

STATE OF TEXAS)
V.)
WILLIAM IRVAN)
IN THE DISTRICT COURT
HARRIS COUNTY TEXAS
180th JUDICIAL DISTRICT

AFFIDAVIT OF ATTORNEY

"My name is LAYTON DUCK and I am an attorney licensed to practice law in the State of Texas. My Texas Bar Number is 06165200 I am presently certified by Harris County and the 2nd Administrative Judicial District to handle Capital Death Penalty Cases, at the trial level, within the 2nd Administrative Judicial District as a 1st chair / 2nd chair. I have been practicing death penalty trial litigation for about SEVEN (7) years in Harris County, Texas.

The standard policy employed by the Harris County District Judges is that once a capital case is filed and the defendant is indigent only one attorney is appointed to represent that indigent defendant until the State informs the Court that they are seeking the death penalty, and then and in that event a second chair is appointed. Some courts appoint two attorneys right away, but the prevailing policy in Harris County, Texas is to wait until the State informs the Court that they are seeking death, and then the 2nd chair capital certified attorney is appointed. The notice that the State is seeking death does not have to be in writing."

I Layton Dyer have read the above affidavit

and I swear that it is true to the best of my knowledge and belief.

Layton Dyer
Attorney affiant

SUBSCRIBED AND SWORN TO before me the undersigned authority on this the
OCT 10 2005
day of September, 2005.

Seal

