

THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS
FILED
JUN 20 2017
TIME _____
BY _____
DEPUTY
E CRIMINAL DISTRICT
T NO 2 OF

**STATE'S MOTION TO REVOKE THE DEFENDANT'S BOND OR IN THE
ALTERNATIVE TO HOLD DEFENDANT'S BOND INSUFFICIENT**

COMES NOW, the State of Texas by and through the undersigned Assistant District Attorney, and moves the Court, pursuant to Art. 17.40 of the Texas Code of Criminal Procedure, to revoke the Defendant's bond and to order the re-arrest of the Defendant pending trial in order to ensure the future safety of the community.

I.

1. The Defendant is charged by indictment in this case with the offense of Hindering Apprehension, a third degree felony, committed on or about December 11, 2015 and Money Laundering \$30,000 to \$150,000 committed on or about December 3, 2015. The Defendant was released from jail pursuant to the terms of a \$75,000 and a \$10,000 bond

posted on January 12, 2016 and May 26, 2016, respectively. On that date, the Defendant was ordered to abstain from the illegal use of controlled substances and cannabinoids or the consumption of alcoholic beverages.

1. The Defendant failed to abstain from the possession or consumption of alcoholic beverages on or about the 16th day of June, 2017.

II.

REVOCATION

Article 17.04(b) of the Texas Code of Criminal Procedure provides that the Court shall revoke a Defendant's bond if the Court finds by a preponderance of the evidence that the Defendant violated one or more of the terms and conditions of his bond. The Defendant's failure to comply with his bond conditions poses a serious and immediate threat to the safety of the community. The \$75,000 and \$10,000 bond and current terms and conditions required of the Defendant in this case under his current bond are defective and wholly insufficient in that these terms have failed to adequately force compliance by the Defendant and ensure the future safety of the community pending trial. Thus, the Defendant's bond should be revoked and the Defendant remanded into custody pending trial.

III.

HOLD BOND INSUFFICIENT

Pursuant to Texas Code of Criminal Procedure Articles 17.09 and 17.15, the future safety of the community may be considered when fixing the amount and terms and conditions of bail. The Defendant's failure to comply with his bond conditions poses a serious and immediate threat to the safety of the community. The \$75,000 and \$10,000 bond and current terms and conditions required of the Defendant in this case under his current bond are defective and wholly

insufficient in that these terms have failed to adequately force compliance by the Defendant and ensure the future safety of the community pending trial. Therefore, if the Defendant's bond is not revoked, the court should hold the bond insufficient and require the Defendant to post a new bond with new, more restrictive terms and conditions in order to ensure the safety of the community.

IV.

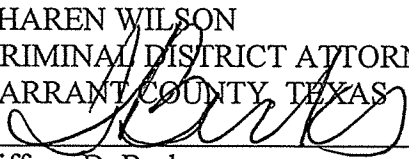
WHEREFORE, PREMISES CONSIDERED, the State of Texas respectfully prays that this honorable Court revoke the Defendant's bond and order the re-arrest of the Defendant and deny bail pending the outcome of his trial due to the serious threat the Defendant poses to the community at large.

In the alternative, the State prays that this Honorable Court hold the Defendant's bond insufficient and issue a warrant for the arrest of the Defendant, order additional terms and conditions of bond, and require the amount of bail in the amount urged by the State sufficient to ensure the future safety of the community. The State is suggesting an amount significantly higher than the \$75,000 and \$10,000 bond set previously in this cause and more restrictive terms and conditions due to the Defendant's blatant disregard of his previous conditions of bond, and his continued decisions to place the safety of the community at risk.

We respectfully request this court set this motion for a hearing and upon said hearing, hold the Defendant's bond insufficient.

Respectfully submitted,


SHAREN WILSON
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS



Tiffany D. Burks
Assistant Criminal District Attorney
Tarrant County, Texas

CERTIFICATE OF SERVICE

I, Tiffany D. Burks, do hereby certify that on the 20th day of June, 2017, a true and correct copy of the foregoing STATE'S MOTION TO REVOKE THE DEFENDANT'S BOND OR IN THE ALTERNATIVE TO HOLD DEFENDANT'S BOND INSUFFICIENT was delivered via facsimile to Stephanie Patton and Steve Gordon, Attorneys for the Defendant.



Tiffany D. Burks
Assistant Criminal District Attorney
Tarrant County, Texas

CAUSE NO. 1439883 and 1457264

THE STATE OF TEXAS)(IN THE CRIMINAL DISTRICT
)(
VS.)(COURT NO 2 OF
)(
TONYA LYNETTE COUCH)(TARRANT COUNTY, TEXAS

ORDER REVOKING DEFENDANT'S BOND

The State's foregoing MOTION TO REVOKE, having been considered on the _____
Day of _____, 2017, is hereby GRANTED/DENIED. If granted, the
Defendant's bond is hereby revoked, the Clerk of the Court is ordered to issue a warrant for the
Arrest of the Defendant and the bailiff is ordered to take the Defendant into custody.

Signed this _____ day of _____, 2017.

Judge Wayne Salvant
Criminal District Court Number Two