

No. 2016-0011 C-CP
DA# C-16-0102*1

Bond \$10,000.00

FILED

At 4:00
O'Clock PM

THE STATE OF TEXAS VS. JADE NICOLE COOK

CHARGE: POSS CS PG 2 < 1G—481.116(b) HSC

SEP 19 2016
M. Bowles
Marianne Bowles, District Clerk, Clay County, Texas
BY DEPUTY

--State Jail Felony

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

THE GRAND JURORS, for the County of CLAY, State of Texas, duly selected, empaneled, sworn, charged, and organized as such at the JULY, term, A.D. 2016 of the 97th Judicial District Court for said County, upon their oaths present in and to said court at said term that JADE NICOLE COOK, hereinafter styled Defendant, on or about the 24th day of March, A.D. 2016, and before the presentment of this indictment, in the County and State aforesaid, did then and there intentionally or knowingly possess a controlled substance, namely, tetrahydrocannabinol, other than marihuana, in an amount of less than one gram.

AGAINST THE PEACE AND DIGNITY OF THE STATE.


FOREMAN OF THE GRAND JURY

PRECEPT TO SERVE

Cause No. 2016-0061C-CR

THE STATE OF TEXAS

VS

JADE NICOLE COOK

CAUSE NO. 2016-0061C-CR

IN THE 97th DISTRICT COURT

OF

CLAY COUNTY, TEXAS

OFFENSE: POSS CS PG 2 < 1G

TO THE SHERIFF OF CLAY COUNTY, TEXAS - GREETINGS:

YOU ARE HEREBY COMMANDED to deliver forthwith to JADE NICOLE COOK in said cause, in person, with the accompanying certified copy of Indictment now on file in said Court.

HEREIN FAIL NOT, but of this writ make due return as the law directs.

ISSUED UNDER MY HAND AND SEAL OF OFFICE, THIS THE 19th day of September, 2016.

BOND:

Marianne Bowles

MARIANNE BOWLES, DISTRICT CLERK
Clay County, Texas

BY:

MARIANNE BOWLES, DISTRICT CLERK

SHERIFF'S RETURN

Came to hand _____ 20____ at _____ o'clock _____ M and executed by delivering the accompanying certified copy of indictment CAUSE NO. 2016-0061C-CR to JADE NICOLE COOK the defendant herein, in person, at _____ o'clock _____ M. on the _____ day of _____ 20____.

Fee \$ _____

Kenny Lemons, Sheriff
Clay County, Texas

By: _____ Deputy

PERSONAL DATA INFORMATION:

Alias:	Race:
	Sex:
	Ht:
DL#	SSN# --

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here 2016-0062C-CR 2016-0061-CR C42
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent to	
Jade Nicole Cook	
845 W. Swoope Unit #17	
Wicker Park, TX 75087	

File

FILED At 2:46
O'Clock P M

BAIL BOND

2016-0061C-CR

SEP 20 2016

THE STATE OF TEXAS }
COUNTY OF CLAY: } Nicole KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Jade Cook as principal, and Karen Brake dba Mom's Bail Bonds BY DEPUTY Marianna Bowles District Clerk, Clay County, Texas

, as sureties, are held and firmly bound unto the State of Texas in the penal sum

of Ten thousand Dollars (\$ 10,000), for the payment of which sum, well and truly to be made, and all additional fees and expenses that may be incurred by Peace Officers in rearresting principal in the event the conditions of this bond are violated, we do bind ourselves, our heirs, executors, and administrators, jointly and severally by these present.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the above named principal stands charged by complaint duly filed in the Justice District Court of Clay County, Texas, with the offense of a felony (or misdemeanor).

To-wit: POSS CS PG 2 LF 1G

and the said principal was required to give bail in the sum of \$ 10,000 for his personal appearance before the aforesaid court and before any court or magistrate before whom the said cause may hereafter be pending at any time, when, and place where, his presence may be required by any such court or magistrate.

NOW, if the said Jade Cook shall well and truly make his personal appearance instant before

the District Court of Clay County, Texas, at its present term, if now in session, or at its next regular term if now in vacation, to be at the Court House of Clay County, Texas, and further, shall well and truly make his personal appearance before the said court, as well as before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charge in the course of the criminal action based on said charge, and there remain from day to day and from term to term of said Court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

This bond is further conditioned that said principal and sureties will pay all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the principal in the event he fails to appear before the court of magistrate herein named at the time specified herein; and the amount of such expenses shall be in addition to the principal amount

of \$ 10,000 hereinbefore specified.

Signed and dated this 25 day of March A.D. 2016.

TAKEN AND APPROVED

This 25th day of March 2016

K.R. "Kenny" Lemons Jr. Sheriff

K. R. (Kenny) Lemons Jr. Sheriff
Clay County, Texas

By: [Signature] Deputy

Jade Nicole Cook Principal
845 W. Swape Unit #17 Street

Winter Park, FL 32789 Town & State

Ph # 81063744 D.L. # 359 26608/TX

Karen Brake Surety

916 9th Street, Suite 101 Street

Wichita Falls, TX 76301 Town & State

Karen Brake DBA Mom's Bail Bonds Surety

moms_bailbonds@yahoo.com Street

(940) 767-7670 Town & State

OATH OF SURETY

THE STATE OF TEXAS }
COUNTY OF CLAY }

I, Karen Brake dba Mom's Bail Bonds do swear that I am worth in my own right at least the sum

of ten thousand dollars, after deducting from my property all that which is exempt by the Constitution and laws of this State from forced sale, and after the payment of all of my debts of every description, whether individual or security debts, and after satisfying all incumbrances upon my property which are known to me and that I reside in

Wichita County and have property in this State liable to execution worth twenty thousand dollars or more.

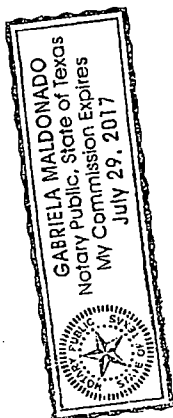
WITNESS my hand this 25 day of March 2016
Sworn to and subscribed before me,

Valerie Maldonado

Notary Public, Wichita County, Texas

This 25 day of March 2016

Karen Brake



Warrant No. _____

BAIL BOND

STATE OF TEXAS

VS.

Jade Nicole Cook

4-18-91

POSS CS PG 2 LT 1G

SURETIES

Name: Mom's Bail Bonds

Address: 916 9th Street, Suite 101

Phone: 940-767-7670

Name: _____

Address: _____

Phone: _____

LAW GOVERNING APPROVAL OF BONDS

1. Bonds must be dated and signed by principal and his sureties with their addresses.
2. Bonds should be approved by Sheriff or his deputy signing same and should recite date of approval.
3. It is a penal offense and invalidates bond for same to be altered or added to after bond has been signed.
4. It is the duty of Sheriff approving bond to require evidence of the sufficiency of the security offered. In every case the Sheriff shall require attorneys bonding under the exemption 1704.163 Occupations Code to make oath set out at the end of bond.
5. Minors cannot qualify as sureties.

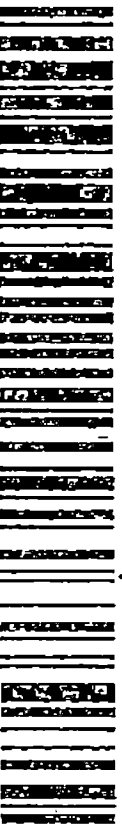
9/20/2016
DA

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Jade Nicole Cook
 845 W. Swope Street #17
 Winter Park Fl 32789
 2016-0062e-CR
 2016-0061e-CR
 9590 9401 0054 5071 7637 93



2. Article Number (Transfer from service label)

7015 0640 0004 2316 8052

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

☒ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

FILED At *Q.D.*
 is delivery address different from item #2 ☒ Yes
 or delivery address below ☒ No

SEP 28 2016

M. Bowles
 Marianne Bowles, District Clerk, Clay County, Texas

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☒ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation®
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

UNITED STATES POSTAL SERVICE

PERMIT

23 SEP '05

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

PH 940

• Sender: Please print your name, address, and ZIP+4® in this box•

DAN SLAGLE

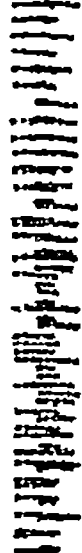
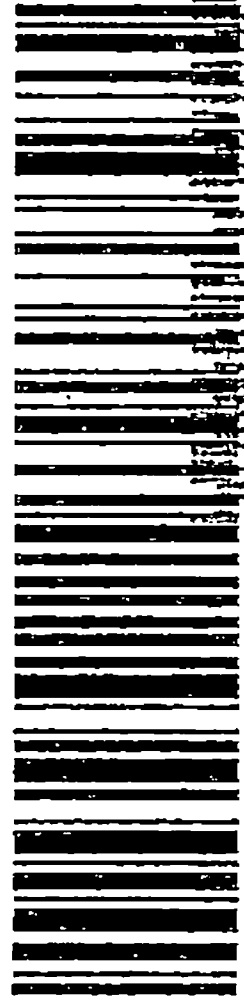
DISTRICT CLERK

P.O. BOX 568

HENRIETTA, TX 76365-0568

PH 940-538-4561

USPS TRACKING#



9590 9401 0054 5071 7637 93

FILED At 8:30
O'Clock A.M.

