

Nos. _____

IN THE
213th JUDICIAL DISTRICT COURT
Tarrant County, Texas

BARTON R. GAINES,
Applicant,
v.
SHAREN WILSON
(Tarrant Co. Dist. Atty.).

APPENDIX 2

BARTON R. GAINES
244 SIESTA COURT
GRANBURY, TEXAS 76048
Email: bartongaines@gmail.com
TEL: 682-500-2753

PRO SE ATTORNEY FOR APPLICANT
BARTON R. GAINES

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41D-63

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
CORRESPONDENCE / CONTRABAND DENIAL FORM

NAME Gaines, Barton TDCJ-CID# 1139507
UNIT 2A DATE CORRESPONDENCE RECEIVED 12-17 DATE OFFENDER NOTIFIED 12-21-09

CORRESPONDENCE: TO OR FROM (Circle one) From Daniel Inman
4268 State Hwy 16 N
Graham, TX 76450

The above correspondence has been denied to you in accordance with BP-03.91, Uniform Offender Correspondence Rules

CHECK APPROPRIATE CAUSE OR CAUSES FOR DENIAL AND STATE APPROPRIATE REASON
☒ Content ☐ Contraband ☐ Enclosure ☐ Package / Publication ☐ Sealed Correspondence

Deny maps & personal info
may have remaining contents

APPEAL:
Should the offender decide to appeal the rejection of said correspondence/contraband, he/she must notify the Unit Mailroom **WITHIN TWO (2) WEEKS** of offender notification requesting that this correspondence/contraband and the rejection form be forwarded to the Director's Review Committee (DRC). Should persons outside the institution desire to appeal, submit by mail to the Director's Review Committee, PO Box 99, Huntsville, TX 77342-0099. The appeal must reach the DRC **WITHIN TWO (2) WEEKS** of the notification date listed above.

Does offender wish to appeal the denial? ☐ Yes ☒ No X B. [Signature] 12-21-09
Offender Signature Date

DISPOSITION: Offender should check the desired disposition.
☐ Destroy
☒ Send to the following person at the offender's expense: Gail Inman 4268 State Hwy
16 N, Graham TX 76450 Name and Address
X B. [Signature] 12-21-09 J. [Signature] 12-21-09
Offender Signature & Date Mailroom Representative Signature & Date

UNIT DISPOSITION: _____
Date Employee's Signature

IF A DISPOSITION CHOICE IS NOT EXPRESSED AND EXECUTED OR LITIGATION HAS NOT BEGUN ON ITEMS BEING HELD FOR LITIGATION WITHIN SIXTY (60) DAYS OF THE INITIAL DENIAL OR FROM THE DRC DECISION DATE (IF APPEALED), THE ITEMS WILL BE DESTROYED.

DISTRIBUTION:
Original - Send to the DRC IF THE OFFENDER WISHES TO APPEAL. If not, keep on unit.
 Gold - Unit Copy
 Yellow - Offender Copy
 Pink - Mail to sender/addressee of correspondence

☆ I-153 (Rev. 6/04) CR

2011 8 12- Gaines (T.C.D.A.)- Denial



TARRANT COUNTY

OFFICE OF THE
CRIMINAL DISTRICT ATTORNEY
www.tarrantda.com

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
817/884-1400

TIM CURRY CRIMINAL JUSTICE CENTER
401 W. BELKNAP
FORT WORTH, TX 76196-0201

August 12, 2011

Mr. Barton R. Gaines
TDCJ # 01139507
H. H. Coffield
2661 FM 2054
Tennessee Colony, Texas 75884

Re: Your Public Information Request

Dear Mr. Gaines:

I am in receipt of your public information request directed to the Tarrant County Public Information Office. In response to your request, please be advised that the Texas Public Information Act does not require a governmental body [i.e. Tarrant County Public Information Office] to comply with requests for information from an individual who is imprisoned or confined in a correctional facility or an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under Chapter 552 of the Texas Government Code. See TEX.GOV'T CODE § 552.028(a) (Vernon Supp. 2010) of the Act.

Sincerely,

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS

A handwritten signature in blue ink, appearing to read "Ashley D. Fourt", is written over the typed name.

ASHLEY D. FOURT
Assistant District Attorney

ADF:cj

2011 11 25. Tx Writ Works
TEXAS WRIT WORKS
6804-E HWY 6 SOUTH
HOUSTON, TEXAS 77083
(832) 794-3787 / FAX: (281) 277-8734
Email: texaswritworks@AOL.com
Saturday, November 12, 2011

Barton R. Gaines, #1139507
Coffield Unit
2661 FM 2054
Tennessee Colony, Texas 75884

Dear Mr. Gaines:

Thank you for your recent letter dated 11/25/11. I appreciate you writing TWW for information concerning your case. I know Mr. Hill and would appreciate it if you let him know that I wrote you back after he referred you.

I read everything and you are correct. It will take an attorney or private investigator to obtain what reports actually exist. TWW does assist people to prepare and file state and federal writ applications, pro se. Additionally, many records can be accessed on line. I would need to see what you got in order to see what it would take to obtain the information you seek.

We are a fee for service company (like most others) and for this type of work it would probably run you \$100 to \$150 for TWW and another \$350 to \$500 for an attorney or investigator to obtain the information you seek. If this sounds reasonable to you and within your budget, please let me know and we can get started immediately.

I have enclosed one of our brochures for you to keep. I would be willing to discount my fee if you would be able to send some business my way. My specialty is state and federal habeas corpus. I am not sure if your know Kazeem, he knows me as well.

At any rate let me know what you think and we will go from there. Take care, God Bless and Happy Thanksgiving!

Sincerely,

David C. Bolton
Certified Paralegal

Enclosure

Cc: File

1

***NOTE:** WE DO NOT EMPLOY ATTORNEYS. WE DO NOT GIVE LEGAL ADVICE OR PRACTICE LAW. WE DO NOT REPRESENT ANYONE IN ANY COURT OF LAW. WE WILL REFER YOU TO AN ATTORNEY UPON REQUEST OR IF INDICATED.

*Do you ever feel like giving up?
Don't!*

TEXAS WRIT WORKS IS COMMITTED TO ASSISTING YOU IN HELPING YOURSELF. WE PROVIDE A COMPREHENSIVE PRO SE RESEARCH AND DOCUMENT PREPARATION SERVICE TO PRISONERS. WE USE THE LATEST COMPUTER AND SOFTWARE TECHNOLOGY TO GIVE YOU THE EDGE YOU NEED. WE HAVE OVER TWENTY-TWO YEARS EXPERIENCE IN BOTH STATE AND FEDERAL COURTS.

CONTACT US BY WRITING AND EXPLAINING YOUR SITUATION. TELL US WHAT YOU NEED TO DO. WE WILL EVALUATE YOUR RECORDS FOR A NOMINAL FEE. RESEARCH ALL POSSIBLE AVENUES OF RELIEF AND PROVIDE YOU WITH A WRITTEN OUTLINE OF WHAT WE DETERMINE.

Our Offer to you ...

WE WILL ANSWER ALL LETTERS AND CONTACT ANY FAMILY MEMBER YOU WISH TO DISCUSS YOUR CASE FREE OF CHARGE.

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FROM 8 AM UNTIL 10 PM
MONDAY THRU SATURDAY
CLOSED ON SUNDAYS

COMMITTED TO KEEPING IT REAL

TEXAS WRIT WORKS

6804-E HWY 6 SOUTH #525

HOUSTON, TEXAS 77083

(832) 794-3787

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TEXASWRITWORKS@AOL.COM

Texas Writ Works

AN ECONOMICAL ALTERNATIVE TO HIRING
AN EXPENSIVE LAWYER

LIFE'S TOO SHORT TO SPEND IT LOOKING
THROUGH A FENCE!

WE ASSIST YOU IN PREPARING PRO SE

*ANSWERS TO ANDER'S BRIEFS

*PETITIONS FOR DISCRETIONARY REVIEW

*STATE HABEAS CORPUS APPLICATIONS

*FEDERAL PETITIONS FOR HABEAS CORPUS

*CERTIFICATES OF APPEALABILITY

*WRIT OF CERTIORARI

*PAROLE PACKAGES

*DETAINERS

*DIVORCE

WE REVIEW ALL CASES NO MATTER WHAT YOU WERE
CONVICTED OF IN COURT

<p><i>Where we are coming from ...</i></p> <p>TEXAS WRIT WORKS WAS CREATED BY A FORMER INMATE WHO SPENT CLOSE TO 18-YEARS WHERE YOU ARE NOW. THE PURPOSE OF CREATING THIS COMPANY WAS TO PROVIDE ASSISTANCE TO THOSE WHO CANNOT AFFORD TO HIRE AN ATTORNEY. WE ARE COMMITTED TO PROVIDING A RELIABLE MEANS TO AN END</p> <p>- REGAINING YOUR FREEDOM BY ACCESSING THE COURTS IN AN EFFECTIVE MANNER.</p>	<p><i>What we offer these Pro se Services ...</i></p> <ul style="list-style-type: none"> * DIRECT APPEAL * PETITION FOR DISCRETIONARY REVIEW * STATE APPLICATION FOR WRIT OF HABEAS CORPUS * WRIT OF MANDAMUS * FEDERAL PETITION FOR HABEAS CORPUS * CERTIFICATE OF APPEALABILITY (FIFTH CIRCUIT COURT OF APPEALS) (COA) * WRIT OF CERTIORARI (SUPREME COURT OF THE UNITED STATES) * DETAINERS (IN & OUT OF STATE) * DIVORCE (TEXAS ONLY) * TIME CREDIT RESOLUTION * TDCJ DISCIPLINARY CASE APPEALS -GRIEVANCE PROCESS & FEDERAL HABEAS REVIEW * PAROLE PACKAGES 	<p><i>What we ask in return ...</i></p> <p>THAT YOU BE HONEST WITH US SO WE CAN PROVIDE YOU WITH THE BEST CHANCE POSSIBLE.</p> <p>THAT YOU WORK WITH US TO MAKE IT WORK FOR YOU.</p> <p>HAVE YOUR FAMILY CALL (832) 794-3787 OR EMAIL: TEXASWRITWORKS@AOL.COM</p>
--	---	---



TARRANT COUNTY

OFFICE OF THE
CRIMINAL DISTRICT ATTORNEY
www.tarrantda.com

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
817/884-1400

TIM CURRY CRIMINAL JUSTICE CENTER
401 W. BELKNAP
FORT WORTH, TX 76196-0201

November 29, 2011

Ms. Gail Inman
4268 State Hwy. 16 N.
Graham, Texas 76450

Re: Your Public Information Request

Dear Ms. Inman:

This letter is written to inform you that we are in receipt of your public information request directed to this Office. It has come to our attention that you are acting as an agent of Inmate Gaines. Therefore, in response to your request, please be advised that the TEXAS PUBLIC INFORMATION ACT does not require a governmental body [i.e. Tarrant County District Attorney's Office] to comply with a request for information from:

- an individual who is imprisoned or confined in a correctional facility; or,
- an agent of that individual, other than the individual's attorney -- when the attorney is seeking information that is subject to disclosure under Chapter 552 of the TEXAS GOVERNMENT CODE.

See TEX. GOV'T CODE §552.028(a) (Vernon Supp. 2010) of the Act.

Sincerely,

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS

ASHLEY D. FOURT
Assistant District Attorney

ADF/apc

DOC-2011-Gail (Probation)-DSI

D213

49723 CID
836979 CDE

GAIL INMAN
4268 STATE HWY. 16 N.
GRAHAM, TEXAS 76450

COMMUNITY SUPERVISION & CORRECTION DEPARTMENT
DONNA LARSON, DIR.
2ND FL., FAMILY LAW CENTER
200 E. WEATHERFORD ST.
FORT WORTH, TEXAS 76196-0291

Dear Sir or Madam,

This Department did a Presentence Investigation Report on my grandson Barton R. Gaines on or about October, 2002.

The 213th District Court Tarrant County Cause Numbers were 0836979A and 0836985A.

The Fort Worth Police Department Service Number for its police report was 02132262.

If the department still has it or it has to retrieve it from its archives, I want to buy it. If the department does not have it and cannot retrieve it from its archives, whom do I need to contact in regards to obtaining and buying a copy of it?

I can be contacted at the above address regarding this request. Please let me know how much it will cost and I will send the necessary money in regards to purchasing it. Thank you for your time and attention into this matter.

Sincerely,



GAIL INMAN



TARRANT COUNTY

OFFICE OF THE
CRIMINAL DISTRICT ATTORNEY
www.tarrantda.com

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
817/884-1400

TIM CURRY CRIMINAL JUSTICE CENTER
401 W. BELKNAP
FORT WORTH, TX 76196-0201

January 17, 2012

Ms. Gail Inman
4268 State Hwy. 16 N.
Graham, TX 76450

Re: Your Public Information Request

Dear Ms. Inman:

This letter is written to inform you that we are in receipt of your public information request directed to the Tarrant County Administrator's Office. In response to your request, please be advised that the TEXAS PUBLIC INFORMATION ACT does not require a governmental body [i.e. Tarrant County Administrator's Office] to comply with a request for information from:

- an individual who is imprisoned or confined in a correctional facility; or,
- an agent of that individual, other than the individual's attorney -- when the attorney is seeking information that is subject to disclosure under Chapter 552 of the TEXAS GOVERNMENT CODE.

See TEX. GOV'T CODE § 552.028(a) (Vernon Supp. 2011) of the ACT.

Sincerely,

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS

A handwritten signature in blue ink, appearing to read "Ashley D. Fourt", is written over a circular stamp.

ASHLEY D. FOURT
Assistant District Attorney

ADF/pm

2012 2 22- Probation (Gail)- Non responsive



Judicial District of Tarrant County, Texas
COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT
200 West Belknap, Fort Worth, Texas 76196-0255 (817) 884-1600

Leighton Iles
Director

Date: March 22, 2012

To: Gail Inman
4268 State Hwy 16 North
Graham, TX 76450

From: David Kilpatrick, Operations Manager - Courts

Re: Records request: Barton R. Gaines' PSI report

Dear Ms. Inman:

Our department has no record of a Presentence Investigation Report on Barton Gaines for either case #0836979 or 0836985. Court records do not indicate that a PSI was requested by the Judge on either case.

Even if one had been done, we destroy all copies of PSI's five years after completion, which would have been in late 2007 or early 2008. PSI's are also considered the property of the sentencing Judge, so permission would need to be granted by that Judge in order to have it released to anyone.

I'm sorry we were unable to fulfill your request. If you need any further explanation, please feel free to contact me.

A handwritten signature in blue ink, appearing to read "DK", with a long horizontal line extending to the right.

David Kilpatrick, OPM – Court Services
817.884.1600
dlkilpatrick@tarrantcounty.com

2012 4 25 - Gail (212th) - DSI

GAIL H. INMAN
4268 STATE HWY. 16 N.
GRAHAM, TX 76450

APRIL 25, 2012

DISTRICT COURT COORDINATOR
213-TAMMY BARNES
5TH FL., JUSTICE CENTER
401 W. BELKNAP ST.
FORT WORTH, TX 76196-0217

Dear Ms. Tammy Barnes,

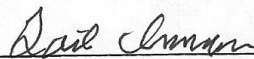
I want to obtain a copy of my grandson's, Barton R. Gaines, Presentence Investigation report (PSI). I am not exactly sure how I go about obtaining it. I am hoping that you can help and direct me.

December 12, 2002, Bart was sentenced by this court in Trial Court Cause Numbers 0836979A and 0836985A. The Appellant Court Cause Numbers were 2-02-498-CR and 2-02-499-CR.

If the above information is not enough or you have any questions or comments, please direct them to me at the address above.

Thank you for your time and attention into this matter.

Sincerely



Gail H. Inman

Please Contact
District Attorney's
Office.

PAGE 1 OF 1



TARRANT COUNTY DISTRICT ATTORNEY'S OFFICE

DATE: June 4, 2012

**TO: Gail Inman
4268 State Highway 16 N.
Graham, Texas 76450
VIA FIRST-CLASS MAIL**

**FROM: Ashley D. Fourt, Assistant District Attorney
Tarrant County District Attorney's Office
Civil Division
(817) 884-1233; (817) 884-1675 – Facsimile**

A handwritten signature in blue ink, appearing to be "Ashley D. Fourt", is written over the "FROM" field.

RE: Response to Your Telephone Call

Ms. Inman:

I understand that you have spoken with my paralegal, Angela Phillips Campbell, several times concerning records you seek in Case Nos. 0836985 and 0836979; State of Texas v. Barton Gaines. Again, the TEXAS PUBLIC INFORMATION ACT does not require a governmental body [i.e. Tarrant County District Attorney's Office] to comply with a request for information from:

- an individual who is imprisoned or confined in a correctional facility; or,

Ms. Gail Inman
June 1, 2012
Page 2 of 4

- an agent of that individual, other than the individual's attorney -- when the attorney is seeking information that is subject to disclosure under Chapter 552 of the TEXAS GOVERNMENT CODE.

See TEX. GOV'T CODE § 552.028(a) (Vernon Supp. 2011) of the ACT.

However, with that said, it is my understanding that you are now seeking copies of court records, along with trial transcripts.

FOR COPIES OF COURT RECORDS:

Since this Office is not the custodian of court records, you will need to submit a written request to the Tarrant County District Clerk's Office. Below is the contact information for that office:

General Contact Information:

Tarrant County District Clerk's Office
Attention: Criminal Records
Tim Curry Criminal Justice Center
401 West Belknap, 3rd Floor
Fort Worth, Texas 76196
817-884-1342

When submitting a written request to the Tarrant County District Clerk's Office, please be advised that prior to providing you with the approximately 600 pages contained on both cases, that prepayment will be required at a cost of \$.35 per page for a non-certified copy or \$1.00 per page for a certified copy.

