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EXHIBIT "A"

Letter to Morrison's trial judge, the Honorable Judge Darr, from Morrison dated December 29, 2010. It was filed with the clerk on January 5, 2011.

Exhibit "A" is cited to at:

Statement of Facts p.3.

Memorandum of Law p.7.

Morrison wishes to use this exhibit to show proof that he was accepting responsibility for his actions by apologizing to the court, society, and the probation office for failing to complete his probation. This exhibit also shows that Morrison knew he was guilty of the probation violations that he was going to be revoked on and, therefore, he did not reject the seven year offer to plead not true to the probation violation allegations, he rejected the offer because of his rationale based off of his interpretation of the plain language of 22.011, 6.02, 8.02, and 2.01, and also his pro se Writ of Habeas Corpus pleading that he sent to the court.

Morrison has color coded the exhibits with the relevant portions of the body of this Writ of Habeas Corpus to help identify in the exhibits the facts that pertain to the color coded and cited to portions in the Statement of Facts, Application/Facts Supporting the ground, and Memorandum of Law. The cited to exhibits that are not color coded refer to the entire exhibit as a whole.

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9.

Judge DARR

Dec 29 2010

MY NAME IS JARED MORRISON. FILED CASE WITH YOU
 IN APRIL CR 29320 IT IS MY ASSUMPTION THAT MY PROBATION IS
 BEING REVOKED. RIGHT NOW IT IS ACROSS THE STATE DEPT. FACTOR
 COUNTY CORRECTIONS, LE. CONTACTING IN OMAHA NEBRASKA
 FEDERAL WARRANT FOR A SARNA VIOLATION DEPUTY IS M. JEWISH
 THAT I GO TO A HEARING AND FILE A MOTION FOR AN HEARING SO THE STATE
 COURT JUDGE MY SENTENCE. I WOULD ALSO RESPECTFULLY REQUEST
 APPOINTED COUNCIL SINCE I CANT AFFORD MY OWN ATTORNEY.
 I WOULD LIKE TO ALSO APOLOGIZE TO YOU THE COURTS, THE PROBATION
 OFFICE AND TO SOCIETY FOR MY FAILURE IN COMPLYING MY PROBATION
 AND THANK YOU FOR GIVING ME THE OPPORTUNITY TO DO IT IN THE FIRST
 PLACE. MY ADDRESS IS: JARED MORRISON 32408

E.C.C.L.

PO BOX 1588

ODessa TX 79760

IN CASE MY ATTORNEY NEEDS TO GET IN CONTACT WITH ME
 THANK YOU FOR YOUR TIME

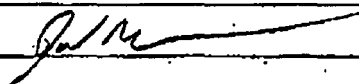


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EXHIBIT "B"

Morrison retracted this exhibit. It was a personal affidavit from him. but was extremely long, redundant, and basically said the same things as the contents of the Statement of Facts, and the rest of this Writ of Habeas Corpus and its Memorandum of Law. Morrison found out that the inmate declaration will suffice in place of this exhibit. If the court feels it needs an affidavit from Morrison please let him know so he can supplement it into this writ.

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EXHIBIT "C"

Letter to Ross Bush, the District Clerk, from Morrison dated March 1, 2011. Filed with the clerk on March 8, 2011.

Exhibit "C" is cited to at:

Statement of Facts p.4
Application p.6
Memorandum of Law p.10

Morrison wishes to use this exhibit to show his mindset at the time when he went to the law library and discovered his rationale about how he interpreted the plain language of 22.011 and that his rationale spurred him to "appeal his case due to the new evidence he learned", and that his rejection of the seven year plea was based on this rationale, not that he was wanting to plead not true to the probation violation allegations.