NO. 2016-0061C-CR & 2016-0062C-CR

NOV 02 2016

Marianne Bowles, District Clerk, Clay County, Texas

STATE OF TEXAS

*

IN THE 97TH DISTRICT COURT

*

VS.

*

OF

*

JADE NICOLE COOK

*

CLAY COUNTY, TEXAS

ORDER APPOINTING ATTORNEY

Pursuant to application for court appointed counsel for indigent defendant heretofore presented to the Court, and after having given the same due consideration, the Court is of the opinion that an attorney should be appointed to represent the defendant in the above entitled and numbered cause.

It is ordered that **Jeannette Richmond**, a practicing and qualified attorney of this bar be, and said attorney is hereby appointed as attorney for the defendant in the above entitled and numbered cause. This appointment is effective the date of this order, or such earlier date as actual notice of such appointment may have been given to said attorney, if the same appears anywhere in the record of this cause.

X Said attorney is among the next five names on the applicable appointment list for the offense charged.

It is the responsibility of the court-appointed attorney to obtain from the sheriff's office, the address of the defendant, if the defendant has made bond.

Signed October 28, 2016.


Jack A. McGaughey, Judge

COPIES SENT TO:

District Attorney
P.O. Box 55
Montague, Texas 76251

Jeannette Richmond
P.O. Box 482
Montague, Texas 76251
940/867-7752 - Fax 940/234-2425
Email: jrichmondlaw@gmail.com

Jade Nicole Cook
Travis County Jail
3164 Bill Price Rd
Del Valle, Texas 78617

Defendant Name:

COOK, JADE NICOLE

Date: 10/26/2016

Felony

Cause #: JP2016085 (OOC)

DOB: 4/18/1991

Address: 432 W SWOOPE WINTER PARK FL

Special Needs:

Booking No: 1639059

Indigence Form

To determine eligibility for Court Appointed Attorney, you must complete this form.

I will retain my own attorney:

Date:

Signature of Defendant

Do not continue filling out form if Defendant to retain own attorney.

Size of family unit (Members of immediate family that you support financially)		Total Number of Dependents (inc self): 1	
Name:	Age:	Relationship:	
Monthly Income		Necessary Mo. Living Expenses	
Employer:		Monthly Mortgage Payment	\$0
Position/How Long:		Monthly Rent Payment	\$0
Your Salary	\$0	Utilities (gas, electric, etc.)	\$0
Spouse's Salary	\$0	Transportation:	\$0
SSI/SSDI:	\$0	Clothes/Food	\$0
TANF:	\$0	Day Care/Child Care	\$0
Social Security Check		Medical Expenses	\$0
Child Support	\$0	Court-Ordered Monies	\$0
Other Government Check		Child Support	\$0
Other Monthly Income	\$0		
TOTAL INCOME*	\$0	TOTAL NECESSARY EXPENSES*	\$0
Savings/401K Balance			

Comments: Defendant arrested on an out of county warrant; Defendant receives Medicaid - Defendant Name: Avani Wood; CLAY COUNTY

TOTAL MONTHLY INCOME	\$0
TOTAL MONTHLY EXPENSES	\$0
DIFFERENCE (net income)	\$0

DEFENDANT MEETS ELIGIBILITY REQUIREMENTS☒ YES ☐ NO☐ UNDETERMINED

I have been advised of my right to representation by counsel in connection with the charge pending against me. I certify that I am without means to employ counsel of my own choosing and I hereby request the court to appoint counsel for me. I swear that the above information is true and correct. The information I listed is accurate and I will immediately notify the court of any changes in my financial situation.

*All information is subject to verification. Falsification of information is a criminal offense.


Signature of Defendant

10/26/2016

Date

FILED At 8:30
O'Clock 11 A.M.

CAUSE NO 2016-0061C-CR

THE STATE OF TEXAS
VS.
JADE NICOLE COOK

NOV 02 2016
IN THE 97th DISTRICT COURT
OF
CLAY COUNTY, TEXAS
BY DEPUTY
Marianne Bowles, District Clerk, Clay County, Texas

ORDER SETTING ARRAIGNMENT, PRETRIAL HEARING, AND JURY TRIAL

IT IS ORDERED BY THE COURT THAT:

DEFENDANT IS ORDERED TO BE PRESENT AT ARRAIGNMENT, PRETRIAL HEARING AND ALL JURY TRIAL SETTINGS. DEFENDANT'S COUNSEL IS ORDERED TO BE PRESENT FOR ALL HEARINGS. EACH SURETY ON DEFENDANT'S BAIL BOND, IF ANY, ARE HEREBY ORDERED TO DELIVER THE ABOVE NAMED DEFENDANT AT THE DESIGNATED TIMES AND PLACE.

ATTENTION ATTORNEYS: You are ordered to notify the Court Coordinator at least seven (7) days prior to the date of hearing/trial if a bench warrant is necessary.

PLACE OF HEARINGS: 97th District Courtroom, Courthouse, Henrietta, Texas.

TIME AND DATE OF ARRAIGNMENT: 9:00 A.M. on NOVEMBER 21, 2016.

Defendants seeking court appointed counsel should pick up an Affidavit of Inability to Employ a Lawyer at either the District Clerk's office or the Sheriff's office, fill out the Affidavit and return it to the District Clerk.

Defendants seeking court appointed counsel must show that he/she is too poor to employ counsel. It is recommended that those seeking appointment of counsel be prepared to show by competent evidence all assets, liabilities, income and sources thereof and inquiries made of possible attorneys to represent such Defendant in this cause.

TIME AND DATE OF PRETRIAL HEARING: 9:00 A.M. on DECEMBER 19, 2016

The pretrial hearing is ordered pursuant to Article 28.01, Texas Code of Criminal Procedure and the Court's Local Rules. Defense motions must be filed and copies furnished to the District Attorney at least seven (7) full days proper to the date of the pretrial hearing or the Court will consider them waived. Discovery motions must be specific. Do not file motions for matters provided under the Courts Local Rules.

Plea bargains, if any, must timely comply with Local Rule 6.7.

TIME AND DATE OF JURY TRIAL: 9:00 A.M. on FEBRUARY 14, 2017.

In the event this case is not tried at such time, it is set by this order for jury trial on each of the following regular jury weeks in this county as shown, until disposed of:

APRIL 18, 2017

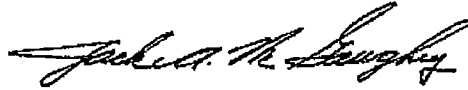
JUNE 20, 2017

OCTOBER 17, 2017

AUGUST 22, 2017

SPECIAL NOTICE: Defendant and counsel are ordered to be present in Court on each date listed in this order. Each surety on Defendant's bail bond, if any, are ordered to deliver the above named Defendant at the above time and place. Failure to appear can result in forfeiture of the bond and an arrest warrant being issued. No further notice of a setting in this case will be delivered to the Defendant, counsel or bondsman unless changed by Court order.

Signed September 30, 2016



Judge Presiding, 97th DISTRICT COURT

2016-0061C-CR

THE STATE OF TEXAS
VS.
JADE NICOLE COOK

The undersigned certifies that a copy of this order was sent to those below on the date the order was signed.