Ms. Gail Inman
June 1, 2012
Page 3 of 4

FOR COPIES OF COURT TRANSCRIPTS:

Since this Office is not the custodian of court transcripts, you will need to submit a written request to the Court Reporter for the 213th District Court. Below is her contact information:

General Contact Information:

Sheila Walker, Court Reporter
213th District Court, Tarrant County, Texas
Tim Curry Criminal Justice Center
401 West Belknap
Fort Worth, Texas 76196
817-884-1788

Please note that there will also be a fee for the production of any transcripts.

Lastly, when requesting copies of any information from any county department, you will need to provide the following information to assist in the search:

Case No. 0836985
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant County, Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction – 35 years – 12/12/2002

Ms. Gail Inman
June 1, 2012
Page 4 of 4

Case No. 0836979
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant County, Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction – 35 years – 12/12/2002

We trust this satisfies your inquiry. Thank you.

ADF/apc

Michelle M. Kretz
Assistant City Attorney



Phone (817) 392-7600
Michelle.Kretz@FortWorthTexas.gov

June 6, 2012

Honorable Greg Abbott
Texas Attorney General
ATTN: Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Certified Mail No.: 7011 2970 0002 9964 3338

Re: City of Fort Worth Public Information Request No. W017348 from Gail Inman
Request for crime lab reports 0201071, 02A0560, 02A0660

Dear Attorney General Abbott:

On May 22, 2012, the City of Fort Worth (the "City") received a written request from Gail Inman (the "requestor") for crime lab reports 0201071, 02A0560, and 02A0660. Exhibit "A" contains a certification of the date the City received this request. A copy of the request is included as Exhibit "B."

The City believes that the responsive records are excepted from disclosure under section 552.028 of the Texas Government Code. Therefore, the City is seeking a ruling from your office in accordance with section 552.301 of the Texas Government Code. Exhibit "C" contains the information at issue.¹

Request for Information from Incarcerated Individual

The City asserts that it is not required to accept or comply with the request under section 552.028 of the Government Code.

The Seventy-sixth Legislature amended section 552.028 to provide:

(a) A governmental body is not required to accept or comply with a request for information from:

(1) an individual who is imprisoned or confined in a correctional facility; or

¹ The City was closed on Monday, May 28, 2012, to observe the Memorial Day Holiday.



OFFICE OF THE CITY ATTORNEY

The City of Fort Worth ★ 1000 Throckmorton Street ★ 3rd Floor ★ Fort Worth, Texas 76102
817-392-7600 ★ Fax 817-392-8359

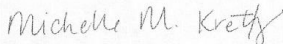
(2) an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under this chapter.

(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

Tex. Gov't Code § 552.028.

The City contends that the requestor, the inmate's grandmother, is making the request on behalf of the inmate. The City has no information to allow us to conclude that the requestor is the inmate's attorney. In order to avoid revealing the nature of the information at issue, the City is including additional details and arguments as confidential Exhibit "D." The inmate to whom the request relates is currently incarcerated in the Texas Department of Corrections. Therefore, the City asserts that we may decline to comply with the request.

Respectfully submitted,



Michelle M. Kretz
Assistant City Attorney

Enclosures

Cc w/o enclosures: Ms. Gail H. Inman
4268 State Highway 16 North
Graham, Texas 76450

Certified Mail No.: 7011 2970 0002 9964 2904



Michelle M. Kretz
Assistant City Attorney

Phone (817) 392-7600
Michelle.Kretz@FortWorthTexas.gov

June 6, 2012

Ms. Gail H. Inman
4268 State Highway 16 North
Graham, Texas 76450

Certified Mail No.: 7011 2970 0002 9964 2904

Re: City of Fort Worth Public Information Request No. W017348
Request for crime lab reports 0201071, 02A0560, 02A0660

Dear Ms. Inman:

This letter is in response to your request for public information, which the City of Fort Worth (the "City") received on May 22, 2012. The City believes that the requested records may be excepted from public disclosure under the Public Information Act, TEX. GOV'T CODE ANN. §§ 552.001-.353 (West 2004 & Supp. 2006). Therefore, the City is requesting an opinion from the Texas Attorney General's Office (the "AG") concerning whether the requested information is subject to release.

A copy of the City's request for a ruling is enclosed. You may submit arguments to the AG regarding why you think the information should be disclosed to you. If you wish to submit such arguments, please do so within ten (10) days of receipt of this notice. You must provide the City with a copy of any correspondence that you submit to the AG. The AG will notify you when a ruling has been made.

Sincerely yours,

Michelle Kretz
Assistant City Attorney

Attachment



OFFICE OF THE CITY ATTORNEY

The City of Fort Worth ★ 1000 Throckmorton Street ★ 3rd Floor ★ Fort Worth, Texas 76102
817-392-7600 ★ Fax 817-392-8359

2012 6 12 Gail (Att, Serv) 552 022

- GAIL H. INMAN

4268 STATE HWY. 16 N.
GRAHAM, TX 76450

(940) 378-2271

JUNE 12, 2012

ATTORNEY'S SERVICE BUREAU OF TEXAS
ATTORNEY'S SERVICE BUREAU OF TEXAS
900 JACKSON STREET -- SUITE 750
DALLAS, TEXAS 75202

Dear Sir or Madam,

I seen and read your name and advertisements in the Texass
Legal Directory (TLD). I am in need of some documentation and
recordation retriveal from Governmental bodies. I am writing
in hopes of hiring this company to do just that. If at all
interested, please respond to me at the address above.

Thank you for your time and attention into this matter.

Sincerely,

Gail H. Inman

PAGE 1 OF 1

2012 6 22: Gaines (Attv): 552 028

FROM:
BARTON R. GAINES
TDCJ # 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

To
PERRY CORTESE
P.O. BOX 883
LITTLE RIVER ACADEMY, TX 76554

JUNE 22, 2012

Mr. Perry Cortese,

Antonio Marquez, TDCJ # 1536818, refered me to you. We presently work together in the Law Library on the HH Coffield Unit. He told me that you may be able to help me.

I am trying to obtain government records on me and my ex-friends involved in my case and conviction, but the governmental body denied me under Texas Government Code, § 552.028(a)-(b):

(a) A governmental body is not required to accept or comply with a request for information from: (1) an individual who is imprisoned or confined in a correctional facility; or (2) an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under this chapter. (b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

If you are willing and able to help me at a reasonable rate, please contact me at the address above. Also, if you have any questions or comments, please contact me at the address above. Thank you for your time and attention into this matter.

Sincerely,

Barton R. Gaines

2012 7 17: Gaines (Dist Mag) - Arrest Warrant

RECORDS

BARTON R. GAINES
TDCJ # 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

JULY 17, 2012

DISTRICT MAGISTRATE JUDGE
M. EUGENE GRANT, JR.
JUSTICE CENTER
401 W. BELKNAP ST.
FORT WORTH, TX 76196
(817) 884-2998
FAX: 884-3366

RE: CASE NO. 0836985 AND CASE NO. 0836979
STATE OF TEXAS V. BARTON RAY GAINES
213TH DISTRICT COURT, TARRANT COUNTY, TEXAS
DISPOSITION CHARGE: AGGRAVATED ROBBERY
DISPOSITION: FELONY CONVICTION -- 35 YEARS -- 12/12/2002

Mr. M. Eugene Grant, Jr.,

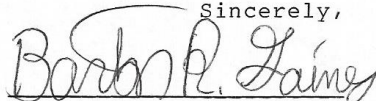
I want to purchase a copy of my arrest warrant and the subsequent Magistrate Warning. The second warrant number was 02-F-0377SD. It was dated 02/25/2002.

I also want to purchase a copy of my first arrest warrant and the subsequent Magistrate Warning. I do not have or know the warrant number. However, it was issued late February 23, 2002, or early February 24, 2002.

The Fort Worth Police Department Service Number was 02132262.

Please direct any questions or comments or cost to me at the address above. Thank you for your time and attention into this matter.

Sincerely,



Barton R. Gaines

PAGE 1 OF 1

2012 7 17: Gaines/T C D C - Arrest Warrant

BARTON R. GAINES
TDCJ # 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

JULY 17, 2012

TARRANT COUNTY DISTRICT CLERK'S OFFICE
ATTENTION: CRIMINAL RECORDS
TIM CURRY CRIMINAL JUSTICE CENTER
401 W. BELKNAP, 3RD FLOOR
FORT WORTH, TEXAS 76196
(817) 884-1342

Contact FW PD

RE: CASE NO. 0836985 AND CASE NO. 0836979
STATE OF TEXAS V. BARTON RAY GAINES
213TH DISTRICT COURT, TARRANT COUNTY, TEXAS
DISPOSITION CHARGE: AGGRAVATED ROBBERY
DISPOSITION: FELONY CONVICTION -- 35 YEARS -- 12/12/2002

Dear Sir or Madam,

I want to purchase a copy of my arrest warrant and the subsequent Magistrate Warning. The second warrant number was 02-F-0377SD. It was dated 02/25/2002.

I also want to purchase a copy of my first arrest warrant and the subsequent Magistrate Warning. I do not have or know the warrant number. However, it was issued late February 23, 2002, or early February 24, 2002.

The Fort Worth Police Department Service Number was 02132262.

Please direct any questions or comments or cost to me at the address above. Thank you for your time and attention into this matter.

Sincerely,

Barton R. Gaines

Barton R. Gaines

PAGE 1 OF 1

BARTON R GAINES
TDCJ # 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN COLONY, TX 75884

JULY 31ST, 2012

KRISTINE A COE & ASSOCIATES
7903 CAMDEN PASSAGE
TYLER, TX 75703
(903) 714-0450

Ms. Kristine A. Coe,

A friend I was talking to about a legal problem suggest I write you. Just about every government document either I or my family try to get the government denies us per Texas Government Code, § 552.028:

(a) A governmental body is not required to accept or comply with the request ~~under this section~~ from:

(1) an individual who is imprisoned or confined in a correctional facility; or

(2) an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under this chapter.

(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

Presently I believe the District Attorney's file on me should contain all the government document I want. My information is:

Case No. 0836985 and Case No. 0836979
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant County, Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction — 35 years — 12/12/2002

How much will you charge me to get the DA's file on me?

Respectfully,

Barton R Gaines

PAGE 1 OF 1

2012 8 2 - Gaines (E W D D) - Arrest Warrant

BARTON R. GAINES
TDCJ # 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

AUGUST 2, 2012

F O R T W O R T H
POLICE•ABS•RECORDS
350 W. BELKNAP ST.
FORT WORTH, TX 76196

RE: Case # 0836985 and Case # 0836979
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant County, Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction -- 35 years -- 12/12/2002

Dear Sir or Madam,

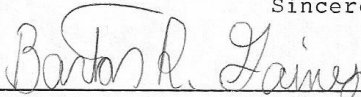
I want to buy my Arrest Warrants and the Magistrate Warnings in Fort Worth Police Department (FWPD) Service Number 02132262. I contacted the Tarrant County District Clerk regarding the purchase, but they told me to contact the FWPD (See the yellow sticky note affixed to the attachments).

Therefore, I want to buy a copy of my Arrest Warrant and the subsequent Magistrate Warning in Arrest Warrant # 02-F-0377SD. It was dated 02/25/2002.

Also, I want to buy a copy of the preceding and related Arrest Warrant and the subsequent Magistrate Warning on me in the same FWPD Service Number as above. I do not know the Warrant Number. However, it was issued late February 23, 2002, or early February 24, 2002.

Please direct all questions, comments or cost to me at the address above. Thank you for your time and attention into this matter.

Sincerely,


Barton R. Gaines

PAGE 1 OF 1



**FORT WORTH POLICE IDENTIFICATION SECTION
/RECORDS DIVISION**

August 9, 2012

Mr. Barton R. Gaines
TDCJ # 01139507
HH Coffield Unit
2661 FM 2054
Tenn.Colony, TX 75884

Mr. Gaines:

We received your letter of request for all Arrest Warrants and the Magistrate Warnings in Fort Worth and I do regret to inform you that we are not able to honor your request at this time.

However, you can still obtain your records by just filling out the enclosed form and mailing it to:

ATTN: Records & Information Management Office
City of Fort Worth
1000 Throckmorton Street
Fort Worth, TX 76102-6311
817-392-8184
817-392-6654 – Facsimile

Enclosed you will find an attachment form which will need to be filled out completely by you. I have mailed you several forms; please fill out all those highlighted boxes.

If you have any questions or concerns, please feel free to contact the above phone number – 817-392-8184 between the hours of 8:00 am through 5:00pm.

A. Olivas / M156 / Identification Technician
Fort Worth Police Department -- Identification Bureau Division

FORT WORTH POLICE DEPARTMENT
THE CITY OF FORT WORTH THOMAS R. WINDHAM BUILDING
350 W. BELKNAP STREET ** FORT WORTH, TEXAS 76102-2004
(817) 392-1680 *** FAX (817) 392-4173

2012 8 14 - Atty. (Gaines) - 552 022

KRISTINE A. COE & ASSOCIATES
PAROLE & INMATE ADVOCACY SERVICES

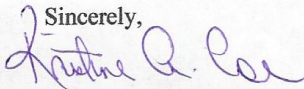
August 14, 2012

Barton R. Gaines #01139507
Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Dear Mr. Barton:

Thank you for contacting me regarding your request for copies of "government" documents pertaining to your case. First, I need to know what type of "government" documents you are referring to. If you are referring to your court records which would or should contain any information the D.A. had on you, there is no reason you or your family should be denied getting copies of your records. Please let me know specifically what you are requesting and I will see what I can find out for you and let you know if I can assist you with this. If it is possible to get what copies you need, it takes approximately 6 weeks for them to notify me that they have been pulled from storage and a copy count.

Thank you again for contacting me and I look forward to assisting you with your request.

Sincerely,

Kristine A Coe



7903 CAMDEN PASSAGE – TYLER, TX 75703 – 903.714.0450



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 14, 2012

Ms. Michelle M. Kretz
Assistant City Attorney
City of Fort Worth
1000 Throckmorton Street, 3rd Floor
Fort Worth, Texas 76102

OR2012-12759

Dear Ms. Kretz:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 461865 (Fort Worth PIR No. W017348).

The Fort Worth Police Department (the "department") received a request for three specified crime lab reports. You contend the department may decline to comply with this request pursuant to section 552.028 of the Government Code. We have considered your argument and reviewed the submitted information.

Section 552.028 of the Government Code provides in part:

(a) A governmental body is not required to accept or comply with a request for information from:

- (1) an individual who is imprisoned or confined in a correctional facility; or
- (2) an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under [the Act].

(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

2012 8 20- Corey (A T F) - SKS (Whom)

JAMES COREY ADAMS

244 SIESTA CT.
GRANBURY, TX 76048

HOME (682) 936-2484
CELL (817) 253-9601

AUGUST 20, 2012

BUREAU OF ALCOHOL
TOBACCO FIREARMS &
EXPLOSIVES (ATF)
Rm. 303, 1114 COMMERCE ST.
DALLAS, TX 75242
(469) 227-4300
FAX: 227-4330
website: www.atf.gov

Dear Sir Or Madam,

I want to know whom the SKS Rifle (7.62X39mm) with Serial
Number C169219165 is or was last registered to. Please contact
me at the address or telephone numbers listed above. Thank
you for your ~~help~~, assistance, time and attention into this
matter.

help

Respectfully,

James C. Adams

PAGE 1 OF 1

2012 8 20- Gaines (City/Hall)- Arrest Warrant #

08/20/2012

Barton Ray Gaines
TDCJ # 01139507
HH Coffield Unit
2661 FM 2054
Tenn. Colony, TX 75884

Attn: Records & Information Management Office
City of Fort Worth
1000 Throckmorton Street
Fort Worth, Texas 76102-6311
(817) 392-8184 Phone
(817) 392-6654 Facsimile

Dear Sir or Madam,

^{Attached}
~~Enclosed~~ please find correspondence/identification form requesting all
Arrest Warrants and Magistrate Warnings. Please note that the telephone
number on the form is the prison's telephone number; all telephone calls
with me have to be scheduled ahead of time. If you have any questions, comm-
ents, etc., please contact me. Thank you for your time and attention into
this matter.

Sincerely,

Barton Ray Gaines

2012 & 2013 TDCJ (Gaines) Arrest Warrant



TARRANT COUNTY

Thomas A. Wilder
District Clerk

August 20, 2012

BARTON R. GAINES, TDCJ# 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

Dear Mr. Gaines,

After reviewing our files, I was unable to locate the documents you are requesting. The arrest warrant and magistrate warning were not among the documents in our file. You might contact the District Attorney's office and hopefully they will be able to process your request. I do apologize for any inconvenience.

Sincerely,

Melody Good

Melody Good
Associate District Clerk

2012 8 21 - T C D C (Gaines) - Extra Wit Photo ID

Barton Ray Gaines
TDCJ # 01139507
HH Coffield Unit
2661 FM 2054
Tenn. Colony, Tx 75884

August 21, 2012

Tarrant County District Clerk's Office
Attention Criminal Records
401 West Belknap Street
Fort Worth, TX 76196-0402

RE: Case No. 0836985 and Case No. 0836979
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant County, Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction -- 35 years -- 12-12-2002

To whom it might concern:

I want to buy a copy of Jheen Ancira's, Stephen Ancire's, Richard Weaver's, Greg Peterson's, and Joel Chandler's photoline up identifications of me, as well as their affidavits in the case numbers mentioned above.

Please ^{verify} contact me at the address above. Please note, I have no telephone. I cannot be called nor be called. Thank you for your help and assistance to this matter.

