

I. Standard of Review

To survive a Rule 12(b)(6) motion to dismiss for failure to state a claim, a plaintiff must plead “enough facts to state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). A claim is facially plausible when the plaintiff pleads factual content that allows the court to draw a reasonable inference that the defendant is liable for the misconduct alleged. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Assuming they are true, a plaintiff’s allegations must be enough to raise a right to relief above the speculative level. *Twombly*, 550 U.S. at 555.

II. Plaintiffs’ habeas claims must be dismissed under Rule 12(b)(6) because they have not exhausted available state court remedies.

In order to be eligible for habeas relief a petitioner must have exhausted his or her available state remedies. *Dickerson v. Louisiana*, 816 F.2d 220, 224 (5th Cir. 1987). The common law exhaustion doctrine imposed on Section 2241(c)(3) was crafted based on concerns about the delicate state–federal balance in order to protect state courts’ opportunity to confront and resolve initially any constitutional issues arising within their jurisdictions as well as to limit federal interference in the state adjudicatory process. *Braden v. 30th Judicial Circuit Court of Ky.*, 410 U.S. 484, 489–92 (1973).

Texas law provides for the reduction of bail and release thereon. TEX. CODE CRIM. P. art. 17.09 § 3. The Texas Code of Criminal Procedure provides factors that guide judicial discretion in setting bond amounts. *Id.* art. 17.15. Texas procedure also affords clear timeframes for mandatory bond reduction or imposition of a personal bond. *Id.* art. 17.151. Habeas relief is also available under Texas law. *See, e.g., In re McCray*, 324 S.W.3d 685 (Tex. App.—Dallas 2010, orig. proceeding).

Plaintiffs now allege both that “Section 2241 contains no exhaustion requirement conceivably applicable to prisoners seeking COVID-based discharge,” ECF No. 39 at 44–45 ¶ 103, and that they have exhausted available state court remedies. ECF No. 39 at 40 ¶ 90. Plaintiffs’ claim that Section 2241 contains no applicable exhaustion requirement is incorrect. *Braden*, 410 U.S. at 489–92; *Dickerson*, 816 F.2d at 224. Plaintiffs’ allegation that Plaintiffs have exhausted state court remedies is conclusory and must be disregarded. Formulaic recitation of elements is never enough to meet the federal pleading standard. *Twombly*, 550 U.S. at 555.

The only exception to the exhaustion requirement that Plaintiffs cite is the exception for when state procedures do not afford swift vindication. *Id.* The pre-adjudication Plaintiffs do not contend that they sought expedited bond review hearings or initiated any state court remedy. The post-adjudication plaintiffs likewise do not allege that they initiated any state court proceedings to seek release. They merely say that these processes “would take months under normal circumstances, and certainly will now take longer.” *Id.* Plaintiffs’ argument fails for four reasons.

First, Plaintiffs pretend, without evidence, that they would lose at every stage of the habeas process and be forced to pursue appeals. Second, while Plaintiffs ignore the bond reduction process, they attach an e-mail from the Dallas County Criminal District Courts Manager, Keta Dickerson. ECF No. 1-11 at 4. Ms. Dickerson informed court-appointed counsel that the Criminal District Courts are:

- Currently open;
- Conducting essential hearings by any and all available means;
- Prioritizing bail hearings and jail pleas;
- Taking all reasonable steps to avoid exposing people to the threat of coronavirus; and
- Working to streamline an electronic system for hearing bond matters and jail pleas.

ECF No. 1-11 at 4. This evidence does not support a contention that available state law remedies, such as bond reduction or personal bonds, are futile or will take months; it supports a finding that state courts are “prioritizing bail hearings and jail pleas” and “taking all reasonable steps to avoid exposing people to the threat of coronavirus.” *Id.*

Third, Plaintiffs’ attempt to escape their obligation to seek adequate state law remedies fails because they offer no facts in support of their conclusory allegation that COVID-19 will lengthen the time it takes for them to obtain relief in state courts. ECF No. 1 at 38 ¶ 86 & n.103. Plaintiffs fail to mention that the only Dallas County courts that are closed are municipal courts.¹ Municipal courts do not have jurisdiction over offenses that may result in incarceration. TEX. GOV’T CODE § 29.003.

Finally, available state law remedies have been anything but futile or slow in the last month. Plaintiffs rely on the Dallas County Jail’s daily population report data for April 6, 2020. ECF No. 1 at 30 ¶ 71. A cursory review the daily population reports demonstrates that Texas courts are moving more quickly to safely release defendants during the COVID-19 situation.

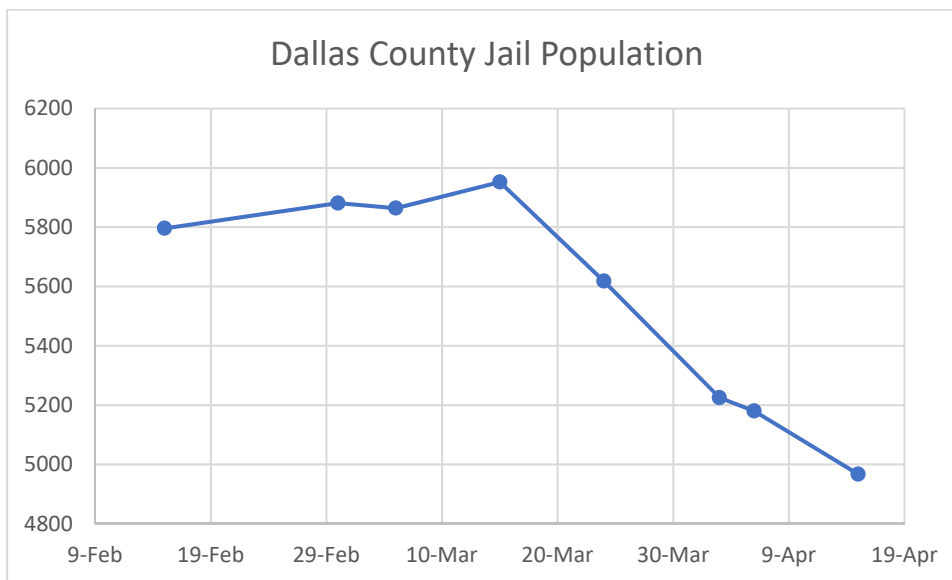
The Supreme Court of Texas and the Texas Court of Criminal Appeals jointly issued their first order regarding court operations during COVID-19 on March 13, 2020. Misc. Order No. 20-9042 (Tex. Mar. 13, 2020); Misc. Order No. 20-007 (Tex. Crim. App. Mar. 13, 2020).² The daily population report to which Plaintiffs refer shows a steep decline in Dallas County Jail population since March 13, 2020. On March 15, 2020, the total Jail population was 5,952. The

¹ Current & Upcoming Closures, Texas Judicial Branch, <https://www.txcourts.gov/programs-services/court-security/emergency-court-preparedness/closures/> (last visited Apr. 15, 2020).

² Available at <https://www.txcourts.gov/media/coronavirus-covid-19-emergency-orders/>.

population declined to 5,618 on March 24, and again to 5,225 on April 3, and finally to 5,180 on April 6. Today's Jail population is under 5,000.³

Plaintiffs' Complaint acknowledges that detainees have been released recently. ECF No. 1 at 26 ¶ 61. The data to which Plaintiffs refer, however, demonstrates just how diligently the Dallas County Criminal Court at Law and State District Court judges have been working to release detainees when possible.⁴



Habeas relief is readily available in Texas state courts, as recent trends demonstrate. Specific cases demonstrate just how swift the remedy has been in Dallas County courts during COVID-19. Alberto Lopez filed a Petition for Habeas Corpus on April 2, 2020. Exhibit 2. Mr. Lopez was released to a special program on April 10, 2020. Chad Ross filed a Petition for Writ

³ In evaluating a Rule 12(b)(6) Motion, courts may consider not just documents named in Plaintiffs' Complaint, but also documents that, if not named, are pertinent, central, or integral to Plaintiffs' claim. *Bryant v. Avado Brands*, 187 F.3d 1271, 1281 (11th Cir. 1999). Documents relied on by a defendant are considered part of the pleadings if they are referred to in the plaintiffs' complaint and are central to plaintiffs' claims. *Collins v. Morgan Stanley Dean Witter*, 224 F.3d 496, 498–99 (5th Cir. 2000).