COPIES FORWARDED TO:

PAIGE WILLIAMS
DISTRICT ATTORNEY
P. O. BOX 55
MONTAGUE, TX 76251

10/28/16 Copies Emailed by AC to:
Jeannette Richmond
Via Email: jrichmondlaw@gmail.com

10/28/16 Copies mailed by AC to:
Jade.Nicole Cook
Travis County Jail
3614 Bill Price Rd.
Del Valle, TX 78617

MOM'S BAIL BONDS
VIA EMAIL: karenbrake@yahoo.com

JADE NICOLE COOK
845 W. SWOOPE UNIT #17
WINTER PARK, FL 32789

JADE NICOLE COOK
2005 WILLOW CREEK DR #1103
AUSTIN, TX 78741



AMANDA CUNNINGHAM

CAUSE NO 2016-0061C-CR

THE STATE OF TEXAS
VS.
JADE NICOLE COOK

IN THE 97th DISTRICT COURT
OF
CLAY COUNTY, TEXAS

FILED At 8:00
O'Clock PM

NOV 03 2016

ORDER SETTING ARRAIGNMENT, PRETRIAL HEARING, AND JURY TRIAL

Marianne Bowles, District Clerk, Clay County, Texas

BY DEPUTY [Signature]

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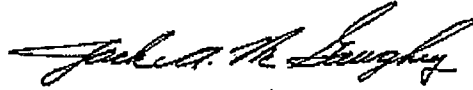
JUNE 20, 2017

OCTOBER 17, 2017

AUGUST 22, 2017

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Signed September 30, 2016



Judge Presiding, 97th DISTRICT COURT

2016-0061C-CR

THE STATE OF TEXAS
VS.
JADE NICOLE COOK

The undersigned certifies that a copy of this order was sent to those below on the date the order was signed.

COPIES FORWARDED TO:

PAIGE WILLIAMS
DISTRICT ATTORNEY
P. O. BOX 55
MONTAGUE, TX 76251

MOM'S BAIL BONDS
VIA EMAIL: karenbrake@yahoo.com

JADE NICOLE COOK
845 W. SWOOPE UNIT #17
WINTER PARK, FL 32789

JADE NICOLE COOK
2005 WILLOW CREEK DR #1103
AUSTIN, TX 78741



AMANDA CUNNINGHAM

Montague, Texas 76251

2016 00601C-CK 3 2016-00601C-CK

U.S. POSTAGE PITNEY BOWES



ZIP 76251
02 1W
0001394488OCT. 05. 2016

JADE NICOLE COOK
2005 WILLOW CREEK DR #103
AUSTIN, TX 78741

WIXIE 787 DE 1 0010/27/16

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BU 76251815767
0034-02121-05-422

[illegible]

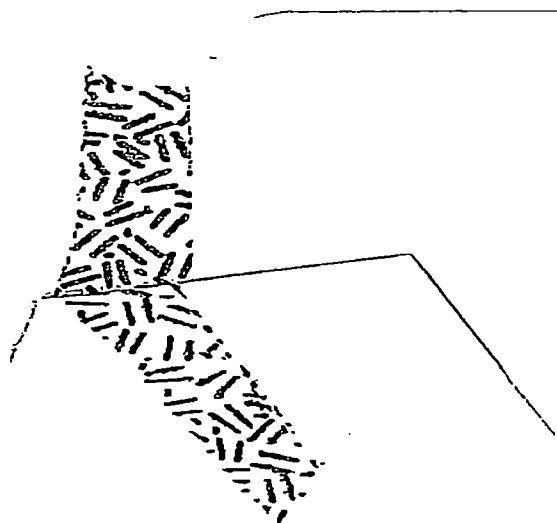
FILED At 1.00
O'Clock A M

NOV 04 2016

Marianne Bowles, District Clerk, Clay County, Texas
BY DEPUTY _____

Return
to Sender
XO Socks
JADE NICOL
2005 WILLOU
AUSTIN, TX
NIX
JTF
BCC

R-10-31-14



Attorney Fee Voucher

1. Jurisdiction <input checked="" type="checkbox"/> District <input type="checkbox"/> County Court # <u>97</u>		2. County <input type="checkbox"/> Archer <input checked="" type="checkbox"/> Clay <input type="checkbox"/> Montague		Cause Number <u>16-0046-CR</u>		Offense <u>Poss CS Pg 2516</u>		4. Proceedings <input type="checkbox"/> Trial-Jury <input type="checkbox"/> Trial-Court <input type="checkbox"/> Plea-Open <input checked="" type="checkbox"/> Plea-Bargain <input type="checkbox"/> Other	
5. In the case of: State of Texas v <u>Jade Nicole Cook</u>									
6. Case Level <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Juvenile <input type="checkbox"/> Appeal <input type="checkbox"/> Capital Case <input type="checkbox"/> Revocation - Felony <input type="checkbox"/> Revocation - Misdemeanor <input type="checkbox"/> No Charges Filed <input type="checkbox"/> Other									
7. Attorney Name: <u>Jeannette L. Richmond</u>				9. Attorney Address (Include Law Firm Name if Applicable) <u>P.O. Box 482</u> <u>Montague, TX 76251</u>				10. Telephone <u>(940) 867-7752</u>	
8. State Bar Number <u>24048763</u>		8a. Tax ID Number <u>467-47-8377</u>		11. Fax <u>(940) 234-2405</u>					
12. Flat Fee - Court Appointed Services <u>11/21/16 - Plea Bargain Hearing</u>								12a. Total Flat Fee <u>\$ 450.00</u>	
13. In Court Services		Hours		Dates		13a. Total In Court Compensation.			
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FILED At <u>12:20</u> O'Clock <u>PM</u> </div>			
Rate per Hour =		Total hours							
14. Out of Court Services		Hours		Dates <u>NOV 21 2016</u> <u>Marianne Bowles, District Clerk, Clay County, Texas</u> <u>BY DEPUTY [Signature]</u>		14a. Total Out of Court Compensation.			
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FILED At <u>12:20</u> O'Clock <u>PM</u> </div>			
Rate per Hour =		Total hours							
15. Investigator		Amount		15a. Total Investigator Expenses		16a. Total Expert Witness Expenses			
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FILED At <u>12:20</u> O'Clock <u>PM</u> </div>			
Rate per Hour =		Total hours							
16. Expert Witness		Amount		16a. Total Expert Witness Expenses		17a. Total Other Litigation Expenses			
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FILED At <u>12:20</u> O'Clock <u>PM</u> </div>			
Rate per Hour =		Total hours							
17. Other Litigation Expenses		Amount		17a. Total Other Litigation Expenses		18. Time Period of Service Rendered: From <u>10/28/2016</u> to <u>11/21/2016</u> Month Day Year Month Day Year			
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FILED At <u>12:20</u> O'Clock <u>PM</u> </div>			
Rate per Hour =		Total hours							
19. Additional Comments								20. Total Compensation and Expenses Claimed <u>\$ 450.00</u>	
21. Attorney Certification - I, the undersigned attorney, certify that the above information is true and correct and in accordance with the laws of the State of Texas. The compensation and expenses claimed were reasonable and necessary to provide effective assistance of counsel. I FURTHER CERTIFY I HAVE NOT RECEIVED ADDITIONAL COMPENSATION FROM ANY PRIVATE SOURCE. <input checked="" type="checkbox"/> Final Payment <input type="checkbox"/> Partial Payment <u>Jeannette L. Richmond</u> <u>11/21/2016</u> Signature of Attorney Month Day Year									
22. SIGNATURE OF PRESIDING JUDGE: <u>[Signature]</u> <u>11/21/2016</u> Date Signed								Amount Approved: <u>\$ 450.00</u>	
Reason(s) for Denial or Variation.									

No. 2016-0061C-CR

FILED At 12:20
O'Clock 2 M

THE STATE OF TEXAS

v.

JADE NICOLE COOK, DEFENDANT

§ IN THE 97th JUDICIAL DISTRICT

§ COURT OF

§ CLAY COUNTY, TEXAS

NOV 21 2016

Marianne Bowles, District Clerk, Clay County, Texas

BY DEPUTY

CERTIFICATION OF DISCOVERY COMPLYING WITH TEXAS CODE OF CRIMINAL PROCEDURE

**ARTICLE 39.14(a), WITHDRAWAL OF ANY
DISCOVERY REQUEST, AND WAIVER OF DISCOVERY RIGHTS**

COMES NOW JADE NICOLE COOK and files this Certification of Discovery Complying with Texas Code of Criminal Procedure Article 39.14(a), Withdrawal of any Discovery Request, and Waiver of Discovery Rights. Defendant submits to the Court the following:

1. Certification of Compliance with 39.14(a)

My attorney has fully and completely explained to me my right to request discovery under Article 39.14(a), and I fully understand that right and have no questions or concerns about my discovery rights. I certify to the Court that my attorney received an electronic copy of the paper file in this case from the State which included the offense reports and officer narratives. My attorney also received notice from the State that other items of physical evidence were available for inspection and review at the District Attorney's Office. I certify that every item of physical evidence (including statements, documents, videos, etc.), that my attorney and I are aware of through our review of the electronic copy of the paper file, has been available for inspection at the District Attorney's Office. I certify that every material item of evidence connected to this case, my attorney and I are aware of, has been made available for inspection and review at the District Attorney's Office. After consulting with my attorney, I am satisfied that the State has complied with my Article 39.14(a) discovery request to produce and permit inspection of all the items that my attorney and I have designated.

