

**CAUSE NO. F1219452**

<b>STATE OF TEXAS</b>	§	<b>IN THE DISTRICT COURT</b>
	§	
<b>Vs.</b>	§	<b>420<sup>th</sup> JUDICIAL DISTRICT</b>
	§	
<b>DYLAN MARK FRENCH</b>	§	<b>NACOGDOCHES COUNTY, TEXAS</b>

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**APPLICATION FOR WRIT OF HABEAS CORPUS SEEKING**  
**RELIEF FROM FINAL FELONY CONVICTION**  
**UNDER TEX. CODE CRIM. P. ARTICLE 11.07**

Dylan Mark French files this Application for Writ of Habeas Corpus Seeking Relief From Final Felony Conviction Under Tex. Code Crim. P. Article . 11.07, and in support thereof would respectfully show this Court as follows:

**I. FACTS**

**Dylan Mark French** is the Applicant’s full name.  
Applicant has no other names or aliases.  
Applicant’s gender is male.  
Applicant’s race is white.  
Applicant’s birth is 04/22/1992  
Applicant’s Texas Driver’s License Number is unknown.  
Applicant’s SSN is ###-##-9779.  
Applicant was arrested on 7/18/2012.  
Applicant was arrested by the Nacogdoches County Sheriff’s Office.  
Applicant was arrested in Nacogdoches, Texas.  
Applicant’s address at the time of his arrest was 8560 CR 302, Nacogdoches, Texas 75961.  
Offense Charged:  
    Aggravated robbery  
    Cause Number F1219452  
    420<sup>th</sup> Judicial District Court  
    Ed Klein, Presiding

The offense was a 1<sup>st</sup> Degree Felony and at least 3 years has elapsed from the date of the arrest.

The judgment of conviction in F1219452 was entered against Dylan Mark French by the 420<sup>th</sup> Judicial District Court of Nacogdoches County, Texas.

Applicant received a sentence of five (5) years confinement in TDCJ.

The judge assessed punishment pursuant to a plea bargain agreement.

Applicant pleaded guilty to the offense.

No jury trial was held.

Applicant did not testify at the guilt-innocence phase as there was no jury trial.

Applicant did sign a stipulation of evidence and offer an acknowledgment under oath.

Applicant did not testify at the punishment phase as there was no jury trial.

Applicant did sign a stipulation of evidence and offer an acknowledgment under oath.

Applicant signed a Waiver of Appeal and did not appeal the judgment of conviction.

No previous application for writ of habeas corpus has been filed in this matter.

No petition or appeal attacking the judgment of conviction is pending in any court, state or federal.

## **II. ARGUMENTS**

### **Dylan Mark French's Plea of Guilty, Waiver, Stipulation, and Judicial Confession in F1219452 is Void.**

Petitioner is entitled to an Order to Vacate Conviction and Sealing of All Records of Cause Number F1319958 because the Felony Defendant's Plea of Guilty, Waiver, Stipulation, and Judicial Confession is void.

*See attached Exhibit "A"* - Cause Number F1219452 Felony Defendant's Plea of Guilty, Waiver, Stipulation, and Judicial Confession, 1/24/2014.

Andrew Jones signed the Dylan Mark French's Agreed Punishment Recommendation on January 24<sup>th</sup>, 2014 as "Attorney for the State" when he was not a licensed attorney.

On January 24<sup>th</sup>, 2014 Andrew Jones was not a licensed attorney and was ineligible to practice law in the State of Texas. *See attached Exhibit "B"* – Texas Board of Law Examiners

July 2013 Pass/Ineligible List. Andrew Jones was first licensed to practice law on September 4<sup>th</sup>, 2014 as the State Bar of Texas currently certifies. *See attached Exhibit "C"* - Andrew Jones SBOT License Date September 4<sup>th</sup>, 2014.

Andrew Jones testified, offered evidence, closed and signed Petitioner's Plea of Guilty, Waiver, Stipulation, and Judicial Confession on January 24<sup>th</sup>, 2014 as "Attorney for the State" when, in fact, he was not a licensed attorney.

On January 24<sup>th</sup>, 2014 a plea hearing was held in F1219452 and a record of the proceedings was made. *See attached Exhibit "D"* – Transcript, January 24<sup>th</sup>, 2014 French Plea Bargain Hearing. Andrew Jones makes record notice appearance as "Assistant District Attorney" and declares after presenting evidence that, "State would rest." The record does not reflect the appearance of District Attorney Nicole LoStracco. No document in this case has been identified with Nicole LoStracco's signature.