Ross Bush

COUNTY CLERK

MIDLAND COUNTY SHERIFF'S OFFICE
DETENTION DIVISION

INMATE GRIEVANCE FORM

DATE: MARCH 7 2011

BOOKING NO: 229 480

INMATE FULL NAME: JARED MORRISON

INMATE'S LOCATION: (CHECK YOUR FACILITY AND CIRCLE YOUR CELLBLOCK)

CENTRAL FACILITY
A B C1 C2 D1 D2 E F
SEPARATION CELL # _____

DOWNTOWN FACILITY
1 2 3 4 5 6 7 8 HC1 HC2
SINGLE CELL # _____

CHECK ONE: GRIEVANCE _____ COMPLAINT _____ REQUEST/INFORMATION

(STATE BELOW GRIEVANCE, DATE AND TIME OF OCCURRENCE, NAMES OF PERSONS INVOLVED, WITNESSES, ETC.) SIGN YOUR NAME BE SPECIFIC

I'D LIKE TO RECEIVE ALL MY DISCOVERY, PAPER WORK, AND THE TRANSCRIPTS COURT. PERTAINING TO MY CASE I GOT PUT ON PROBATION FOR IN MAY 2004. MY CASE NUMBER IS CR29320 IT IS OUT OF THE 385TH JUDICIAL COURT OF MIDLAND TX. MY DISCOVERY INCLUDES ALL INTERVIEWS WITH ALL WITNESSES AND THE ALLEGED VICTIM, ALL MY PROBATION RECORDS AND FILES FROM MAY OFF 2004 TO PRESENT. MY INTERVIEW WITH ORNATIA KAY THURMANER WHICH WAS RECORDED IN NOVEMBER OF 2003 ALONG WITH MY BROTHER AND CO DEFENDANT, JASON MORRISON'S INTERVIEW. I NEED THE COURT TRANSCRIPTS FROM MY FINAL PRAIRIAL COURT IN JUDGE DUBOSE'S COURTROOM ON MAY 6 2004, AND ANY THING AND EVERY THING PERTAINING TO THIS CASE THAT I WAS ARRAIGNED FOR ON DEC 23 2003. I'D ALSO LIKE TO FILE A MOTION TO APPEAL THIS CASE DUE TO NEW EVIDENCE I'VE LEARNED THAT MY DEFENSE ATTORNEY WOULD HOLD FROM ME AND ALSO INEFFECTIVE COUNCIL ON MY ORIGINAL CHARGE AND ALSO DUE TO THE FACT I WAS

IF ADDITIONAL SPACE IS NEEDED PLEASE WRITE ON THE BACK more on back

OFFICIAL RESPONSE: _____

FILED
2011 MAR -3 AM 10:55
ROSS BUSH: DISTRICT CLERK
MIDLAND COUNTY TEXAS
DEPUTY

SER-1002 Revised 04/25/2005

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10F2

JUDGMENTALLY INCOMPETENT TO STAND TRIAL AT THAT TIME BECAUSE
MY PAID DEFENSE ATTORNEY LIED TO ME AND SCORED ME INTO TAKING
THE PLEA BARGAIN INSTEAD OF GOING TO TRIAL WHERE WITH THIS AMOUNT
EVIDENCE WOULD OF POSSABLY ACQUITTED ME. THANKS M.R. BUSH FOR YOUR
HELP IN THIS MATTER AND CONGRATS ON WINNING THE COUNTY
CLERK SEAT

RESPECTFULLY
JARED MORRISON

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EXHIBIT "D"

Letter to the Honorable Judge Darr, from Morrison dated March 5, 2011. Filed with the clerk on March 9, 2011.

Exhibit "D" is cited to at:

Statement of Facts pp.4, 5

Application pp.6, 16

Memorandum of Law pp.8, 10, 11, 13, 89

This exhibit also shows Morrison's reasonings for rejecting the seven year offer. It shows his rationale about how he interpreted 22.011 and why he thought he should have been given a new jury trial. Morrison contends that this letter should have been construed as a pre-conviction Writ of Habeas Corpus, and it is the reasoning behind his Motion for Continuance that was denied. This is the letter Morrison based his decision off of to reject the seven year plea offer because he assumed he would get relief from it.

