

April 26th, 1997

Mr. John Heath
Attorney at Law
1308 Raguet Street
Nacogdoches, Texas 75961

Re: Cause No. 19,058
State of Texas
vs
Desiree Shaw

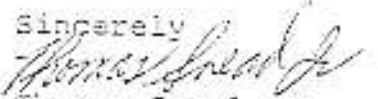
Dear Mr. Heath:

This is your final notice that the above transcription of Court Reporter's notes volumes are ready since only two work days remain before the deadline set of April 30, 1997, for the original to be filed in Beaumont with the appellate court.

Judge Goodwin has refused for the county to pay for the appeal saying he has ruled the defense counsel has to pay for it.

There is a missing D-4 photo that is not with the exhibits that can be attached at the appropriate page in the exhibits volume, if a copy can be obtained.

By copy of this letter, with a cover letter, I am asking Ms. Carol Anne Flores, Clerk of the Ninth Court of Appeals in Beaumont for any instructions she may wish to give on this impasse, if the appeal is not there by the close of the day, April 30th.

Sincerely

Thomas Snead, Jr.
Court Reporter
734 Southwood
Lufkin, Texas 75904

cc: Ms. Carol Anne Flores
Clerk, Ninth Court of Appeals
1001 Pearl Street, Suite 330
Beaumont, Texas 77701

Mr. David Wilson II
Assistant District Attorney
P.O. Box 908

April 25th, 1997

Ms. Carol Anne Flores
Clerk, Ninth Court of Appeals
1001 Pearl Street, Suite 330
Beaumont, Texas 77701

Re: Cause No. 19059
State of Texas
vs
Desiree Shaw

Dear Ms. Flores:

Time for appeal in the above captioned case runs out April 30th. Five volumes of original and one volume of exhibits, plus 10 volumes of copies have been ready since April 22nd, and I submitted them to our District Clerk's office for a stamping so the date I had them ready would be a matter of record. One exhibit, D-4 a photo, is not to be found among the exhibits. There were many photos that were exhibits, most taken by the Diboll Police Department, and if this is one from their files, if it can be determined which photo was D-4 it can be added in the proper page in the exhibits volume.

Mr. John Heath, Attorney at Law, 1308 Rague Street, Nacogdoches, Texas 75961, is the defense attorney and was notified by mail on April 22, 1997, that this appeal is ready, subject to any addition of D-4, or if I have overlooked anything. Mr. Heath asked for a free appeal which would mean the county would pay for same. Judge Goodwin tells me the county will not pay for the appeal and he has ordered Mr. Heath to pay for the appeal.

Please advise me as to what procedure I should follow. I don't want to turn over the appeal without payment since I have other cases in which this was done and counsel have not paid and I have no recourse except to sue and I don't do that as costs would outweigh the return, I take the loss. I would appreciate your instructions as I'm sure many other reporters have the same problem.

Enclosed is a copy of the order of Judge Goodwin ordering the transcription in the above case.

Sincerely
Thomas Snead, Jr.
Thomas Snead, Jr.
Court Reporter
734 Southwood