### **THE STATE'S MOTION TO INCREASE BOND IN F1219452 IS VOID.**

On January 6<sup>th</sup>, 2014 Andrew Jones, as "Assistant District Attorney" filed a Motion to Increase Bond of Dylan French. *See attached Exhibit "E"* – Motion to Increase Bond, January 6<sup>th</sup>, 2014.

On January 6<sup>th</sup>, 2014 Andrew Jones was not a licensed attorney and was ineligible to practice law in the State of Texas. *See attached Exhibit "B"* – Texas Board of Law Examiners July 2013 Pass/Ineligible List. Andrew Jones was first licensed to practice law on September 4<sup>th</sup>, 2014 as the State Bar of Texas currently certifies. *See attached Exhibit "C"* - Andrew Jones SBOT License Date September 4<sup>th</sup>, 2014.

On January 6<sup>th</sup>, 2014 Andrew Jones, as "Assistant District Attorney" filed a Motion to Increase Bond of Dylan French when, in fact, he was not a licensed attorney.

### **III. BASIS FOR HABEAS CORPUS**

Dylan Mark French's constitutionally guaranteed due process freedoms and civil liberties have been unlawfully deprived for the following reasons:

1. The convictions were obtained by a plea of guilty which was unlawfully induced or not made voluntarily with understanding of the nature of the charge and the consequences of the plea.
2. Dylan Mark French was convicted based on the presentation of perjured testimony.
3. Dylan Mark French was denied effective assistance of counsel.
4. Dylan Mark French received an illegal sentence.

### **IV. MOTION TO RECUSE JUDGE ED KLEIN**

Dylan Mark French, Petitioner, files this Motion to Recuse the Edward Klein, Judge of the 420<sup>th</sup> District Court in the above captioned matter.

Judge Klein is a witness to the above allegations.

Petitioner seeks a fair and impartial forum and therefore respectfully requests that Judge Klein, sua sponte, recuse himself from this litigation.

**PRAYER**

Dylan Mark French prays that the Court grant and issue a Writ of Habeas Corpus to the Sheriff of Nacogdoches County, Texas, directing and commanding production of Andrew Jones before this court instanter, or at such time and place to be designated by this Court, then and there to show cause, if any there be, why Dylan Mark French should not be discharged from such unlawful and illegal conviction.

Dylan Mark French further requests this Court, after receiving evidence, to grant Applicant any relief to which he may be entitled.

Respectfully submitted,

PAUL ANDERSON, PLLC



PAUL V. ANDERSON  
SBOT No. 24089964  
601 North Street  
Nacogdoches, Texas 75961  
Phone: (936) 305-5600  
Fax: (936) 236-6242  
Email: paul@paulanderson.law  
ATTORNEY for Dylan Mark French

**CERTIFICATE OF SERVICE**

This is to certify that on February 16<sup>th</sup>, 2021 a true and correct copy of Dylan Mark French's Application for Writ of Habeas Corpus Seeking Relief From Final Felony Conviction Under Tex. Code Crim. P. Article 11.07 was served on the District Attorney's Office, Nacogdoches County, Texas. No waiver whatsoever of Andrew Jones' conflict of interest in this Writ of Habeas Corpus action is made by this filing.

A handwritten signature in black ink, appearing to be 'AJ', written over a horizontal line.

Andrew E. Jones, IV  
District Attorney, Nacogdoches County  
101 W Main St., Ste. 250  
Nacogdoches, Texas 75961  
ajones@co.nacogdoches.tx.us

Amanda Morrison  
DPS Criminal Records Attorney  
PO Box 4143  
Austin, TX 78765  
amorrison@ dps.texas.gov

**CAUSE NO. F1219452**

**STATE OF TEXAS**

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**IN THE DISTRICT COURT**

**Vs.**

**420<sup>th</sup> JUDICIAL DISTRICT**

**DYLAN MARK-FRENCH**

**NACOGDOCHES COUNTY, TEXAS**

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**ORDER OF SETTING**

On \_\_\_\_\_, 2021, came to be heard the Application of Dylan Mark French for a Writ of Habeas Corpus, and it appearing to the Court that Dylan Mark French is entitled to a hearing on said Application, it is **THEREFORE ORDERED** that the Clerk of this Court issue a Writ of Habeas Corpus directed to the Sheriff of Nacogdoches County or the District Attorney of Nacogdoches County, Texas, and commanding the District Attorney of Nacogdoches County, Texas to have and produce Andrew Jones before me in the courtroom of the 145<sup>th</sup> Judicial District Court, on \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock, then and there to show cause why Dylan Mark French's judgment of conviction in F1219452 should not be vacated.