000143

CR29320

3/8/11 144

ex parte -

JUDGE DARR

FILED

3-5-2011

letter has

MY NAME IS JARED MORRISON. I CAME IN FRONT OF YOU ON MARCH

Not been

11th FOR A PROBATION REVOCATION ^{PROBATION} CAUSE NUMBER IS CR29320. I WAS

Seen by

REJECTED. THE OFFER OF ⁹ ¹² YEARS TO GO TO STATE PRISON. THEREFORE I WILL COME

Judge Darr

IN FRONT OF YOUR HONORS COURT AGAIN ON MARCH 10th BEFORE THEN I

my but copy

WOULD LIKE TO FILE A PETITION FOR DISCRETIONARY REVIEW AND ALSO

faxed to

WITHDRAW MY GUILTY PLEA THAT I WAS FORCED INTO PLEADING ON MAY

defence atty

6th 2004. SINCE I HAVE BEEN INCARCATED I HAVE FOUND EVIDENCE

Tom Morgan

THAT WAS WITHHELD FROM ME BY MY ATTORNEY AT THAT TIME, THAT WOULD

and state

OF GAVE ME A VERY GOOD CHANCE OF AN ACQUITTAL IF I WENT TO TRIAL IN

atty Mike

2004. THEREFORE I RESPECTFULLY ASK THE COURT TO HEAR MY CASE AND PLEASE

McCarthy.