2. Withdrawal of Any Discovery Request and Waiver of Discovery Rights

I desire to withdraw my Article 39.14 discovery request, which includes receiving access to offense reports, written and oral statements, recordings, and any evidence that the State or its agents may possess in order to prosecute me in this cause. TEX. CODE CRIM. PROC. Art. 39.14(a). I understand that, by withdrawing any discovery requests, I am intentionally, knowingly, and voluntarily waiving my rights to additional discovery under Article 39.14.

I am fully aware that there may be additional items that I would be entitled to receive if I chose to invoke the terms of Article 39.14(a), but I knowingly and intelligently withdraw my request and waive my right to this speculative, potential discovery. I declare that I am knowingly and intelligently withdrawing my request and waiving these rights because I know that I am guilty of the charged offense. Because I am guilty, I believe that any future discovery would be inconsequential to the defense of my case. I wish to dispose of the charges against me without further delay and desire to plead guilty to the offense I have committed because I am guilty and for no other reason.

I am also fully satisfied with the advice and information provided to me by my attorney. We have thoroughly discussed my case, the elements of the offense, and this acknowledgment-and-waiver-of-discovery-rights issue, and my attorney has answered any and all of my questions. Thus, I withdraw my discovery request under Article 39.14(a).


JADE NICOLE COOK

THE STATE OF TEXAS
COUNTY OF CLAY

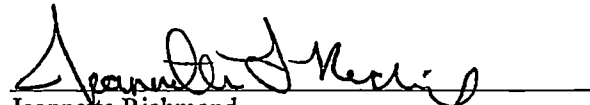
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Before me, the undersigned authority, on this day personally appeared JADE NICOLE COOK, who after being duly sworn stated to me that: she is the defendant in the above numbered and entitled cause; she has read the foregoing "Certification of Discovery Complying with Texas Code of Criminal Procedure Article 39.14(a), Withdrawal of any Discovery Request, and Waiver of Discovery Rights," or had said document read and explained to her by her attorney; she fully understands said document and signed it freely and voluntarily without duress; and she fully understands the legal effects and consequences of signing said document.

Subscribed and sworn to before me on November 21, 2016.


97TH DISTRICT CLERK OR DEPUTY

I represent JADE NICOLE COOK in this case, and based upon my discussions with her, I believe that she has freely, knowingly, and voluntarily executed this document. My client and I have fully discussed her right to discovery under Texas Code of Criminal Procedure Article 39.14(a), and I believe that she understands her rights under this provision, as well as the consequences of executing this document. It is my professional opinion that the Defendant is competent to enter into the above acknowledgement and waiver. Pursuant to my client's express request, I withdraw any pending or additional discovery requests made pursuant to Article 39.14(a). I am also satisfied that the State has produced and permitted inspection of each item we designated under Article 39.14(a).


Jeannette Richmond
ATTORNEY FOR DEFENDANT

The Defendant and her attorney executed this document, then filed it with the papers in this cause. The Defendant came before me, with counsel, and I approved the above acknowledgement of discovery rights and waiver of discovery rights, along with the Defendant's plea of guilty. It appears to me that the Defendant is mentally competent to execute this document and to decide to withdraw and waive any request for further discovery which she would otherwise be entitled to under Texas Code of Criminal Procedure Article 39.14(a).

NOTHING HEREIN SHALL FORFEIT THE STATE'S ONGOING DISCLOSURE DUTY SET OUT IN THE TEXAS CODE OF CRIMINAL PROCEDURE ARTICLE 39.14(h).

SIGNED AND ENTERED on November 21, 2016.


JUDGE PRESIDING

No.2016-0061C-CR

State of Texas vs. JADE NICOLE COOK

District Attorney: Paige Williams

Assistant District Attorney: Kevin Henry

FILED

At 12:20
O'Clock 2 M.

97th District Court, CLAY County, Texas

Date of Trial: November 21, 2016

NOV 21 2016

Defense Attorney: Jeannette Richmond

Marianne Bowles, District Clerk, Clay County, Texas

GUILTY PLEA MEMORANDUM

On this day this cause is called for trial. The Defendant appears personally represented by the attorney above noted; the State is represented by its District Attorney, Montague County. In open Court, the Defendant receives admonishments from the Court, and thereafter waives a jury trial, waives all rights secured by law pursuant to Article 1.14, Texas Code of Criminal Procedure, and waives other rights, waives 10 days preparation for trial with approval of counsel, agrees to the stipulation of evidence, waives the reading of the charging instrument (whether indictment or information) and the service of a copy of the charging instrument on Defendant; acknowledges that Defendant understands the charging instrument and the Defendant enters a plea of GUILTY to the felony offense of POSS CS PG 2 < 1G.

COURT'S ADMONISHMENT OF DEFENDANT ON GUILTY PLEA:

Before Defendant's plea is accepted, You, the Defendant, are admonished by the Court, in writing, as follows:

1. You are charged with the felony offense of POSS CS PG 2 < 1G.
2. You are entitled to have a jury determine whether you are Guilty or Not Guilty, and if Guilty, you are entitled to have that same jury assess your punishment. Should you have more than one case pending, you may have them tried separately by different juries.
3. You are entitled to request that the indictment be read aloud in open court and explained to you in open court.
4. You do not have to testify; you are not obligated to give evidence against yourself; you may require the State to prove the elements of the offense alleged against you in the indictment by legal and competent evidence beyond a reasonable doubt.
5. You and your attorney have the right to confront and cross-examine witnesses and you have the power to subpoena to bring witnesses into court to testify in your behalf and to present other evidence in your defense.
6. A plea bargain or recommendation of punishment is not binding on the Court, and the Court may accept or reject the plea bargain agreement. The Court may set punishment anywhere within the range provided by law for this offense. If there is a plea bargain agreement, the Court will inform you in open court whether the agreement will be followed before making any finding on your plea. Should the Court reject the plea bargain agreement, you will be permitted to withdraw your plea of guilty should you wish to do so. If you withdraw your plea of guilty and enter a plea of not guilty, any documents you have signed for this plea hearing or any statements you have made at the plea hearing will not be used against you at the trial of this case.

7. When the Court follows a plea bargain agreement, or when the punishment assessed does not exceed the plea bargain agreement, permission of the Court must be given before you can prosecute an appeal on any matter in the case, except for matters raised by written motion filed prior to trial. This Court seldom consents to an appeal where conviction is based upon a Guilty Plea or a Nolo Contendere Plea.

Where there is no plea bargain agreement, any appeal of your conviction upon a plea of nolo contendere or plea of guilty is limited to jurisdictional issues only.

8. **DEFERRED ADJUDICATION:** Should the Court defer adjudicating your guilt and place you on community supervision (formerly called probation) under the terms and conditions contained in the Order Deferring Adjudication, upon violation of any imposed term or condition, the District Attorney may file a Motion to Revoke, you may be arrested by a community supervision officer, police officer or any other officer with the power of arrest with or without a warrant upon the order of the Judge and detained as provided by the law. You will then be entitled to a hearing limited to the determination by the Court, without a jury, whether to proceed with an adjudication of your guilt upon the original charge. No appeal may be taken from this determination except due-process violations in the hearing itself. Upon adjudication of your guilt, the Court may assess your punishment anywhere within the range of punishment provided by law for this offense.

After adjudication of guilt, all proceedings including assessment of punishment, pronouncement of sentence, granting of community supervision if not prohibited by Sec. 42.12(3)(g), Code of Criminal Procedure and your right of appeal continue as if adjudication of guilt had not been deferred.