Signed on \_\_\_\_\_, 2021

\_\_\_\_\_  
JUDGE PRESIDING

**CAUSE NO. F1219452**

**STATE OF TEXAS**

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**IN THE DISTRICT COURT**

**Vs.**

**420<sup>th</sup> JUDICIAL DISTRICT**

**DYLAN MARK-FRENCH**

**NACOGDOCHES COUNTY, TEXAS**

~~~~~

**WRIT OF HABEAS CORPUS**

TO THE SHERIFF OF NACOGDOCHES COUNTY, TEXAS:

**GREETINGS:**

You are commanded to bring before this Court and produce Andrew Jones before me on \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock, then and there to show cause why Dylan Mark French's judgment of conviction in F1219452 should not be vacated.

HEREIN FAIL NOT, and return make hereof.

Signed on \_\_\_\_\_.

\_\_\_\_\_  
JUDGE PRESIDING

## Examinees who passed the July 2013 Texas Bar Examination

An asterisk next to a name indicates that the Applicant was successful on the examination but is lacking an eligibility requirement which may include one or more of the following: Proof of citizenship (*Rule 11(a)(5)*); Law Study RequirementB (*Rule 11f*); Good Moral Character & Fitness (*Rule 14*); or a passing score on the MPRE (*Rule 16*). The individual's examinee number is provided as a second identifier.

Grade Release *FAQ's* -- Please review these Frequently Asked Questions prior to contacting our office with inquiries.

<http://www.texasbar.com/NewAttorney> The State Bar of Texas has launched a registration process for the new inductees to be able to register online; click on the link for more information.



Johnston,Lori,Delgado, ,3565  
Johnston,Mark Anthony, Jr,4192  
Jones,Andrew Ernest, ,IV,1194 \*  
Jones,Andrew Albert, , ,1757  
Jones,Ashea Elizabeth, , ,3742

# ANDREW ERNEST 'ANDREW' JONES IV

● Eligible to Practice in Texas

**Nacogdoches County District Attorney's Office**

*Bar Card Number: 24073562*

*TX License Date: 09/04/2014*

*Primary Practice Location: Nacogdoches , Texas*

*101 W Main St Ste 250*

*Nacogdoches, TX 75961-4862*

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*Practice Areas: Criminal, Juvenile, Appellate:*

*Criminal*

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*Statutory Profile Last Certified On: 01/15/2019*

REPORTER'S RECORD  
VOLUME 1 OF 1 VOLUME

TRIAL COURT CAUSE NO. F1219452

|                    |   |                           |
|--------------------|---|---------------------------|
| THE STATE OF TEXAS | § | IN THE DISTRICT COURT OF  |
|                    | § |                           |
| VS.                | § | NACOGDOCHES COUNTY, TEXAS |
|                    | § |                           |
| DYLAN MARK FRENCH  | § | 420TH JUDICIAL DISTRICT   |

PLEA BARGAIN HEARING

On the 24th day of January, 2014, the following proceedings came on to be heard in the above-entitled and numbered cause before the Honorable Edwin A. Klein, Judge Presiding, held in Nacogdoches, Nacogdoches County, Texas;

Proceedings reported by Computerized Stenotype Machine; Reporter's Record produced by Computer-Aided Transcription.

A P P E A R A N C E S

MR. ANDREW JONES

MR. TIM JAMES

ASSISTANT DISTRICT ATTORNEY

JAMES & HIGHTOWER

SBOT NO. 24073562

SBOT NO. 10543000

101 WEST MAIN STREET, STE

115 SOUTH STREET

250

NACOGDOCHES, TEXAS 75961

NACOGDOCHES, TEXAS 75961

936.560.3300

936.560.7766

FOR THE DEFENDANT

FOR THE STATE OF TEXAS

VOLUME 1

|                                   | Page | Vol. |
|-----------------------------------|------|------|
| JANUARY 24, 2014                  |      |      |
| Appearances.....                  | 2    | 1    |
| Proceedings.....                  | 4    | 1    |
| Defendant's Plea of Guilty.....   | 10   | 1    |
| State rests and closes.....       | 11   | 1    |
| Defendant rests and closes.....   | 11   | 1    |
| Sentencing.....                   | 12   | 1    |
| Court Reporter's Certificate..... | 14   | 1    |

EXHIBIT INDEX

STATE'S EXHIBITS

| <u>NO.</u> | <u>DESCRIPTION</u>                                                                                | <u>OFFERED</u> | <u>ADMITTED</u> | <u>VOL.</u> |
|------------|---------------------------------------------------------------------------------------------------|----------------|-----------------|-------------|