GIVE ME THE CHANCE OF LEGAL DUE PROCESS THAT WAS TAKEN FROM ME

AND MY BROTHER/CO-DEFENDANT, WHEN OUR ATTORNEY'S FORCED AND SCARED US

INTO PLEADING GUILTY AND TAKING THE NINE YEARS OF PROBATION WHICH

WAS THE PLEA BARGAIN. MY ATTORNEY IAN CANTACAZINE AND MY BROTHER'S

ATTORNEY TOM MORGAN AT FIRST TOLD US WE HAD A GOOD CHANCE AT AN

ACQUITTAL THEN AT THE PRE-TRIAL THEY BOTH TOLD US THAT IF WE TOOK OUR

CASE TO TRIAL WE WOULD DO AT LEAST THE NEXT 15-20 YEARS OF OUR LIVES

IN PRISON GETTING RAPED AND BEAT UP EVERY DAY. THEY SAID THAT'S WHAT

HAPPENS TO PEOPLE WITH SEX CRIMES IN PRISON. THEY ALSO CONTINUED TO HANG

ON THE NOTION THAT WE HAD NO CHANCE TO WIN AT TRIAL. BECAUSE OF THIS

FALLACIOUS RHETORIC I BELIEVE WE WERE GIVEN INEFFECTIVE COUNSEL WHICH VIOLATES

OUR CONSTITUTIONAL RIGHTS TO COMPETENT COUNSEL THAT IS SUPPOSE TO

REPRESENT US WITH THEIR VAST KNOWLEDGE OF THE LAW. DURING MY TWO VISITS

TO THE LAW LIBRARY I HAVE FOUND OUT BY DOING SOME RESEARCH THAT WHAT

THEY TOLD US WAS NOT TRUE. I APOLOGIZE TO YOU FOR THIS LENGTHY LETTER

BUT I FEEL THAT IT WOULD BENEFIT ME TO GIVE YOU A BRIEF ACCOUNT OF WHAT

HAPPENED IN MY OFFENSE. IN JUNE OF 2003 MY COUSIN BROUGHT A GIRL

TO OUR HOUSE IN WHICH SHE BROUGHT A BOTTLE OF TEQUILIA IN WITH HER

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AND AFTER TEN OR TWENTY MINUTES OF CONVERSATION SHE ASKED EVERYONE
 IF WE WANTED TO TAKE TURNS DOING BODY SHOTS ON HER. AFTER THAT ONE
 LED TO ANOTHER AND THEN THE OFFENSE TOOK PLACE. IT WAS 100 PERCENT
 CONSENSUAL AND SHE WAS NEVER HARMED OR THREATENED IN ANY MANNER REGARDLESS
 OF WHAT SOME OF THE DISCOVERY SAYS. THE WHOLE TIME SHE WAS THERE SHE ADMITTED
 HERSELF TO BE AN ADULT. WE THOUGHT SHE WAS 21 BECAUSE MY COUSIN WAS 18
 AND WAS NOT OLD ENOUGH TO PURCHASE THE TRAVILLA. SHE ALSO DRESSED, LOOKED, AND ACTED
 LIKE SHE WAS 21. PLUS WE DID NOT EVEN THINK MY COUSIN WOULD OF BROUGHT
 A MINOR TO OUR HOUSE. WELL SIX MONTHS LATER WE FOUND OUT FROM A DETECTIVE
 SHE WAS NOT OF LEGAL AGE THEN WE TURNED OURSELVES IN FOR THE CHARGE
 THAT OVER THE LAST SEVERAL YEARS HAS COST US OVER \$40,000 BETWEEN BCJD,
 ATTORNEY FEES, AND PROBATION AND COUNSELING COSTS, WE HAVE LOST A LOT OF LIBERTY
 AND UNALIENABLE RIGHTS THAT MOST VIOLENT CRIMINALS STILL HAVE INCLUDING THE
 PURSUIT OF HAPPINESS, I'VE LOST CONTACT WITH MY DAUGHTER, NEPHEWS, NICES,
 CHURCH YOUTH, AND FRIENDS KIDS THAT LOOKED UP TO ME AND I CHERISH,
 LOVE AND WOULD NEVER HARM. PLUS NOW I HAVE A LIFE SENTENCE BEING
 LABELED THE WORST THING SOMEONE COULD BE LABELED IN THIS PRESENT DAY,
 "A SEX OFFENDER" AND ITS ALL DUE TO THE FACT OF THE MISUNDERSTANDING
 OF SOMEONES AGE. I ASSURE THE COURT THAT I'M NOT THE MONSTER OR THE
 THREAT TO SOCIETY THE STATE AND MEDIA WANTS SOCIETY TO THINK I AM AND
 I WOULD NEVER INTENTIONALLY OR KNOWINGLY DO HARM TO A CHILD OR ANYONE
 IN A MANNER LIKE I AM CHARGED WITH. THAT BRINGS ME TO ONE OF THE REASONS
 I THINK I COULD OF BEEN ACQUITTED IN A TRIAL BY JURY ACCORDING TO
 TEXAS PENAL CODE 22.011 SEXUAL ASSAULT IT SAYS IN SUBSECTION (2)
 "A PERSON COMMITS AN OFFENSE IF THE PERSON "INTENTIONALLY" OR "KNOWINGLY"
 A) CAUSES THE PENETRATION OF THE SEXUAL ORGAN OF A CHILD BY ANY MEANS,
 SO ONE MUST INTENTIONALLY OR KNOWINGLY DO ALL PARTS OF THE SAID STATUTE
 IN ORDER TO BE GUILTY IF IN THE STATUTE IT MENTIONS "INTENTIONALLY" OR

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"KNOWINGLY" THEREFORE SINCE I DID NOT KNOWINGLY OR INTENTIONALLY CAUSE THE PENETRATION OF A "CHILD'S" SEXUAL ORGAN HOW CAN I BE CRIMINALLY RESPONSIBLE, LABELED, AND TREATED LIKE A SOCIALLY DANGEROUS INDIVIDUAL WHO NEEDS TO BE INCARCERATED FOR AT LEAST TWO YEARS OR MADE TO GO THROUGH YEARS OF EXPANSIVE COUNSELING AND MONITORED CLOSELY BY THE STATE. SINCE DURING THE OFFENSE MY MENTAL STATE WAS NOT IN THE CAPACITY OF ENGAGING IN A CRIME WHICH THE STATUTE STATES IS A REQUIREMENT TO COMMIT THE OFFENSE AND MY ATTORNEY TOLD ME THAT MY MENTAL STATE OF NOT KNOWING SHE WAS A CHILD DID NOT MATTER. IN MY INTERPRETATION OF THE LAW, WITH THIS NEW INFORMATION I FOUND INCLUDING CASE LAW OF SOME CASES LIKE MINE THAT ENDED IN ACQUITTALS. WITH THIS SAME EVIDENCE I COULD OF USED THIS NEW INFORMATION AS A DEFENSE, THEREFORE I BELIEVE I HAVE THE DUE PROCESS RIGHT TO START MY TRIAL OVER BECAUSE OF INEFFECTIVE COUSEL AND THE FACT I WAS NOT MENTALLY FIT TO MAKE A CHOICE TO MY RIGHT TO A FAIR JURY TRIAL BECAUSE I WAS SCARED AND PERSUADED INTO TAKING THE PLEA BARGAIN BY MY ATTORNEY. ALSO WE WERE NEVER TOLD WE COULD HAVE REQUESTED A "JURY CHARGE ON MISTAKE OF FACT" WHICH IS IN TEXAS PENAL CODE 8.02., OR THE FACT WE COULD POSSIBLY USE "RULE 412" EVIDENCE OF PREVIOUS SEXUAL CONDUCT IN CRIMINAL CASES. I ALSO HAVE A LOT MORE RESEARCH THAT CAN HELP PROVE MY CASE ^{case including} INCLUDING THE TEXAS LAW, WRITTEN DEFINITIONS OF THE WORDS "INTENTIONALLY" AND "KNOWINGLY". MY FOUR HOURS OF RESEARCH IN THE LAW LIBRARY JUST VALIDATES THE FACT OUR ATTORNEYS DID NOT DO THEIR JOB IN REPRESENTING US PROPERLY. THE OFFENSE OF SEXUAL ASSAULT OF A CHILD IS A 36 OFFENSE WHICH STANDS NEXT TO CRIMES LIKE MURDER, ABANDONED ROBBERY, ABANDONED KIDNAPING, AND OTHER HEAVY CRIMES WHICH CAUSE SEVERE INJURY OR DEATH TO A VICTIM AND IN THE NORMAL TEXT IT SHOULD STAND WITH THESE HORRIBLE CRIMES. THESE CRIMES LIKE MURDER, OR ABANDONED ROBBERY, REQUIRE A CULPABLE MENTAL STATE SOME ONE MUST INTENTIONALLY OR ^{KNOWINGLY} KNOWINGLY

