

CAUSE NO. 283436

WAX

THE STATE OF TEXAS

§

IN THE COUNTY CRIMINAL

vs.

§

COURT AT LAW NO. 3

CANDICE SHUMATE

§

HARRIS COUNTY, TEXAS

REQUEST AND ORDER FOR APPOINTMENT OR WAIVER OF COUNSEL

My name is Candice Shumate. I am the defendant a witness in this case. Today the judge presiding advised me of my right to be represented by a lawyer, either one that I hire, or if I am indigent or the interests of justice require, a lawyer appointed by the judge as well as the procedure for making this request; and the right to represent myself.

I believe that I am indigent and I am requesting the Court appoint counsel to represent me. I understand that if there is a material change in my financial circumstances after a determination of my indigence is made, that I, my counsel, or the Assistant District Attorney representing the State may ask the judge to reconsider the judge's decision. In support of this request I am giving sworn testimony before the judge about my personal and financial circumstances. I understand this information may not be used for any purpose except to determine my indigency or to impeach any future testimony I may give in this case.

I received assistance in completing this request from _____

a court services officer, a court clerk, other _____

I understand my right to counsel and the procedure for hiring or requesting appointed counsel and I choose to waive counsel and represent myself.

Signature of Defendant: *[Signature]*

Sworn to before me on _____

Personal Bond Office Employee/Deputy District Clerk, Harris County, Texas

FILED
APR 06 2018
Chris Daniel
District Clerk
Harris County, Texas
4:16:18

ORDER DETERMINING RIGHT TO APPOINTMENT OF COUNSEL

Today Defendant's request for appointment of counsel was heard in open court and evidence presented concerning the defendant's financial resources.

The Court FINDS Defendant indigent appointment of counsel is in the interests of justice. The Court FURTHER FINDS Defendant IS IS NOT financially able to pay all or part of the cost of legal services and related expenses.

The Court FURTHER FINDS there IS IS NO conflict preventing the Public Defender from representing Defendant.

The Court APPOINTS the

- Attorney
- Public Defender

named below to represent Defendant until charges are dismissed, the defendant is acquitted, judgment is entered and sentence pronounced, or the attorney is relieved of his duties by the court or replaced by other counsel

Attorney JAMES MOUNT (SPN/State Bar# 64602200)

Address 712 MAIN ST Ste 2450

City HOU Texas (Zip Code) 77002

Phone 713 223 8700 Fax _____

The Court FINDS Defendant has the financial resources to employ counsel and the appointment of counsel in the interests of justice is not necessary; accordingly, the request is DENIED. The Court immediately advised Defendant of the right to a reasonable opportunity to hire a lawyer, or that Defendant could waive that right and speak with a prosecutor immediately after this hearing.

Defendant knowingly and voluntarily waived a reasonable opportunity to hire a lawyer and after reading the following, and having it explained to him by the Court, sign his name. I have been advised by the judge of my right to representation by counsel in the case pending against me. I have been further advised that if I am unable to afford counsel, one will be appointed for me free of charge. Understanding my right to have counsel appointed for me free of charge if I am not financially able to employ counsel, I wish to waive that right and request the court to proceed with my case without an attorney being appointed for me. I hereby waive my right to counsel.

Date: _____ Defendant Signature: _____

Defendant refused to sign the waiver.

Thereafter, I informed Defendant of the nature of the charge contained in the information and permitted him to speak with a prosecutor.

Defendant's request for a reasonable opportunity to hire a lawyer was GRANTED.