| 1          | Copy of Felony<br>Defendant's Plea of<br>Guilty Waiver,<br>Stipulation and Judicial<br>Confession | 11             | 11              | 1           |
| 2          | Copy of Admonitions to<br>Defendant                                                               | 11             | 11              | 1           |
| 3          | Copy of Agreed<br>Punishment<br>Recommendation                                                    | 11             | 11              | 1           |

1 (Open court.)

2 THE COURT: The Court calls Cause Number  
3 F1219452, the State of Texas versus Dylan Mark French.

4 The State is represented by Mr. Andrew  
5 Jones. The defendant is represented by Mr. Tim James.

6 What says the State?

7 MR. JONES: State's ready, Your Honor.

8 THE COURT: What says the defendant?

9 MR. JAMES: Defendant's ready, Your Honor.

10 11:44AM THE COURT: Mr. French, if you could please  
11 raise your right hand.

12 (The defendant was sworn.)

13 THE COURT: You may lower your hand.

14 Please take your seat.

15 Sir, are you Dylan Mark French, the person  
16 named in the Indictment?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Is that your true and correct  
19 name?

20 11:44AM THE DEFENDANT: Yes, sir.

21 THE COURT: What is your date of birth,  
22 sir?

23 THE DEFENDANT: April 22nd, 1992.

24 THE COURT: Can you speak, read and write  
25 in the English language?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Mr. French, I need to tell you  
3 that if at any point during this proceeding, if you do not  
4 understand what is being said or what is occurring, just  
5 simply raise your hand and let me know. We'll stop and  
6 take a break, and I'll give you plenty of time to visit  
7 with Mr. James to make sure that all your questions are  
8 answered before we proceed any further with your case.  
9 All right?

11:44AM 10 THE DEFENDANT: Yes, sir.

11 THE COURT: Mr. James, do both you and your  
12 client waive any and all minimum time periods and request  
13 the Court to proceed at this time?

14 MR. JAMES: We do, Your Honor.

15 THE COURT: You do as well, sir?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Mr. French, the Indictment  
18 charges you in three counts with the offense of aggravated  
19 robbery. That's a first-degree felony punishable by  
11:45AM 20 imprisonment in the Texas Department of Criminal Justice  
21 Correctional Institutions Division for a period of 5 to  
22 99 years or life and a fine of up to \$10,000.

23 Sir, do you understand the range of  
24 punishment and the charges against you in each count?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: And, Mr. James, there is a plea  
2 agreement in these cases?

3 MR. JAMES: There is, Your Honor.

4 THE COURT: That will be five years  
5 confinement as to each count, sentences to run  
6 concurrently?

7 MR. JAMES: That's correct, Your Honor.

8 THE COURT: Is that everyone's  
9 understanding of the plea agreement?

10 11:45AM MR. JONES: It is, Your Honor.

11 THE COURT: Yours as well, Mr. French?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Sir, do you understand that I  
14 am not bound by that plea agreement; that I can accept it  
15 or I can reject it?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: However, if I reject the plea  
18 agreement, I will permit you to withdraw your plea; and  
19 nothing that you have said during this proceeding will be  
20 11:45AM held against you, except that because you're now under  
21 oath, if at any time during this proceeding you make a  
22 false statement, you will be liable for prosecution for  
23 the charges of perjury or aggravated perjury.

24 Do you understand that?

25 THE DEFENDANT: Yes, sir.



1 THE COURT: Sir, let me show you these  
2 documents that I have in front of me marked as State's  
3 Exhibits 1, 2 and 3. On all three of these exhibits there  
4 is the word "DEFENDANT" in capital letters and above that  
5 a signature blank.

6 Sir, here on State's Exhibit Number 1, is  
7 that your signature?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: And on State's Exhibit  
10 Number 2, is that your signature?  
11:46AM

11 THE DEFENDANT: Yes, sir.

12 THE COURT: And on State's Exhibit  