9. **PROBATION/COMMUNITY SUPERVISION:** If the Court grants you community supervision (formerly called probation) after finding you guilty of the offense charged and assessing your punishment, upon violation of any imposed term or condition, you may be arrested and detained as provided by law. You will then be entitled to a hearing limited to the determination by the Court, without a jury, whether to revoke your community supervision and sentence you to imprisonment in the Institutional Division of the Texas Department of Criminal Justice for a period of time not to exceed that originally assessed by the Court at the time you were found guilty.

10. If no indictment has been returned by a Grand Jury charging you with this offense, you do not have to stand trial until such an indictment has been returned, and you then will be given time (at least 10 days) to consult with your attorney before trial.

11. If a victim impact statement has been returned to the District Attorney under Art. 26.13, Code of Criminal Procedure, the Judge has reviewed a copy of that report.

12. **RANGE OF PUNISHMENT:** The punishment for the offense with which you stand charged in this cause is indicated by the appropriate paragraph checked below and you are hereby admonished that the range of punishment attached to said offense is as stated following the title of the degree of felony or other offense checked below.

() **First Degree Felony:** The punishment for an individual adjudged guilty of a first degree felony shall be by imprisonment in the Texas Department of Criminal Justice, Institutional Division for life, or for any term of not more than 99 years nor less than 5 years. In addition to imprisonment, such individual may be punished by a fine not to exceed \$10,000.

() **Second Degree Felony:** The punishment for an individual adjudged guilty of a second degree felony shall be by imprisonment in the Texas Department of Criminal Justice, Institutional Division for any term of not more than 20 years nor less than 2 years. In addition to imprisonment, such individual may be punished by a fine not to exceed \$10,000.

() **Third Degree Felony:** The punishment for an individual adjudged guilty of a third degree felony shall be by imprisonment in the Texas Department of Criminal Justice, Institutional Division for any term of not more than 10 years nor less than 2 years. In addition to imprisonment, such individual may be punished by a fine not to exceed \$10,000.

(X) **State Jail Felony:** The punishment for an individual adjudged guilty of a state jail felony shall be by confinement in a state jail for any term of not more than 2 years or less than 180 days. In addition to confinement, an individual may be punished by a fine not to exceed \$10,000.

() **Other:** See Exhibit ____ attached hereto.

13. **Deportation/Removal Consequences of this Plea:** Defendant recognizes that pleading guilty may have consequences with respect to her immigration status if she is not a citizen of the United States. Under federal law, a broad range of crimes are removable offenses, including the offense(s) to which the Defendant is pleading guilty. (Indeed, because Defendant is pleading guilty to conspiracy to distribute methamphetamine, removal is presumptively mandatory.) Removal and other immigration consequences are the subject of a separate proceeding, however, and Defendant understands that no one, including her attorney or the district court, can predict to a certainty the effect of her conviction(s) on her immigration status. Defendant nevertheless affirms that she wants to plead guilty regardless of any immigration consequences that her plea(s) of guilty may entail, even if the consequences is her automatic removal from the United States.

14. If you are convicted of this offense, that conviction might be used to enhance or to increase the punishment range of any future felony you might be charged with which would alleged to have occurred after the date your conviction becomes final.

15. If you are convicted of or placed on deferred adjudication for any offense listed in Chapter 62.01(5) of the Texas Code of Criminal Procedure, you will be required to meet the registration requirements of the Sex Offender Registration Program as set forth in Chapter 62 of the Code of Criminal Procedure.

16. If you are convicted of or placed on deferred adjudication for any offense which requires registration under the Chapter 62, the Sex Offender Registration Program, the Court is required to issue an order requiring the Texas Department of Public Safety to include in your driver's license record or personal identification certificate record an indication that you are subject to the registration requirements of Chapter 62; and you will be required to apply to the Texas Department of Public Safety in person for an original or renewal driver's license or personal identification certificate not later than the 30th day after the date you are released or the date the department sends written notice to you of the requirements of Article 62.065, and you are required to annually renew the license or certificate.


JUDGE PRESIDING

WRITTEN WAIVERS OF DEFENDANT - JOINED BY ATTORNEY

I, the Defendant, joined by my attorney, state under oath the following:

WAIVER OF JURY: Comes now the Defendant in person and in open Court, joined by Defendant's attorney and counsel for the State, and after receiving the admonitions contained in this memorandum, freely, voluntarily and knowingly **waives the Defendant's right to trial by jury** in accordance with Article 1.13, 1.14, and 1.15, Texas Code of Criminal Procedure. This waiver is made with the consent and approval of the Court. The Defendant further agrees that should the Defendant be tried on more than one case, that all cases may be heard and determined at one time.

WAIVER OF RIGHTS: In accordance with Article 1.14, Texas Code of Criminal Procedure, and after receiving the admonishments contained herein, the Defendant now in writing and in open Court, waives any and all rights secured the Defendant by law, whether of substance or of procedure, and states that any error which may have been committed is harmless.

WAIVER OF 10 DAYS PREPARATION AND APPROVAL OF COUNSEL: The Defendant in writing and in open Court, and after receiving the admonishments contained herein and joined by Defendant's counsel, waives the 10 days preparation period provided in Article 1.051(e), Texas Code of Criminal Procedure. The Defendant in addition confirms that said Defendant is totally satisfied with the representation given by the defense attorney and that said counsel was completely competent in every aspect of representation.

COURT REPORTER'S RECORD: *Defendant and Defendant's attorney understand that Defendant has the right to have the official Court Reporter make a record of this hearing.*

☐ **DEFENDANT AND DEFENDANT'S ATTORNEY REQUEST A RECORD OF THIS HEARING TO BE MADE BY THE OFFICIAL COURT REPORTER.**

☒ **DEFENDANT AND DEFENDANT'S ATTORNEY WAIVE DEFENDANT'S RIGHT TO HAVE THE OFFICIAL COURT REPORTER MAKE A RECORD OF THIS HEARING PURSUANT TO RULE 13, TEXAS RULES OF APPELLATE PROCEDURE.**

APPLICATION FOR COMMUNITY SUPERVISION: In the event that the punishment assessed does not exceed 10 years in the Texas Department of Criminal Justice, Institutional Division, or if deferred adjudication is recommended, I certify under oath of my eligibility for community supervision as provided by law and move that community supervision be granted. (If not applicable, so indicate.)

NOTICE OF RIGHT TO PETITION FOR NON-DISCLOSURE: Pursuant to Art. 42.12, Sec. 5(a-1), the Defendant is hereby notified, prior to being placed on community service under and order of Deferred Adjudication, that he or she has the right to petition the court for an order of nondisclosure under Section 411.081, Texas Government Code, unless determined to be ineligible to pursue that right as provided in that section.

NOTICE OF INTENT TO FORFEIT OR DESTROY EVIDENCE: On this day, November 21, 2016, the undersigned State Attorney, at the conclusion of the proceedings in the above-captioned and numbered cause on the foregoing date hereby certifies that written notice has been given to (1) defendant, (2) defendant's counsel of record, and (3) the convicting court, by hand delivery of a copy of this Notice of Intent to Forfeit or Destroy Evidence to the foregoing individuals and court, of the intent of the State of Texas to forfeit or destroy any and all evidence, which may be in the possession of the attorney representing the State of Texas or law enforcement agency or a clerk or any other person possessing said evidence in the above-captioned and numbered cause, at any time the expiration of ninety-one days from the foregoing date. The defendant hereby agrees that any evidence obtained in the above-referenced cause should be forfeited or destroyed pursuant to the plea bargain agreement as evidenced by the signatures below. The defendant further agrees that the law enforcement agency assigned to this case exercises sole discretion on whether to forfeit or destroy this evidence.

STIPULATION OF EVIDENCE - AND WAIVER OF CONFRONTATION: In accordance with Article 1.15, Texas Code of Criminal Procedure., I now consent in writing, in open Court, to waive the appearance, confrontation and cross-examination of witnesses, and further consent either to an oral stipulation of the evidence and testimony or to the introduction of testimony of affidavits, written statements of witnesses and any other documentary evidence in support of the judgment of the Court, including my sworn judicial confession contained herein.