⁴ For context, Defendants attach the remainder of the relevant public reports to which Plaintiffs refer. Those reports are attached as Exhibit 1.

of Habeas Corpus on April 8, 2020. The Dallas County District Court lowered his bond, Mr. Ross was able to post the lowered bond amount, and he was released on April 14, 2020. Exhibit 3. Charged with felony evading arrest with a previous conviction, Michael Graves had his bond set at \$25,000. Four days later, his bond was reduced to personal recognizance, and he has been released. Exhibit 4.⁵

When habeas petitioners have not received relief in trial courts, the Texas Court of Criminal Appeals has processed habeas cases quite rapidly over the last few months. *See, e.g., In re David Allen Mackley*, No. WR-91, 105-02 (Tex. Crim. App. Apr. 15, 2020) (filed March 25, 2020, habeas relief granted April 15, 2020);⁶ *In re Samuel Herschel Clauder* No. WR-90, 708-02 (Tex. Crim. App. Apr. 15, 2020) (writ received March 16, 2020, filed April 15, 2020, granted April 15, 2020);⁷ *In re Robert Terrazas*, No. WR-60, 286-02 (Tex. Crim. App. Apr. 8, 2020) (writ filed April 8, 2020, granted April 8, 2020);⁸ *In re Danny Gipson*, No. WR-90, 679-01 (Tex. Crim. App. Apr. 8, 2020) (Supplemental Clerk's Record received April 7, 2020, writ filed April 8, 2020, granted April 8, 2020);⁹ *In re Nuru Nathan Tinch*, No. WR-91, 038-01 (Tex. Crim. App. Apr. 1, 2020) (writ received March 9, 2020, filed April 1, 2020, granted April 1, 2020).¹⁰

Plaintiffs have not alleged that they have exhausted state remedies. There is no support for Plaintiffs' conclusory allegation that state law remedies have been slow or unavailable. At a

⁵ The Court may, and is requested to, take judicial notice of Mr. Lopez's, Mr. Ross's, and Mr. Graves's habeas proceedings. *Gen. Retail Servs., Inc. v. Wireless Toyz Franchise, LLC*, 255 Fed. App'x 775, 785 (5th Cir. 2007) (unpublished) (citing 5C Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure* § 1366 (3d ed. 2004)).

⁶ Available at <http://search.txcourts.gov/Case.aspx?cn=WR-91,105-02&coa=coscca>.

⁷ Available at <http://search.txcourts.gov/Case.aspx?cn=WR-90,708-02&coa=coscca>.

⁸ Available at <http://search.txcourts.gov/Case.aspx?cn=WR-60,286-02&coa=coscca>.

⁹ Available at <http://search.txcourts.gov/Case.aspx?cn=WR-90,679-01&coa=coscca>.

¹⁰ Available at <http://search.txcourts.gov/Case.aspx?cn=WR-91,038-01&coa=coscca>.

minimum, it is incongruous for Plaintiffs to allege that state procedures do not afford swift vindication; attach evidence that Dallas County courts are open, using all available means to conduct essential hearings, and prioritizing bail hearings and jail pleas; and not allege or show that any plaintiff has sought any relief in state court.

Plaintiffs' choice to file suit in federal court—thereby delaying the availability of state court remedies—is not a reason for the Court to excuse Plaintiffs from complying with the exhaustion requirement. To conclude otherwise would create an exception that swallows the exhaustion requirement in derogation of the sovereignty of the States. The Court should not excuse Plaintiffs from seeking available remedies in state court.

There is no reason to depart from the well-established rule that habeas plaintiffs must exhaust state court remedies before seeking relief in federal court. Plaintiffs' habeas claims should be dismissed.

III. Plaintiffs have not stated a claim for habeas relief because their claims raise questions unrelated to the myriad causes of their detention.

Habeas is not available to review questions unrelated to the cause of detention. The “sole function” of a writ of habeas corpus is to grant relief from unlawful imprisonment or custody and it cannot be used properly for any other purpose.” *Pierre v. United States*, 525 F.2d 933, 935–36 (5th Cir. 1976). Plaintiffs complain about their conditions of confinement, not the cause for their detention. Plaintiffs do not allege that any order of confinement was procured or issued improperly. Plaintiffs do not allege that their convictions and the judgments thereon were entered in violation of their constitutional rights. Instead, they say the conditions of their confinement require release. Whatever their conditions of confinement, they are not related to Plaintiffs' “cause of detention.” As such, Plaintiffs' Petition for Writ of Habeas Corpus must fail, and the Court should dismiss those claims pursuant to Rule 12(b)(6).

Plaintiffs attempt to distinguish *Pierre*—which remains binding precedent—by saying that it is not clear how Section 2241 would apply in the context of COVID-19. This argument fails. “Allegations that challenge rules, customs, and procedures affecting conditions of confinement are properly brought in civil rights actions.” *Schipke v. Van Buren*, 239 Fed. App’x 85, 85–76 (5th Cir. 2007). Even when a habeas petitioner alleges that inadequate conditions of confinement create the risk of serious physical injury, illness, or death, a petition for a writ of habeas corpus is not the proper vehicle for such a claim. *See, e.g., Spencer v. Bragg*, 310 Fed. App’x 678, 679 (5th Cir. 2009) (affirming the lower court’s dismissal of petitioner’s habeas claim even though he alleged that the conditions of confinement endangered his life). A petition for habeas corpus may not be used as a vehicle to challenge conditions of confinement. As such, Plaintiffs have not pleaded, and cannot plead, any set of facts under which they could conceivably obtain habeas relief. Their habeas claims should be dismissed. FED. R. CIV. P. 12(b)(6).

IV. The post-adjudication Plaintiffs fail to state a § 1983 claim because they challenge the fact of their confinement and seek immediate release.

Plaintiffs’ Complaint makes no effort to hide what they seek: “immediate release is the only medically and legally sound remedy, rather than mere mitigation and/or further proceedings.” ECF No. 1 at 37 ¶ 85. “Plaintiffs . . . request immediate release of all Plaintiffs and Class Members.” *Id.* at 4 ¶ 9.

A prisoner in state custody cannot use a § 1983 action to challenge the fact or duration of confinement and seek immediate release. *Preiser v. Rodriguez*, 411 U.S. 475, 489 (1973). He or she must seek federal habeas corpus relief or appropriate state relief instead. *Id.* When a prisoner’s action demands immediate release or a shorter period of detention, it lies at the core of habeas corpus, and the prisoner may not pursue relief under § 1983. *Id.*

Under *Preiser*, the post-adjudication Plaintiffs may not seek release under § 1983. When they are not seeking relief contrary to *Preiser* or ancillary relief predicated on release, the post-adjudication Plaintiffs' prayer seeks to alter the terms of their valid convictions and sentences. *See, e.g.*, ECF. No. 1 at 42–43 ¶¶ 2, 5(a), 5(d). This relief is unavailable because it would necessarily imply the invalidity of their convictions and sentences. *Heck v. Humphrey*, 512 U.S. 477 (1994). Plaintiffs ask this Court to impose additional restrictions on the validity of state court judgments ordering Plaintiffs to serve terms of confinement. According to Plaintiffs, they may not be sentenced to a term of confinement absent judicially recorded findings by clear and convincing evidence that the individual poses a danger to others that no condition other than confinement can mitigate. *See, e.g.*, ECF No. 1 at 42–43 ¶¶ 2, 5(a), 5(d). Plaintiffs cite no authority that this requirement arises from the Constitution, or that such a requirement can be retroactively applied to invalidate state court judgments. There is none.¹¹ Because they seek release or additional findings to support their state court judgments, which would necessarily invalidate those judgments, the post-adjudication Plaintiffs have failed to state a § 1983 claim.

