 2.139 prevails over general exceptions to public disclosure found in the Texas Public Information Act. If the defendant or his attorney asks for the DWI video recording, the agency must turn it over.



Police Beat



Cross

Meet Cross, **Waxahachie Police Department's** K-9 Officer. Cross is a dual purpose dog. He is a fully trained Police Patrol K-9 who is also trained in the detection of narcotics and trafficking.



Riko



Blade

Meet Riko and Blade, **ECSCO's** K-9 units. Riko and Blade are dual purpose canines capable of searching and tracking criminals, article/evidence searching, handler protection and drug detection.



Snitch

Meet Snitch, **Ennis Police Department's** K-9 unit. Snitch is a German Jagd terrier. Snitch recently found over 2 ounces of weed at a drug dealer's house.

Prosecutors Attend Education Event in Galveston

Last month, six attorneys from this office joined more than a thousand other prosecutors, investigators and staff from around the State to attend and participate in the "Annual Criminal & Civil Law Update" – an event staged in Galveston by the Texas District & County Attorneys Association.

Stretching over nearly four days, this conference included a host of daily lectures, presentations and seminars designed to update and educate the professionals who work in County

Attorney and District Attorney offices in Texas. This is the premier annual gathering of prosecutors in the State of Texas.

Ellis County was particularly well represented here: Drawing on his many years of experience in Tarrant County and now here in Ellis County, Ray Rike provided thoughtful advice to county attorneys who work with and advise commissioners' courts.

Towards the end of this conference,

Patrick Wilson made a poignant and impressive presentation. He filled the Grand Ballroom with conference attendees who were anxious to update their professional training and education regarding ethics for police and prosecutors, and recent developments in the law of criminal discovery.

The TDCAA sponsors events throughout the year to update prosecutors and law enforcement personnel on relevant professional issues. All prosecutors in Ellis County are proud members of this association.

Ribbon Cutting on the New Election Facility



Courtesy of the Waxahachie Daily Light

Judge Carol Bush, Representative John Wray, and Congressman Joe Barton were all present for the ribbon cutting at the new Ellis County Elections Building on October 7, 2016. Built on the location of the old blacksmith shop at **204 E. Jefferson Street** in Waxahachie. Remnants of the blacksmith shop decorate the facility. What a great addition to Ellis County!

Important Dates:

- 10/11 Last Day to Register
- 10/24 -11/4 Early Voting
- 10/28 Last Day to Receive Regular or FPCA Ballot by mail application
- 11/8 Presidential Election

For a sample ballot and up to date Ellis County Election Information visit our website at:

www.co.ellis.tx.us

Jokes of the Day

If you ever injected truth into politics you have no politics.

This country has gotten where it is in spite of politics, not by the aid of it. That we have carried as much political bunk as we have and still survived shows we are a super nation.

Alexander Hamilton started the U.S. Treasury with nothing, and that was the closest our country has ever been to being even.

Will Rogers on Politics



There is only one redeeming thing about this whole election. It will be over at sundown, and let everybody pray that it's not a tie, for we couldn't go through with this thing again.

I don't make jokes. I just watch the government and report the facts.

Diplomacy is the art of saying "Nice doggie" until you can find a rock.

The only difference between death and taxes is that death doesn't get worse every time Congress meets.

Recently Disposed

Conell Wingo's probation revoked on the charge of credit card abuse and sentenced to 2 years in a state jail facility.

Jesus Manuel Zuniga found guilty of indecency with a child and sentenced to 8 years in the Texas Department of Criminal Justice.

Christopher Bell pleaded guilty to 2 counts of promotion of child pornography and received 15 years on each to run consecutively.

Felipe Alvarado pleaded guilty to 3

counts of indecency with a child and received 20 years on each case.

Robert French pleaded to 3 counts of aggravated sexual assault of a child, indecency with a child, and injury to a child and received 20, 10, and 7 years respectively.

A jury held that a **2009 Ford F250** was not contraband in an asset forfeiture trial and ordered returned.

A person found not guilty of a class B misdemeanor theft.

A person found not guilty of DWI.

A juvenile was certified to stand trial as an adult on 3 counts of aggravated sexual assault of a child.

A person found not guilty of DWI 2nd.

A trial resulted in a hung jury in a trial for assault/family violence.

A person was found not guilty of assault causing bodily injury.



Ellis County & District Attorney's Office

Meet Our Staff

“Choose a job that you love, and you will never have to work a day in your life.” – Confucius.

Larry Grice is an amiable fellow who doesn't really know much about Chinese philosophy. However, to hear him talk, one would think that he is indeed a very thoughtful student of this ancient Chinese sage. After serving as a uniformed peace officer for the City of Midlothian for 25 years, Larry came to this Office late last spring to work as an investigator. He has since found that this new challenge suits him just perfectly: “Just like coming home!” Larry is a Master Peace Officer who now works as one of six investigators employed by the Ellis County District Attorney. He and his colleagues assist other law enforcement agencies with criminal investigations, conduct independent public integrity investigations, and work with prosecutors to prepare cases for presentment to the Grand Jury and for trial. Larry enjoys working with his colleagues, and especially values the variety of tasks and duties his position entails: “An almost perfect balance of office and field work!” Larry is a licensed pilot, with his most favored flying hours accumulated in an old DC-3 / C-47, a WW II cargo plane. He is also an experienced diver, off-road driver and avid nature photographer.



Larry Grice
Investigator
972-825-5035
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He has never really worked a day in his life...

WANTED: ABSCONDED DURING TRIAL



DOB: 9/13/1990
Height: 5'4"
Weight: 240

Hair Color: Black
Eyes: Brown

ERNESSIA YVONNE CARO

Ernessia Yvonne Caro is wanted by Texas authorities. On July 14, 2016, in the 443rd District Court of Ellis County, she was being tried before a jury for the felony offense of forgery. During the trial, Caro absconded and did not return. In her absence, the jury convicted Caro and sentenced her to eight (8) years in the Texas Department of Criminal Justice, plus a fine of \$4,000. Caro has an extensive criminal history, with convictions for theft, evading arrest, and evading arrest with a vehicle. If you have information on her whereabouts, please contact Chief Investigator Jeff Ward at (972) 825-5035.

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Seeking justice, serving, protecting, and representing Ellis County and the State of Texas through partnerships with law enforcement and our community.