PLEA BARGAIN: I, the Defendant, and my counsel acknowledge that we have read and examined a copy of the proposed Judgment and Sentence, Community supervision Judgment or the Order Deferring Adjudication, as the case may be, prepared by the District Attorney for this case; that we fully understand the same and that the terms thereof relative to the term of sentence, fine, length of probationary period and conditions of community supervision, as the case may be, are as we understood that the State would recommend to the Court and we agree to all of the same as the plea bargain in this case. As part of the plea bargain, I withdraw and waive all Motions filed prior to trial. As a part of the Plea Bargain Agreement, I voluntarily withdraw and waive all of my right to appeal and my right to file a Motion for New Trial and In Arrest of Judgment. We acknowledge that this is the entire plea bargain in this case except such additional terms of the plea bargain, if any, which are as follows:

PRESENT COMPETENCY: I and my attorney state that I, the Defendant, am presently competent to stand trial and have a sufficient present ability to consult with my lawyer with a reasonable degree of rational understanding and have a rational as well as factual understanding of the proceedings against me.

WAIVER OF INDICTMENT: If the State is proceeding to trial in this cause by complaint and information as the charging instrument, I, the Defendant in this cause, pursuant to Art. 1.141, Texas Code of Criminal Procedure hereby voluntarily waive the right to be accused by Indictment in the cause and agree that the State may proceed by Information.

I have been informed of my right to be accused by Indictment but I hereby knowingly, intelligently and voluntarily agree to waive such right. I also waive service of a copy of the Information and the two day period between service and arraignment, if applicable. I have been fully informed of the charges against me.

SEX OFFENDER REGISTRATION PROGRAM: The undersigned attorney and the undersigned defendant advise the Court that the defendant's attorney has advised the defendant regarding the defendant's registration requirements under Chapter 62 of the Code of Criminal Procedure, the Sex Offender Registration Program, if the defendant is convicted of or placed on deferred adjudication for an offense for which a person is subject to registration under that chapter.

WAIVER OF PRESENTENCE INVESTIGATION REPORT: I, the defendant, advise the Court that I have been advised by my attorney of my statutory right to have a presentence investigation report prepared by the community supervision officer and I hereby knowingly, intelligently and voluntarily waive the preparation and filing of a presentence investigation report in this case.

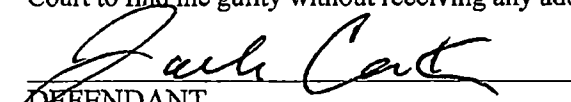
VOLUNTARINESS OF PLEA: I herein state that my plea of guilty is freely and voluntarily made, that my plea of guilty is not made as a result of any threats, that my plea of guilty is not made out of fear, that my plea of guilty is not made because of any delusive hope of pardon or parole or because of any promises made by anyone, and that my plea of guilty is made only because I am guilty and for no other reason. I further state that I am not pleading guilty because of any representations made to me by my attorney or anyone else as to when I might be released on parole or discharged from confinement.

I further confirm I am able to read the English language and fully understand each of the written plea admonishments by the Court, and that if I have any questions, I may ask the Court to explain them, that I completely understand all of the other written waivers, stipulations, admonitions, this Guilty Plea Memorandum, motions filed in connection with my plea, and additionally, are aware of the consequences of my plea of guilty, and that each is done freely, voluntarily and that I am is guilty as charged.

Defendant's counsel confirms counsel has explained fully the foregoing memorandum to the Defendant and that Defendant understands all admonitions herein and the consequences of this plea.

SWORN JUDICIAL CONFESSION: Under oath, in writing and in open Court, I, the undersigned Defendant, swear that I have read the charging instrument against me in this case and understand everything it contains; that I have discussed it with my attorney and my attorney has fully explained the charges against me contained in the charging instrument; that I committed each and every element alleged therein, except those acts waived by the State; and that I am guilty of all offenses charged therein and all lesser included offenses, or if the plea bargain is to a lesser included offense as reflected in the Judgment and Sentence, Community supervision Judgment or Order Deferring Adjudication, that I committed each and every element alleged in the charging instrument essential to the lesser offense, and that I am guilty of such offense and all lesser included offenses; that any enhancement and habitual allegations set forth in the charging instrument are true and correct except those waived by the State.

I understand that my judicial confession when taken with my plea of guilty is sufficient evidence for the Court to find me guilty without receiving any additional evidence.


DEFENDANT


COUNSEL FOR DEFENDANT

STATE'S NOTICE OF PLEA BARGAIN: Prior to accepting the Defendant's plea of guilty or nolo contendere herein the Court certifies that it has inquired as to whether the attorney representing the State of Texas has given notice of the existence and terms of any plea bargain agreement to the victim, guardian of the victim, or close relative of the deceased victim, as those terms are defined by Article 56.01, Texas Code of Criminal Procedure (applies to cases charged as sexual assault, kidnapping, aggravated robbery, human trafficking, injury to a child/elderly/disabled individual, or to cases in which a person suffered personal injury or death) and been advised that such notices was, in fact, given.

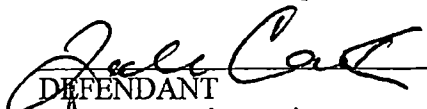

The Court then accepted the Defendant's plea, heard the evidence and found the Defendant guilty, reviewed the Presentence Investigation Report, and assessed punishment and imposed sentence or community supervision as reflected in the judgment, or if there was an order deferring adjudication, found that the evidence substantiates the Defendant's guilt.



JOINDER AND CERTIFICATION: At the conclusion of the proceeding reflected in this Guilty Plea Memorandum:

The Defendant and Defendant's counsel certify that everything in this Guilty Plea Memorandum (including the written admonishments) and the Judgment and Sentence, Judgment of Community supervision or Order Deferring Adjudication is correct and accurate;

The State, by its District Attorney, agrees to the waiving of a jury trial and confrontation of the witnesses and the Court consents to and approves, in writing, the waiver of a jury trial, the stipulation of evidence and the judicial confession and offers them in evidence as State's Exhibit 1; and

The Court certifies that the Defendant was duly admonished, in writing, including those admonishments as provided in Article 26.13 of the Texas Code of Criminal Procedure, (or if the Defendant was unable to or refused to sign the admonitions, made such admonitions orally) and certifies that Defendant is aware of the consequences of this plea. The Court approves the waiver of jury trial, and approves the other waivers contained herein, advises the Defendant the Court will approve the plea bargain agreement, finds the Defendant competent to stand trial, accepts the plea of the Defendant, admits the evidence offered without objection, and makes its findings respecting Defendant's guilt, sentence, community supervision or adjudication as above indicated and certifies that all admonishments have been made and waivers approved in open court, in writing, with Defendant and Defendant's counsel present, and the State's attorney present.


DEFENDANT

COUNSEL FOR DEFENDANT


JUDGE PRESIDING

STATE ATTORNEY

INDIGENCY - ATTORNEY FOR APPEAL: The Defendant is admonished by the Court that if the Defendant is indigent and unable to afford to hire an attorney for an appeal, that upon request, an attorney would be appointed to represent the Defendant for any appeal and that a transcript of the proceedings would be furnished to the Defendant at no cost to the Defendant.

WAIVER OF TIME TO FILE MOTIONS FOR NEW TRIAL AND IN ARREST OF JUDGMENT AND WAIVER OF APPEAL: Comes now the Defendant after trial, imposition of punishment and sentence, community supervision or deferment of adjudication, as the case may be, and after admonishment as to the appointment of an attorney for appeal if the Defendant is indigent, and the furnishing of a transcript for appeal of indigent, in writing, and in open Court and waives the time provided in Rule 31, Texas Rules of Appellate Procedure (T.R.A.P.), for filing of a Motion for New Trial, and further waives the time provided in Rule 34, T.R.A.P., for the filing of a Motion in Arrest of Judgment; and the Defendant, in writing and in open Court and joined by Defendant's counsel and after the close of all proceedings herein and states that the Defendant understands the right to appeal as provided in Section Four of the Rules of Appellate Procedure and that if Defendant is indigent and desires to appeal, counsel will be appointed at no cost to Defendant. **The Defendant now understanding all rights in this connection, freely, voluntarily and intelligently waives and abandons his right of**

appeal in this case. The Defendant understands and has been admonished that if the Defendant has been placed on community supervision under an Order Deferring Adjudication, that the Defendant may, by written motion filed within 30 days under Art. 42.12, §5(a), request the Court to proceed with an Adjudication of Guilt and pronouncement of Sentence.

Dele Cook
DEFENDANT

Janeth J. Rios
COUNSEL FOR DEFENDANT

348 W. Swage Ave. Winter Park, FL Sex: *F*
Defendant's Permanent Residence Address *Unit 17*

04/18/1991
Defendant's Date of Birth

JURAT: All of the foregoing paragraphs (including, but not limited to, the waiver of jury trial and confrontation of witnesses, stipulation of evidence, judicial confession, certification of admonishments and waiver of appeal) in this Guilty Plea Memorandum which are signed by the Defendant have been sworn to and subscribed before me, in open Court, by the Defendant, on the date of trial first set out above, to certify which witness my hand and seal of office.