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KILL SOME ONE TO BE GUILTY OF MURDER, IF SOMEONE KILLS SOMEONE WITHOUT
 INTENT OR KNOWLEDGE THEN IT IS MANSLAUGHTER WHICH CARRYS A LOT LESS
 OF A SENTENCE JUST BECAUSE OF THE MENTAL STATE OF NOT INTENTIONALLY
 OR KNOWINGLY DOING THAT CRIME. KILLING SOMEONE IS A CRIME REGARDLESS OF
 INTENT OR KNOWLEDGE BUT WITHOUT INTENT OR KNOWLEDGE "MANSLAUGHTER" IS
 NOT A 36 OFFENSE (I DON'T THINK, I STILL NEED TO RESEARCH SOME MORE THINGS)
 HAVING CONSENSUAL SEX IS NOT A CRIME IN ITSELF UNLESS SOMEONE KNOWINGLY
 OR INTENTIONALLY HAS SEX WITH SOMEONE UNDER THE AGE OF 17.50 HOW CAN
 ONE WHO IS UNFORTUNATLY MISREPRESENTED IN THE AGE OF A MINOR AND HAS
 CONSENSUAL SEX WITH THEM BE CRIMINALIZED ON THE SAME LIST AS SOMEONE WHO
 KNOWINGLY AND INTENTIONALLY TAKES SOMEONES LIFE OR THREATENS SOMEONES
 LIFE THEN ROBS THEM. I HAVE NEVER DONE A CRIME THAT HAS CAUSED A VICTIM
 LIKE THE CRIMES STATED IN THE 36 LIST INCLUDING THE ONE I AM ON PROBATION
 FOR. IT HAS NEVER BEEN IN MY HEART TO HURT PEOPLE OR TO CREATE
 VICTIMS. I AM A MAN OF GOD AND WAS PUT ON THIS EARTH TO HELP PEOPLE WHICH I'VE
 DONE MY WHOLE LIFE, EVEN DURING MY INCARCERATION. IT IS MY HOPE AND PRAYER
 THAT YOU ACCEPT MY REQUEST AND LET ME USE MY NOW INFORMATION
 AND HAVE A CHANCE TO A FAIR TRIAL. I SENT A LETTER TO THE COUNTY
 CLERK REQUESTING THE SAME THING INCLUDING ALL MY DISCOVERY IN MY
 CASE. I HOPE THAT IS O.K. I'M NOT SURE OF THE RIGHT PROCESS OF FILING PETITIONS AND
 REQUESTING STUFF. SO I ASK YOU FOR YOUR PERMISSION THAT I CAN ACQUIRE ALL
 OF MY DISCOVERY. I'D LIKE ALSO TO REQUEST NEW COUNSEL DUE TO THE FACT
 MY COURT APPOINTED ATTORNEY WHO IS TOM MORGAN WAS MY BROTHER/CO-DEFENDANT
 PAID ATTORNEY SEVEN YEARS AGO AND WAS RESPONSIBLE FOR NOT GIVING US ADEQUATE
 KNOWLEDGE OF THE LAW AND IS NOW A CONFLICT OF INTEREST IN MY CASE.
 I WOULD ALSO LIKE TO REQUEST THE COURTS ALLOW ME TO TAKE A POLYGRAPH
 TEST TO PROVE I DID NOT KNOW THE AGE OF THE GIRL IN MY CASE AND I DID NOT FORCE
 HER. I APOLOGIZE AGAIN FOR TAKING UP YOUR TIME WITH THIS MATTER AND I THANK
 YOU DEARLY FOR YOUR CONSIDERATION WITH MY PETITION.