Sincerely,

Barton Ray Gaines

cc: Barton R. Gaines

Retain

2012-8-27 Gaines (CityHall); Arrest Warrant

CITY OF FORT WORTH PUBLIC INFORMATION REQUEST

A. REQUEST IDENTIFICATION		
Name of Requestor	Telephone	Date
BARTON RAY GAINES	(903) 928-2211	8-27-12
	Facsimile	Email
	N/A	N/A
Address		
2661 FM 2054, 1139507 TENN. COLONY, TX 75884		
Description of Information Requested: (Attach additional sheets if necessary. Please be specific as possible.)		
<p>I want the Arrest Warrants and Magistrate Warnings and anything else associated with the foregoing that is available and subject to disclosure. The Fort Worth Police Dept. (FWPD) Service Number was 02132262. One of the Warrant Numbers was 02-F-0377SD. The other one was dated late 02-23-02 or early 02-24-02.</p>		
Signature of Requestor		
<i>Barton Ray Gaines</i>		

B. DEPARTMENTAL RESPONSE		
Department	Request Handled by:	Telephone

C. INFORMATION CHARGES	
<p>COST ESTIMATE</p> <p>An estimate of costs to copy the information you requested is provided below. This estimate has been calculated from anticipated charges that are indicated on the back of this form. Actual cost may be higher or lower than the cost estimate. Please indicate your desire to proceed with this request by checking one of the boxes below, signing and dating this form, and returning it either by fax to the fax number listed in Section B above, or mailing it to the address shown at the lower right.</p> <p>Cost Estimate: _____</p> <p>NOTE: Cost estimates that exceed \$100 require a deposit before a request can be processed.</p> <p><input type="checkbox"/> I wish to have the information copied.</p> <p><input type="checkbox"/> I do not wish to have the information copied.</p> <p>Signature of Requestor _____ Date _____</p>	<p>ACTUAL COST</p> <p>The cost of copying the information you requested is provided below. This cost has been calculated from the total charges indicated on the back of this form. Please remit payment, either in person, or by check made out to the City of Fort Worth and addressed as shown below. Thank you.</p> <p>Actual Cost: _____</p> <p>If mailing, send to attention of department named in Section B above, addressed to:</p> <p>Attn: Records & Information Management Office City of Fort Worth 1000 Throckmorton Street Fort Worth, Texas 76102-6311 817-392-8184 Phone 817-392-6654 Facsimile</p> <p>101-06/99</p>



August 27, 2012

Mr. Barton Gaines #1139507
HH Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Dear Mr. Gaines,

Thank you for your interest in public records of the City of Fort Worth, Texas. Your request is being processed in accordance with Chapter 552 of Texas Government Code, the Public Information Act. Your request was received by the City on August 27, 2012, and given the log number W019650-082412 for tracking purposes.

Under section 552.028 of the aforementioned statute, a governmental body is not required to comply with a request for information from an inmate or their agent, other than the inmate's attorney.

Sincerely,

Doug A. Jones, CRM
Records and Information Management Office

RECORDS AND INFORMATION MANAGEMENT

THE CITY OF FORT WORTH * 1000 THROCKMORTON STREET * FORT WORTH, TEXAS 76102
817-392-6669 * FAX 817-392-6654

Printed on recycled paper

2012-9-10; Gaines (CityHall); ExtraWit PhotoIDs

BARTON R. GAINES
TDCJ # 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

SEPTEMBER 10, 2012

ATTN: RECORDS AND INFORMATION MANAGEMENT OFFICE
A. OLIVAS / M156 / IDENTIFICATION TECHNICIAN
CITY OF FORT WORTH
1000 THROCKMORTON STREET
FORT WORTH, TX 76107-6311
(817) 392-8184
(817) 392-6654 - FACSIMILE

Dear A. Olivas,

Attached please find a ~~copy~~ of a letter I wrote to the Tarrant County District Clerk's Office, a copy of their response and a copy of their responses envelope. Also, please find attached filled out "REQUEST IDENTIFICATION" form requesting a copy of Jæen Ancira's, Stephen Ancira's, Richard Weaver's, Greg Paterson's, and Joel Chandler's photoline up identification of me, as well as their affidavits. The Fort Worth Police Dept. Service Number was 02132262.

If questions or comments, please do not hesitate to contact me at the address above.

Sincerely,

Barton R. Gaines

PAGE 1 OF 1



September 18, 2012

Mr. Barton Ray Gaines #01139507
2661 FM 2054
HH Coffield Unit
Tennessee Colony, TX 75884

Dear Mr. Gaines,

Thank you for your interest in public records of the City of Fort Worth, Texas. Your request is being processed in accordance with Chapter 552 of Texas Government Code, the Public Information Act. Your request was received by the City on September 14, 2012, and given the log number W020207-091812 for tracking purposes.

Under section 552.028 of the aforementioned statute, a governmental body is not required to comply with a request for information from an inmate or their agent, other than the inmate's attorney.

Sincerely,

Doug A. Jones, CRM
Records and Information Management Office

RECORDS AND INFORMATION MANAGEMENT

THE CITY OF FORT WORTH * 1000 THROCKMORTON STREET * FORT WORTH, TEXAS 76102
817-392-6669 * FAX 817-392-6654

Printed on recycled paper

2012 10 8 - Adams (T C C C) - Notary Log

JAMES C. AND MELISSA G. ADAMS

244 SIESTA COURT
GRANBURY, TX 76048

HOME (682) 936-2484
CELL (817) 243-6023
CELL (817) 243-9073

OCTOBER 8, 2012

TARRANT COUNTY CLERK
401 W. BELKNAP, 2ND FL.
FT. WORTH, TX 76196

Re: Public Records; Notary Public, Notary Public's notary book

Dear Sir or Madam,

Per the Appointment and the Term of Notary Public, S.W. Halfmann; and pursuant to V.T.C.A., Government Code § 406.014, et. seq.; and pursuant to V.T.C.A., Government Code § 406.015, et. seq.; we want to purchase copies of entries made in the above-mentioned Notary Public's notary book for the Term of June 1, 2001 through June 1, 2005; specifically, we want entries for the month of February and year of 2002.

If questions or comments, please contact us at the address or telephone numbers listed above. Thank you for your time, attention, help and assistance to this matter.

Respectfully,

James C. Adams

Respectfully,

Melissa G. Adams

-1-



PRIVATE INVESTIGATORS

HALO Protection Services, Inc.
State license # A13359
4230 LBJ Freeway, Suite 330, Dallas, TX 75244
214-638-0345 – Office
214-638-6221 – Fax
www.haloprotectionservices.com

October 09, 2012

Barton Ray Gaines
#1139507 – Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Mr. Gaines,

I am in receipt of your letter dated 12/20/2011. I am unsure why it took so long for us to receive your letter but thank you for writing me again.

In your letter you asked about issues related to the photograph used and law enforcement procedures used to identify you as the suspect in the state's case against you. Specifically you asked if we could ascertain a copy of the photograph, find out the origin of the photograph and what our fees would be to conduct this investigation.

Our fee for attempting to ascertain all three mug shots and the dates they were taken, related to the two 2002 Tarrant County Aggravated Robbery/DW convictions (cause #s 0836979A & 0836985A respectively) will be \$350.00, not including additional expenses (i.e. postage, record fees, etc., as outlined in our service agreement).

If you are still in need of our services we will be happy to assist you. As always, feel free to contact me again should you have any questions. I look forward to hearing back from you soon.

Best regards,

Eddie Frankum
President/Private Investigator
Texas Criminal Defense Lawyers Association – Member
Texas Supreme Court Certified-PSRB

EF/pc

2012 10 15: Gaines (Halo): Went File instead

BARTON R. GAINES

2661 FM 2054
TENN. COLONY, TX 75884

TDCJ # 01139507
HH COFFIELD UNIT

OCTOBER

OCTOBER 15, 2012

HALO PROTECTION SERVICES
4230 LBJ FREEWAY SUITE 330
DALLAS, TX 75244

Mr. Frankum,

I received your letter the other day in response to my letter 12/20/11. I no longer need you to ascertain the origin of the picture.

How much will you charge me to simply get the Tarrant County District Attorney's ~~entire file~~ and my ~~codefendant~~ defendant?

entire file on me & my codefendant

The entire file on us is going to include the same police report. Therefore, in getting our ~~file~~ files, I only want one of the police reports. Two of the same police reports would be a waste of time and money.

Let me know your price and I will let you know if I can afford it or not. I have all my codefendant's information so there will be no having to dig for it. Thank you for remembering me, and thank you for the birthday card.

Respectfully,

Barton R. Gaines

DEWITT THOMAS

2783 FM 2869
HAWKINS, TX 75765

OCTOBER 19, 2012

CRIMINAL DISTRICT ATTORNEY
JOE SHANNON, JR.
JUSTICE CENTER 401 W. WELKNAP ST.
FORT WORTH, TX 76196-0201
(817) 884-1400
FAX: 884-1667
Email: www.jshannon@tarrantcounty.com

Mr. Shannon,

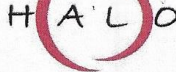
I want to purchase the entire Tarrant County District Attorney's
file in Tarrant County District Court Numbers 0836985 & 0836979,
The State of Texas vs. Barton Ray Gaines, respectively.

Please contact me at the address above regarding costs. Thank
you for your assistance to this matter.

Respectfully,

Dewitt Thomas

2012 10 22: Halo (Gaines): \$550 for File Retrieval



PRIVATE INVESTIGATORS

HALO Protection Services, Inc.
State license # A13359
4230 LBJ Freeway, Suite 330, Dallas, TX 75244
214-638-0345 – Office
214-638-6221 – Fax
www.haloprotectionservices.com

October 22, 2012

Barton Ray Gaines
#1139507 – Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

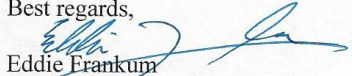
Mr. Gaines,

I am in receipt of your letter dated 10/15/2012. Thank you for writing me back.

Our fee for attempting to ascertain the TCDA files for you and your codefendant, related to the two 2002 Tarrant County Aggravated Robbery/DW convictions (cause #s 0836979A & 0836985A respectively) will be \$550.00, not including additional expenses (i.e. postage, record fees, etc., as outlined in our service agreement).

Feel free to contact me again should you have any questions. I look forward to hearing back from you soon.

Best regards,


Eddie Frankum
President/Private Investigator
Texas Criminal Defense Lawyers Association – Member
Texas Supreme Court Certified-PSRB

LAURIE ASLIN
400 FERENZ AVE.
CROWLEY, TX 76036

NOVEMBER 5, 2012

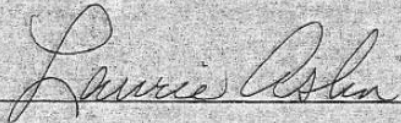
CRIMINAL DISTRICT ATTORNEY
JOE SHANNON, JR.
JUSTICE CENTER
401 W. BELKNAP ST.
FORT WORTH, TX 76196-0201
(817) 884-1400
FAX: 884-1667
www.jshannon@arrantcounty.com

Re: Case #s 0836985 & 0836979
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant County Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction - 35 years - 12/12/2002

Mr. Shannon,

I would like to have your entire publicly discoverable file in the above mentioned case. If questions or comments, please do not hesitate to contact me at the address above. Thank you for your help and time to this matter.

Respectfully,





TARRANT COUNTY DISTRICT ATTORNEY'S OFFICE

DATE: November 8, 2012

TO: James & Melissa Adams, Requestor
244 Siesta Court
Granbury, Texas 76048
VIA REGULAR U.S. MAIL

FROM: Ashley D. Fourt, Assistant District Attorney
Tarrant County District Attorney's Office
(817) 884-1233; (817) 884-1675 – Facsimile
afourt@tarrantcounty.com

6-20-13
remailed
reg. us. mail
ADP

SUBJECT: Response to Your Public Information Request / Cost Estimate

Mr & Mrs. Adams:

On October 29, 2012, this Office, received your public information request. See attachment. Also, this memorandum will confirm that you are in agreement that all confidential information will be removed and/or redacted from the documents being made available to you.

In accordance with Section 552.2615 of the TEXAS GOVERNMENT CODE, you are hereby given notice that there are costs associated with providing information responsive to your request. The PUBLIC INFORMATION ACT authorizes us to charge \$.10 per page, \$15.00 per hour for personnel costs associated with fulfilling a request, and 20% of personnel costs for overhead. See the itemized *Cost Estimate* below:

Cost Estimate:

Estimated Copy Charge:	347 pages @ \$.10 per page = \$34.70
Estimated Labor Charge:	2 hours @ \$15.00 per hour = \$30.00
Estimated Overhead Charge:	(Amt. of Labor Charge) x \$.20 = \$6.00
Estimated Postage Charge:	\$6.85
Total Estimated Cost to Requestor:	\$77.55

Alternatively, there may exist less costly methods of viewing the records. Please feel free to contact me if you wish to discuss alternative methods.

If you do not respond in writing within ten (10) business days of the date this letter was sent, then we will consider your request withdrawn in its entirety. Your written response to me can be by mail, in person, facsimile or electronic mail through any of the following points of contact:

**Ashley D. Fourt, Assistant District Attorney
Tarrant County District Attorney's Office
Tim Curry Criminal Justice Center
Civil Division, 9th Floor
401 West Belknap
Fort Worth, Texas 76196-0201
Facsimile - (817) 884-1675
E-Mail - afourt@tarrantcounty.com**

Your response must include the following information: (1) your choice of your mailing, facsimile transmission or electronic mail address; and (2) that you either accept the estimated charges; you are modifying your request; or, you have sent a complaint to the Texas Attorney General alleging that you are being overcharged.

If you do agree to the charges set forth herein, please forward your **cashier's check or money order** to the following entity:

\$77.55 – payable to the "Tarrant County District Attorney's Office"
c/o Ashley D. Fourt
Assistant District Attorney
Tim Curry Criminal Justice Center
Civil Division, 9th Floor
401 West Belknap
Fort Worth, Texas 76196-0201

Note that if payment is made in cash that exact change must be submitted, due to the fact that this Office is not able to make change. Additionally, this Office does not accept debit or credit cards.

If this Office later determines, before it makes the copy or the paper record available, that the estimated charges will exceed the charges detailed in the above-noted written itemized statement by twenty (20) percent or more, this Office will send you a written updated itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If you do not respond in writing within ten (10) business days of the updated itemized statement was sent, then we will consider your request withdrawn in its entirety. Your written response to an updated itemized statement to me can be by mail, in person, facsimile or electronic mail through any of the following points of contact:

**Ashley D. Fourn, Assistant District Attorney
Tarrant County District Attorney's Office
Tim Curry Criminal Justice Center
Civil Division, 9th Floor
401 West Belknap
Fort Worth, Texas 76196-0201
Facsimile - (817) 884-1675
E-Mail - afourn@tarrantcounty.com**

Your response must include the following information: (1) your choice of your mailing, facsimile transmission or electronic mail address; and (2) that you either accept the estimated charges; you are modifying your request; or, you have sent a complaint to the Texas Attorney General alleging that you are being overcharged.

Thank you. I can be reached at (817) 884-1233 if you have any questions or comments concerning this cost estimate.



TARRANT COUNTY DISTRICT ATTORNEY'S OFFICE

DATE: November 15, 2012

TO: Laurie Aslin
400 Ferenz Avenue
Crowley, Texas 76036
VIA FIRST-CLASS MAIL

FROM: Ashley D. Fourt, Assistant District Attorney
Tarrant County District Attorney's Office
(817) 884-1233; (817) 884-1675 – Facsimile

A handwritten signature in green ink, appearing to be "ADF", is written over the "FROM" field.

SUBJECT: Response to Your Public Information Request

This memo is written to inform you that we are in receipt of your public information request directed to the Tarrant County District Attorney's Office. In response to your request, please be advised that the TEXAS PUBLIC INFORMATION ACT does not require a governmental body [i.e. Tarrant County District Attorney's Office] to comply with a request for information from:

- an individual who is imprisoned or confined in a correctional facility; or,
- an agent of that individual, other than the individual's attorney -- when the attorney is seeking information that is subject to disclosure under Chapter 552 of the TEXAS GOVERNMENT CODE.

See TEX. GOV'T CODE §552.028(a) (Vernon 2012) of the ACT.

This will be the only response concerning this matter. Thank you.

ADF/mps

2012 11 10: Aslin (A C) 552 022 & T C D A

LAURIE ASLIN
400 FERENZ AVE.
CROWLEY, TX 76036

9
NOVEMBER 19, 2012

HONORABLE GREG ABBOTT
TEXAS ATTORNEY GENERAL
ATTN: OPEN RECORDS DIVISION
P.O. BOX 12548
AUSTIN, TEXAS 78711-2548

MR. Abbott:

I sent the Tarrant County District Attorney the first attached letter asking it for its file in Case Numbers 0836985 & 0836979, State of Texas v. Barton Ray Gaines, 213th District Court, Tarrant County Texas, Disposition Charge: Aggravated Robbery, Disposition: Felony Conviction - 35 years - 12/12/2002, and it sent me the second attached letter telling me that I could not have it. The Tarrant County District Attorney is making up reasons to deny me my United State Constitutional Rights under the 1st Amendment. It is required to give me the file in the above case under the 1st Amendment to the United States Constitution.

Respectfully,

Laurie Aslin

cc: Tarrant County
District Attorney

PAGE 1 OF 1

JAMES C. ADAMS	
244 SIESTA COURT	HOME (682) 936-2484
GRANBURY, TX 76048)	CELL (817) 243-6023

DEC. 10, 2012

CRIMINAL DISTRICT ATTORNEY
JOE SHANNON, JR.
401 W. BELKNAP ST.
FT. WORTH, 76196-0201
(817) 884-1400

RE: Case Nos. 0836985 and 0836979
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant County Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Convicton - 35 years - 12/12/2002

Mr. Shannon,

I want to buy a copy of Jheen Macira's, Stephen Ancira's, Richard Weaver's, and Greg Peterson's and Joel Chandler's photoline identification results, as well as ~~ty~~hair affidavits in the above case.

Please contact me at the address or telephone numbers above if you have any questions. Thank you for your time and attention to this matter.