Marianne Bowles
DISTRICT CLERK/DEPUTY

No. 2016-0061C-CR

THE STATE OF TEXAS

v.

JADE NICOLE COOK, DEFENDANT

§ IN THE 97th JUDICIAL DISTRICT
§ COURT OF
§ CLAY COUNTY, TEXAS

FILED At 12:20 P M
O'Clock

NOV 21 2016

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL
Marianne Bowles, District Clerk, Clay County, Texas
BY DEPUTY: *[Signature]*

I, judge of the trial court, certify this criminal case:

- ☐ is not a plea-bargain case, and the defendant has the right of appeal.
- ☐ is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal.
- ☐ is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right to appeal.
- ☐ is a plea bargain case, and the defendant has NO right of appeal.
- ☒ the defendant has waived the right of appeal.
- ☐ involves another appealable order (specify: _____).

[Signature]
Presiding Judge

November 21, 2016
Date Signed

I have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including my right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals's judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the Court of Criminal Appeals. Tex. R. App. P. 68.2 I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

[Signature]
Defendant

Mailing Address: 843 W. Swogge Ave
Telephone Number: W. Swogge Park, FL
Fax # (if any): N/A Unit 17

[Signature]
Defendant's Counsel

State Bar of Texas ID #: 24048763
Mailing Address: 900 St. St. 927, W.F. TX
Telephone Number: 940-827-1152 76301
Fax # (if any): 940-234-2425

* A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right of appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea-bargain case – that is, a case in which a defendant's plea is guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant – a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal. TEX. R. APP. P. 25.2(a)(2)
Appendix to Rules of Appellate Procedure

Rev. 10/11

CAUSE NO. 2016-0061C-CR
INCIDENT NO./TRN: 9142268869

THE STATE OF TEXAS
V.
JADE NICOLE COOK
STATE ID NO.: TX 13130273

§
§
§
§

IN THE 97TH DISTRICT COURT
CLAY COUNTY, TEXAS
At 12:30 P.M.
NOV 21 2016

Marianne Bowles, District Clerk, Clay County, Texas
BY DEPUTY *[Signature]*

Order Imposing
Conditions of Community Supervision

In accordance with the authority conferred by article 42.12 of the Code of Criminal Procedure, the Court has placed the Defendant on community supervision in the above styled and numbered cause 2 YEARS. The Court hereby **ORDERS** the Defendant to comply with the following conditions of community supervision:

- a. Commit no offense against the laws of this State or any other state or of the United States;
- b. Avoid injurious or vicious habits. Do not ingest or inject into the body alcohol or any illegal substance listed in Chapter 481 of the Texas Health and Safety Code.
- c. Avoid persons and places of disreputable or harmful character. Do not enter or remain in bars, clubs, liquor stores, beer joints or other places where the primary business or activity is the sale or consumption of alcohol beverages, and do not associate with felons or persons involved in drugs;
- d. Report to the C.S.C.D. Officer in person, at the County Courthouse, immediately following this hearing and likewise every month thereafter as directed by the C.S.C.D. officer until discharged from community supervision.
- e. Permit the C.S.C.D. Officer to visit you at your home or elsewhere;
- f. Work faithfully at suitable employment as far as possible;
- g. Defendant shall not own or possess firearms;
- h. Remain within the limits of CLAY County, Texas, unless given permission by the C.S.C.D. Officer to leave therefrom;
- i. Support all of his or her dependents;
- j. If present in another state (whether in violation of this order or not) when charged with a violation of this community supervision, waive extradition proceedings in such state and voluntarily return to the State of Texas;
- k. Notify the C.S.C.D. Office of this county of any change in employment, address, telephone number, or of any arrest within 48 hours of such charge or arrest;
- k. Defendant shall submit a blood, breath, hair, saliva, or urine sample to the C.S.C.D., to be used for the detection of controlled substances, drugs or alcohol, daily if required, not to exceed five samples per calendar month unless further directed by the Court, at the C.S.C.D. Department, at any place of defendant's incarceration or such other place as the C.S.C.D. Office may direct. The urine sample shall be urine from the defendant's own body submitted at the time the sample is required. The defendant's urine sample shall be submitted and tested by a procedure approved by the sentencing Court. If defendant's supervision is transferred to another jurisdiction, the testing shall be done in any drug testing facility provided by said jurisdiction providing courtesy supervision. Defendant shall bear the cost of such urinalysis.
- l. Pay to the C.S.C.D. Office in this county a monthly community supervision fee of \$60.00 on each reporting date specified in this order beginning on this date. This supervision fee shall be waived while under the supervision of another state, however, should you return to the State of Texas for supervision, the original ordered monthly supervision fee will be automatically reinstated.

m. Pay to and through the C.S.C.D. Office of this county the sum of **\$0.00** in restitution ordered by the Court to be paid through the C.S.C.D. Officer to the victim(s) in this cause and any cause considered by the Court in assessing punishment in this case and this shall be paid in monthly installments of **\$0.00** each, the first installment shall be paid on the first reporting date required by this order following the date this order is pronounced in open court, and like installments shall be paid on each reporting date thereafter until all amounts ordered paid herein are paid in full.

n. Pay to and through the District Clerk's Office the following sums of money:

(1) Attorney's Fees in the amount of **\$450.00** & court costs incurred in this cause in the amount of **\$387.00**;

(2) A fine in the amount of **\$0.00** assessed in this cause by the Court;

The total sum of **\$837.00** payable pursuant to this paragraph "n" shall be paid in equal monthly installments of **\$25.0** each, the first installment shall be paid on the first reporting date required by this judgment following the date this judgment is pronounced in open court, and like installments shall be paid on each reporting date thereafter until all amounts ordered paid herein are paid in full. Payments made hereunder shall be first credited to the payment of court costs, next to reimbursement of attorney's fees, next to payment of any fine assessed.

o. Defendant shall submit to screening, as directed by the C.S.C.D. Officer, to determine the level of his educational skills; and if determined to possess educational skills below the sixth grade level, Defendant shall participate in a program, as directed by the C.S.C.D. Officer, designed to assist him in attaining the educational skill level of sixth grade or above.

p. Successfully complete **120** hours of Community Service at a placement to be designated and supervised by the Community Supervision and Corrections Department.

q. Defendant will submit to screening, counseling or treatment as determined necessary or needed by a qualified mental health professional at the request of the supervising officer.

r. Defendant will receive a referral from the supervising officer to an appropriate substance abuse screening and counseling facility or an individual for a substance abuse evaluation. The Defendant agrees to make himself/herself available at a time and location as directed by the supervision officer for screening. Defendant shall abide by any and all treatment recommendations, whether inpatient or outpatient made by that facility, screening individual, or supervising officer and will provide evidence of successful completion of such program(s) to the C.S.C.D.

s. Before leaving the State of Texas, the defendant shall deposit cash in the amount sufficient to cover the cost of extradition back to the State of Texas. This cash must be posted with the County Treasurer's Office before any transfer of supervision is authorized and shall be returned to the defendant upon termination of his supervision. This money will be used only for the purpose of extradition, should that need arise.

t. The Defendant hereby acknowledges that she is financially capable of paying the amounts set forth within the time provided; however, if the defendant's financial status changes, the defendant will notify his/her community supervision officer at 940-538-0281 **BEFORE** the date the fine and court costs become due. By failing to so notify said officer, Defendant **WAIVES** any claim of inability to pay.

u. Defendant shall attend, participate in, and successfully complete any treatment programs and/or classes referred to by the supervising officer. Defendant shall pay all cost of the programs and/or classes and complete the programs and/or classes within 180 days of the referral.

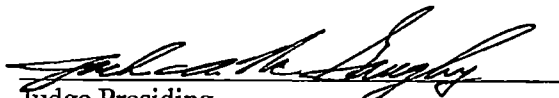
v. Defendant shall provide, upon request from the supervision officer, a financial status report for any month or year determined by the supervision officer. This report shall include any and all expenditures, and revenues for the requested period and a copy of the defendant's tax return.

w. A Transfer fee in accordance with the CSCD Transfer Fee Policy may be imposed.

x. Defendant shall follow the additional terms and conditions of community supervision which are contained in Exhibit(s) NONE attached hereto.