V. The Court should abstain from entertaining Plaintiffs' claims.

In a recent memorandum opinion, Judge Rosenthal explained the prudential reasons for a federal court to abstain from wading into the fracas to interfere with ongoing state efforts to respond to dynamic conditions. ECF No. 31. Abstention is particularly warranted where Plaintiffs seek to deploy the blunt instrument of constitutional litigation to obtain crude court-fashioned remedies that carry the threat of contempt. *Id.*; *see Benzman v. Whitman*, 523 F.3d 119, 125 (2d Cir. 2008). Abstention is also counseled by the strong policy that federal courts should not intervene in pending state court proceedings, such as those in which the pre-

¹¹ *See also Daves v. Dallas Cnty., Tex.*, 341 F. Supp. 3d 688, 695–96 (N.D. Tex. 2018).

adjudication Plaintiffs are involved. *Younger v. Harris*, 401 U.S. 37 (1971); *Middlesex Cnty. Ethics. Comm'n v. Garden State Bar Ass'n*, 457 U.S. 423, 431 (1983).

If the Court does not dismiss all of Plaintiffs' claims, the Court should nevertheless abstain from intervening at this juncture in order to allow state officials to weigh the competing interests at play in managing the Dallas County jail during this COVID-19 outbreak.

CONCLUSION AND PRAYER

Under binding Fifth Circuit precedent, Plaintiffs cannot use habeas claims to challenge their conditions of confinement. As such, Plaintiffs' habeas claims should be dismissed under Rule 12(b)(6). Further, Plaintiffs do not allege that they have attempted to access state law remedies, much less exhaust them. Federal courts do not entertain state prisoners' habeas claims unless those petitioners first exhaust state court remedies. In light of the available state court remedies, and the fact that Plaintiffs' own evidence demonstrates the efficacy of those remedies, there is no good reason for the Court to excuse Plaintiffs from the exhaustion requirement. Their failure to exhaust is an additional and independent reason for which Plaintiffs' habeas claims should be dismissed.

Not only can Plaintiffs not use habeas as a vehicle to challenge the conditions of their confinement, the post-adjudication Plaintiffs may not use § 1983 to collaterally attack their conviction or seek relief. Because the post-adjudication Plaintiffs' § 1983 claim seeks release, those claims should be dismissed under Rule 12(b)(6) as well.

Regarding the remaining claims—the pre-adjudication § 1983 claims—the Court should abstain from ruling on the basis of *Younger*.

Defendants also pray for all other and further relief to which they are justly entitled.

Date: April 19, 2020

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on all counsel of record via the ECF system of the Court on April 19, 2020.

/s/ Nicholas D. Stepp

Nicholas D. Stepp

EXHIBIT 1

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT



Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	857	24.11	348	151	115	71	57	40	16	59	14.78%
B FILED FELONY PENDING GRAND JURY	492	36.55	50	95	96	89	64	26	26	46	8.49%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,772	164.27	81	51	51	81	48	81	103	1,276	30.57%
D STATE JAIL FELONY PENDING DISPOSITION	287	66.21	32	27	33	22	17	32	21	103	4.95%
E PROBATION VIOLATION -- FELONY	323	27.93	132	63	47	22	13	8	7	31	5.57%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	243	188.16	9	23	13	16	10	7	13	152	4.19%
G BENCH WARRANTS	36	123.73	4	3	2	1	0	0	0	26	0.62%
H TDC 10 YEARS OR LESS ON APPEAL	14	224.60	0	0	0	0	0	1	1	12	0.24%
I SENTENCED SJF	61	80.53	10	4	7	4	0	2	4	30	1.05%
J SENTENCED SJF ON APPEAL	1	170.50	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	41	36.07	9	11	3	5	1	6	1	5	0.71%
L MISDEMEANOR NOT FILED	76	3.71	75	0	0	0	0	0	0	1	1.31%
M FILED MISDEMEANOR PENDING DISP.	173	29.40	79	29	16	12	8	7	2	20	2.98%
N PROBATION VIOLATION -- MISDEMEANOR	0	0.00	0	0	0	0	0	0	0	0	0.00%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	64	35.83	23	12	7	3	2	2	3	12	1.10%
P SERVING COUNTY TIME AND FINES	26	28.63	8	7	3	2	0	0	3	3	0.45%
Q SERVING FINE AND COURT COST ONLY	1	13.50	0	0	1	0	0	0	0	0	0.02%
R OUT OF COUNTY/STATE HOLD	52	25.17	42	3	0	0	0	0	0	7	0.90%
S PAROLE VIOLATION	273	71.78	51	44	28	25	12	9	10	94	4.71%
T SAFPF	207	81.17	17	19	27	18	16	11	9	90	3.57%
U SPECIAL PROGRAMS	339	87.14	17	22	24	32	23	23	27	171	5.85%
V OTHER -- (INCOMPETENT)	203	184.03	5	3	9	11	5	5	8	157	3.50%
W U S MARSHAL	112	173.24	5	3	0	1	0	5	1	97	1.93%
X CONTEMPT -- IN JAIL	16	29.06	4	3	0	6	0	1	1	1	0.28%
Y CONTEMPT -- ON FURLOUGH	1	50.50	0	0	0	0	0	0	0	1	0.02%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	14	39.47	7	2	0	1	0	1	1	2	0.24%
CC CLASS C ONLY	23	30.13	14	3	1	1	1	0	0	3	0.40%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	90	25.66	73	6	0	1	0	0	1	9	1.55%
TOTAL	5,797	95.94	1,095	584	483	424	277	267	258	2,409	100%
TOTAL LESS FURLOUGH	5,796										2/15/2020 7:00:11 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT





DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

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Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	889	23.73	351	194	111	80	31	25	31	66	15.11%
B FILED FELONY PENDING GRAND JURY	527	37.53	35	104	102	100	74	53	11	48	8.96%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,825	162.65	80	59	59	84	71	108	71	1,293	31.02%
D STATE JAIL FELONY PENDING DISPOSITION	278	71.70	34	12	21	32	16	19	19	125	4.72%
E PROBATION VIOLATION -- FELONY	344	27.39	130	76	41	33	18	10	6	30	5.85%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	262	167.73	13	19	18	23	8	17	5	159	4.45%
G BENCH WARRANTS	31	116.63	1	1	6	1	1	1	0	20	0.53%
H TDC 10 YEARS OR LESS ON APPEAL	14	247.07	0	0	0	1	0	0	0	13	0.24%
I SENTENCED SJF	60	84.16	6	8	3	8	2	3	1	29	1.02%
J SENTENCED SJF ON APPEAL	1	178.00	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	36	44.65	6	8	5	2	3	1	1	10	0.61%
L MISDEMEANOR NOT FILED	68	2.78	67	1	0	0	0	0	0	0	1.16%
M FILED MISDEMEANOR PENDING DISP.	171	27.78	84	29	13	10	6	8	1	20	2.91%
N PROBATION VIOLATION -- MISDEMEANOR	1	24.50	0	0	0	0	1	0	0	0	0.02%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	43	38.98	12	5	8	5	1	4	0	8	0.73%
P SERVING COUNTY TIME AND FINES	21	30.64	7	6	2	1	0	0	0	5	0.36%
Q SERVING FINE AND COURT COST ONLY	1	21.00	0	0	0	0	1	0	0	0	0.02%
R OUT OF COUNTY/STATE HOLD	49	23.62	36	4	1	2	1	0	0	5	0.83%
S PAROLE VIOLATION	275	71.76	50	47	32	16	14	18	5	93	4.67%
T SAFFP	228	81.65	9	23	24	27	21	15	12	97	3.87%
U SPECIAL PROGRAMS	338	84.65	21	13	26	34	22	24	18	180	5.74%
V OTHER -- (INCOMPETENT)	196	193.54	4	3	7	7	10	8	3	154	3.33%
W U S MARSHAL	105	182.14	1	4	1	1	0	1	2	95	1.78%
X CONTEMPT -- IN JAIL	17	30.72	4	3	1	3	2	2	0	2	0.29%
Y CONTEMPT -- ON FURLOUGH	3	29.50	2	0	0	0	0	0	0	1	0.05%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	1	0.50	1	0	0	0	0	0	0	0	0.02%
CC CLASS C ONLY	23	13.75	18	0	1	0	1	0	1	2	0.39%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	77	23.63	58	11	2	2	0	0	0	4	1.31%
TOTAL	5,884	95.54	1,030	630	484	472	304	317	187	2,460	100%
TOTAL LESS FURLOUGH	5,881										3/1/2020 7:00:12 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT





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Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	871	24.21	357	170	127	57	41	20	27	72	14.85%
B FILED FELONY PENDING GRAND JURY	548	36.73	56	95	114	86	85	52	18	42	9.34%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,813	161.68	69	52	78	84	75	116	79	1,260	30.91%
D STATE JAIL FELONY PENDING DISPOSITION	287	71.95	35	19	17	31	23	16	20	126	4.89%
E PROBATION VIOLATION -- FELONY	322	28.59	113	58	55	24	28	8	6	30	5.49%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	259	154.59	17	15	21	16	12	16	8	154	4.42%
G BENCH WARRANTS	30	127.23	1	2	2	1	1	1	1	21	0.51%
H TDC 10 YEARS OR LESS ON APPEAL	16	233.71	0	0	0	1	0	0	0	15	0.27%
I SENTENCED SJF	57	86.64	7	4	10	2	1	3	3	27	0.97%
J SENTENCED SJF ON APPEAL	1	180.50	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	29	46.40	7	1	7	3	0	3	0	8	0.49%
L MISDEMEANOR NOT FILED	90	2.41	90	0	0	0	0	0	0	0	1.53%
M FILED MISDEMEANOR PENDING DISP.	151	27.38	71	29	13	10	3	4	5	16	2.57%
N PROBATION VIOLATION -- MISDEMEANOR	2	18.33	1	0	0	0	0	1	0	0	0.03%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	45	38.28	16	4	6	2	4	5	0	8	0.77%
P SERVING COUNTY TIME AND FINES	31	32.00	14	6	2	3	0	0	0	6	0.53%
Q SERVING FINE AND COURT COST ONLY	1	23.50	0	0	0	0	1	0	0	0	0.02%
R OUT OF COUNTY/STATE HOLD	69	23.91	47	6	2	1	0	2	1	10	1.18%
S PAROLE VIOLATION	283	67.93	63	40	37	17	14	16	6	90	4.83%
T SAFFP	231	80.68	7	25	27	24	24	20	13	91	3.94%
U SPECIAL PROGRAMS	328	85.95	19	17	20	29	29	25	21	168	5.59%
V OTHER -- (INCOMPETENT)	198	189.75	4	5	8	7	5	12	6	151	3.38%
W U S MARSHAL	81	171.46	1	2	2	2	0	1	0	73	1.38%
X CONTEMPT -- IN JAIL	18	29.58	5	3	1	3	0	5	0	1	0.31%
Y CONTEMPT -- ON FURLOUGH	1	60.50	0	0	0	0	0	0	0	1	0.02%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	5	17.83	1	3	0	0	0	1	0	0	0.09%
CC CLASS C ONLY	20	49.33	14	1	1	1	0	0	0	3	0.34%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	78	24.78	64	2	3	3	1	1	0	4	1.33%
TOTAL	5,865	93.82	1,079	559	553	407	347	328	214	2,378	100%
TOTAL LESS FURLOUGH	5,864										3/6/2020 7:00:11 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT



DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT



Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	925	23.60	375	194	120	75	48	29	12	72	15.54%
B FILED FELONY PENDING GRAND JURY	539	37.61	47	99	105	98	65	59	27	39	9.06%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,821	161.04	80	60	63	80	84	92	117	1,245	30.59%
D STATE JAIL FELONY PENDING DISPOSITION	319	68.13	43	24	22	26	29	26	20	129	5.36%
E PROBATION VIOLATION -- FELONY	292	29.24	93	59	44	31	14	20	7	24	4.91%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	301	150.24	15	25	20	26	13	17	13	172	5.06%
G BENCH WARRANTS	36	113.00	4	0	4	3	1	1	1	22	0.60%
H TDC 10 YEARS OR LESS ON APPEAL	15	254.44	0	0	0	0	0	0	0	15	0.25%
I SENTENCED SJF	55	93.98	4	11	2	3	6	2	2	25	0.92%
J SENTENCED SJF ON APPEAL	1	185.00	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	27	45.96	3	9	1	4	2	0	2	6	0.45%
L MISDEMEANOR NOT FILED	83	3.32	83	0	0	0	0	0	0	0	1.39%
M FILED MISDEMEANOR PENDING DISP.	142	32.04	54	30	15	8	8	5	4	18	2.39%
N PROBATION VIOLATION -- MISDEMEANOR	4	38.80	1	1	0	0	0	0	1	1	0.07%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	39	45.55	7	8	5	3	2	4	4	6	0.66%
P SERVING COUNTY TIME AND FINES	36	26.22	10	11	6	3	3	0	0	3	0.60%
Q SERVING FINE AND COURT COST ONLY	1	28.00	0	0	0	0	0	1	0	0	0.02%
R OUT OF COUNTY/STATE HOLD	63	46.11	33	9	1	2	2	2	1	13	1.06%
S PAROLE VIOLATION	294	69.85	50	57	32	26	11	12	14	92	4.94%
T SAFFP	240	80.64	11	15	28	28	20	27	17	94	4.03%
U SPECIAL PROGRAMS	345	83.89	15	28	15	29	26	33	25	174	5.80%
V OTHER -- (INCOMPETENT)	201	186.94	4	5	6	11	5	8	11	151	3.38%
W U S MARSHAL	80	181.19	2	0	1	3	1	0	1	72	1.34%
X CONTEMPT -- IN JAIL	10	22.73	6	0	1	0	1	0	1	1	0.17%
Y CONTEMPT -- ON FURLOUGH	1	65.00	0	0	0	0	0	0	0	1	0.02%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	1	23.00	0	0	0	0	1	0	0	0	0.02%
CC CLASS C ONLY	11	3.83	9	2	0	0	0	0	0	0	0.18%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	70	27.99	56	4	1	1	2	0	2	4	1.18%
TOTAL	5,952	94.31	1,005	651	492	460	344	338	282	2,380	100%
TOTAL LESS FURLOUGH	5,951										3/15/2020 7:00:07 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT





DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT

Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	841	26.29	303	157	119	90	51	33	23	65	14.97%
B FILED FELONY PENDING GRAND JURY	594	37.28	37	142	126	84	74	44	35	52	10.57%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,786	165.59	33	69	45	85	97	101	99	1,257	31.79%
D STATE JAIL FELONY PENDING DISPOSITION	299	72.25	34	31	21	19	19	27	16	132	5.32%
E PROBATION VIOLATION -- FELONY	267	37.94	53	49	48	40	21	13	14	29	4.75%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	259	149.91	4	30	21	16	14	11	10	153	4.61%
G BENCH WARRANTS	33	119.44	1	4	0	4	3	1	1	19	0.59%
H TDC 10 YEARS OR LESS ON APPEAL	13	276.64	0	0	0	0	0	0	0	13	0.23%
I SENTENCED SJF	67	80.75	7	9	9	6	4	5	2	25	1.19%
J SENTENCED SJF ON APPEAL	1	189.50	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	23	43.88	3	4	7	1	1	2	1	4	0.41%
L MISDEMEANOR NOT FILED	56	3.53	53	3	0	0	0	0	0	0	1.00%
M FILED MISDEMEANOR PENDING DISP.	131	39.95	37	26	19	15	5	4	2	23	2.33%
N PROBATION VIOLATION -- MISDEMEANOR	2	31.33	0	0	1	0	0	0	0	1	0.04%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	37	53.87	3	9	4	2	2	3	4	10	0.66%
P SERVING COUNTY TIME AND FINES	33	36.65	3	13	4	6	1	2	0	4	0.59%
Q SERVING FINE AND COURT COST ONLY	1	32.50	0	0	0	0	0	0	0	0	0.02%
R OUT OF COUNTY/STATE HOLD	32	42.55	17	2	1	2	0	2	1	7	0.57%
S PAROLE VIOLATION	248	73.99	33	53	30	16	13	6	8	89	4.41%
T SAFPF	227	80.48	3	18	20	29	31	19	24	83	4.04%
U SPECIAL PROGRAMS	297	88.12	2	20	27	17	32	22	25	152	5.29%
V OTHER -- (INCOMPETENT)	204	192.68	2	3	7	5	12	6	9	160	3.63%
W U S MARSHAL	81	188.45	0	2	0	2	2	2	0	73	1.44%
X CONTEMPT -- IN JAIL	3	3.25	2	1	0	0	0	0	0	0	0.05%
Y CONTEMPT -- ON FURLOUGH	1	69.50	0	0	0	0	0	0	0	1	0.02%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	11	17.58	5	2	2	0	1	1	0	0	0.20%
CC CLASS C ONLY	11	15.17	8	0	0	0	1	2	0	0	0.20%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	60	33.49	45	4	4	0	0	1	1	5	1.07%
TOTAL	5,618	99.11	688	651	515	439	384	307	276	2,358	100%
TOTAL LESS FURLOUGH	5,617										3/24/2020 7:00:24 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS
DETENTION EARLY WARNING REPORT





DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT

Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	472	21.21	226	94	43	33	18	17	16	25	9.03%
B FILED FELONY PENDING GRAND JURY	707	36.04	79	123	141	122	98	66	31	47	13.53%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,726	173.73	20	31	78	43	80	93	99	1,282	33.03%
D STATE JAIL FELONY PENDING DISPOSITION	263	78.34	8	19	28	18	19	20	34	117	5.03%
E PROBATION VIOLATION -- FELONY	246	39.09	62	38	37	21	28	15	9	36	4.71%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	294	154.23	2	7	31	24	20	15	16	179	5.63%
G BENCH WARRANTS	34	125.31	0	3	3	0	4	3	1	20	0.65%
H TDC 10 YEARS OR LESS ON APPEAL	15	254.19	0	0	1	1	0	0	0	13	0.29%
I SENTENCED SJF	84	77.39	2	9	11	11	8	7	6	30	1.61%
J SENTENCED SJF ON APPEAL	1	194.50	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	18	38.95	1	4	4	3	1	1	2	2	0.34%
L MISDEMEANOR NOT FILED	53	3.31	51	0	2	0	0	0	0	0	1.01%
M FILED MISDEMEANOR PENDING DISP.	135	41.89	41	25	21	13	5	3	1	26	2.58%
N PROBATION VIOLATION -- MISDEMEANOR	3	34.25	0	0	1	1	0	0	0	1	0.06%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	25	52.12	0	4	6	2	1	2	1	9	0.48%
P SERVING COUNTY TIME AND FINES	22	41.65	1	3	8	1	4	1	1	3	0.42%
Q SERVING FINE AND COURT COST ONLY	1	37.50	0	0	0	0	0	0	0	1	0.02%
R OUT OF COUNTY/STATE HOLD	56	60.39	6	8	7	7	2	6	2	18	1.07%
S PAROLE VIOLATION	240	75.48	34	34	30	21	13	13	4	91	4.59%
T SAFPF	204	86.90	3	3	17	17	29	30	17	88	3.90%
U SPECIAL PROGRAMS	276	91.04	13	0	21	27	21	26	19	149	5.28%
V OTHER -- (INCOMPETENT)	206	193.67	0	5	7	7	7	11	6	163	3.94%
W U S MARSHAL	84	191.73	2	0	2	1	2	3	1	73	1.61%
X CONTEMPT -- IN JAIL	1	11.00	0	0	1	0	0	0	0	0	0.02%
Y CONTEMPT -- ON FURLOUGH	1	74.50	0	0	0	0	0	0	0	1	0.02%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	11	34.08	2	4	2	1	0	0	1	1	0.21%
CC CLASS C ONLY	0	0.00	0	0	0	0	0	0	0	0	0.00%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	47	49.38	34	1	2	2	0	1	2	5	0.90%
TOTAL	5,225	107.17	587	415	504	376	360	333	269	2,381	100%
TOTAL LESS FURLOUGH	5,224										4/3/2020 7:00:57 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS
DETENTION EARLY WARNING REPORT





DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT

Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	494	20.94	246	91	49	33	14	12	21	28	9.54%
B FILED FELONY PENDING GRAND JURY	695	37.08	54	143	125	117	98	74	29	55	13.42%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,719	175.31	15	35	56	67	66	86	109	1,285	33.19%
D STATE JAIL FELONY PENDING DISPOSITION	247	78.48	11	17	20	19	18	20	28	114	4.77%
E PROBATION VIOLATION -- FELONY	255	40.16	56	45	38	24	19	23	13	37	4.92%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	299	156.51	3	6	15	35	21	12	15	192	5.77%
G BENCH WARRANTS	34	128.23	0	3	3	0	3	3	1	21	0.66%
H TDC 10 YEARS OR LESS ON APPEAL	15	257.00	0	0	0	2	0	0	0	13	0.29%
I SENTENCED SJF	84	80.73	1	9	10	12	5	6	7	34	1.62%
J SENTENCED SJF ON APPEAL	1	196.00	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	17	42.06	1	3	3	3	2	0	3	2	0.33%
L MISDEMEANOR NOT FILED	59	3.58	57	0	1	1	0	0	0	0	1.14%
M FILED MISDEMEANOR PENDING DISP.	134	37.22	46	22	18	16	7	3	1	21	2.59%
N PROBATION VIOLATION -- MISDEMEANOR	2	40.00	0	0	0	1	0	0	0	1	0.04%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	23	56.63	0	2	6	3	0	2	0	10	0.44%
P SERVING COUNTY TIME AND FINES	19	41.40	1	1	7	3	3	1	1	2	0.37%
Q SERVING FINE AND COURT COST ONLY	1	39.00	0	0	0	0	0	0	0	1	0.02%
R OUT OF COUNTY/STATE HOLD	62	59.48	10	6	9	7	2	6	3	19	1.20%
S PAROLE VIOLATION	255	74.76	40	30	23	33	14	15	6	94	4.92%
T SAFPF	173	92.37	0	5	12	16	19	19	19	83	3.34%
U SPECIAL PROGRAMS	244	93.19	8	8	10	29	24	14	17	134	4.71%
V OTHER -- (INCOMPETENT)	209	196.32	0	2	9	4	13	6	8	167	4.03%
W U S MARSHAL	87	188.89	4	0	2	1	1	3	3	73	1.68%
X CONTEMPT -- IN JAIL	4	10.40	2	0	2	0	0	0	0	0	0.08%
Y CONTEMPT -- ON FURLOUGH	1	76.00	0	0	0	0	0	0	0	1	0.02%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	4	5.00	3	1	0	0	0	0	0	0	0.08%
CC CLASS C ONLY	0	0.00	0	0	0	0	0	0	0	0	0.00%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	43	55.43	29	3	1	2	0	1	1	6	0.83%
TOTAL	5,180	108.29	587	432	419	428	329	306	285	2,394	100%
TOTAL LESS FURLOUGH	5,179										4/6/2020 7:00:30 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS
DETENTION EARLY WARNING REPORT





DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS

DETENTION EARLY WARNING REPORT

Description	Currently in Jail	AVG-STAY DAYS	1-10 DAYS	11-20 DAYS	21-30 DAYS	31-40 DAYS	41-50 DAYS	51-60 DAYS	61-70 DAYS	GT-70 DAYS	% OF TOTAL POP
A FELONY NOT FILED	444	19.70	235	71	51	26	18	7	7	29	8.94%
B FILED FELONY PENDING GRAND JURY	557	35.88	61	112	112	73	57	69	36	37	11.21%
C FELONY NOT INCLUDING SJF PENDING DISP.	1,774	174.75	29	14	56	91	83	76	113	1,312	35.71%
D STATE JAIL FELONY PENDING DISPOSITION	244	79.27	14	14	23	18	20	13	19	123	4.91%
E PROBATION VIOLATION -- FELONY	243	40.39	59	36	33	28	17	17	19	34	4.89%
F TDC > 10 YEARS ON APPEAL OR TDC NO APPEAL	319	160.41	1	5	12	20	34	21	14	212	6.42%
G BENCH WARRANTS	36	138.24	4	0	3	4	1	1	2	21	0.72%
H TDC 10 YEARS OR LESS ON APPEAL	16	256.94	0	0	0	1	1	0	0	14	0.32%
I SENTENCED SJF	92	83.02	6	1	10	12	11	7	8	37	1.85%
J SENTENCED SJF ON APPEAL	1	200.50	0	0	0	0	0	0	0	1	0.02%
K SJF SERVING IN COUNTY JAIL	10	40.27	1	1	2	0	2	1	0	3	0.20%
L MISDEMEANOR NOT FILED	75	3.50	73	0	0	2	0	0	0	0	1.51%
M FILED MISDEMEANOR PENDING DISP.	105	44.19	36	14	12	8	10	4	1	20	2.11%
N PROBATION VIOLATION -- MISDEMEANOR	1	22.00	0	0	0	0	1	0	0	0	0.02%
O SERVING IN COUNTY JAIL(COND. OF PROB.)	14	73.47	3	1	0	1	2	0	1	6	0.28%
P SERVING COUNTY TIME AND FINES	24	51.56	2	6	1	6	1	2	1	5	0.48%
Q SERVING FINE AND COURT COST ONLY	1	43.50	0	0	0	0	0	0	0	1	0.02%
R OUT OF COUNTY/STATE HOLD	69	66.10	13	9	1	6	7	2	6	25	1.39%
S PAROLE VIOLATION	302	78.49	28	47	33	27	27	15	16	109	6.08%
T SAFFP	130	101.46	0	0	7	10	10	15	18	70	2.62%
U SPECIAL PROGRAMS	165	102.67	8	4	3	11	15	15	11	98	3.32%
V OTHER -- (INCOMPETENT)	199	207.56	0	1	3	7	5	10	6	167	4.01%
W U S MARSHAL	83	204.80	0	1	0	2	1	1	3	75	1.67%
X CONTEMPT -- IN JAIL	1	17.00	0	0	0	1	0	0	0	0	0.02%
Y CONTEMPT -- ON FURLOUGH	1	80.50	0	0	0	0	0	0	0	1	0.02%
Z PEACE BOND	0	0.00	0	0	0	0	0	0	0	0	0.00%
AA TYC	0	0.00	0	0	0	0	0	0	0	0	0.00%
BB IMMIGRATION	6	11.57	4	0	2	0	0	0	0	0	0.12%
CC CLASS C ONLY	0	0.00	0	0	0	0	0	0	0	0	0.00%
DD CONTRACT INMATES	0	0.00	0	0	0	0	0	0	0	0	0.00%
EE U S MILITARY	0	0.00	0	0	0	0	0	0	0	0	0.00%
ZZ DEFAULT -- IN ERROR	56	41.70	39	3	2	2	0	2	0	8	1.13%
TOTAL	4,968	113.77	616	340	366	356	323	278	281	2,408	100%
TOTAL LESS FURLOUGH	4,967										4/15/2020 7:00:01 AM

DALLAS COUNTY CRIMINAL JUSTICE MANAGEMENT COMMITTEE INFORMATION STATISTICS
DETENTION EARLY WARNING REPORT



WX20-91083-V

Cause No. F1977008

STATE OF TEXAS	§	IN THE 292ND JUDICIAL
	§	
V.	§	DISTRICT COURT IN
	§	
ALBERTO LOPEZ	§	DALLAS COUNTY, TEXAS

**APPLICATION FOR WRIT OF HABEAS CORPUS FOR RELEASE
DUE TO TARRANT COUNTY SHERIFFS OFFICE REFUSING TO
TAKE POSSESSION OF INMATE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Alberto Lopez, Defendant in the above-styled and numbered cause, by and through his attorney of record, Matthew Toback and files this Application for Writ of Habeas Corpus for Release due to Tarrant County Sheriff’s Office Refusing to take Possession of Inmate, and, for good cause shows the following:

I.

Defendant is illegally confined and restrained of his liberty by the Sheriff of Dallas County, Texas in the Dallas County Jail in Dallas, Texas. Defendant is charged in Dallas County with Capital murder and has posted bond on this case. He is also being held for a charge in Tarrant County of Possession of a Controlled Substance 1G-4G PG2, a 3rd degree felony. As of the date of this Writ’s filing, defendant has posted a bond on the Dallas County case and Tarrant County Sherrifs Office has refused to pick him up.

II.

On March 26, 2020, Defendant posted a bond for the Dallas County Capital Murder charge. On April 1, 2020, the Tarrant County Sheriffs Office came to Dallas County Jail to pick up defendant and refused to take possession of him saying that Dallas County Jail was unable to provide documentation that defendant was free of the COVID-19 virus, even though defendant had previously tested negative for COVID-19 at the jail. Defendant is being held against his will because Tarrant County refused to take possession of him and left the jail without him. Due to no fault of Mr. Lopez, he is still being held against his will in Dallas County Jail.

III.

Defendant, a 19-year-old male, was born and raised in Dallas County, Texas. He also has family members residing in Dallas. Defendant has been continuously incarcerated at the Dallas County Jail since Dec. 20, 2019.

IV.

Defendant respectfully requests this Court to release defendant from Dallas County Jail because Tarrant County will not take possession of him.

WHEREFORE, premises considered, defendant prays that this Court grant and issue a Writ of Habeas Corpus to the Sheriff of Dallas County, Texas directing and commanding him to produce and have defendant before this court instanter, or at such time and place to be designated by this Court, then and there to show cause, if any he may have, why defendant should not be discharged from such illegal confinement; or that defendant be released directly from Dallas County Jail.

Respectfully submitted,
/s/ Matthew Toback
Matthew Toback
State Bar Number 24003266
330 S. Riverfront Blvd.

Dallas, Texas 75207
Phone (214) 720-9233
Fax (214) 752-4656

Attorney for Defendant
Alberto Lopez

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has been furnished to counsel for the state via e-file and/or email on April 1, 2020 to Andrew Anagnostis via efile.

/s/ Matthew Toback
Matthew Toback

STATE OF TEXAS	Cause No. F1977008	
	§	IN THE 292ND JUDICIAL
V.	§	
	§	DISTRICT COURT IN
ALBERTO LOPEZ	§	
	§	DALLAS COUNTY, TEXAS

ORDER

On this day came on to be considered Applicant's Application for Writ of Habeas Corpus to Reduce Bail and the Court has:

_____ set this matter for hearing on _____, 2020, or

_____ GRANTED the Writ and ORDERS the accused be released subject to appear as required by the Court.

_____ DENIED the Writ.

SIGNED: _____

JUDGE PRESIDING

Cause No. F1977008

STATE OF TEXAS	§	IN THE 292ND JUDICIAL
	§	
V.	§	DISTRICT COURT IN
	§	
ALBERTO LOPEZ	§	DALLAS COUNTY, TEXAS

WRIT OF HABEAS CORPUS

TO THE SHERIFF OF DALLAS COUNTY, TEXAS:

GREETINGS:

YOU ARE HEREBY COMMANDED to produce before me at the DALLAS County Courthouse, _____ in the County of Dallas, State of Texas on the _____ day of _____, 2020, at _____ o'clock ____M., the person of _____, whom it is alleged you illegally restrain of his liberty, when and where you will show why you hold the said _____, in custody, or restrain him of his liberty.

HEREIN FAIL NOT, and return make hereof.

Signed on _____.

JUDGE PRESIDING

WX20-91141-W

CAUSE NO. F-2023954

STATE OF TEXAS	§	IN THE 363RD JUDICIAL
	§	
V.	§	DISTRICT COURT IN
	§	
CHAD ROSS	§	DALLAS COUNTY, TEXAS

**APPLICATION FOR WRIT OF HABEAS CORPUS FOR RELEASE
DUE TO INMATES PAROLE BEING COMPLETE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Chad Ross, Defendant in the above-styled and numbered cause, by and through his attorney of record, Matthew Toback and files this Application for Writ of Habeas Corpus for Release due to Inmates Parole Being Complete, and, for good cause shows the following:

I.

Defendant is illegally confined and restrained of his liberty by the Sheriff of Dallas County, Texas in the Dallas County Jail in Dallas, Texas. He was arrested and has been in custody since February 12, 2020. Defendant is charged in Dallas County with two felony theft charges, cause numbers F-2023954 and F-2024027, and has posted bond on these cases. As of the date of this Writ’s filing, defendant has posted a bond on the two Dallas County felony theft cases and is still being held in Dallas County Jail on a parole violation, even though his parole expired on March 28, 2020.

II.

Defendant, a 43-year-old male, was born and raised in Dallas County, Texas. He also has family members residing in Dallas. Defendant has been continuously incarcerated at the Dallas

County Jail since February 12, 2020.

IV.