Respectfully,

James C. Adams

PAGE 1 OF 1

JAMES C. ADAMS

244 SIESTA COURT
GRANBURY, TX 76048

817-243-6023

DEC. 17, 2012

PUBLIC INFORMATION OFFICER
MARCK FLAKE
ADMINISTRATION BLDG.
100 E. WEATHERFORD ST.
FORT WORTH, TX 76196
817-8842535
Email: mflake@tarrantcounty.com

Re: Cause Numbers 0836985 & 0836979
State of Texas v. Barton Gay Gaines
213 District Court, Tarrant County Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction - 35 years - 12/12/2002

Mr. Flake,

on Compact Disc; i.e., the Clerk's Record (2 Vol), the Supp Clerk's Record (2 Vol)
I would like to purchase all of the records in the above
case, ~~on the Clerk's Record (2 Vol), the Supp Clerk's Record~~
~~(2 Vol) Record (2 Vol), and the Reporter's Record.~~ If questions
or comments, please contact me at the address or telephone number
above.

Respectfully,

James C. Adams

PAGE 1 OF 1

2012-12-10- Aslin (T C D A) - A G Complaint

LAURIE ASLIN
400 PERENZ AVE.
CROWLEY, TX 76036

CIVIL DIVISION
DISTRICT ATTORNEY'S OFFICE

DECEMBER 19, 2012

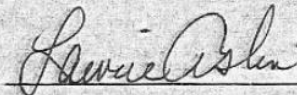
ASHLEY D. FOURT, ASSISTANT DISTRICT ATTORNEY
401 WEST BELKNAP STREET
FORT WORTH, TEXAS 76196-0201

Re: Case #s 0836985 & 0836979
State of Texas v. Barton Ray Gaines
213th District Court, Tarrant Coutny Texas
Disposition Charge: Aggravated Robbery
Disposition: Felony Conviction - 35 years - 12/12/2002

Ms. Fourt,

Please find attached my letter to the Honorable Greg Abbott.

Respectfully



Laurie Aslin

2012-12-19 Aslin (A G) Complaint (T C D A)

LAURIE ASLIN
400 FERENZ AVE.
CROWLEY, TX 76036

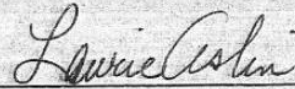
DECEMBER 19, 2012

HONORABLE GREG ABBOTT
TEXAS ATTORNEY GENERAL
ATTN: OPEN RECORDS DIVISION
P.O. BOX 12548
AUSTIN, TEXAS 78711-2548

Mr. Abbott:

I sent the Tarrant County District Attorney the first attached letter asking it for its file in Case Numbers 0836985 & 0836979, State of Texas v. Barton Ray Gaines, 213th District Court, Tarrant County Texas, Disposition Charge: Aggravated Robbery, Disposition: Felony Conviction - 35 years - 12/12/2002; and it sent me the second attached letter telling me that I could not have it. The Tarrant County District Attorney is making up reasons to deny me my United State Constitutional Rights under the 1st Amendment. Is it required to give me the file in the above case under the 1st Amendment to the United States Constitution?

Respectfully,



Laurie Aslin

cc: Tarrant County
District Attorney

PAGE 1 OF 1

2012 1 2: Gaines (Atty): Timeout

BARTON R. GAINES
TDCJ # 01139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

KRISTINE A. COE & ASSOCIATES
PAROLE & INMATE ADVOCACY SERV.
7903 CAMDEN PASSAGE
TYLER, TX 75703

JAN. 2, 1013

Ms. Kristine A. Coe,

I am working on putting together a timeout for parole (in spite of the chances I know). I am wanting to know how much you would charge me to talk to my jurors and try to get notarized statements from them? I have a pretty good idea where they live, but the addressess and telephone numbers could be wrong.

I look forward to your reply. Please contact me at the address above.

Sincerely,

Barton R. Gaines

2012 1 2: Gaines (Westfall): "We admit it"

Barton R. Gaines
TDCJ # 01139507
HH Coffield Unit
2661 FM 2054
Tenn. Colony, TX 75884

Jan. 2, 2013

Gregory Westfall
Attorney at Law
One Summit Ave # 910
Ft. Worth, TX 76102

Dear Mr. Westfall,

I hope this letter finds you well. I have been looking over my transcripts. I have been wondering how you came to the determination that I was guilty of the extraneous offense (Hood County) ~~in~~ your closing argument to my jury. I look forward to and hope to hear from you.

Sincerely,

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
CORRESPONDENCE / CONTRABAND DENIAL FORM

NAME Gaines, Brandon TDCJ-CID# 01139507
UNIT Coffield DATE CORRESPONDENCE RECEIVED 12-28-12 DATE OFFENDER NOTIFIED 1-2-13

CORRESPONDENCE: TO OR FROM (Circle one) EPS

The above correspondence has been denied to you in accordance with BP-03.91, Uniform Offender Correspondence Rules

CHECK APPROPRIATE CAUSE OR CAUSES FOR DENIAL AND STATE APPROPRIATE REASON

☒ Content ☐ Contraband ☐ Enclosure ☐ Package / Publication ☐ Sealed Correspondence

19 Pages of personal information 15 Names, Address and phone numbers

APPEAL:

Should the offender decide to appeal the rejection of said correspondence/contraband, he/she must notify the Unit Mailroom **WITHIN TWO (2) WEEKS** of offender notification requesting that this correspondence/contraband and the rejection form be forwarded to the Director's Review Committee (DRC). Should persons outside the institution desire to appeal, submit by mail to the Director's Review Committee, PO Box 99, Huntsville, TX 77342-0099. The appeal must reach the DRC **WITHIN TWO (2) WEEKS** of the notification date listed above.

Does offender wish to appeal the denial? ☒ Yes ☐ No

Brandon R. Gaines 1-2-13
Offender Signature Date

DISPOSITION: Offender should check the desired disposition.

☐ Destroy

☒ Send to the following person at the offender's expense:

Adams
244 Siesta Ct Ginnbury TX 76048
Name and Address

Brandon R. Gaines
Offender Signature & Date

C. Sneed 1-2-13
Mailroom Representative Signature & Date

UNIT DISPOSITION: 1-2-13
Date

Employee's Signature

IF A DISPOSITION CHOICE IS NOT EXPRESSED AND EXECUTED OR LITIGATION HAS NOT BEGUN ON ITEMS BEING HELD FOR LITIGATION WITHIN SIXTY (60) DAYS OF THE INITIAL DENIAL OR FROM THE DRC DECISION DATE (IF APPEALED), THE ITEMS WILL BE DESTROYED.

DISTRIBUTION:

Original- Send to the DRC **IF THE OFFENDER WISHES TO APPEAL**. If not, keep on unit.

Gold - Unit Copy

Yellow - Offender Copy

Pink - Mail to sender/addressee of correspondence

2012 1 15 Westfall (Gaines) Dtn to Sender

Barton R. Gaines
TDCJ # 01139507
HB Coffield Unit
2661 FM 2054
Tenn. Colony, TX 75884

NIXIE 750 5E 1 00 01/15/13

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 75884

*1088-20566-07-34

|||||

Jan. 2, 2013

Gregory Westfall
Attorney at Law
One Summit Ave # 910
Ft. Worth, TX 76102

Dear Mr. Westfall,

I hope this letter finds you well. I have been looking over my transcripts. I have been wondering how you came to the determination that I was guilty of the extraneous offense (Hood County) in your closing argument to my jury. I look forward to and hope to hear from you.

Sincerely,

Barton R. Gaines

2013-1-16 T C D A (A G) Aslin (Disclosure)



TARRANT COUNTY

OFFICE OF THE
CRIMINAL DISTRICT ATTORNEY
www.tarrantda.com

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
817/884-1400

TIM CURRY CRIMINAL JUSTICE CENTER
401 W. BELKNAP
FORT WORTH, TX 76196-0201

January 16, 2013

Honorable Greg Abbott
Texas Attorney General's Office
Post Office Box 12548
Austin, Texas 78711-2548

VIA CM/RRR #7010 2780 0002 5457 2697

Re: Response to Laurie Aslin's Public Information Request

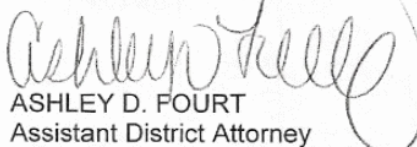
Dear General Abbott:

On November 5, 2012, this Office received an open records request from Laurie Aslin seeking a copy of Case Nos. 0836985 and 0836979; State v. Barton Ray Gaines. See Exhibit A. On November 15, 2012, this Office responded to the Requestor with an "agent of the inmate" letter. See Exhibit B. On November 19, 2012 the Requestor sent a complaint to your office. See Exhibit C. This letter is to inform you that on today's date all responsive public information has been released to the Requestor at no charge.

If you need any additional information, please do not hesitate to contact me at (817) 884-1233. Thank you.

Sincerely,

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS


ASHLEY D. FOURT
Assistant District Attorney

ADF/apc
Enclosure (Exhibit A-C)

2013-1-21; Gaines (Atty.); Jurors

JAN. 21ST, 2013

BARTON R. GAINES
TDCJ # 1139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

TEXAS CRIMINAL DEFENSE LAWYERS ASSOCIATION
1707 NUECES STREET
AUSTIN, TX 78701

Dear Sir or Madam,

I need legal assistance to help me get notarized affidavits from my jurors, and maybe even help me file an Habeas Corpus under art. 11.07 of the Texas Code of Criminal Procedure.

I recently discovered that my jurors used evidence outside the record to find and believe beyond a reasonable doubt that I committed an extraneous crime or bad act (attempted capital murder of 5 people), other than the one charged in the indictment, in aggravation of my sentence to 35 years in TDCJ. There was little to no evidence that I committed this extraneous crime or bad act - admitted as an aggravated sentencing factor against me - and here it is approx. 11 years later and I have never even been arrested for this extraneous crime or bad act, much less convicted of it.

If at all interested in representing me in this matter, I am sure you will not be disappointed. This is a landmark case with regard to ABA Standards for Criminal Justice, Sentencing, Third Edition, Standard 18-3.2 Mitigating factors, Standard 18-3.3 Definition of offenses; aggravating factors, Standard 18-3.6 Offense of conviction as basis for sentence, Standard 18-6.5 Sentencing for more than one offense and our "real-offense" sentencing jurisdiction.

I look forward to your reply. Please contact me at the address above regarding questions or comments. Thank you for your time and attention to this matter.

Sincerely,

Barton R. Gaines

2013-1-28; Gaines (Atty.); Req. Questionnaire

BARTON R. GAINES
TDCJ # 1139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

JAN. 28, 2013

TEXAS INNOCENCE NETWORK
UNIVERSITY OF HOUSTON
100 LAW CENTER
HOUSTON, TX 77204-6060

Dear Sir or Madam,

Please send me a Texas Prisoner Innocence Questionnaire - 2 of them. The Coffield law library has been out of them for approx. 2 months now. I wrote State Counsel for Offenders almost a month ago requesting them since ~~there~~ book in the law library says to write them and not one of the Innocence Clinics listed in the book and on the Questionnaire, but they have failed to respond.

I am sorry to bother you for something this place is supposed to provide me and us, but the time this place waste is time I could be out with my family, provided the clinic accepts my case and is able to prove the fact that I am innocent. Thank you for your time and help with this matter.

Sincerely,

Barton R. Gaines

2013-1-28· Gaines (Attv)· Authorization

AUTHORIZATION FOR RELEASE OF CONFIDENTIAL RECORDS AND INFORMATION

I, Barton Gaines, (Date of Birth: Oct 25th, 1982, Social Security Number: [REDACTED]), by this release hereby authorize the attorneys, staff, or any representative of the **Texas Innocence Network** to obtain copies of any and all records and information in the possession of the Texas Department of Criminal Justice Correctional Institutions Division, Custodian of Medical Records, Unit Classification, or any other state or federal penal institution, including juvenile facilities or mental health or medical facilities, rehabilitation clinics or centers, and any court or probation department, including juvenile. I authorize the release of any documents in the possession of the Federal Bureau of Investigation or any other federal, state, or local law enforcement agency. I also authorize the release of any and all military records.

I also authorize the release of any and all information and records from public or private schools, medical or mental health institutions, or other such institutions, including all prison reports and records, all medical and psychiatric or mental health records, notes, nursing sheets, hospitalization records, physician notes or prescriptions, or any other type of report or record maintained by any of the above institutions, including records concerning substance abuse. I also authorize release of any and all employment records. I also authorize release of any and all records made by or in the possession of any and all attorneys.

Such records should be released immediately upon request by the above named person(s) or their representative.

This Authorization to Release Records and Information is to remain in effect until such time as I revoke it in writing. A photocopy of this document shall have the same effect as the original.

Barton Gaines

.....

Sworn to and subscribed before me on this _____ day of _____, 20____

Notary Public, State of Texas

2013-1-28; Gaines (Atty.); Questionnaire

28. Did you give a statement/confession? Yes ☐ No ☒
If "Yes",
A. Who did you give the statement to?

B. Was your lawyer with you when you signed the statement? Yes ☐ No ☐
C. Was it a written statement? Yes ☐ No ☐
If "Yes," did you sign it? Yes ☐ No ☐
D. Why did you give a statement?

29. How did you plead: Not guilty ☒ Guilty ☐ Nolo Contendere (no contest) ☐
If "guilty" or "nolo contendere" (no contest), why did you plead guilty or no contest?
My Attorney, however, in his closing Argument told my jury that I admitted this offense.
30. Did you testify at your trial? Yes ☐ No ☒
If "No," why didn't you testify?
Mr. Westfall advised me against it.
31. Did the "victims" testify? Yes ☒ No ☐
32. Did an expert(s) testify for the defense? Yes ☒ No ☐
If "yes," what kind of expert(s) testified (for example: doctor, handwriting expert, scientist)?
(Name, Address, Telephone): *A Psychiatrist.*
Paul Edwin Johnston, M.D.
He passed away 07/16/2011
He lived in Houston, Texas.
33. Did an expert(s) testify for the prosecution? Yes ☒ No ☐
If "yes," what kind of expert(s) testified (for example: doctor, handwriting expert, scientist)?
(Name, Address, Telephone): *A Firearms or Ballistics Expert.*
Ronald Thomas Fazio
3015 Honey Locust Dr.
Eulless, Texas 76039-4136
817-358-0485
817-685-0728

University of Houston Innocence Network Questionnaire, Page 5

38. Was any physical and/or biological evidence recovered during the investigation of your case?

Yes ☒ No ☐

If physical and/or biological evidence was recovered, please answer the following questions; otherwise, you have completed this questionnaire:

39. Were any bodily fluids or hair samples obtained from the victim?

Yes ☐ No ☒

For example: vaginal swabs, anal swabs, blood, or saliva

If "Yes," What samples were obtained?

40. Were any bodily fluids or hair samples obtained from you?

Yes ☐ No ☒

Example: blood, saliva, hair

41. Were bodily fluids or hair found at the crime scene?

Yes ☐ No ☒

If "Yes," What was found?

42. Were bodily fluids or hair found on your clothing?

Yes ☐ No ☒

If "Yes," What was found?

43. Were any bodily fluids found on the victim's clothing (e.g. - Blood or semen stains)?

Yes ☐ No ☒

If "Yes," What was found?

44. Was any testing done on the bodily fluids or hair samples?

Yes ☐ No ☒

45. What kind of testing was done?

Ballistics testing; bullet fragment & rifle

46. Who arranged to have the testing done?

Prosecution ☒ Defense ☐

47. Who actually did the test?

(Name, Address, Telephone)

Ronald Thomas Fazio
3015 Honey Locust Dr.
Eulless, TX 76039-4136
817-358-0485
817-685-0728

2013-1-29; SBOT (Gaines); Can't Help

STATE BAR OF TEXAS



January 29, 2013

Barton R. Gaines, 01139507
Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Dear Mr. Gaines:

We have received your letter requesting a list of **pro bono attorneys** and/or to place your case with an attorney. The State Bar cannot assist with any underlying civil or criminal matter, provide legal advice, take any action to remove or replace a court appointed attorney, or make referrals to pro bono attorneys. Under Section **552.028** of the Texas Government Code, the State Bar of Texas is not required to accept or comply with a request for information from an individual who is imprisoned or confined in a correctional facility.

To the best of our knowledge, any appropriate referrals are listed below. Please keep in mind that these programs receive many requests. Due to limited resources, they may be unable to provide legal assistance to each person who contacts them.

If you haven't already, read the Legal Handbook published by **State Counsel for Offenders (SCFO)** in your unit's law library. If your legal problem cannot be solved at the unit law library level, you should send an I-60 by truck mail to the State Counsel for Offenders Section (appellate, civil commitment, general legal, immigration, or trial) that would help with the legal problem.

Offenders must contact the State Counsel for Offenders directly. If you have been served with legal papers, you should immediately send the legal papers with your request to the State Counsel for Offenders Section. To contact The State Counsel for Offenders, send an I-60 with your name and TDJC ID# printed on the request, by truck mail to:

Texas Department of Criminal Justice, State Counsel for Offenders—Legal Services
P.O. Box 4005, Huntsville, TX 77342-4005

Most federally funded programs are prohibited from assisting inmates with legal matters. That means that Legal Aid, which normally helps low-income people with civil legal problems, is unable to help inmates while in prison. When you are released, you may try contacting Legal Aid for assistance with your matter. Unlike in criminal cases, there is no right to court appointed counsel in civil matters.

You may want to contact a private attorney about handling your case. The Lawyer Referral Service is not a reduced fee or pro bono program, but you can have someone on the outside call the Lawyer Referral Service at 1-800-252-9690. Through the Referral Service, your friend or family member can pay \$20 for a 30 minute consultation with an attorney. Any service provided beyond the 30 minute consultation must be negotiated

Page 1 of 2

between the client and attorney and may be on a full fee basis. To contact the Lawyer Referral Service, write to:

Lawyer Referral Service
P.O. Box 12487, Austin, Texas 78711-2487

Sincerely,

State Bar of Texas

2013-2-2; Gaines (Atty);

BARTON R. GAINES
TDCJ # 1139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

FEB. 2ND, 2013

TEXAS WRIT WORKS
DAVID C. BOLTON
CERTIFIED PARALEGAL
6804-B HWY. 6 S. #525
HOUSTON, TX 77083
832-794-3787
PAX: 281-277-8734
texaswritworks@aol.com

Mr. Bolton,

I need to talk to my jurors, most of whom still live in the Fort Worth Area, but because I am in prison anything short of a letter I can't do it. I wrote one already.

