

Volume 3

1 IN THE CRIMINAL DISTRICT COURT NO. 3
2 DALLAS COUNTY, TEXAS
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6 THE STATE OF TEXAS }
7 VS: } NO. F-96 39972-J
8 DARLIE LYNN ROUTIER } & F-96-39973-J 9
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13 STATEMENT OF FACTS
14 RULING HEARING
15 FOR BOND REDUCTION
16 VOL. 3 OF VOLS.
17 July 5, 1996
18 Friday
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Sandra M. Halsey, CSR, Official Court Reporter 1

1 C A P T I O N

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4 BE IT REMEMBERED THAT, on Friday, the 5th day of
5 July, 1996, in the Criminal District Court Number 3 of
6 Dallas County, Texas, the above-styled cause came on for a
7 hearing before the Hon. Mark Tolle, Judge of the Criminal
8 District Court No. 3, of Dallas County, Texas, without a
9 jury, and the proceedings were held, in open court, as
10 follows:
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Sandra M. Halsey, CSR, Official Court Reporter 2

1 A P P E A R A N C E S

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4 HON. JOHN VANCE,
5 Criminal District Attorney
6 Dallas County, Texas

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8 BY: HON. GREG DAVIS
9 Assistant District Attorney
10 Dallas County, Texas

11
12 AND:
13 HON. JOHN GRAU
14 Assistant District Attorney
15 Dallas County, Texas

16
17 AND:
18 HON. SHERRI WALLACE
19 Assistant District Attorney
20 Dallas County, Texas

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22 APPEARING FOR THE STATE OF TEXAS
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1 ADDITIONAL APPEARANCES:

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3 HON. DOUGLAS PARKS
4 Attorney at Law
5 Dallas County, Texas

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7 AND:
8 HON. WAYNE HUFF
9 Attorney at Law
10 Dallas County, Texas

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12 Appearing for the Defendant
13 For the purpose of the trial
14 AND:

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16 HON. BLAKE WITHROW
17 Attorney at Law
18 Dallas County, Texas
19
20 APPEARING FOR THE DEFENDANT
21 for the purpose of the appeal
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1 P R O C E E D I N G S

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3 July 5th, 1996
4 Friday
5 9:30 a.m.
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7 (Whereupon, the following
8 proceedings were held in
9 Open court, in the presence
10 And hearing of the
11 Defendant, being
12 represented by her attorneys
13 and the representatives of
14 The State of Texas, but
15 without the presence of a
16 jury, as follows:)
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19 THE COURT: All right. Back on the
20 record. These are Causes F-96-39973 and F-96-39972,
21 styled the State of Texas versus Darlie Lynn Routier. And
22 does either side have anything further?
23 MR. GREG DAVIS: No, your Honor.
24 MR. DOUGLAS PARKS: No further
25 evidence, your Honor.

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1 THE COURT: All right. The Court --
2 any argument from either side?
3 MR. GREG DAVIS: No, sir.
4 MR. DOUGLAS PARKS: Yes, sir. Your
5 Honor, please the Court, we do -- well, we will remind the
6 Court that there is a stipulation that we do want to put
7 in the record, if that becomes necessary. By way of
8 argument, we would just briefly, again, refer the Court to

9 Ludwick (sic) versus State, and the teachings thereof, and
10 the fact that Mrs. Routier has the ability to post a bond
11 double that that was last approved by the Court of
12 Criminal Appeals, and five or six times the size of that
13 cited by the cases in Ludwick, and we feel that a hundred
14 thousand dollars is certainly sufficient in this case, to
15 ensure that she comes to Court.
16 I don't think there is any serious
17 question that Mrs. Routier will make her appearances, if
18 this were a personal appearance bond. Her ties to the
19 community are such that I don't believe there is a serious
20 issue as to whether or not she would remain in Dallas
21 County, and would remain available and would come to court
22 when she wants to, and when she needs to. And that
23 certainly is the primary objective for bond.
24 We respectfully request that bond be
25 set in the amount of a hundred thousand dollars or less.

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1 THE COURT: All right. The motion for
2 bond reduction is denied in each case. Bond is to remain
3 at five hundred thousand dollars in each case, for a total
4 of one million dollars.

5 Thank you.

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8 (Whereupon, a short
9 recess was taken, after
10 which time, the
11 proceedings were
12 resumed in open court,
13 in the presence and
14 hearing of the
15 Defendant, being
16 represented by his
17 Attorney, but outside of
18 the presence of the jury
19 as follows:)

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22 THE COURT: In the Routier matter, let
23 the record reflect that all parties to the proceedings are
24 present.

25 Mr. Parks, I believe you and Mr. Davis

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1 have an agreement you wish to get in the record?

2 MR. DOUGLAS PARKS: Your Honor, on

3 Monday it was my understanding that we had an agreement,
4 that in the event Sarilda Routier were called to testify,
5 she would testify that she was the paternal grandmother of
6 Drake Routier. And that a hearing was coming up for the
7 possession of Drake, that she would abide by any orders
8 either of this Court or of another Court regarding
9 possession or access to Drake. Since that time a hearing
10 has been held. The juvenile court has awarded temporary
11 managing conservator to the paternal grandparents, and has
12 entered an order that would require that Darlie Routier
13 not have any contact with the child in the event that --
14 or at this time, and Mrs. Routier testified at that
15 hearing that she would abide by that court order, and we
16 would just ask that that be made a part of record, and we
17 assume that the Court was aware of that at the time of its
18 ruling.

19 THE COURT: It will be made part of the
20 record and the Court was aware of that at the time of it's
21 ruling earlier this morning.

22 MR. DOUGLAS PARKS: Thank you, Your
23 Honor.

24 THE COURT: All right. Thank you very
25 much. Anything else from either side?

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1 MR. GREG DAVIS: Nothing from the
2 State, Your Honor.

3 MR. DOUGLAS PARKS: No, Your Honor,
4 nothing else at this point.

5 THE COURT: All right.

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8 (Whereupon, this concluded
9 the proceedings held on
10 this day, and the proceedings
11 were recessed for the day.)

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1 CERTIFICATION PAGE

2 THE STATE OF TEXAS)

3 THE COUNTY OF DALLAS)

4 I, Sandra M. Halsey, Official Court Reporter of
5 Criminal District Court Number 3, of Dallas County, Texas,
6 do hereby certify that I reported in Stenograph notes the
7 foregoing proceedings, and that they have been edited by
8 me, or under my direction and the foregoing transcript
9 contains a full, true, complete and accurate transcript of
10 the proceedings held in this matter, to the best of my
11 knowledge.

12 I further certify that this transcript of the
13 proceedings truly and correctly reflects the exhibits, if
14 any, offered by the respective parties.

15 SUBSCRIBED AND SWORN TO, this _____ day of
16 _____, 1996.

17 _____

18 Sandra M. Day Halsey, CSR

19 Official Court Reporter

20 Criminal District Court No. 3

21 Dallas County, Texas

22 Phone, (214) 653-5923

23

24 Cert. No. 308

25 Exp 12-31-98

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1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

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4 JUDGES CERTIFICATE

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8 The above and foregoing transcript, as certified by
9 the Official Court Reporter, having been presented to me,
10 has been examined and is approved as a true and correct

11 transcript of the proceedings had in the foregoing styled
12 cause, and aforementioned cause number of this case.

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20 MARK TOLLE, JUDGE

21 Criminal District Court Number 3

22 Dallas County, Texas

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