

1ST SUPPLEMENTAL
CLERK'S RECORD

VOLUME 1 of 1

Trial Court Cause No. **0836985A**

In the 213th District Court
of Tarrant County, Texas
Hon. **ROBERT K. GILL**, Presiding Judge

BARTON RAY GAINES, APPELLANT

VS.

THE STATE OF TEXAS

Appealed to the Court of Appeals
for the 2nd Supreme Judicial District of Texas
at Fort Worth, Texas

ATTORNEY FOR THE APPELLANT

PAUL FRANCIS, APPT.
1000 WEST ABRAM
ARLINGTON, TEXAS 76094
PHONE: 817-461-2000
FAX: 817-275-7810
SBOT: 07359600
Attorney for BARTON RAY GAINES, Appellant

Delivered to the Court of Appeals for the 2nd Supreme
Judicial District of Texas at Fort Worth, Texas, on the

17th day of April 2003

THOMAS A. WILDER, DISTRICT CLERK,
TARRANT COUNTY, FORT WORTH, TEXAS

Nancy Gilliland

NANCY GILLILAND
Deputy District Clerk

(Court of Appeals)

Cause No. _____

Filed in the Court of Appeals for the 2nd Supreme Judicial
District of Texas, at Fort Worth, Texas, this

_____ day of _____
STEPHANIE LAVAKE, Clerk
By _____, Deputy

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C A P T I O N

THE STATE OF TEXAS §

COUNTY OF TARRANT §

In the 213th District Court of Tarrant County, Texas, the Honorable **ROBERT K. GILL** sitting as Judge of said court, the following proceedings were held and the following instruments and other papers were filed in this cause, to-wit:

TRIAL COURT CAUSE NO. **0836985A**

THE STATE OF TEXAS §

VS. §

BARTON RAY GAINES §

In The 213th District Court

TARRANT COUNTY, TEXAS

CASE NO. 0836979A AND 0836985A

THE STATE OF TEXAS

Vs.

BARTON RAY GAINES

§
§
§
§
§

In The 213TH

District Court

Tarrant County, Texas

ORDER APPOINTING SUBSTITUTE COUNSEL FOR THE APPEAL

On this day, it being made known and appearing to the Court that the Defendant is without counsel of his own selection to represent him herein, and that he is too poor to employ counsel, or give security therefor, to represent him herein and the Defendant having requested that an attorney be appointed to represent him in the above styled and numbered cause.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that Paul Francis, a regularly licensed and practicing attorney is hereby appointed as substitute counsel to represent the Defendant as his attorney, and said Attorney is hereby authorized to proceed to perform the duties of the Attorney for the defendant in this cause.

Robert K. Gill

Robert K. Gill
Presiding Judge

4/17/03
Date Signed



TARRANT COUNTY

Thomas A. Wilder

District Clerk

April 17, 2003

PAUL FRANCIS
1000 WEST ABRAM
ARLINGTON, TEXAS 76094

Re: BARTON RAY GAINES vs: The State of Texas

CASE NO. 0836979A AND 0836985A

OFFENSE: AGGRAVATED ROBBERY-DW
AGGRAVATED ROBBERY-DW

DATE OF SENTENCE: DECEMBER 12, 2002

SENTENCE: 35 YEARS IDTDCJ
35 YEARS IDTDCJ

Dear Mr. Francis:

Please be advised that you have been appointed as substitute counsel to represent the above referenced defendant on appeal.

Thank you for your attention to this matter.

Very truly yours,

Thomas A. Wilder
District Clerk
Tarrant County, Texas

By: Nancy Gilliland
Nancy Gilliland

213TH District Court

cc: BARTON RAY GAINES

STATE OF TEXAS
GAINES, BARTON RAY
0836985A-11 D213
CAPITAL MURDER-ATTEMPT 4 AGG
SIDE 0570723 CASE# 0836985

213 19
125/82
/21/02

CRIMINAL DOCKET

DETAINER
(CRIMINAL) DISTRICT COURT 213

TRANSFERRED TO _____
State's Attorney ROBERT FORAN, MICHELE HARTMANN
On Probation Revocation _____
Defendant's Attorney GREG WESTFALL, CHEYENNE MINICK
On Probation Revocation _____

Surety _____
Appeals Attorney REAGAN Wynn apptd.