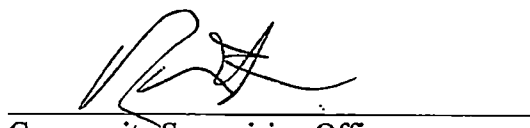
The Defendant is hereby advised that, under the laws of the State of Texas, the Court shall determine the conditions of community supervision and may, at any time during the period of supervision, alter or modify the conditions of supervision. The Court also may extend the period of supervision and has the authority to revoke the community supervision at any time during the period of supervision for any violation of the conditions.

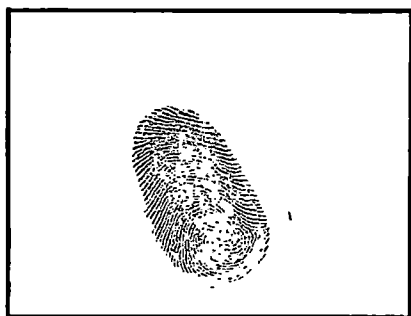
Signed on November 21, 2016


Judge Presiding

Receipt is hereby acknowledged on the date shown above of one copy of the above Order Imposing Terms of Community Supervision.


Defendant


Community Supervision Officer



Defendant's right thumbprint

CAUSE NO. 2016-0061C-CR
INCIDENT NO./TRN: 9142268869

THE STATE OF TEXAS

V.

JADE NICOLE COOK

STATE ID NO.: TX 13130273

FILED At 12:20
O'Clock P M

NOV 21 2016

Marianne Bowles, District Clerk, Clay County, Texas
BY DEPUTY *Paul [Signature]*

IN THE 97TH DISTRICT

COURT

CLAY COUNTY, TEXAS

ORDER OF DEFERRED ADJUDICATION

Judge Presiding:	HON. JACK A. MCGAUGHEY	Date Order Entered:	November 21, 2016	
Attorney for State:	Paige Williams, District Attorney Kevin Henry, Assistant District Attorney	Attorney for Defendant:	Jeannette Richmond	
Offense:				
POSS CS PG 2 < 1G				
Charging Instrument:		Statute for Offense:		
INDICTMENT		HEALTH & SAFETY CODE 481.116(b)C		
Date of Offense:				
March 24, 2016				
Degree of Offense:		Plea to Offense:	Findings on Deadly Weapon:	
STATE JAIL FELONY		GUILTY	N/A	
Terms of Plea Bargain:				
2 YEARS DEFERRED ADJUDICATION				
Plea to 1 st Enhancement Paragraph:	N/A	Plea to 2 nd Enhancement/Habitual Paragraph:	N/A	
Findings on 1 st Enhancement Paragraph:	N/A	Findings on 2 nd Enhancement/Habitual Paragraph:	N/A	
ADJUDICATION OF GUILT DEFERRED; DEFENDANT PLACED ON COMMUNITY SUPERVISION.				
PERIOD OF COMMUNITY SUPERVISION: 2 YEARS				
Fine:	Court Costs:	Attorney Fees:	Restitution:	Restitution Payable to:
\$ 0.00	\$ 387.00	\$ 450.00	\$ 0.00	CLAY CSCD
Sex Offender Registration Requirements DOES NOT APPLY to the Defendant. TEX. CODE CRIM. PROC. chapter 62				
The age of the victim at the time of the offense was N/A .				
Time Credited:	NOTES: N/A			

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in CLAY County, Texas. The State appeared by her Assistant/District Attorney as named above.

Counsel / Waiver of Counsel (select one)

[x] Defendant appeared in person with Counsel.

[] Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered a plea as indicated above. The Court admonished the Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court FINDS such evidence substantiates Defendant's guilt. The Court FINDS that, in this cause, it is in the best interest of society and Defendant to defer proceedings without entering an adjudication of guilt and to place Defendant on community supervision.

The Court FINDS that the Presentence Investigation, provided by TEX. CODE CRIM. PROC. art. 42.12 § 9 was waived by Defendant.

The Court ORDERS that Defendant is given credit noted above for the time spent incarcerated. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

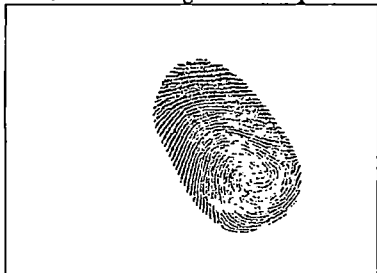
The Court ORDERS that no judgment shall be entered at this time. The Court further ORDERS that Defendant be placed on community supervision for the adjudged period so long as Defendant abides by and does not violate the terms and conditions of community supervision as set out in the "Conditions of Probation/Community Supervision". See TEX. CODE CRIM. PROC. art. 42.12 § 5(a).

Furthermore, the following special findings or orders apply: NONE

Signed and entered on this November 21, 2016


JUDGE PRESIDING

Defendant's Right Thumbprint



A true copy of this document was received by me on November 21, 2016


DEFENDANT

BILL OF COST

THE STATE OF TEXAS

COUNTY OF CLAY

The total cost assessed in this case for court costs, fees and/or fines:

<u>Fine, Fees & Court Costs</u>	<u>ASSESSED</u>	<u>BALANCE</u>
TPF	\$25.00	\$25.00
CCC	\$133.00	\$133.00
DRUG COURT FEE	\$60.00	\$60.00
WARRANT	\$50.00	\$50.00
JUDICIARY SUPPORT FEE	\$6.00	\$6.00
JURY REIMBURSEMENT FEE	\$4.00	\$4.00
SHERIFF	\$1.00	\$1.00
COURT SECURITY	\$5.00	\$5.00
RECORDS MANAGEMENT	\$25.00	\$25.00
BOND	\$10.00	\$10.00
COMMIT. RELEASE	\$5.00	\$5.00
ADMIN	\$2.00	\$2.00
INDIGENT DEFENSE FUND	\$2.00	\$2.00
TECH FEE	\$4.00	\$4.00
EFILING CRIMINAL	\$5.00	\$5.00
NOTICE TO APPEAR	\$5.00	\$5.00
ARREST FEE	\$5.00	\$5.00
CLERK-CRIMINAL	\$40.00	\$40.00
ATTORNEY FEE-SPECIAL	\$450.00	\$450.00
	<u>\$837.00</u>	<u>\$837.00</u>

Clay County Cause No. 2016-0061C-CR

COURT: 97th DISTRICT COURT

OFFENSE/S: POSS CS PG 2 < 1G

THE STATE OF TEXAS

Plaintiff

VS

COOK, JADE NICOLE

Defendant

DISTRICT COURT OF CLAY COUNTY, TEXAS

I, Marianne Bowles, District Clerk in and for Clay County, Texas do hereby certify that the foregoing is a correct account of the court costs, fees and/or fines adjudged against the defendant in the above entitled and numbered cause, up to this date, NOVEMBER 21, 2016.

Marianne Bowles, District Clerk
Clay County, Texas

Gail Jarvis
Deputy

FILED At 9:10
O'Clock A M

NO. 2016-0061C-CR AND 2016-0062C-CR

DEC 12 2016

THE STATE OF TEXAS

§
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§
§
§

IN THE 97TH DISTRICT COURT

Marianne Bowler, District Clerk, Clay County, Texas

VS.

OF

BY DEPUTY *[Signature]*

JADE NICOLE COOK

CLAY COUNTY, TEXAS

ORDER CORRECTING INCORRECT SID NUMBER ON DOCUMENTS IN FILE

The Court had been advised by the District Clerk that the SID number on one or more original document(s) in the above styled and numbered cause is incorrect, and

~~The Court having reviewed the official file in this case and finding that one or more document(s) had been filed in this styled and numbered case containing the following~~
incorrect SID number, to-wit: 13130273.

IT IS THEREFORE ORDERED that the District Clerk of Clay County shall strike through the incorrect SID numbers of those documents bearing the incorrect SID numbers filed in this case and insert the ***correct SID number of 16130273.***

IT IS FURTHER ORDERED that a true copy of this order shall be forwarded to:

1. the 97th Judicial District Attorney;
2. the defendant;
3. defendant's attorney; and, in addition,
4. shall be included in a supplemental record to any person and/or entity to which a clerk's record had been previously forwarded.

Signed *7 December 2016.*

[Signature]

Jack A. McGaughey
Judge Presiding