13 Number 3, is this your signature and your initials?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Sir, have you had adequate time  
16 to consult with Mr. James about the matters that are  
17 contained in these documents?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Did he review and explain these  
20 documents to you?  
11:46AM

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Do you fully and completely  
23 understand everything contained in these documents, and  
24 did you sign them freely and voluntarily?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: It's your understanding, sir,  
2 that you have the absolute right to a jury trial, the  
3 right to bring witnesses to testify on your behalf, the  
4 right to cross-examine and confront the witnesses against  
5 you, the right to remain silent, the right not to be  
6 compelled or forced to give evidence against yourself, and  
7 all of the other rights that are mentioned in these  
8 documents?

9 THE DEFENDANT: Yes, sir.

11:47AM 10 THE COURT: And you agree to waive in  
11 writing these rights as well as the other rights that are  
12 mentioned in State's Exhibits 1, 2 and 3?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Sir, do you understand that in  
15 exchange for your plea agreement, that you're waiving your  
16 right of appeal?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: I want you to know if you're  
19 presently serving on probation or parole, a plea of guilty  
11:47AM 20 in this case can be used to revoke them. Also, if you're  
21 found guilty in this case, the conviction can be used to  
22 enhance the punishment in any subsequent or later offense.

23 Do you understand that?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Also must tell you, sir, that

1 if you are not a United States citizen, a plea of guilty  
2 or no contest for the offenses charged may result in  
3 deportation, the exclusion from admission to this country  
4 or the denial of naturalization under federal law.

5 Do you understand that?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Mr. James, as to each of these  
8 documents identified by your client, did you also approve  
9 and execute them as his attorney?

10 11:47AM MR. JAMES: I did, Your Honor.

11 THE COURT: Did you explain each of these  
12 documents to your client and the purpose of this  
13 proceeding?

14 MR. JAMES: I did, Your Honor.

15 THE COURT: And does he understand each of  
16 these documents as well as the purpose of this proceeding?

17 MR. JAMES: He does, Your Honor.

18 THE COURT: Did he sign each one of them  
19 freely and voluntarily?

20 11:48AM MR. JAMES: He did, Your Honor.

21 THE COURT: Do you have any reason to  
22 believe that your client is not presently competent?

23 MR. JAMES: No reason, Your Honor.

24 THE COURT: Mr. French, knowing all this,  
25 how do you plead to the charges contained in each count of

1 the indictment, guilty or not guilty?

2 THE DEFENDANT: Guilty.

3 THE COURT: Sir, are you pleading guilty  
4 voluntarily and of your own free will?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Sir, has anyone promised you  
7 anything in order to get you to plead guilty other than  
8 the agreements that are contained in the plea bargain?

9 THE DEFENDANT: No, sir.

11:48AM 10 THE COURT: Has anyone threatened you or  
11 forced you or done anything unlawful to you to get you to  
12 plead guilty in these cases?

13 THE DEFENDANT: No, sir.

14 THE COURT: Has anyone promised you an  
15 early release from your sentences?

16 THE DEFENDANT: No, sir.

17 THE COURT: Sir, are you pleading guilty  
18 because you're being influenced by some delusive hope that  
19 the Governor of Texas is going to grant you a pardon in  
11:48AM 20 this case?

21 THE DEFENDANT: No, sir.

22 THE COURT: Sir, are you pleading guilty  
23 then because you are, in fact, guilty and for no other  
24 reason?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: What says the State?

2 MR. JONES: Your Honor, the State offers  
3 Exhibits 1, 2 and 3 in each count.

4 MR. JAMES: No objection.

5 THE COURT: State's Exhibits 1, 2 and 3 are  
6 admitted as to each count.