My trial transcripts indicate that they violated the court's charge, and my research has revealed this ~~is~~ a potential reversible error. At this juncture, all I want to know is how much you would charge me to ask them "Why?" they gave me the sentence they did?

I don't know how familiar you are with the American Bar Association's Standards on Sentencing (See ABA Standards for Criminal Justice, Sentencing, Third Edition). That is the play book I feel my trial attorney essentially played from in my case. My error essentially stems from his closing argument, and the jurors' use of it as evidence to find and believe ~~beyond~~ a reasonable doubt that I committed an extraneous crime or bad act.

At any rate, without going into it any farther, to start with, how much would you charge me to talk to one (1) of my jurors and ask them why?? I'm on a tight budget. Below is an excerpt of the foregoing ABA, Standard 18-5.19, Commentary:

Historically, sentencing courts were not required to and commonly did not state the reasons for their sentencing determinations. Change in that practice has been one of the most basic and necessary reforms of sentencing. Two decades ago, Judge Marvin Frankel expressed the rationale for change in fundamental terms: "The question 'Why?' states a primitive and insistent human need. The small child, punished or deprived, demands an explanation. The existence of a rationale may not make the hurt pleasant, or even just. But the absence, or refusal, of reasons is a hallmark of injustice. ... The despot is not bound by rules. He need not account for what he does. ¶ Criminal sentences, as our judges commonly pronounce them, are in these vital aspects tyrannical. (Marvin Frankel, Criminal Sentences: Law Without Order 39 (1973))." ... The sentencing court's statement of reason for the sentence imposed is, of course, essential to meaningful appellate review of sentences. A statement of reason for sentence may be especially helpful when a sentence is challenged on appeal as possibly based on an improper factor.

If you have any questions or comments, let me know. I look forward to your reply. Until then, thank you for your time and attention to this matter.

Sincerely,

Barton R. Gaines

2013 2-4 TDCJ (Admin) - RD 201

TDCJ DEPARTMENT OF CRIMINAL JUSTICE CORRESPONDENCE / CONTRABAND DENIAL FORM			
NAME: <u>Earnest, Bart</u>	DATE CORRESPONDENCE RECEIVED: <u>2/1/13</u>	TDCJ-CID#: <u>1139507</u>	DATE OFFENDER NOTIFIED: <u>2-4-13</u>
CORRESPONDENCE: <input type="checkbox"/> TO OR <input checked="" type="checkbox"/> FROM <u>Laurie Olson</u> <u>400 Ferrell Ave</u> <u>Cleburn, TX 76031</u>			
The above correspondence has been denied to you in accordance with BP-03.91, Uniform Offender Correspondence Rules			
CHECK APPROPRIATE CAUSE OR CAUSES FOR DENIAL AND STATE APPROPRIATE REASON <input type="checkbox"/> Content <input type="checkbox"/> Contraband <input type="checkbox"/> Enclosure <input type="checkbox"/> Package / Publication <input type="checkbox"/> Sealed Correspondence			
DENIED: <u>1.00 & Copies</u>			
RECEIVED: <u>Nothing</u>			
APPEAL: Should the offender decide to appeal the rejection of said correspondence/contraband, he/she must notify the Unit Mailroom WITHIN TWO (2) WEEKS of offender notification requesting that this correspondence/contraband and the rejection form be forwarded to the Director's Review Committee (DRC). Should persons outside the institution desire to appeal, submit by mail to the Director's Review Committee, PO Box 99, Huntsville, TX 77342-0099. The appeal must reach the DRC WITHIN TWO (2) WEEKS of the notification date listed above.			
Does offender wish to appeal the denial? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Non-Appealable <u>Bart Earnest</u> <u>2-4-13</u> Offender Signature Date			
DISPOSITION: Offender must check the desired disposition at the time the denial is presented.			
<input checked="" type="checkbox"/> Destroy			
<input type="checkbox"/> Send to the following person at the offender's expense: _____ Name and Address			
<u>Bart Earnest</u> <u>2-4-13</u> Offender Signature & Date		<u>CD Olson</u> <u>2-4-13</u> Mailroom Representative Signature & Date	
UNIT DISPOSITION: _____ Date Employee's Signature			
IF A DISPOSITION CHOICE IS NOT EXPRESSED AND EXECUTED OR LITIGATION HAS NOT BEGUN ON ITEMS BEING HELD FOR LITIGATION WITHIN SIXTY (60) DAYS OF THE INITIAL DENIAL OR FROM THE DRC DECISION DATE (IF APPEALED), THE ITEMS WILL BE DESTROYED.			
DISTRIBUTION: Original - Send to the DRC IF THE OFFENDER WISHES TO APPEAL. If not, keep on unit. Gold - Unit Copy Yellow - Offender Copy Pink - Mail to sender/addressee of correspondence I-153 (Rev. 3/12)			

2013-2-4; Adams (Anciras); MisIDs

JAMES C. & MELISSA G. ADAMS

244 SIESTA CT.
GRANBURY, TX 76048

HOME (682) 936-2484
CELL (817) 243-6023
CELL (817) 243-9073

FEB. 4th, 2013

STEPHEN & JHEEN ANCIRA
1108 N. POST OAK ST.
DUBLIN, TX 76446-1138

Dear Mr. and Mrs. Ancira,

We got your address off the internet. We are writing you in regards to our son Barton Ray Gaines whom you testified about December 10th, 2002 about a shooting February 23rd, 2002 that happened to you on the side of the road in which a friend (Richard Weaver) was hit. There was a mistake in identification that resulted in our son getting identified as the shooter in this crime. He was and has been in jail every since February 21st, 2002 for an unrelated crime in Fort Worth. We have been going over his records and documents when we seen and realized the contradiciton in the dates. You can verify it for yourself that he was and has been in jail every since February 21st, 2002 by logging onto the Texas Department of Criminal Justice's web site at www.tdcj.state.tx.us and entering his TDCJ number 01139507. If you have any questions or comments or concerns, we can be reached at the address or telephone numbers above. We look forward to hearing from you.

Sincerely,

James C. Adams

Sincerely,

Melissa G. Adams

2013-1-21; Gaines (Atty.); Jurors (Rtn. to Sender)

JAN. 21ST, 2013

BARTON R. GAINES
TDCJ # 1139507
HH COFFIELD UNIT
2661 FM 2054
TENN. COLONY, TX 75884

TEXAS CRIMINAL DEFENSE LAWYERS ASSOCIATION
1707 NUECES STREET
AUSTIN, TX 78701

Dear Sir or Madam,

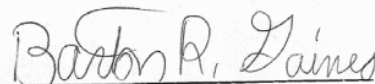
I need legal assistance to help me get notarized affidavits from my jurors, and maybe even help me file an Habeas Corpus under art. 11.07 of the Texas Code of Criminal Procedure.

I recently discovered that my jurors used evidence outside the record to find and believe beyond a reasonable doubt that I committed an extraneous crime or bad act (attempted capital murder of 5 people), other than the one charged in the indictment, in aggravation of my sentence to 35 years in TDCJ. There was little to no evidence that I committed this extraneous crime or bad act - admitted as an aggravated sentencing factor against me - and here it is approx. 11 years later and I have never even been arrested for this extraneous crime or bad act, much less convicted of it.

If at all interested in representing me in this matter, I am sure you will not be disappointed. This is a landmark case with regard to ABA Standards for Criminal Justice, Sentencing, Third Edition, Standard 18-3.2 Mitigating factors, Standard 18-3.3 Definition of offenses; aggravating factors, Standard 18-3.6 Offense of conviction as basis for sentence, Standard 18-6.5 Sentencing for more than one offense, and our "real-offense" sentencing jurisdiction.

I look forward to your reply. Please contact me at the address above regarding questions or comments. Thank you for your time and attention to this matter.

Sincerely,



Barton R. Gaines

NIXIE 787 6F 1 02 01/31/13

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

RC: 75861

*1088-03697-74-33

00000000000000000000

2012 2 15- Aslin (E W D D)- Arrest Warrant

LAURIE ASLIN
400 FERENZ AVE.
CROWLEY, TX 76036

FEB. 15, 2013

FORT WORTH POLICE DEPARTMENT
350 BELKNAP STREET
FT. WORTH, TX 76102

Dear Sir or Madam,

I want to copy a copy of Warrant of Arrest in Warrant No. 02-F-0365-SD. If you have any questions or comments, I can be reached at the address above. Thank you for your time and attention to this matter.

Respectfully,

Laurie Aslin

2013-3-1; Gaines (Westfall); Jurors

BARTON R. GAINES
2661 FM 2054, 1139507
TENN. COLONY, TX 75884

MARCH 1, 2013

GREG WESTFALL
1400 W. ABRAM ST.
ARLINGTON, TX 76013

Dear Mr. Westfall,

I'm writing to hire you, a good PI or somebody who will interview my jurors for me. I'm about at the end of my ropes. I've spent almost all of my money. I can't get anybody to hardly even respond to me, and I've found what I believe possible sentencing error with regard to the sentence my jury gave me. I'm looking for pro bono or nearly that at reduced rates. I got severely ripped off by an attorney specializing in writs.

I've wrote all the places listed in TDCJ's Prisoner Resource guide. None of them will help or are return to sender, despite their recent listings. Texas Lawless Care responded under § 552.028 of the Texas Government Code that they don't have to respond to me, then suggested I call (which I can't if they knew anything about prison) some hotline at something like \$20 a minute. If you can help or know any pro bonos man! I'd really appreciate you giving them my address or me theirs.

The Best of Wishes,

Bart

P.S.: I've been following you from time to time in The Voice for the Defense; I can tell you really do care.

2013-3-11; Gaines (Inv.); Jurors

BARTON R. GAINES

244 SIESTA COURT
GRANBURY, TX 76048

817.243.6023

MARCH 11, 2013

MORRISON INVESTIGATIONS
4904 TULIP LN.
FT. WORTH, TX 76137
(817) 902-4550

I need to hire a PI to interview and gather notarized statements from a Fort Worth jury as to its findings of fact, and you came up highly recommended on Yahoo search for the DFW area. What am I looking at cost wise to hire you to do that?

If interested, I can be contacted at the address and/or phone number above, and I can fill you in a little bit more as to what I need done.

Sincerely,

Barton R. Gaines

-1-

2013-3-11; Gaines (Inv.); Jurors

BARTON R. GAINES

244 SIESTA COURT
GRANBURY, TX 76048

817.243.6023

MARCH 11, 2013

BOBKAT INVESTIGATION SERVICES
3730 US-377 S.
FT. WORTH, TX 76116

I need to hire a PI to interview and gather notarized statements from a Fort Worth jury as to its findings of fact, and you came up highly recommended on Yahoo search for the DFW area. What am I looking at cost wise to hire ~~you~~ to do that?

If interested, I can be contacted at the address and/or phone number above, and I can fill you in a little bit more as to what I need done.

Sincerely,

Barton R. Gaines

-1-

2013-3-11; Gaines (Inv.); Jurors

BARTON R. GAINES

244 SIESTA COURT
GRANBURY, TX 76048

817.243.6023

MARCH 11, 2013

PENDORGRAF INVESTIGATIONS
1400 5TH AVE.
FT. WORTH, TX 76104
(817) 336-8999

I need to hire a PI to interview and gather notarized statements from a Fort Worth jury as to its findings of fact, and you came up highly recommended on Yahoo search for the DFE area. What am I looking at cost wise to hire you to do that?

If interested, I can be contacted at the address and/or phone number above, and I can fill you in a little bit more as to what I need done.

Sincerely,

Barton R. Gaines

2013-3-22; Gaines (Atty); ClosingArg. (Westfall)

BARTON R. GAINES
TDCJ#1139507
2661 FM 2054
TENN. COLONY, TX 75884

03/22/13

PRISON LEGAL AID NETWORK
1521 ALTON RD., SUITE 366
MIAMI BEACH, FL 33139

Dear Prison Legal Aid Network,

I am seeking legal aid. My ~~direct~~ appeal attorney failed to bring forward a very plausible and meritorious claim on direct appeal and instead brought forth an Anders or no merit brief on my behalf. That is, he failed to address and bring forward trial counsel's inaccurate and injurious closing argument confession to my jury to believe and find that I committed an unadjudicated extraneous offense (attempted capital murder of 5 young people on the side of the ~~road~~ country road, wherein I was shot, and only ~~one~~ of the 5 identified me--the others identified other people; I've still never been arrested or convicted of this crime) that the State brought up against me during the sentencing phase of my trial. ~~because~~ I told my jury "we" (he & I) "admitted it." when I nowhere in court or out of court admitted any such thing.

My jury no doubt increased my sentence and punishment as a result. What's more, the judge and DA appear to have been obligated to protect my rights but yet did not; the judge quietly in his charge told them the evidence that they were to consider was to come from the witness stand, and the DA that they had to base their verdict upon the evidence admitted before them.

I'd like to attempt a belated appeal or get my appeal started over from scratch because the direct appeal counsel wholly failed to call attention to these meritorious claims. Maybe then could I go beyond mere speculation that I was prejudiced by the error by substantiating and asking my jury if they used such comment as evidence to find I committed such crime, and watched up my sentence and punishment as a result

If interested or can help, I can be contacted at the address above. I very much look forward to your response. Thank you for your time and attention to this matter.

Sincerely submitted,

Barton R. Gaines

2012 A.D. Adams (A.C.) Arrest Warrant

244 SIESTA COURT
GRANBURY, TX 76048

JAMES C. & MELISSA G. ADAMS

HOME 682-936-2484

APRIL 8, 2013

HONORABLE GREG ABBOTT
TEXAS ATTORNEY GENERAL
ATTN: OPEN RECORDS DIVISION
P.O. BOX 12548
AUSTIN, TEXAS 78711-2548

Mr. Abbott:

We sent the Fort Worth Police Department the attached letter requesting a copy of the Warrant of Arrest in Warrant # 02-F-0365-SD. They have to date not responded. Are they not required to send it to me?

Sincerely Submitted,

James C. Adams

Sincerely, submitted,

Melissa G. Adams

cc: Fort Worth Police Department

2012 A.D. Adams (E.W.D.N.) A.C. Complaint

JAMES C. & MELISSA G. ADAMS
244 SIESTA COURT
GRANBURY, TX 76048

APRIL 8, 2013

FORT WORTH POLICE DEPARTMENT
350 WEST BELKNAP STREET
FT. WORTH, TX 76102

Dear Sir or Madam,

Please find attached ~~our~~ letter to the Honorable Greg Abbott.

Sincerely submitted,

James C. Adams

Sincerely, submitted,

Melissa G. Adams

2012 A 2- Adams (E W D N) - Arrest Warrant

244 SIESTA COURT
CRANBURY, TX 76048

JAMES C. & MELISSA G. ADAMS

682-936-2484

APRIL 8, 2013

FORT WORTH POLICE DEPARTMENT
350 BELKNAP STREET
FT. WORTH, TX 76102

Dear Sir or Madam,

We would like to buy a copy of your Warrant of Arrest in Warrant # 02-F-0365-SD. Please direct all cost, questions or comments to us at the address above. Thank you for your time and attention to this matter.

Sincerely Submitted,

James C. Adams

Sincerely submitted,

Melissa G. Adams

2013-4-10; Gaines (Atty.); Closing (Westfall)

BARTON RAY GAINES
2661 FM 2054, 1139507
TENN. COLONY, TX 75884

APRIL 10, 2013

LEGAL AID OF NORTH WEST TEXAS
600 E. WEATHERFORD ST.
FORT WORTH, TX 76102

Dear Sir or Madam,

I am in need of legal advice. Can a defense attorney legally, during his closing argument of the punishment phase of a criminal trial, **tell** a defendant's jurors to believe the defendant committed an unadjudicated extraneous offense (attempted murder) **without** the defendant's consent or fore-knowledge and **without** the defendant ever having admitted in court or out of court to having committed the unadjudicated extraneous offense?

Also, can a jury in the above scenero use the closing argument as evidence to find and believe a defendant committed the unadjudicated extraneous offense?

Lastly, if the defendant got affidavits from the jurors that they did use the defense attorney's closing argument to find and believe the defendant committed the unadjudicated extraneous offense and, as a result, sentenced the defendant to more prison time, can the defendant effectively challenge the jurors' verdict on appeal and win; i.e., is it a meritous ground of appeal?

The above scenero happened to somebody I know and love and I would like to hire somebody to talk with his jurors as to their findings regarding the unadjudicated extraneous offense and the attorney's closing argument, but I don't have much money and I would like an opinio or two before I spend the money. Plus, I have the slightest ~~place~~ where to look and what to look for in hiring somebody to talk with his jurors.

A little help and advice would be much appreciated. If or if you cannot help, please contact me at the address above. Thank you for your time and attention to this matter.

Sincerely,

Barton Ray Gaines

2013-4-16; Gaines (Inv.); Jurors

2661 FM 2054 , 1139507
TENN. COLONY, TX 75884

BARTON R. GAINES

682-936-2484

INTERNATIONAL COUNTERINTELLIGENCE SERVICES OF TEXAS
2057 MISSOURI AVE.
FORT WORTH, TX 76104

I NEED TO HIRE A PI TO INTERVIEW AND GATHER NOTARIZED STATEMENTS FROM
A FORT WORTH JURY AS TO ITS FINDINGS OF FACT, AND YOU CAME UP HIGHLY
RECOMMENDED ON YAHOO SEARCH FOR THE DFW AREA. WHAT AM I LOOKING AT COST
WISE TO HIRE YOU TO DO THIS?

IF INTERESTED, I CAN BE CONTACTED AT THE ADDRESS OR PHONE NUMBER ABOVE
AND I CAN FILL YOU IN A LITTLE MORE AS TO WHAT I NEED DONE.

