

CAH

CAUSE NO. 218 9170

THE STATE OF TEXAS

§

IN THE COUNTY CRIMINAL

vs.

§

COURT AT LAW NO. 4

Tomas Puac

§

HARRIS COUNTY, TEXAS

REQUEST AND ORDER FOR APPOINTMENT OR WAIVER OF COUNSEL

My name is Tomas Puac. 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

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 **Lisa Shapiro Strauss**
 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 duty. 4545 Bissonnet #293, Bellaire, TX 77401

Attorney Cell (713) 449-9922 Fax (832) 415-0474 SPN/State Bar# _____
 Address lisa@lisastrausslaw.com
 City _____ Texas (Zip Code) _____
 Phone SBOT: 900018111 / SPN: 01638726 Fax _____

By: _____ Time: _____
 OCT 28 2013
 HARRIS COUNTY CLERK
 10-20-13

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.