7 MR. JONES: State rests, Your Honor.

8 MR. JAMES: We rest and close, Your Honor.

9 MR. JONES: State closes, Judge.

11:49AM 10 THE COURT: Is there a victim impact  
11 statement in these cases?

12 MR. JONES: There is not, Judge.

13 THE COURT: And have you given notice of  
14 the plea agreement to the victims in this case?

15 MR. JONES: We have attempted to contact  
16 the victims on several occasions and had no -- we've had  
17 no success, Judge.

18 THE COURT: I find the defendant is  
19 competent to stand trial. The evidence is sufficient to  
11:49AM 20 sustain a conviction. The defendant has participated in  
21 this proceeding, entered his plea and the plea agreement  
22 freely, knowingly and voluntarily; that he was not  
23 influenced by any consideration of fear, force or threats,  
24 by any delusive hope of a pardon nor by any persuasion  
25 prompting him to confess his guilt.

1 I approve the defendant's waivers and  
2 consents. I accept them along with the stipulations and  
3 the State's evidence. I approve the terms of the plea  
4 agreement.

5 Sir, I accept your plea of guilty as to  
6 each count. I find you guilty in each count and assess  
7 your punishment as per the plea agreement at confinement  
8 in the Correctional Institutions Division of the Texas  
9 Department of Criminal Justice for a period of five years  
10 each count.

11:50AM

11 Sir, is there any legal reason why you  
12 should not be sentenced at this time?

13 THE DEFENDANT: No, sir.

14 THE COURT: Dylan Mark French, you're  
15 hereby sentenced to serve five years confinement in the  
16 Texas Department of Criminal Justice Correctional  
17 Institutions Division as to each count. Each of your  
18 sentences will run concurrently with each other. You'll  
19 receive credit on your sentences for the time you spent  
20 confined in jail in connection with these cases.

11:50AM

21 The sheriff is also directed to attach to  
22 your commitment papers a statement that assesses your  
23 conduct while in the Nacogdoches County jail, and those  
24 papers will go with you to prison.

25 Do you understand that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Sir, you're now remanded to the  
3 custody of the sheriff of this county to be delivered by  
4 him to the director of the Correctional Institutions  
5 Division of the Texas Department of Criminal Justice to  
6 carry out each of these sentences.

7 If there is nothing further, that will  
8 conclude the proceedings for today.

9 Mr. French, if you will please see the  
10 bailiff.

11:50AM

11 MR. JONES: Thank you, Your Honor.

12 (Proceedings concluded.)

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REPORTER'S CERTIFICATE

THE STATE OF TEXAS )  
COUNTY OF NACOGDOCHES )

I, Andrea K. Simmons, Former Official Court Reporter in and for the 420th Judicial District of Nacogdoches County, State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of all portions of evidence and other proceedings requested in writing by counsel for the parties to be included in this volume of the Reporter's Record, in the above-styled and numbered cause, all of which occurred in open court or in chambers and were reported by me.

I further certify that this Reporter's Record of the proceedings truly and correctly reflects the exhibits, if any, admitted by the respective parties.

I further certify that the total cost for the preparation of this Reporter's Record is \$112.00 and will be paid by Mr. Paul Anderson.

WITNESS MY OFFICIAL HAND this the 20th day of January, 2021.

-----  
ANDREA K. SIMMONS, Texas CSR No. 7350  
Expires: 07.31.2021  
Official Court Reporter, County Court at Law  
Polk County, Texas  
Former Official Court Reporter, 420th Judicial District  
Nacogdoches County, Texas



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Cause No. F1219452

FILED  
NACOGDOCHES COUNTY  
TEXAS  
2014 JAN -6 PM 2:58  
IN THE 420TH JUDICIAL  
DISTRICT COURT  
DISTRICT CLERK  
NACOGDOCHES COUNTY

THE STATE OF TEXAS

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v.

DYLAN MARK FRENCH

STATE'S MOTION TO INCREASE BOND

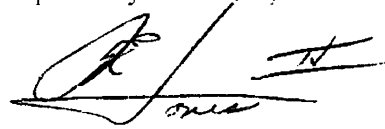