SINCERELY,

BARTON R. GAINES

2013-4-16; Gaines (Inv.); Jurors

4-16-13

BARTON R. GAINES

2661 FM 2054, 1139507
TENN. COLONY, TX 75884

682-936-2484

KITHAS & ASSOCIATION INCORPORATED
6505 RIVERA DR
FORT WORTH, TX 76180

I NEED TO HIRE A PI TO INTERVIEW AND GATHER NOTARIZED STATEMENTS FROM
A FORT WORTH JURY AS TO ITS FINDINGS OF FACT, AND YOU CAME UP HIGHLY
RECOMMENDED ON YAHOO SEARCH FOR THE DFW AREA. WHAT AM I LOOKING AT COST
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AND I CAN FILL YOU IN A LITTLE MORE AS TO WHAT I NEED DONE.

SINCERELY,

BARTON R. GAINES

2013-4-16; Gaines (Inv.); Jurors

2661 FM 2054, 1139507
TENN. COLONY, TX 75884

BARTON R. GAINES

682/936/2484

ALLIANCE INSIGHT INVESTIGATIONS
9500 RAY WHITE RD, STE 200
FORT WORTH, TX 76244

I NEED TO HIRE A PI TO INTERVIEW AND GATHER NOTARIZED STATEMENTS FROM
A FORT WORTH JURY AS TO ITS FINDINGS OF FACT, AND YOU CAME UP HIGHLY
RECOMMENDED ON YHOO SEARCH FOR THE DFW AREA. WHAT AM I LOOKING AT COST
WISE TO HRE YOU TO DO THIS?

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AND I CAN FILL YOU IN A LITTLE MORE AS TO WHAT I NEED DONE.

SINCERELY,

BARTON R. GAINES

2013-4-16; Gaines (Inv.); Jurors

BARTON R. GAINES

2661 FM 2054, 1139507
TENN. COLONY, TX 75884

682/936/2484

CLAIMS INVESTIGATORS
4801 BRENTWOOD STAIR RD
FORT WORTH, TX 76103

I NEED TO HIRE A PI TO INTERVIEW AND GATHER NOTARIZED STATEMENTS FROM
A FORT WORTH JURY AS TO ITS FINDINGS OF FACT, AND YOU CAME UP HIGHLY
RECOMMENDED ON YAHOO SEARCH FOR THE DFW AREA. WHAT AM I LOOKING AT COST
WISE TO HIRE YOU TO DO THIS?

IF INTERESTED, I CAN BE CONTACTED AT THE ADDRESS OR PHONE NUMBER ABOVE
AND I CAN FILL YOU IN A LITTLE MORE AS TO WHAT I NEED DONE.

SINCERELY,

BARTON R. GAINES

2013-4-16; Gaines (Inv.); Jurors

2661 FM 2054, 1139507
TENN. COLONY, TX 75884

BARTON R. GAINES

682-936-2484

ENRIGHT INVESTIGATIONS
4455 CAMP BOWIE BLVD
FORT WORTH, TX 76107

I NEED TO HIRE A PI TO INTERVIEW AND GATHER NOTARIZED STATEMENTS FROM
A FORT WORTH JURY AS TO ITS FINDINGS OF FACT, AND YOU CAME UP HIGHLY
RECOMMENDED ON YAHOO SEARCH FOR THE DFW AREA. WHAT AM I LOOKING AT COST
WISE TO HIRE YOU TO DO THIS?

IF INTERESTED, I CAN BE CONTACTED AT THE ADDRESS OR PHONE NUMBER ABOVE
AND I CAN FILL YOU IN A LITTLE MORE AS TO WHAT I NEED DONE.

SINCERELY,

BARTON R. GAINES

2013-4-16; Gaines (Inv.); Jurors

2661 FM 2054, 1139507
TENN. COLONY, TX 75884

BARTON R. GAINES

682.936.2484

MORRISON INVESTIGATIONS
4904 TULIP LN.
FORT WORTH, TX 76137

I NEED TO HIRE A PI TO INTERVIEW AND GATHER NOTARIZED STATEMENTS FROM
A FORT WORTH JURY AS TO ITS FINDINGS OF FACT, AND YOU CAME UP HIGHLY RECOMMENDED
ON VAHOO SEARCH FOR THE DFW AREA. WHAT AM I LOOKING AT COST WISE TO HIRE
YOU TO DO THIS?

IF INTERESTED, I CAN BECONTACTED AT THE ADDRESS OR PHONE NUMBER ABOVE.
AND I CAN FILL YOU IN A LITTLE MORE AS TO WHAT I NEED DONE.

SINCERELY,

BARTON R. GAINES

2013-4-16; Gaines (Inv.); Jurors

2661 FM 2054, 1139507
TENN. COLONY, TX 75884

4-16-13
682.936.2484

BARTON R. GAINES

PROFILE INVESTIGATIONS
4000 SILVER CREEK RD
FORT WORTH, TX 76108

I NEED TO HIRE A PI TO INTERVIEW AND GATHER NOTARIZED STATEMENTS FROM
A FORT WORTH JURY AS TO ITS FINDINGS OF FACT, AND YOU CAME UP HIGHLY RECOMMENDED
ON YAHOO SEARCH FOR THE DFW AREA. WHAT AM I LOOKING AT COST WISE TO HIRE
YOU TO DO THIS?

IF INTERESTED, I CAN RECONTACTED AT THE ADDRESS OR PHONE NUMBER ABOVE
AND I CAN FILL YOU IN A LITTLE MORE AS TO WHAT I NEED DONE.

SINCERELY,

BARTON R. GAINES

2013-4-16; Gaines (Inv.); Jurors

~~2441STESTAS~~ 1139507
TENN. COLONY, TX 75884

BARTON R. GAINES

682/936/2484

AMERICAN BUREAU OF PROTECTIVE SERVICES
233 N. JUDKINS ST.
FORT WORTH, TX 76111

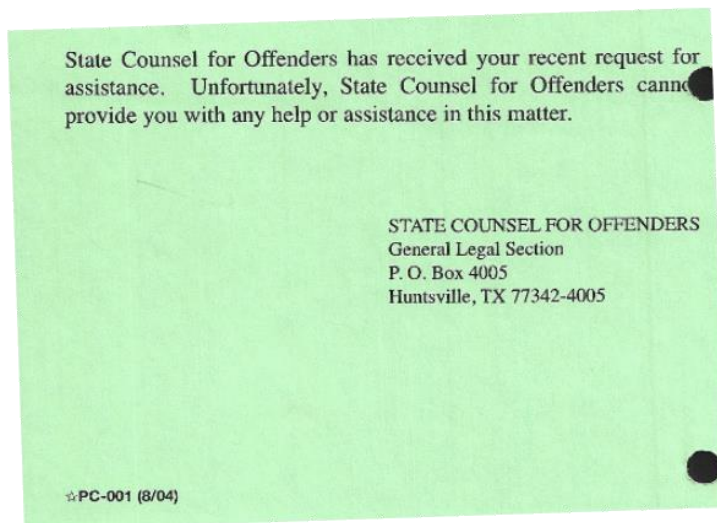
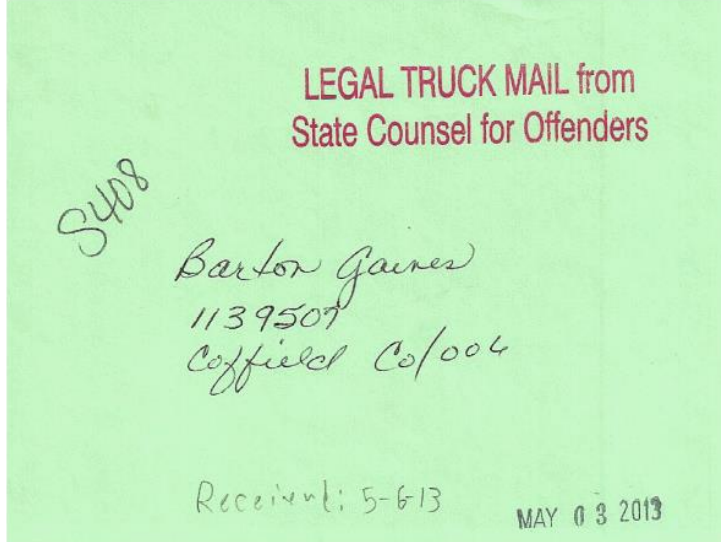
I need to hire a PI to interview and gather notarized statements from a Fort Worth jury as to its findings of fact, and you came up highly recommended on Yahoo search for the DFW area. What am I looking at cost wise to hire yo to do this?

If interested, I can be contacted at the address or phone number above and I can fill you in a little more as to what I need done.

Sincerely,

Barton R. Gaines

2013-4-16: S.C.F.O. (Gaines): Jurors, Innocence, etc.



2013-9-13; Adams (T.C.D.A.); File (552.028)



TARRANT COUNTY DISTRICT ATTORNEY'S OFFICE

DATE: September 13, 2013

TO: Adams, James/Melissa
244 Siesta Ct.
Granbury, TX 76048
VIA FIRST-CLASS MAIL

FROM: Ashley D. Fourt, Assistant District Attorney
Tarrant County District Attorney's Office - Civil Division
(817) 884-1233; (817) 884-1675 – Facsimile

A handwritten signature in blue ink, appearing to read "ADF", is written over the "FROM" field.

RE: Your Public Information Request

This memo is written to inform you that we are in receipt of your public information request directed to the Tarrant County District Attorney's Office. In response to your request, please be advised that the TEXAS PUBLIC INFORMATION ACT does not require a governmental body [i.e. Tarrant County District Attorney's Office] to comply with a request for information from:

- an individual who is imprisoned or confined in a correctional facility; or,
- an agent of that individual, other than the individual's attorney -- when the attorney is seeking information that is subject to disclosure under Chapter 552 of the TEXAS GOVERNMENT CODE.

See TEX. GOV'T CODE §552.028(a) (Vernon 2012) of the ACT.

However, you can obtain court filed records concerning your case at the following department noted below:

General Contact Information:
Tarrant County District Clerk's Office
Tim Curry Criminal Justice Center
401 West Belknap, 3rd Floor
Fort Worth, Texas 76196
817-884-1342

This will be the only response concerning this matter. Thank you.

ADF/crs

2014-2-11; Corey (T.C.D.A.); File (552.028)



TARRANT COUNTY DISTRICT ATTORNEY'S OFFICE

DATE: February 11, 2014

TO: James C. Adams
244 Siesta Court
Granbury, Texas 76048

FROM: Ashley D. Fourt, Assistant District Attorney
Tarrant County District Attorney's Office - Civil Division
(817) 884-1233; (817) 884-1675 – Facsimile

RE: Your Public Information Request

This memo is written to inform you that we are in receipt of your public information request directed to the Tarrant County District Attorney's Office. In response to your request, please be advised that the TEXAS PUBLIC INFORMATION ACT does not require a governmental body [i.e. Tarrant County District Attorney's Office] to comply with a request for information from:

- an individual who is imprisoned or confined in a correctional facility; or,
- an agent of that individual, other than the individual's attorney -- when the attorney is seeking information that is subject to disclosure under Chapter 552 of the TEXAS GOVERNMENT CODE.

See TEX. GOV'T CODE §552.028(a) (Vernon 2012) of the ACT.

This will be the only response concerning this matter. Thank you.

ADF/psm

2014 2 18 - Atty. (Gaines): Atty. Holn



TEXAS INNOCENCE NETWORK
100 LAW CENTER
HOUSTON, TEXAS 77204-6060

March 18, 2014

Barton Gaines
1139507
Coffield Unit
Route 1 Box 150
Tennessee Colony, Texas 75884

Dear M/Ms Gaines:

Thank you for completing and returning a Texas Innocence Network questionnaire. Unfortunately, after reviewing your case, we have concluded that we are unable to provide you with legal assistance. Even if your claim were shown to be true, it would not conclusively prove actual innocence to an extent that would compel post-conviction relief.

If you learn of further information that might be of assistance in investigating your case, please let us know by sending a synopsis of the new evidence. *Do not send additional documents with this information;* in the event that additional documents are needed, we would contact you at that time.

We wish you luck in locating assistance elsewhere.

Sincerely,

Texas Innocence Network

2014 2 18- Atty (Gaines)- Can't Help



TEXAS INNOCENCE NETWORK

100 LAW CENTER
HOUSTON, TEXAS 77204-6060

March 18, 2014

Barton Gaines
1139507
Coffield Unit
Route 1 Box 150
Tennessee Colony, Texas 75884

Dear M/Ms Gaines:

Thank you for completing and returning a Texas Innocence Network questionnaire. Unfortunately, after reviewing your case, we have concluded that we are unable to provide you with legal assistance. Even if your claim were shown to be true, it would not conclusively prove actual innocence to an extent that would compel post-conviction relief.

If you learn of further information that might be of assistance in investigating your case, please let us know by sending a synopsis of the new evidence. *Do not send additional documents with this information;* in the event that additional documents are needed, we would contact you at that time.

We wish you luck in locating assistance elsewhere.

Sincerely,

Texas Innocence Network

2014-3-20; T.C.D.A. (Missy); File (552.028)



TARRANT COUNTY DISTRICT ATTORNEY'S OFFICE

DATE: March 20, 2014

TO: Melissa Adams
244 Siesta Court
Granbury, Texas 76048

FROM: Ashley D. Fourt, Assistant District Attorney 
Tarrant County District Attorney's Office - Civil Division
(817) 884-1233; (817) 884-1675 – Facsimile

RE: Your Public Information Request

This memo is written to inform you that we are in receipt of your public information request directed to the Tarrant County District Attorney's Office. In response to your request, please be advised that the TEXAS PUBLIC INFORMATION ACT does not require a governmental body [i.e. Tarrant County District Attorney's Office] to comply with a request for information from:

- an individual who is imprisoned or confined in a correctional facility; or,
- an agent of that individual, other than the individual's attorney -- when the attorney is seeking information that is subject to disclosure under Chapter 552 of the TEXAS GOVERNMENT CODE.

•
See TEX. GOV'T CODE §552.028(a) (Vernon 2012) of the ACT.

Notwithstanding the response above, please be advised that if you are seeking court filed documents, the custodian of those records is the Tarrant County District Clerk's Office. The contact information for that office is below:

Tim Curry Criminal Justice Center
401 West Belknap, 3rd Floor
Fort Worth, Texas 76196
817-884-1342

This will be the only response concerning this matter. Thank you.

ADF/crs

2014-5-9; A.G. (T.C.D.A.); Corey's complaint



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 9, 2014

Ms. Ashley D. Fourn
Assistant District Attorney
Tarrant County District Attorney's Office
401 West Belknap
Fort Worth, Texas 76196-0201

Dear Ms. Fourn:

The Office of the Attorney General (the "OAG") has received a complaint from Mr. James Adams alleging that the Tarrant County District Attorney's Office has failed to respond appropriately to a request for information. The complaint was assigned ID# 525321.

The Public Information Act (the "Act"), chapter 552 of the Government Code, requires a governmental body to release requested public information that it collects, assembles, maintains, or has right of access to, or to request a ruling from this office as to the applicability of exceptions to the Act. Our records do not indicate that a request for an attorney general's decision has been made in accordance with section 552.301 of the Act.

The OAG has civil enforcement authority under the Act. Although our office takes that responsibility seriously, we prefer to work with the parties to try and resolve complaints informally if at all possible. The easiest way to resolve this open records complaint is to release the information that was requested, provided that the requested information is not confidential by law.

Please contact an enforcement attorney with the Education and Enforcement Section of the Open Records Division within ten business days at (877) 673-6839 or at (512) 936-6736 to discuss the resolution of this situation. If the requested information has been or will be released to the requestor, please so indicate by completing the top portion of the attached certification form. In the alternative, if you have no information responsive to the request, please so indicate by completing the second portion of the attached form. Similarly, if you believe that responsive information is excepted from disclosure and have requested or will

Ms. Ashley D. Fourn - Page 2

request an attorney general's decision, please indicate that on the attached form. The form may be sent by facsimile to the Education and Enforcement Section at (512) 481-1992.

Thank you for your prompt attention to this matter.

Sincerely,

Education and Enforcement Section
Open Records Division

Enc: Submitted documents

c: Mr. James Adams
244 Siesta Court
Granbury, Texas 76048
(w/o enclosures)

2014-7-15; T.C.D.A. (A.G.); Affidavit (552.028)



TARRANT COUNTY

OFFICE OF THE
CRIMINAL DISTRICT ATTORNEY
www.tarrantda.com

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
817/884-1400

TIM CURRY CRIMINAL JUSTICE CENTER
401 W. BELKNAP
FORT WORTH, TX 76196-0201

July 15, 2014

Ms. Tamara Strain
Assistant Attorney General
Texas Attorney General's Office
Post Office Box 12548
Austin, Texas 78711-2548

VIA FACSIMILE (512) 481-1992

Re: Complaint from James C. Adams and Melissa Adams; ID No. 525321

Dear AAG Strain:

In response to the above-noted complaint, attached are two (2) *Affidavits* detailing this Office's investigation that concerns numerous public information requests pertaining to Inmate Barton Gaines. This Office believes that the complainants are working as agents for Inmate Gaines and should be denied access to the records.

If you should have any questions or need additional information, please feel free to contact me at (817) 884-1233. Thank you.

Sincerely,

JOE SHANNON, JR.
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS

Ashley D. Court by apc
ASHLEY D. COURT
Assistant District Attorney

ADF/apc

Affidavit

Complaints from James C. Adams and Melissa Adams, ID No. 525321

AFFIDAVIT OF ANGELA PHILLIPS CAMPBELL OF THE TARRANT COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE

THE STATE OF TEXAS

§

COUNTY OF TARRANT

§

§

BEFORE ME, the undersigned authority, on this day personally appeared ANGELA PHILLIPS CAMPBELL, who by me having been duly sworn made the following affidavit:

"My name is ANGELA PHILLIPS CAMPBELL. I am above the age of twenty-one (21) years, fully competent to make this affidavit, and have personal knowledge of the matters of material fact hereinafter set forth, which are true and correct.