MAR 06 2002 COMPLAINT FILED. BOND SET AT \$ 100,000
3-7-02 Hair by appointed Counsel
APR 25 2002 INDICTMENT VOL. 19 PAGE 23
APR 25 2002 State's Announcement of Ready Filed
JUN 24 2002 TRIAL DOCKET CALL
8-7-02 Pro Se Application for Writ of Habeas Corpus filed
8-19-02 State's Effort Witness list filed
8-22-02 Motion for Continuance filed & granted.
SEP 09 2002 TRIAL DOCKET CALL
OCT 11 2002 STATE'S MOTION (A) FILED
11-13-02 State's Notice to Introduce Evidence of

DISPOSITION OF CASE:

TRS - 39 DL
S DPS

1. 35 years IDTDCJ + \$10,000.00 A
2. _____
3. _____
4. _____
5. _____
6. _____



11-13-02 Other Crimes, Wrongs or Acts Filed
DEC - 8 2002 Brady vs. Maryland Compliance Notification filed
DEC - 8 2002 Supplemental Notice of Extrajurisdictional Offenses filed
DEC - 9 2002 TRIAL DOCKET CALL
Writ of Attachment issued for Alicia Gonzalez
DEFENDANT'S MOTION FOR ASSESSMENT OF PUNISHMENT (8/3 JULY) FILED
DEFENDANT ARRAIGNED. DEFENDANT ENTERED HIS PLEA OF GUILTY TO COUNT TWO TO THE CHARGE
JURY CALLED AND SEATED.
JURY SWORN. WRIT OF ATTACHMENT FOR AFTAB AHMED ISSUED
12-10-02

~ OVER ~

Thomas A. Wilder

DISTRICT CLERK
TARRANT COUNTY, TEXAS
THESE ARE CRIMINAL COURT PAPERS AND MUST NOT BE REMOVED

CRIMINAL DOCKET

12-10-02
(continued) DEFENDANT ENTERED HIS PLEA OF "GUILTY"
TO COUNT TWO TO THE JURY.
TESTIMONY BEGAN.

12-12-02 COURT'S CHARGE FILED.
JURY VERDICT: GUILTY OF AGGRAVATED
ROBBERY WITH A DEADLY WEAPON, TO-WIT: A FIREARM;
-35- YEARS IN THE INSTITUTIONAL DIVISION OF THE
TEXAS DEPARTMENT OF CRIMINAL JUSTICE PLUS A
\$10,000.00 FINE,
DEFENDANT SENTENCED TO -35- YEARS IN THE
INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT
OF CRIMINAL JUSTICE, PLUS A \$10,000.00 FINE, TO
BE CREDITED WITH TIME SPENT IN JAIL. JUDGMENT.
DEFENDANT ADVISED OF HIS RIGHT OF APPEAL.
WRITTEN NOTICE OF APPEAL FILED.
MOTION FOR FREE REPORTER'S RECORD AND AFFIDAVIT
OF INABILITY TO PAY FOR COUNSEL AND REPORTER'S RECORD FILED.

12-12-02 ORDER APPOINTING COUNSEL,
FOR THE APPEAL AND ORDER FOR COURT REPORTER TO
PREPARE REPORTER'S RECORD

12-16-02 Letter to appointed attorney w/ Enclosures

12-17-02 Copy of Judgment, Notice of Appeal and
Attorney Appointment Letter sent to State and
Court of Appeals

1-3-03 Amended Designation of the Record on
Appeal filed.

* 12-20-02 Designation of the Record on Appeal

* 12-20-02 Motion for New Trial filed

1-9-03 Copy of Motion for New Trial sent to
State and Court of Appeals

3-26-03 Appointment Order filed

3-26-03 Bench warrant issued

4-10-03 Statement of Demand

4-10-03 Order Appointing Substituted Counsel
(Whitney Woodman) for the Appeal

4-10-03 Defendant to be returned to IDDCS

4-10-03 Letter to Attorney with Attachments

APR 11 2003 Copy of Letter sent to Defendant

4-17-03 TRANSMITTED TO CA
Order Appointing Substituted Counsel for
the Appeal (Paul Francis)