NOW COMES The State of Texas, acting by and through her Assistant District Attorney, and respectfully requests that the Court increase the current bond in this matter and order the re-arrest of the defendant, DYLAN MARK FRENCH, by the issuance of a warrant for the following reason(s):

1. The defendant is currently on \$75,000 bond, granted by this Court on or about August 17, 2012, through an Indictment filed by the State of Texas, and;
2. Since the defendant has been released on bond he has been accused of committing the following new offense—
  - a. Driving While Intoxicated (2nd)

Under the authority granted to this Court pursuant to the Texas Code of Criminal Procedure, a judge in whose court an action is pending may, for “good and sufficient cause, . . . order the accused to be rearrested, and require the accused to give another bond in such amount as the judge or magistrate may deem proper.” TEX. CODE CRIM. PROC. ANN art. 17.09(3) (West 2014).

The State prays that the defendant's bond be increased and that this matter ruled upon by submission or, in the alternative, an expedited hearing be set by this Honorable Court.

Respectfully submitted,



---

Andrew E. Jones  
Assistant District Attorney  
Temp. State Bar No. 24073562  
101 W Main, Suite 250  
Nacogdoches, Texas 75961  
Phone: (936) 560-7766  
FAX: (936) 560-6036



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Cristin Lane  
Assistant District Attorney  
State Bar No. 24074573  
101 W Main, Suite 250  
Nacogdoches, Texas 75961  
Phone: (936) 560-7766  
FAX: (936) 560-6036

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing Notice was served on the attorney of record for the Defendant in this cause on this the 6 day of JANUARY, 2014.

A handwritten signature in black ink, appearing to read "A. E. Jones", written over a horizontal line.

Andrew E. Jones

Cause No. F1219452

THE STATE OF TEXAS

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IN THE 420TH JUDICIAL

v.

DISTRICT COURT

DYLAN MARK FRENCH

NACOGDOCHES COUNTY

AFFIDAVIT IN SUPPORT OF BOND INCREASE  
PURSUANT TO ARTICLE 16.16 OF THE TEXAS CODE OF CRIMINAL PROCEDURE

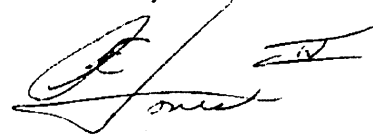
BEFORE ME, the undersigned authority, personally appeared ANDREW E. JONES, who, after being by me duly sworn stated the following under oath:

"My name is Andrew E. Jones, I am an Assistant District Attorney for Nacogdoches County, Texas. I am over the age of fourteen (14) years, and I am competent to make this affidavit. The statements contained herein are true and correct.

I am the prosecutor in the above named matter against DYLAN MARK FRENCH who has been indicted for Aggravated Robbery.

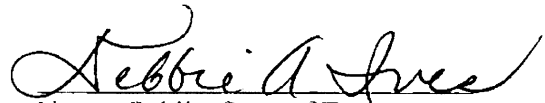
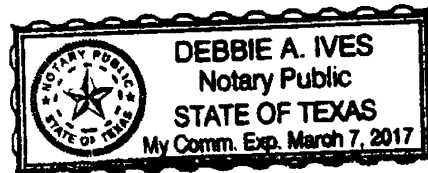
Since posting bond in the above named matter, DYLAN MARK FRENCH has been arrested for Driving While Intoxicated (2nd), a Class A Misdemeanor, in Nacogdoches County, Texas by the Nacogdoches Police Department.

The State of Texas believes that the \$75,000 bond set for this Defendant is insufficient due to the nature of his conduct since posting bond in Nacogdoches County and insufficient to ensure the future safety of the citizens of Nacogdoches County.



Affiant

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 6th day of January, 2014.

  
Notary Public, State of Texas

NO DA  
SIGN

THE STATE OF TEXAS

§  
§  
§  
§  
§

IN THE 420TH JUDICIAL

v.

DISTRICT COURT

DYLAN MARK FRENCH

NACOGDOCHES COUNTY

ORDER INCREASING BOND

ON THIS the \_\_\_\_\_ day of \_\_\_\_\_, 2014, the Court considered the Affidavit in Support of Bond Increase Pursuant to Article 16.16 of the Texas Code of Criminal Procedure filed by The State of Texas.

Having so considered the Affidavit on file, it is apparent to this Court that the \$75,000 bond set in the above named matter is insufficient.

AS SUCH, it is the order of the Court that the bond in the above named matter is increased to the amount of \$\_\_\_\_\_.

The Court further orders that the Clerk of this Court is hereby directed to prepare a warrant of arrest to be signed by the judge of this Court for the re-arrest of the defendant, DYLAN MARK FRENCH.

SIGNED ON this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
HONORABLE EDWIN A. KLEIN  
JUDGE PRESIDING