Defendant respectfully requests this Court to release defendant from Dallas County Jail because his parole ended on March 28, 2020 and he has posted bond on the two felony theft cases he is charged with in Dallas County.

WHEREFORE, premises considered, defendant prays that this Court grant and issue a Writ of Habeas Corpus to the Sheriff of Dallas County, Texas directing and commanding him to produce and have defendant before this court instanter, or at such time and place to be designated by this Court, then and there to show cause, if any he may have, why defendant should not be discharged from such illegal confinement; or that defendant be released directly from Dallas County Jail.

Respectfully submitted,
/s/ Matthew Toback
Matthew Toback
State Bar Number 24003266
330 S. Riverfront Blvd.

Dallas, Texas 75207
Phone (214) 720-9233
Fax (214) 752-4656

Attorney for Defendant
Chad Ross

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has been

furnished to counsel for the state via e-file and/or email on April 8, 2020 to Maegan Westbrook via efile.

/s/ Matthew Toback
Matthew Toback

CAUSE NO. F-2023954

STATE OF TEXAS	§	IN THE 363RD JUDICIAL
	§	
V.	§	DISTRICT COURT IN
	§	
CHAD ROSS	§	DALLAS COUNTY, TEXAS

ORDER

On this day came on to be considered Applicant's Application for Writ of Habeas Corpus for Release due to Inmates Parole being Complete and the Court has:

_____ set this matter for hearing on _____, 2020, or

_____ GRANTED the Writ and ORDERS the accused be released subject to appear as required by the Court.

_____ DENIED the Writ.

SIGNED: _____

JUDGE PRESIDING

Cause No. F-2023954

STATE OF TEXAS	§	IN THE 292ND JUDICIAL
	§	
V.	§	DISTRICT COURT IN
	§	
ALBERTO LOPEZ	§	DALLAS COUNTY, TEXAS

WRIT OF HABEAS CORPUS

TO THE SHERIFF OF DALLAS COUNTY, TEXAS:

GREETINGS:

YOU ARE HEREBY COMMANDED to produce before me at the DALLAS County Courthouse, _____ in the County of Dallas, State of Texas on the _____ day of _____, 2020, at _____ o'clock ____M., the person of _____, whom it is alleged you illegally restrain of his liberty, when and where you will show why you hold the said _____, in custody, or restrain him of his liberty.

HEREIN FAIL NOT, and return make hereof.

Signed on _____.

JUDGE PRESIDING

A-EZ OUT BAIL BONDS

JAIL LOCATION: LS



BAIL BOND

THE STATE OF TEXAS, COUNTY OF DALLAS

VS

Chad

First

Middle

Ross

Last

Race W

Sex M

DOB 03/24/1977

MISDEMEANOR

FELONY

JUDGE: Vanegas

DATE: 04/10/2020

BOOKIN NO 20007031

CASE/WARRANT # F202395AN

KNOWN ALL MEN BY THESE PRESENTS: THAT WE, Chad Ross AS PRINCIPAL, AND THE UNDERSIGNED AMERICAN SURETY CO. agent: Eddie Salazar dba A-EZ Out Bail Bonds AS SURETY, ARE HELD FIRMLY BOUND UNTO THE STATE OF TEXAS IN THE PENAL SUM OF ~~500 THOUSAND~~ 50,000 DOLLARS (\$ 50,000) AND IN ADDITION THERE TO, WE ARE BOUND FOR THE PAYMENT OF ALL FEES AND EXPENSES THAT MAY BE INCURRED BY ANY PEACE OFFICER IN RE-ARRESTING THE SAID PRINCIPAL IN THE EVENT OF THE STATED CONDITIONS OF THIS BOND ARE VIOLATED FOR THE PAYMENT OF WHICH SUM OR SUMS WILL AND TRULY TO BE MADE, WE DO BIND OURSELVES, AND EACH OF US, OUR HEIRS, EXECUTORS AND ADMINISTRATORS, JOINTLY AND SEVERALLY. THE CONDITION OF THIS BOND IS THAT THE DEFENDANT HAS BEEN CHARGED WITH Theft prop - \$30K - \$150K AND TO SECURE HIS/HER RELEASE FROM CUSTODY IS ENTERING INTO THIS OBLIGATION BINDING HIM/HER TO MAKE A PERSONAL APPEARANCE (INSTANTER) BEFORE COURT TO WHICH THE SAME MAY BE TRANSFERRED AND BASED ON SAID CHARGE. HABEAS CORPUS WITH WRIT-THAT IS SAID PRINCIPAL SHALL WELL AND TRULY APPEAR IN THE instanter COURT OF TEXAS, AT AM, ON THE DAY OF A.D. 20 IN THE COURT ROOM OF SAID COURT, IN THE CITY OF DALLAS, COUNTY OF DALLAS, TEXAS, PURSUANT TO THE ORDER OF THE JUDGE THIS DAY MADE, GRANTING A WRIT OF HABEAS CORPUS ON APPLICATION OF SAID PRINCIPAL, IT HAVING BEEN CALLED TO HIS ATTENTION THAT SAID PRINCIPAL IS RESTRAINED OF HIS LIBERTY BY A PEACE OFFICER OF DALLAS COUNTY, TEXAS UNDER ACCUSATION OF SAID CHARGE AGAINST THE LAWS OF THE STATE OF TEXAS, SAID WRIT BEING DEPART THERE FROM WITHOUT LEAVE OF SAID COURT, PENDING EXAMINATION OF AND HEARING OF SAID WRIT, IN ORDER TO ABIDE FINAL DETERMINATION THEREOF BY SAID COURT.

I, AMERICAN SURETY CO. agent: Eddie Salazar dba A-EZ Out Bail Bonds, DO SWEAR THAT I AM WORTH AT LEAST THE SUM OF \$ 100,000 DOLLARS, AFTER DEDUCTING FROM MY PROPERTY ALL THAT WHICH IS EXEMPT BY THE CONSTITUTION AND OF THE STATE FROM FORCED SALE AND AFTER PAYMENT OF ALL BY DEBTS, WHETHER INDIVIDUAL OR SECURITY DEBTS AND AFTER SATISFYING ALL ENCUMBERANCES UPON MY PROPERTY WHICH ARE KNOWN TO ME AND THAT I RESIDE IN DALLAS COUNTY AND HAVE PROPERTY IN THIS STATE LIABLE TO FURTHER SWEAR THAT THERE ARE NO OUTSTANDING JUDGEMENTS IN DALLAS COUNTY, TEXAS OR ELSEWHERE AGAINST THE AFFIANT AND THAT THE AFFIANT MAKES THIS STATEMENT FOR THE EXPRESS PURPOSE OF INDUCING THE APPROVAL AND ACCEPTANCE OF SAID BOND WITH HIMSELF AS A SURETY THEREON, WELL KNOWING, BELIEVING AND INTENDING THAT THE MAKING OF THIS STATEMENT WILL INDUCE THE OFFICIAL CHARGED WITH THE DUTY OF ACCEPTING AND APPROVING SAID BOND TO ACCEPT AND APPROVE THE SAME AND THAT ALL STATEMENTS HEREIN ARE TRUE, SO HELP ME GOD.

Chad Ross
PRINCIPAL
ADDRESS: 8218 Londonderry Ln
CITY: Dallas STATE: TX ZIP: 75228
PHONE: (214) 405-6777

Green Sheriff
WITNESS/JAILER DEPT/AGENCY

TAKEN AND APPROVED BY ME THIS 10 DAY OF APRIL 2020
Marian Brown
Marian Brown, SHERIFF, DALLAS CO, TEXAS

BY: [Signature] DEPUTY



[Signature]
American Surety Co. Agent: EDDIE SALAZAR, d/b/a A-EZ OUT BAIL BONDS
234 S. Riverfront Blvd.
Dallas, Texas 75207
214-749-5600

SWORN TO AND SUBSCRIBED BEFORE ME ON
THIS 10 DAY OF APRIL 2020
Rosa E Gomez
NOTARY PUBLIC FOR DALLAS COUNTY MY COMMISSION EXPIRES 07/03/2022

BOND ACCT# 1127 BOND ID # 15418

THE FACE OF THIS DOCUMENT HAS A COLORED SECURITY BACKGROUND AND MICRO PRINTING - THE REVERSE SIDE OF THIS DOCUMENT HAS A WATERMARK THIS DOCUMENT IS VOID IF THE PINK HEAT SENSITIVE INK BOX IN THE LOWER RIGHT HAND CORNER DOES NOT DISAPPEAR WHEN HUDDLED WITH WARM HANDS.