RESPECTFULLY
 JARED MORRISON

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EXHIBIT "E"

Letter to David Rogers from Morrison dated March 28, 2011.

Exhibit "E" is cited to at:

Statement of Facts p. 6³

Application pp. 6, 16, 25²

Memorandum of Law pp. 5, 7, 9, 11³

This exhibit Morrison wrote to Rogers on March 28, 2011, a few days after their first meeting. Morrison sent the original to Rogers. Since Morrison was in county jail and did not have access to carbon paper or a copy machine he hand wrote copies of his letters for his records. This is a copy of his hand written copy that he had his mother send. Morrison wishes to use this exhibit to show that he was under the impression that Rogers was going to help him with his habeas corpus issues. It also shows and supports his reasons of why he rejected the seven year plea offer and his rationale of how he determined that he should be granted a new jury trial. It shows Morrison's fervor about him explaining his goals of relief from the court and strategies to Rogers. It also shows Morrison asking for Rogers' assistance in making sure he was doing things properly, which he assumed would be given to him, but was not.

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David Rogers

3-28-11

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I would FIRST like to Thank you for your valuable time and appreciate the personal visit last week and the letter I received today. It makes me feel confident and glad that you are willing to help me fight the injustice that I have endured. The purpose of this letter was to ask you a few questions about my case and give you some ideas that we can help prove that I do not belong in prison or should be acquitted of the crime that my former attorney and my brother's former attorney Scott Osorio produced for me in 2004. I know we talked a little bit about that during your visit last Thursday so I won't elaborate on that subject in this letter. Regarding the letter I wrote Judge Drake requesting a petition for discretionary review, I have now learned from Tina that it should be filed a writ of Habeas corpus. My first question is, is it filed already and if not we need to file it as soon as possible. I think it would be in my best interest if it was filed before the motion to revoke hearing comes and I am actually convicted on the charge. I want to file the writ for I maybe wrong but it is my understanding that if I am convicted on the sexual assault charge that I want to retry, which will be the case if I am found guilty of the MTR. Then the writ will have to be filed in the court of appeals in Austin and since as of present I haven't been convicted of that crime yet because of the deferred adjudication. If I filed it before being convicted the writ must be made returnable in Miramonte County would this be better and give me a mandatory trial or would I have a better chance with the appellate judges? What do I like to see happen and I feel would be just because of the circumstances that happened is to have the court set aside my plea of guilty on a collateral attack and let me start over with the entire process because of the miscarriage of justice that was done in 2004. According to Rule 11 in the Annual Review of criminal procedure Book I read at the law library also it states in TX Rules App Proc Rule 21.3 grounds for a new trial located in subsection (E) "When evidence tending to establish the defendant's innocence has been