I have been employed by the Tarrant County Criminal District Attorney's Office since November of 1989 and presently hold the position of Administrative Specialist I in the Civil Division of that Office. In this matter, I am the Custodian of Records for the Tarrant County Criminal District Attorney's Office, located in the Tim Curry Criminal Justice Center at 401 West Belknap, Fort Worth, Texas 76196-0201; (817) 884-1233; (817) 884-1675 – facsimile, adphillips@tarrantcountytx.gov.

This *Affidavit* is prepared in response to complaints received by the Texas Attorney General's Office from James C. Adams and Melissa Adams.

On May 12, 2014, this Office received notice from the Attorney General's Office (hereinafter referred to as the 'AG's Office') that a complaint had been filed by James Adams. See Exhibit A. After this Office's original response made on May 19, 2014, re: James Adams' complaint, the AG's Office advised that it had received a complaint from Melissa Adams. See Exhibit B. In light of the subject matter of both complaints, they were consolidated.

On March 18, 2014 and April 1, 2014, we received two (2) public information requests for records from Melissa Adams (mother of the incarcerated inmate) and James C. Adams (husband of Melissa Adams and the step-father of the incarcerated inmate). See Exhibit C. It is the belief of this Office that the correspondence received from both Mr. and Mrs. Adams were drafted by the incarcerated inmate. Inmate, Barton Gaines has access to a typewriter with what appears to be the same typeface as what appears on the Adams' correspondence. See Exhibit D.

AFFIDAVIT OF ANGELA PHILLIPS CAMPBELL - PAGE 1

Previously, during the processing of public information requests received from Inmate Gaines' grandmother, Gail Inman, she voluntarily told me over the telephone phone that she was obtaining the information to give to her grandson in order for him to be set free so he could come home and take care of her and her husband. See Exhibit E.

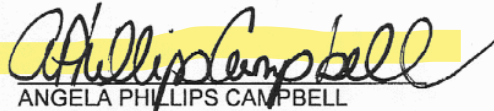
In Exhibit F, this Office would show that it received three (3) subsequent letters from various individuals which are similar style of the letters received from the Inmate's grandmother, shown in Exhibit E. Inmate Gaines has submitted correspondence on his behalf typed on a typewriter with what appears to be the same typeface as reflected in the two (2) previously marked Exhibits. See Exhibit G. This Office would like in point out within Exhibit F that the letters seemingly authored by three (3) different people are similar in format and style of writing. The letters in Exhibit F mirror Inmate Gaines' style of writing and formatting (i.e. Texas always being abbreviated; all addresses being in all caps, the closing sentence being similar or same in style), as shown in Exhibit G. Due to the similarities and what appears to be the same typeface, this Office believes that Inmate Gaines authored these letters.

Lastly, the Texas Department of Criminal Justice provided this Office with a copy of a *Grievance Form* known to be submitted by Inmate Gaines using the typewriting in his cell. Also attached is a pleading submitted to this Office with the same or similar typeface. See Exhibits H and I. The typeface on this document is similar to the type found in both Exhibits E and F.

It is apparent to this Office that Inmate Gaines is attempting to circumvent the TEXAS CODE OF CRIMINAL PROCEDURE and the spirit of the PUBLIC INFORMATION ACT, by drafting correspondence to be submitted by seemingly unknown individuals for Inmate Gaines, or by three (3) of his known family members.

With the grandmother voluntarily providing the information that she was gathering the documents for Inmate Gaines back in late 2011 and early 2012; it seems clear to this Office that Inmate Gaines has continued to author public information requests to this Office in late 2012 and now in early 2014 via other individuals and/or family members. If Inmate Gaines is seeking a copy of his records; then, he can request them in the same manner as any other incarcerated individual – through his legal counsel.

Further, Affiant sayeth not."


ANGELA PHILLIPS CAMPBELL

AFFIDAVIT OF ANGELA PHILLIPS CAMPBELL - PAGE 2

SWORN TO AND SUBSCRIBED before me, the undersigned authority, by
ANGELA PHILLIPS CAMPBELL on this the 15th day of July, 2014.



Polly S. Maxwell
NOTARY PUBLIC in and for
The State of Texas

AFFIDAVIT OF ANGELA PHILLIPS CAMPBELL - PAGE 3

2014 7 16 TDCJ (DRC) - RD 201

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
CORRESPONDENCE / CONTRABAND DENIAL FORM

NAME Gaines, Barton TDCJ-CID# 1139507
UNIT Co. DATE CORRESPONDENCE RECEIVED 07/16/14 DATE OFFENDER NOTIFIED

CORRESPONDENCE: ☐ TO OR ☒ FROM Melissa Adams
244 Siesta Ct.
Granbury, TX 76048

The above correspondence has been denied to you in accordance with BP-03.91, Uniform Offender Correspondence Rules

CHECK APPROPRIATE CAUSE OR CAUSES FOR DENIAL AND STATE APPROPRIATE REASON
☒ Content ☐ Contraband ☐ Enclosure ☐ Package / Publication ☐ Sealed Correspondence

DENIED: 13pgs of criminal history.

RECEIVED: Nothing

APPEAL:
Should the offender decide to appeal the rejection of said correspondence/contraband, he/she must notify the Unit Mailroom **WITHIN TWO (2) WEEKS** of offender notification requesting that this correspondence/contraband and the rejection form be forwarded to the Director's Review Committee (DRC). Should persons outside the institution desire to appeal, submit by mail to the Director's Review Committee, PO Box 99, Huntsville, TX 77342-0099. The appeal must reach the DRC **WITHIN TWO (2) WEEKS** of the notification date listed above.

Does offender wish to appeal the decision? ☒ Yes ☐ No ☐ Non-Appealable x Barton Gaines 7-17-14
Offender Signature Date

DISPOSITION: Offender must check the desired disposition at the time the denial is presented.

☐ Destroy
☒ Send to the following person at the offender's expense: Melissa Adams
Name and Address

x Barton Gaines 7-17-14 APR 16 7-17-14
Offender Signature & Date Mailroom Representative Signature & Date

UNIT DISPOSITION: _____
Date Employee's Signature

IF A DISPOSITION CHOICE IS NOT EXPRESSED AND EXECUTED OR LITIGATION HAS NOT BEGUN ON ITEMS BEING HELD FOR LITIGATION WITHIN SIXTY (60) DAYS OF THE INITIAL DENIAL OR FROM THE DRC DECISION DATE (IF APPEALED), THE ITEMS WILL BE DESTROYED.

DISTRIBUTION:
Original- Send to the DRC IF THE OFFENDER WISHES TO APPEAL. If not, keep on unit.
Gold - Unit Copy
Yellow - Offender Copy
Pink - Mail to sender/addressee of correspondence
I-153 (Rev. 3/12)

2014-7-29; A.G. (Adams); File (552.028)



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 29, 2014

Ms. Melissa Adams
244 Siesta Court
Granbury, Texas 76048

Dear Ms. Adams:

This will acknowledge receipt of your letter asking this office for assistance in obtaining information you requested from the Tarrant County District Attorney's Office (the "district attorney's office") under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your letter was assigned ID# 527276.

Section 552.028 of the Government Code provides in relevant part the following:

(a) A governmental body is not required to accept or comply with a request for information from:

- (1) an individual who is imprisoned or confined in a correctional facility; or
- (2) an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under this chapter.

(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

Gov't Code §552.028(a)-(b). The district attorney's office asserts that you submitted your requests for information as an agent of Mr. Barton Ray Gaines, who we understand is imprisoned or confined in a correctional facility. In support of this assertion, the district attorney's office has provided this office with the enclosed documentation. Based on the district attorney's office's representations and our review of the submitted documentation,

we are unable to conclude that the district attorney's office's determination that you submitted your requests as an agent of an individual who is imprisoned or confined in a correctional facility was inappropriate. Pursuant to section 552.028 of the Government Code, it is within a governmental body's discretion whether to accept or comply with requests for information from an individual described by subsection (a). Accordingly, this office is unable to be of assistance in this matter.

Should you have any questions regarding this letter, please call the Open Government Hotline at 1-877-673-6839.

Sincerely,



Tamara R. Strain
Assistant Attorney General
Education and Enforcement Section
Open Records Division

TRS/sh

Ref: ID# 527276

Enclosure

c: Ms. Ashley D. Fourt
Assistant District Attorney
Tarrant County District Attorney's Office
401 West Belknap
Fort Worth, Texas 76196-0201
(w/o enclosure)

we are unable to conclude that the district attorney's office's determination that you submitted your requests as an agent of an individual who is imprisoned or confined in a correctional facility was inappropriate. Pursuant to section 552.028 of the Government Code, it is within a governmental body's discretion whether to accept or comply with requests for information from an individual described by subsection (a). Accordingly, this office is unable to be of assistance in this matter.

Should you have any questions regarding this letter, please call the Open Government Hotline at 1-877-673-6839.

Sincerely,



Tamara R. Strain
Assistant Attorney General
Education and Enforcement Section
Open Records Division

TRS/sh

Ref: ID# 525321

Enclosure

c: Ms. Ashley D. Fourt
Assistant District Attorney
Tarrant County District Attorney's Office
401 West Belknap
Fort Worth, Texas 76196-0201
(w/o enclosure)

2014-5-19; T.C.D.A. (A.G.); 552.028



TARRANT COUNTY

OFFICE OF THE
CRIMINAL DISTRICT ATTORNEY
www.tarrantda.com

JOE SHANNON JR.
CRIMINAL DISTRICT ATTORNEY
DISTRICT ATTORNEY

TIM CURRY CRIMINAL JUSTICE CENTER
401 WEST BELKNAP
FORT WORTH, TX 76196-0201

May 19, 2014

Honorable Greg Abbott
Attorney General
Post Office Box 12548
Austin, Texas 78711-2548

VIA FACSIMILE (512) 481-1992

Re: Complaint from James C. Adams; ID No. 525321

Dear General Abbott:

This Office received notice of the complaint filed by the above referenced Requestor. This Office denied the request for information pursuant to Section 552.028(a) of the TEXAS GOVERNMENT CODE. The information sought from our prosecution file relates to criminal defendant, Barton Ray Gaines, Jr. whom is currently serving a 35 year sentence in the Texas Department of Corrections for Aggravated Robbery. Since we had several previous requests concerning this criminal defendant, one of our criminal investigators researched the Requestor's connection to the criminal defendant (Barton Gaines, Jr.) and found the Requestor is married to the criminal defendant's mother, Melissa Adams; thereby, making the Requestor the step-father of the criminal defendant.

Accordingly, this Office denied the Requestor's request pursuant to Section 552.028(a) of the TEXAS GOVERNMENT CODE. Additionally, it should be noted that any request denied under this section need not be submitted to the Texas Attorney General for a ruling.

If you should have any questions or need additional information, please feel free to contact me at (817) 884-1233. Thank you.

2014 2 6- D B C (Gaines)- D B 2014 (13 pages Crim Hist.)

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
CORRECTIONAL INSTITUTIONS DIVISION

DIRECTOR'S REVIEW COMMITTEE
DECISION FORM

Offender: GAINES, Barton TDCJ-ID#: 1139507
Unit: CO 006 Date: 08/06/14

The Director's Review Committee (DRC) has rendered a decision regarding your appeal of the Unit rejection of 13 pages of criminal history received in contradiction with BP-03.91, Uniform Offender Correspondence Rules.

The return address indicates that the rejected item(s) was/were mailed to you from:

Melissa Adams
244 Siesta Ct
Granbury TX 76048

It is the decision of the DRC to **uphold** the Unit rejection of the above mentioned item(s).

DRC/ms

copy: Unit Mailroom
Melissa Adams
file

2014 10 21: Gaines (Halo): T C D A 's file (552 028)

Barton R. Gaines
Coffield 1139507
2661 FM 2054
Tenn. Colony, TX 75884

Halo Private Inv.
Attn: Eddie Frankum
4230 LBJ Freeway, Suite 330
Dallas, Texas 75244

10/21/2014

Mr. Frankum,

I am trying to obtain a copy of the Tarrant County District Attorney's file in cause # 0836979A & # 0836985A. However, because of Tex. Gov't Code § 552.028 they don't have to give it to me or anybody for me except my attorney. Therefore, I am writing in hopes of hiring you at a reasonable rate to obtain the file. Please respond to me if you are at all interested in representing me in this matter.

Sincerely,

Barton R. Gaines



PRIVATE INVESTIGATORS

State license # A13359
4230 LBJ Freeway, Suite 330, Dallas, TX 75244
214-638-0345 – Office
214-638-6221 – Fax
www.halo protectionservices.com

October 27, 2014

Barton Ray Gaines
#01139507 – Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Mr. Gaines,

I am in receipt of your letter dated 10/21/2014. I am glad to hear from you and to get an update on how you are doing.

Unfortunately, we do not provide pro bono services, nor do we work on a contingency. We are simply not set up in a way that would allow us to do so and for that, I am sorry. Our fee for attempting to ascertain the records mentioned in your letter dated 10/21/2014, related to the two Tarrant County Aggravated Robbery/DW (X2) convictions (cause #'s 0836979A and 0836985A) will be \$750.00, not including additional expenses (i.e. postage, record fees, etc., as outlined in our service agreement). This proposal will expire 90 days after the date of this letter.

Do you have a family member or friend who would be able to assist you with financing the investigation? Please feel free to contact me again should you have any questions. I look forward to hearing back from you.

Best regards,

A handwritten signature in blue ink, appearing to read "Eddie Frankum", written over a horizontal line.

Eddie Frankum

President/Private Investigator

Texas Criminal Defense Lawyers Association – Member

2015 11 30: 11 S A C (Missy): 85% Law

United States Atty. General
Attn: Loretta Lynch
Robert F. Kennedy Bldg.
950 Pennsylvania Ave. NW St. 5137
Washington, Dist. Columbia 20530

11/30/15

Dear Sir or Madam,

Pursuant to the freedom of information act, I wrote you the following letter:

Re: 42 USC § 13704(a)(1)(C)

9/22/2015

Dear Sir or Madam,

Under the above statute, in order for Texas to be eligible to receive a grant award under the statute it has to submit an application to the Attorney General that demonstrates that persons convicted of a part 1 violent crime on average serve not less than 85% of the prison term established under its sentencing and release guidelines. Is Texas a participant and, if so, I would like a copy of the application, if Texas ever submitted one, past or present. Please respond to me at the address below concerning this matter, comments or questions. Thank you for your time and attention to this matter.

To date I haven't received response. Is this information privileged? I believe under the freedom of information act I am entitled to this information. Please respond with it, or an explanation thereto, to me at the address below.

Sincerely,

Melissa Adams
244 Siesta Ct.
Granbury, Tex. 76048

Melissa Adams
244 Siesta Ct.
Granbury, Tex. 76048

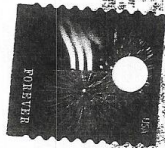
NORTH TEXAS TX PDPC
DALLAS TX 750
X-2 AVFMD DEC 2015 PM 2 L
DEC 21 2015

DCU MAILROOM

United States Atty. General
Attn: Loretta Lynch
Robert F. Kennedy Bldg.
950 Pennsylvania Ave. NW (St. 5137)
Washington, Dist. Columbia 20530

INSPECTED 14

20530



2015 12 30 - Gaines (Attv) - Can't help



IPTX

Innocence Project Of Texas

300 Burnett, Suite 160| Fort Worth, Texas 76102 | (806) 744-6525 | www.ipoftexas.org

December 30, 2015

Mr. Barton R. Gaines
1139507
2661 FM 2054
Tennessee Colony, TX 75884

Dear Mr. Gaines:

The Innocence Project of Texas has received your request for assistance. As you may know, our Project is a non-profit organization dedicated to investigating claims of innocence made by Texas inmates and exonerating those who have been convicted of crimes they did not commit. Unfortunately, we are unable to help on general requests for legal help, with pending criminal cases (where the defendant has not yet been convicted), with federal cases, with requests for educational materials, or with any other matters that do not involve the investigation of an actual innocence claim made post-conviction by an individual who has been convicted of a state felony offense in Texas. Due to a lack of resources, we are forced to be selective about the cases we accept. As a result, we are unable to accept some types of actual innocence cases.

After reviewing your request, we have determined that we are unable to provide you with assistance. We wish you the best of luck in locating assistance elsewhere.

Please note our new mailing address is 300 Burnett, Suite 160, Fort Worth, Texas 76102.

Sincerely,

Donna T. Irvin
Intake Administrator

/dti

LIST OF INNOCENCE CLINICS IN TEXAS

Texas Center for Actual Innocence
727 E. Dean Keeton St.
Austin, Texas 78705
Contact: Tiffany Dowling

Texas Innocence Network
University of Houston Law Center
100 Law Center
Houston, Texas 77204-6371
Contact: David Dow

Texas A&M Innocence Project
1515 Commerce St.
Fort Worth, Texas 76102
Contact: Scott Henson

The Innocence Project of Texas
1511 Texas Ave.
Lubbock, Texas 79401
Contact: Scott Henson

Texas Southern University
Thurgood Marshall School of Law
Innocence Project
3100 Cleburne Street
Houston, Texas 77004
Contact: Anthony Haughton



Washington, D.C. 20530

January 9, 2016

Melissa Adams
244 Siesta Court
Granbury, TX 76048

Dear Ms. Adams:

This is in response to your request for records, Tracking Number, MRUFOIA8-103. Your Freedom of Information Act and/or Privacy Act (FOIA/PA) request was received by this office which serves as the receipt and referral unit for FOIA/PA requests addressed to the Department of Justice (DOJ). Federal agencies are required to respond to a FOIA request within 20 business days. This period does not begin until the request is actually received by the component within the DOJ that maintains the records sought, or ten business days after the request is received in this office, whichever is earlier.