POWER AMOUNT \$50,000 VOID IF NOT EXECUTED BY: SEP 24 2020 POWER OF ATTORNEY American Surety Company AS50 223137

P.O. Box 68932, Indianapolis, IN 46268

KNOW ALL MEN BY THESE PRESENTS: that AMERICAN SURETY COMPANY, a corporation duly authorized and existing under the laws of the State of Indiana, does constitute and appoint the below named agent its true and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, and deliver for and on its behalf, as surety, a bail bond only.

Authority of such Attorney-In-Fact is limited to appearance bonds. No authority is provided herein for the execution of surety immigration bonds or to guarantee alimony payments, fines, wage law claims or other payments of any kind on behalf of below named defendant. The named agent is appointed only to execute the bond consistent with the terms of this power of attorney. The agent is not authorized to act as agent for receipt of service of process in any criminal or civil action.

This power is void if altered or erased or used in any combination with other powers of attorney of this company or any other company to obtain the release of the defendant named below or to satisfy any bond requirement in excess of the stated face amount of this power. This power can only be used once. No authority is provided to a copy or facsimile of this power of attorney without the prior written consent of American Surety Company. The obligation of the company shall not exceed the sum of

FIFTY THOUSAND (\$50,000.00) DOLLARS

and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power-Of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, AMERICAN SURETY COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 10 day of April 2020

Bond Amount \$ 50,000 Appearance Date _____
Defendant: Chad Ross
Court _____ Case # F202395A
County Dallas City _____ St. _____ Zip _____
Offense Theft prop - \$130K - \$150K MP
Executing Agent _____ MP



AMERICAN SURETY COMPANY

William B. Carmichael

President ASC-9F

DALLAS SHERIFF'S DEPT
BOND SECTION
2020 APR 10 PM 5:46

No. F2044763

THE STATE OF TEXAS	§	IN THE
VS.	§	292nd Judicial District Court (FV)
<u>MICHAEL GRAVES</u>	§	DALLAS COUNTY, TEXAS

ORDER

The Court finds that bond in the above styled and numbered case should be: set at
\$25,000.00, and it is so Ordered.

The Court further Orders that, as a condition of remaining on bond pending the disposition of this case, the following restrictions shall apply. The defendant shall:


- remain in _____ County, Texas at all times;
- not directly nor indirectly communicate with the alleged victim or any member of the victim's family, shall not go near the residence, school, place of employment or other place frequented by the victim or family;
- have no contact with any minor child;
- abide by the following home curfew;

- be restricted to home confinement;
- be placed on the Electronic Monitoring program to be paid for by the _____;
- submit to drug testing, to-wit: random ua _____;
- not consume alcohol;
- not possess a deadly weapon;
- surrender his passport to the Court;
- Other Conditions

The defendant is hereby **ORDERED** to comply with the above-named conditions of bond or be subject to forfeiture and incarceration.

A copy of this Order was served upon defendant

Signed this _____ day of APR 02 2020



 Judge Presiding

JAIL LOCATION: West 4P12



PERSONAL BAIL BOND
THE STATE OF TEXAS, COUNTY OF DALLAS
VS

Micahel Graves
First Middle Last
Race W Sex M DOB 10/16/1983

MISDEMEANOR FELONY

JUDGE: Birmingham BOOKIN NO: 20014261
DATE: 04/03/2020 CASE/WARRANT # F20-44763
CHARGE: Evading Arrest Enh WX20-91060-V

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Micahel Graves THE DEFENDANT/PRINCIPAL IN THIS CASE ABOVE, BIND MYSELF, MY HEIRS, EXECUTORS AND ADMINISTRATORS, JOINTLY AND SEVERALLY, TO THE STATE OF TEXAS IN THE PENAL SUM OF \$ 10,000 AND TO APPEAR BEFORE THE COURT OR MAGISTRATE TO ANSWER THE ACCUSATIONS AGAINST ME. I SWEAR THAT I WILL APPEAR BEFORE THE COURT LISTED ABOVE IN DALLAS COUNTY, TEXAS, AT THE FRANK CROWLEY COURTHOUSE, 133 N. RIVERFRONT BLVD., THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ON THE 8 DAY OF June, 2020 AT 9:00 O'CLOCK A.M., INSTANTER, OR UPON NOTICE BY THE COURT OR PAY TO THE COURT THE PRINCIPAL SUM OF \$ 10,000 DOLLARS PLUS ALL NECESSARY AND REASONABLE EXPENSES INCURRED IN ANY ARREST FOR FAILURE TO APPEAR. THIS AMOUNT SHALL BE PAYABLE TO THE STATE OF TEXAS.

THIS BOND SHALL BIND ME TO APPEAR BEFORE ANY COURT IN WHICH THIS CAUSE MAY HEREAFTER BE PENDING AT ANY TIME WHEN, AND PLACE WHERE, MY PRESENCE MAY BE REQUIRED UNDER THE TEXAS CODE OF CRIMINAL PROCEDURE OR BY ANY COURT OR MAGISTRATE AND FOR ANY AND ALL SUBSEQUENT COURT PROCEEDINGS FOR THIS CHARGE.

I HAVE INCLUDED MY IDENTIFYING INFORMATION FOR A PERSONAL BOND, AS REQUIRED BY ARTICLE 17.04 OF THE TEXAS CODE OF CRIMINAL PROCEDURE:

DEFENDANT'S NAME: Graves Micahel
Last Name First Name Middle Name

HOME ADDRESS: 5302 Harry Hines Blvd
Street Apt. or Unit Number

Dallas TX 75235 (210) 234-8075
City State Zip Code Home Telephone Number Cell Phone Number

MAILING ADDRESS (IF DIFFERENT THAN HOME ADDRESS): _____
Street

City State Zip Code

10/16/1983

<i>Date of Birth</i>	<i>Place of Birth</i>	<i>State Driver's License / I.D. Number</i>	<i>State of Issue</i>
6' 1"	180	BRN	BLK
<i>Height</i>	<i>Weight</i>	<i>Eye Color</i>	<i>Hair Color</i>

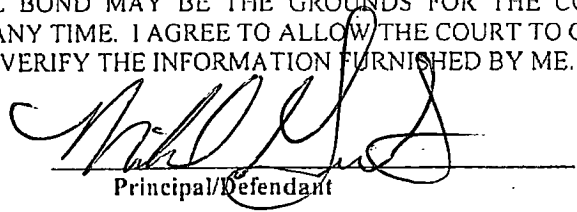
CURRENT EMPLOYER: _____

<i>Street</i>		<i>Suite or Floor</i>	
<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Work Number</i>

NAME OF NEAREST RELATIVE: _____

<i>Street</i>			<i>Apt. or Unit</i>
<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Home Telephone</i>

I HAVE VOLUNTARILY PREPARED ALL OF THIS INFORMATION IN THIS PERSONAL BOND TO SUBMIT TO THE COURT. I HAVE CAREFULLY CHECKED ALL OF THIS INFORMATION FOR ACCURACY AND UNDERSTAND THAT ANY FALSE STATEMENT MADE IN THIS PERSONAL BOND MAY BE THE GROUNDS FOR THE COURT TO WITHHOLD OR WITHDRAW MY PERSONAL BOND AT ANY TIME. I AGREE TO ALLOW THE COURT TO CONTACT ANY OF THE PEOPLE THAT I HAVE LISTED ABOVE TO VERIFY THE INFORMATION FURNISHED BY ME.



Principal/Defendant



Digitally signed by Brandon Birmingham
 DN: cn=Brandon Birmingham, o=292nd Judicial District Court, ou, email=brandon.birmingham@dallascounty.org, c=US
 Date: 2020.04.06 11:10:14 -05'00'

JUDGE'S SIGNATURE

Birmingham - 292 - by agreement.

JUDGE'S PRINTED NAME

Taken and Approved by me on this 14 day of APRil 20 20
Marian Brown, Sheriff, Dallas County, Texas

By:  #6660, Jailer