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INTENTIONALLY DESTROYED OR WITHHELD THUS PREVENTING ITS PRODUCTION AT TRIAL. IF THIS OCCURS THEN THE DEFENDANT MUST BE GRANTED A NEW TRIAL OR A NEW TRIAL OR PUNISHMENT" THAT DID HAPPEN WHEN MY ATTORNEYS WITHHELD CRUCIAL INFO FROM US THAT COULD HAVE ESTABLISHED OUR INNOCENCE. I'M NOT SURE WHICH ONE OF THESE THREE WAYS, OUT OF THE WIT OF HABEAS CORPUS RULE 11 OR RULE 212 WOULD BE THE BEST STRATEGY TO GET A RETRIAL AND AN ACQUITTAL ON THIS NEW EVIDENCE I HAVE FOUND. WHAT DO YOU THINK THE BEST WAY IS OR WOULD IT BE BETTER TO USE ALL OF THEM? I WOULD ALSO LIKE TO UNDERSTAND HOW THE POLICE AND PROSECUTORS WHO ARE SUPPOSE TO KNOW THE LAWS CAN OFTEN RUIN THE LIVES OF LOTS OF YOUNG MEN WHO DID NOT "INTENTIONALLY OR KNOWINGLY" CAUSE THE PENETRATION OF THE ANUS OR SEXUAL ORGAN OF A CHILD BY ANY MEANS" I'M NO EXPERT OF THE LAW BUT THAT PLAINLY SAYS ONE MUST HAVE INTENT OR KNOWLEDGE TO THE FACT THAT IT IS THE SEXUAL ORGAN OF A CHILD THAT THE ACTOR HAS PENETRATED AND WITHOUT THAT CULPABLE MENTAL STATE EXPLAINED IN VTCA PENAL CODE 6.02 REQUIREMENTS OF CULPABILITY A) EXCEPT PROVIDED IN SUBSECTION (B) (WHICH DEALS WITH OFFENSES THAT DO NOT PRESUME A CULPABLE MENTAL STATE, WHICH EXCLUDES SEXUAL ASSAULT) IT THEN STATES "A PERSON DOES NOT COMMIT AN OFFENSE UNLESS HE INTENTIONALLY, KNOWINGLY, RECKLESSLY OR WITH CRIMINAL NEGLIGENCE ENGAGES IN CONDUCT AS THE DEFINITION OF THE OFFENSE REQUIRES" ACCORDING TO THE DEFINITIONS WRITTEN IN THIS PENAL CODE OF THE TWO CULPABLE MENTAL STATES STATED IN 22.011 SEXUAL ASSAULT WHICH ARE INTENTIONALLY OR KNOWINGLY MY BROTHER AND I SHOULD HAVE BEEN GIVEN THE OPPORTUNITY TO PROVE TO A JURY WE DID NOT COMPLETE THE CRUCIAL, PRIMARY PART OF THIS CHARGE BECAUSE SHE PORTRAYED HERSELF AS AN ADULT AND NOT ONLY GAVE CONSENT FOR US TO DO THE SEXUAL ACTS BUT SHE INITIATED IT. WE HAVE BEEN TOLD BY LOTS OF PEOPLE INCLUDING OUR FORMER ATTORNEYS, S.O.T.P. COUNSELORS, PROBATION OFFICERS, AND THE DETECTIVE WHO INTERVIEWED US THAT A PERSON UNDER THE AGE OF 17 CAN'T GIVE CONSENT TO HAVE SEX. AND AGAIN I HAVE FOUND THE ELEMENT OF A CULPABLE MENTAL STATE IN THE DEFINITION OF EFFECTIVE CONSENT WHICH IS LOCATED IN V.T.C.A PENAL CODE 1.07 SUBSECTION (19) EFFECTIVE CONSENT INCLUDES CONSENT BY A PERSON LEGALLY AUTHORIZED TO ACT FOR THE OWNER. CONSENT IS NOT EFFECTIVE IF (C) BY SOME BY A PERSON BY REASON OF YOUTH, MENTAL DISEASE OR DEFECT, OR INCAPACITY IS KNOWN BY THE ACTOR TO BE UNABLE