Your request designated organizations outside of the Department of Justice as indicated below and will have to be resubmitted by you directly to them.*

Sincerely,

Evie Sassok, Assistant Director
Logistics Management
Facilities and Administrative Services Staff
Justice Management Division

*Office of the Attorney General, Austin, TX 78701

2016 2 2 Missy (A C V) 250% low

Texas Atty General
Ken Paxton
Austin, Tex. 78701

OPEN

3-3-16

Dear Sir or Madam,

I wrote the United States Atty General, Loretta Lynch, requesting a copy of the application required by 42 USC § 13704(a)(1)(C). See the letter attached first hereunder. They responded that my request be directed to the Texas Atty General, evidently since he or his designees are required to submit the application to the US Atty General pursuant to the above federal statute. See the second letter attached hereunder. Therefore, I am directing my request to the Texas Atty General's office. Please send me a copy of the application referenced in the first letter attached hereunder, plus any questions or comments. I can be reached at the address below. Thank you for your time and attention to this matter.

Sincerely,

Melissa Adams
244 Siesta Ct.
Granbury, Tex. 76048



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 15, 2016

Ms. Melissa Adams
244 Siesta Ct.
Granbury, TX 76048

RE: Public Information Request dated March 3, 2016

Dear Ms. Adams:

This letter is in response to your public information request to the Office of the Attorney General ("OAG"), received by the OAG on March 14, 2016. A copy of your request is enclosed.

The OAG has reviewed its files and has not been able to locate documents responsive to your request. The Texas Department of Criminal Justice and/or the Texas Department of Juvenile Justice may, however, have the information you are seeking.

If you have any questions, please contact me at publicrecords@texasattorneygeneral.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle Gavit".

Kyle Gavit
Public Information Coordinator's Office
Office of the Attorney General

¹ Ross v. State, 2002 W.L. 31835064

2016 4 20- Missy (T D C 1) - 25% low

Executive Director
Brad Livingston
PO Box 99
Huntsville, Tex. 77342-0099

4-20-16

Dear Sir or Madam,

I wrote our US Atty. General, Loretta Lynch, the first letter attached hereunder requesting a copy of the filled out application necessary for Texas to receive grant awards under 42 USC § 13704(a)(1)(C). Her office responded the second letter attached hereunder for me to contact the Texas Attorney General, Ken Paxton, for a copy of the application. I therefore wrote Ken Paxton's office the third letter attached hereunder requesting a copy of the application. Ken Paxton's office responded the fourth and final letter attached hereunder for me to contact you, the Director of the Texas Department of Criminal Justice. Therefore, I am writing you for a copy of the application necessary for Texas to receive grant awards pursuant to 42 USC § 13704(a)(1)(C).

Please send the above plus any questions or comments to me at the address below. Thank you for your time and attention to this matter.

Sincerely,

Melissa Adams
244 Siesta Ct.
Granbury, Tex. 76048

2019-8-2; Gaines (A.I.S.); D.A.'s file

AIS
PO Box 635145
Nacogdoches, Texas 75963-5145

8-2-19

Dear Sir/Madam,

I have sort of a unique request. I am trying to get a file from a government agency. But the Government agency is denying me access to the file under the Texas Freedom of Information Act. Specifically, they are denying me access under Texas Government Code § 552.028. According to the law, the only agent I can get to get it for me is an attorney. Sort of a weird thing hiring attorney to enforce my right to an open government. Just to do an Freedom of Information Act request. It's like a simply letter. The post office physically drives it from point A to point B. But that is the law. Therefore, I am writing whether you know an attorney you could delegate this job to for a reasonable price? If you do, please let me know. I can be reached at the address below.

Sincerely,

Barton R. Gaines
Coffield 1139507
2661 FM 2054
Tenn. Colony, Tx 75884

2019 8 21 - A.I.S. (Gaines): D.A.'s file



Affordable Inmate Services, LLC
P.O. Box 635145
Nacogdoches, TX 75963-5145

August 21, 2019

Barton Gaines-01139507
Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Barton:

Thank you for contacting AIS. I apologize for any delay in my response. Please know that we receive hundreds of letters and must process all paid orders before any general information requests. In addition, we usually will not respond to information requests which do not include a Self-Addressed, Stamped, Envelope or payment for postage. I am hopeful you will be understanding of this policy. In response to your letter, I provide as follows:

PIA/FOIA Requests: As long as the documents being requested are required to be made available under PIA or FOIA, yes, we can request these documents from government agencies and we have affiliates who do the same. We charge \$30/request and our affiliates charge \$50/request. These rates do not include any charges incurred by the government agency, printing, or shipping. We cannot guarantee that documents are available, or if they even exist, but, if they are and do, we can usually obtain them. Please provide the name of the agency the documents are to be requested from; the document name(s); and any relevant information (such as case number, party names, etc.) with payment to initiate your request.

Thank you again for contacting Affordable Inmate Services, LLC. I hope I have answered all of your questions and concerns and we all look forward to continuing to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Mains', is written over a horizontal line.

David Mains
General Manager

8-27-19
info@aisinmate.com | www.aisinmate.com

We may not respond to unpaid information requests which do not include a #10 SASE

2019-10-2; Gaines (A.I.S.); D.A.'s file

AIS
PO Box 635145
Macogdoches, Tx 75963-5145

Re: FOIA

10-2-19

Dear Sir/Madam,

I want to buy a copy of the:

A. Tarrant County District Attorney's Office's entire publically disclosable file on:

1. Jason A. Tucker (DOB 6-15-83) in Tarrant County's (TC) 213th Judicial District Court's 2002-2003 docket case numbers 0836651 and 0839665;
2. Daneil E. Weere aka Daniel Aranda (DOB 2-12-83) in TC's 213th Judicial District Court's 2002-2003 docket case numbers 0837134 and 0837136;
3. Barton R. Gaines (DOB 10-25-82) in TC's 213th Judicial District Court's 2002 docket case numbers 0836979 and 0836985;
4. Tony A. Durham (DOB 11-8-78) in TC's 3rd Criminal District Court's 2001-2002 docket case number 0825850;
5. Richard N. Arredondo (DOB 6-19-81) in TC's 297th District Court's 1999 docket case number 753791;

B. Tarrant County Sheriff's Offices:

1. 8-19-01 mugshot of Barton R. Gaines whose Tarrant County Sheriff's Office's prisoner ID # is 579723;
 2. 3-7-02 mugshot of Barton R. Gaines whose Tarrant County Sheriff's Office's prisoner ID # is the same;
- C. Waco PD's police report in its report number 00-078478; on or about 12-7-00 the Waco PD were dispatched to 1725 N. Martin Luther King Drive in response to a disturbance and arrested, among others, Richard Weaver (DOB 12-20-79). Any pictures and/or mug shots would be desirable.

D. Ft. Worth PD's police report when it was dispatched to the Westwood Apartments on 3200 Las Vegas Trail in response to a missing vehicle on 1-26-02. The complainant was Bart R. Gaines.

E. And, lastly, Ft. Worth PD's publically disclosable personnel file on officer Donald L. Hanlon, badge number 2386, and officer Charla B. Smith, badge number 2214.

2019-10-11; A.I.S. (Gaines); D.A.'s file

You have received a *JPAY* letter, the fastest way to get mail

From : David Mains, CustomerID: 20584423
To : BARTON RAY GAINES, ID: 01139507
Date : 10/11/2019 4:55:03 PM EST, Letter ID: 664578925
Location : CO
Housing : P61C 24

Affordable Inmate Services, LLC
PO Box 635145
Nacogdoches, TX 75963

October 11, 2019

Barton Gaines-01139507 (Via JPay)
Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Barton:

Thank you for your most recent request. Your researcher is in the process of creating a schedule for your order and determining how many individual requests will be needed to obtain the items you are seeking. Please know that each individual case number will need to be submitted as its own request and there must be time between placing requests to the same agency, as sending all requests at once could lead their being denied.

I also wanted to verify with you the fee structure for these requests. As stated, each request is billed at \$50. This fee only covers the labor required to type and submit requests or appeals, as well as any necessary phone calls. This fee does not include any charges agencies may require for the delivery of these items, nor does it cover the printing and shipping expenses. We will obtain an estimate from each agency as to their costs prior to ordering, which will be forwarded to you for your approval. If you agree with these terms, please let us know in writing and we will begin the process.

If you have any questions or concerns, please write to me directly.

Sincerely,

David Mains

General Manager

10-13-19

***JPAY* Tell your friends and family to visit www.jpay.com to write letters and send money!**

2019-10-14; Gaines (A.I.S.); D.A.'s file

AIS
PO Box 635145
Nacogdoches, Tx 75963-5145

10-14-19

Dear Sir/Madam,

The other day I wrote about doing a freedom of information act request. I asked you to send me two copies of the records you got. I was mistaken. I only need one. Hopefully by me writing you before you sent them, you can make a note to send only one.

I got a GENERAL SERVICES Internet Research request too. Will you got on www.googlemap.com and send me a copy (bird's eye view) of a google map or picture of

1532 Eastview Street
Ft. Worth, Tx 76134

Please send the above plus any questions or comments here:

Sincerely,

Barton R. Gaines, 1139507
2661 FM 2054, Coffield
Tenn. Colony, Tx 75884

2019-10-15; Gaines (A.I.S.); D.A.'s file

AIS, LLC
PO Box 635145
Nacogdoches, Tx 75963

10-15-19

Dear Sir/Madam,

I just got your AIS's reply as to my FOIA requests. I was looking over my request. As for Jason Tucker's, Daniel Werre's, and Bart~~on~~ Gaines's, you may notice two cause numbers there, but the records, which will primarily consist of the Police Report and their affidavits they gathered throughout the course of their investigation, are actually one case. It was a drug deal gone bad. The only thing that will really be different is like copies of the indictment. Don't ask me why, it is just the way Texas does it. Because there was two guys who were injured, instead of tying it all to one number like the feds, Texas gives them each their own individual number. As a result, it causes a bunch of duplicates and wasted time and wasted space to store all their records. It's inefficient. But, I would imagine these particular requests would be one, since it is really just their entire publically disclosable file on the drug deal that went bad. Thus, \$150.

Tony Durham's and Richard Arredondo's is straight forward. It is \$100.

The Tarrant County Sheriff's Offices (TCSO) mug shots should be relatively straight forward. They aren't fussy, in other words. Therefore, outsourcing this request should be unnecessary. What's more, could I talk you into considering it one request at your quoted cost of \$30?

Waco PD's should be fairly simply too. City's verses Counties have charters their liable to, and they are way more receptive to its citizens request under a free and open government. In other words, outsourcing this request should not be necessary either. In other words, your quoted cost of \$30 seems fair.

The same, ^{however,} ~~base~~ever, may not be as to the last two requests. In other words, the Ft. Worth PD's 1-26-02 police report, \$50 seems fair. And although I listed two personnel files wanted from the Ft. Worth PD, that's a fairly routine request. They don't fuss a lot there. In other words, although it is two, would it not be fair to say it's one request since it's the same place? In other words, \$50 seems fair as to both personnel files.

This is labor cost on your part, I understand they charge, although a lot of times they waive the request, Or I have known them to have been waived by others who have told me. That's fine. I guess what I'm saying is \$150 + \$100 + \$30 \$30 + \$50 + \$50 = \$410 sounds fair. Write me back and let me know what you think.

Also, I note you charge what I recall was 20¢ per copy. I'm not sure what the law says the State can charge per copy, but

if it is less than 25¢, I'd rather them send you copies on paper rather than a copy on CD or DVD. Although it would cost less postage for them to mail you the CD, and then you copy it to paper and send it to me, I'd probably save money in the long run on the personnel files. So with that one exception, the personnel files, I'm not worried what medium they sent the records to you in.

At any rate, let me know what you think of the labor cost on your end, i.e., what \$410? The government's costs for searching and downloading or printing, I'm not worried about that. It's all laid out in the Chapter (i.e., Gov't Code Ch. 552) how much they can charge for searching and copying.

Please send any questions or comments to me here:

Sincerely,

Barton R. Gaines, 1139507
2661 FM 2054, Coffield
Tenn. Colony, Tx 75884

2019-12-16; Gaines (A.I.S.); D.A.'s file (Outstanding Req.

AIS, LLC
PO Box 635145
Nacogdoches, TX 75963

12-16-19

Mr. David Mains,

I have five outstanding request dating back as far as 10-14-19, 10-15-19, 10-21-19, 11-11-19, and 11-25-19. Your brochure boasts its prepaid services quick turn around. It tends to suggest 4 to 6 weeks is ridiculous. The first two requests I have been waiting 9 weeks. The third one has been 8 weeks, The fourth one has been 5 weeks. And the last one has been three weeks. Have you gone out of business. Please let me know if you have. I have provided you a SASE.

Sincerely,

Barton R. Gaines, 1139507
2661 FM 2054, Coffield
Tenn. Colony, Tx 75884

2019-12-16; Gaines (Atty.); D.A.'s File (552.028)

Mark Morales, Attorney - CLN
PO Box 188
Georgetown, Tx 78627

12-16-19

Dear Mr. Morales,

I read your add in CLN. I just got set off on parole for one year and I'm curious as to why. I would like to know what's in my pin packet that the DA's office sent to TDCJ with me. See Tex. CCP Art. 42.09, § 8 (2017). Therefore, I would like to buy a copy of the DA's file on me and my codefendants. I was wanting to know if I could hire you to do that? I have included a SASE.

Sincerely,

Barton R. Gaines, 1139507
2661 FM 2054, Coffield
Tenn. Colony, Tx 75884

2019-12-16; Gaines (Atty.); D.A.'s File (552.028)

Attn: Wade B. Smith, Attorney
11767 Katy Freeway Suite # 740
Houston, Texas 77445

12-16-19

Dear Sir/Madam,

I read your add in PLN. I just got set off on parole for one year and I'm curious as to why. I would like to know what's in my pin packet that the DA's office sent to TDCJ with me. See Tex. CCP Art. 42.08, § 8 (2017). Therefore, I would like to buy a copy of the DA's file on me and my codefendants. I was wanting to know if I could hire you to do that? I have included a SASE.

Sincerely,

Barton R. GAINES, 1139507
2661 FM 2054, Coffield
Tenn. Colony, Tx 75884

2019-12-16; Gaines (Atty.); D.A.'s File (552.028)

Whitney C. Kubik
Attorney
5100 Westheimer, Ste. 200
Houston, Tx 77056
832.767.0794

12-16-19

Dear Sir/Madam,

I read your add in PLN. I just got set off on parole for one year and I'm curious as to why. I would like to ~~know~~ what's in my pin packet that the DA's office sent to TDCJ with me. See Tex. CCP Art. 42.08, § 8 (2017). Therefore, I would like to buy a copy of the DA's file on ~~me~~ and my codefendants. I was wanting to know if I could hire you to do that? I have included a SASE.

Sincerely,

Barton R. Gaines, 1139507
2661 FM 2054, Coffield
Tenn. Colony, Tx 75884

2019-12-26; A.I.S. (Gaines); Apologize (Outstanding Req.)

You have received a *jp*ay letter, the fastest way to get mail

From : Service AISInmate, CustomerID: 20584423
To : BARTON RAY GAINES, ID: 01139507
Date : 12/26/2019 3:59:03 PM EST, Letter ID: 706619734
Location : CO
Housing : P61C 24

Affordable Inmate Services, LLC
PO Box 635145
Nacogdoches, TX 75963

December 26, 2019

Barton Gaines-01139507
Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Barton:

There is no excuse for delays in processing standard requests. I am looking into your file and I have located the following issues:

Move Delay: We moved our offices to a location that offered better Internet speeds and access to the US Post Office. There were several issues with the move that were unavoidable and caused a 2-week delay in processing requests. The move was an unexpected opportunity that we decided would be best for our clients in the long run. We apologize for the delay.

Lexis: We can order case law from Lexis, however, we do not maintain an account due to the excessive costs and limited requests. Our orders are processed by a law firm that provides this service, however, we are at their mercy when it comes to processing times. Usually, these requests are processed within 5-business days, but your last one has taken longer. For some reason (most likely the holidays), there has been a longer delay in the last two months.

FOIA/PIA: Several of the requests you have ordered are being fought by the agencies. Our paralegal has been writing back and forth and may need to have requests sent by his attorney. This is often the case when other people have requested the information, especially if the requests have come from those incarcerated, which red-flags the file. We will keep you updated on the progress of these requests.

Judge List: Your request was made and we are still waiting for the Chief Judge to authorize the clerk to release this information. There should be no issue with this being done, it is just a formality. You will be notified of their response.

Combined Orders: It appears that your requests for follow up on **FOIA** and the call for the list of judges were on the bottom of your Lexis case law research. When the research was submitted, it was mistakenly placed in the Lexis request folder. We ask that when you send multiple requests you place each on their own page. This will allow us to divide the order into the appropriate files. Please remember that we scan all letters and work from digital files. When everything is combined on one page, it can be easily misplaced.

I will continue to research your file and see if I can locate any other issues. I will let you know if I find any. In the meantime, I again apologize for the delays.

Sincerely,

David Mains, General Manager

12-27-19

***jp*ay Tell your friends and family to visit www.jp.com to write letters and send money!**



Affordable Inmate Services, LLC
PO Box 635145
Nacogdoches, TX 75963

February 06, 2020

Barton Gaines-01139507
Coffield Unit
2661 FM 2054
Tennessee Colony, TX 75884

Barton:

We are writing to update you on your FOIA/PIA request. The agency is being difficult and refusing to release the records requested. This is common if multiple people have requested the same information or if requests have come from people who are incarcerated. We are continuing to pursue this information and will keep you updated.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Mains', with a stylized flourish at the end.

David Mains
General Manager

2-11-20
info@aisinmate.com | www.aisinmate.com

We may not respond to unpaid information requests which do not include a #10 SASE



Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 56939223

Status as of 9/3/2021 9:21 AM CST

Associated Case Party: BARTON RAYGAINES

Name	BarNumber	Email	TimestampSubmitted	Status
Barton RGaines		bartongaines@gmail.com	9/3/2021 8:36:34 AM	SENT