

NO. 2018-CR-0000

|                |   |                         |
|----------------|---|-------------------------|
| STATE OF TEXAS | ) | IN THE DISTRICT COURT   |
| VS.            | ) | 227TH JUDICIAL DISTRICT |
| JOE SMITH      | ) | BEXAR COUNTY, TEXAS     |

**APPLICATION FOR WRIT OF HABEAS CORPUS  
SEEKING BAIL REDUCTION**

TO THE HONORABLE JUDGE OF SAID COURT:

Joe Smith makes this Application for Writ of Habeas Corpus Seeking Bail Reduction, and, for good cause shows the following:

I.

Defendant is illegally confined and restrained of his liberty by the Sheriff of Bexar County, Texas in the Bexar County Adult Detention Center in San Antonio, Texas in lieu of a bond in the amount of \$500,000.00. Defendant is charged with the felony offense of murder.

II.

Defendant's confinement and restraint is illegal because his bond is excessive, oppressive and beyond his financial means, in violation of the Eighth and Fourteenth Amendments to the United States Constitution, Article I, §§ 11, 13 and 19 of the Texas Constitution, and articles 1.07 and 17.15 of the Texas Code of Criminal Procedure.

III.

Defendant respectfully requests this Court to grant defendant an evidentiary hearing and, after receiving evidence, to reduce the amount of said bond to a reasonable amount in

order that defendant will have an opportunity to obtain his release from incarceration pending trial.

WHEREFORE, premises considered, defendant prays that this Court grant and issue a Writ of Habeas Corpus to the Sheriff of Bexar County, Texas directing and commanding him to produce and have defendant before this court instanter, or at such time and place to be designated by this Court, then and there to show cause, if any he may have, why defendant should not be discharged from such illegal confinement; or that defendant be allowed bail in a reasonable amount; and defendant further prays that he be allowed immediate bail in a reasonable amount, conditioned that he be and appear at the said hearing to there await further orders of this Court.

Respectfully admitted:

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MARK STEVENS  
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Bar No. 19184200

Attorney for Defendant

**CERTIFICATE OF SERVICE**

I certify that a copy of defendant's Application For Writ of Habeas Corpus Seeking Bail Reduction has been delivered to the Bexar County District Attorney's Office; 101 W. Nueva Street, San Antonio, Texas 78205 on April 1, 2018.

\_\_\_\_\_  
MARK STEVENS

THE STATE OF TEXAS    )  
  AFFIDAVIT  
COUNTY OF BEXAR     )

BEFORE ME, the undersigned authority, on this day personally appeared Mark Stevens, who being by me duly sworn, upon oath deposes and says,

I am the attorney for Joe Smith, defendant in this cause; I have read the above and it is all true and correct.

\_\_\_\_\_  
MARK STEVENS

SUBSCRIBED AND SWORN to before me this 1st day of April, 2018 to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires:

**ORDER OF SETTING**

On this \_\_\_\_ day of \_\_\_\_\_, 2018, came on to be heard the application of Joe Smith for a Writ of Habeas Corpus, and it appearing to the Court that said defendant is entitled to a hearing on said application, it is therefore ordered that the Clerk of this Court

issue a Writ of Habeas Corpus directed to the Sheriff of Bexar County and commanding the said Sheriff to have and produce the person of Joe Smith before me in the courtroom of the 227th Judicial District Court, on the \_\_\_\_ day of April, 2018 at \_\_\_\_ o'clock \_\_\_\_ .m., then and there to show cause why the said Joe Smith should not be released from custody on a reasonable bond.

\_\_\_\_\_  
JUDGE PRESIDING

NO. 2018-CR-0000

STATE OF TEXAS ) IN THE DISTRICT COURT  
VS. ) 227TH JUDICIAL DISTRICT  
JOE SMITH ) BEXAR COUNTY, TEXAS

**ORDER**

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, came to be considered defendant's Application for Writ of Habeas Corpus Seeking Bail Reduction, and, said writ is issued and after hearing evidence and argument of counsel, relief on said writ is

(GRANTED) (DENIED)

Bond is set in the amount of \_\_\_\_\_.

\_\_\_\_\_  
JUDGE PRESIDING