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~~SECRET~~

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TO MAKE REASONABLE DECISIONS. THIS DEFINITION HAS REINFORCED OUR DEFENSE OF HAVING TO HAVE A CULPABLE MENTAL STATE REQUIRED TO COMMIT THIS CRIME. I BELIEVE I REMEMBER YOU SAYING WE MIGHT NOT BE ABLE TO USE VTCA PENAL CODE § 20A MISTAKE OF FACT ABOUT THE AGE OF THE SO CALLED VICTIM. IF SO I DON'T UNDERSTAND WHY WE CAN'T WHEN § 20A PLAINLY STATES THAT WE CAN. IT SAYS (A) IT IS A DEFENSE TO PROSECUTION THAT THE ACTOR THROUGH MISTAKE FORMED A REASONABLE BELIEF ABOUT A MATTER OF FACT IF HIS MISTAKEN BELIEF NEGATED THE KIND OF CULPABILITY REQUIRED FOR COMMISSION OF THE OFFENSE. THAT CAN ONLY MEAN TO ME THAT WE CAN USE IT AS A DEFENSE TO PROSECUTION BECAUSE OF THROUGH THE MISTAKE OF NOT KNOWING SHE WAS MATTER OF FACT A CHILD WHICH WAS FORMED BY A REASONABLE BELIEF THAT SHE WAS NOT AND THAT MISTAKEN BELIEF NEGATED OR CANCELLED BOTH KINDS OF CULPABILITY STATED IN § 20A PENAL CODE. ACCORDING TO THE DEFINITION OF REASONABLE BELIEF WHICH STATES, "IT IS A BELIEF THAT WOULD BE HELD BY A PRUDENT MAN IN THE SAME CIRCUMSTANCES AS THE ACTOR" THEREFORE IF IN THE SAME CIRCUMSTANCES THAT WE WERE IN THAT NIGHT I BELIEVE THAT MOST ORDINARY SINGLE, STRAIT MEN IN THEIR 20S WOULD HAVE DONE THE SAME THING WE DID AND LIKE US NOT THOUGHT EVEN ONCE ABOUT THE NOTION THAT SHE COULD HAVE BEEN A CHILD BECAUSE OF THE WAY SHE LOOKED, ACTED, AND PARTICIPATED HERSELF. SUBSECTION (B) OF THE MISTAKE OF FACT PENAL CODE AFFIRMS, ALTHOUGH AN ACTOR'S MISTAKE OF FACT MAY CONSTITUTE A DEFENSE TO THE OFFENSE CHARGED, HE MAY NEVERTHELESS BE CONVICTED OF ANY LESSER INCLUDED OFFENSES OF WHICH HE WOULD BE GUILTY IF THE FACTS WERE AS HE BELIEVED. THAT ALSO TELLS ME WE MAY USE THE MISTAKE OF FACT AS A DEFENSE I'VE LOOKED BUT HAVEN'T FOUND ANY LESSER INCLUDED OFFENSES THAT COULD BE CHARGED IN OUR CASE BECAUSE CONSENSUAL SEX WITHOUT THE KNOWING ELEMENT OF HER BEING A CHILD IS NOT A CRIME. ACCORDING TO ARTICLE 37.09 (b) (9) (772) (752): LESSER INCLUDED OFFENSE, AN OFFENSE IS A LESSER INCLUDED OFFENSE IF (1) IT IS ESTABLISHED BY PROOF OF THE SAME OR LESS THAN ALL THE FACTS REQUIRED TO ESTABLISH THE COMMISSION OF THE OFFENSE CHARGED OR (2) IT DIFFERS FROM THE OFFENSE CHARGED ONLY IN THE RESPECT THAT A LESS CULPABLE MENTAL STATE SUFFICES TO ESTABLISH ITS COMMISSION. IN COMMON ENGLISH I UNDERSTAND THAT AS IF SOMEONE DID NOT COMMIT THE KNOWINGLY REQUIREMENT IN THE DEFINITION OF THE OFFENSE AND IF THERE IS

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NOT A LESSER INCLUDED OFFENSE THAT DESCRIBES THE UNCUPLABLE STATE THEN THAT SOMEONE SHOULD NOT BE GUILTY OF THAT CRIME. IF THERE IS A LESSER INCLUDED OFFENSE THAT PERSON SHOULD BE GUILTY OF THE LESSER CHARGE IF THERE IS A LESSER INCLUDED OFFENSE AND WHEN WE PROVE THAT WE SHOULD NOT BE GUILTY OF SEXUAL ASSAULT OF A CHILD CAN THEY STILL RECHARGE US WITH THAT FOR EXAMPLE MURDER OF A CHILD? OR IS IT TO LATE TO BRING NEW CHARGES? I SAID? THINK OF ANY CHARGES WE CAN BE GUILTY OF LACKING THE KNOWLEDGE AND INTENT ELEMENTS LET ME KNOW WHAT YOU THINK ABOUT THAT AND IF THERE IS A CHARGE THEY CAN RECHARGE US WITH? KNOWING ALL OF THIS AND THE COURT STILL DOES NOT ALLOW US TO USE THE MISTAKE OF FACT DEFENSE THEN CAN WE TAKE A POLYGRAPH AND PROVE THAT WE DID NOT SATISFY THE ELEMENT OF HAVING TO HAVE A CULPABLE MENTAL STATE THAT IS REQUIRED TO BE THE COMMISSION OF ALL ELEMENTS OF THIS OFFENSE. ACCORDING TO THE FIFTH AMENDMENT AND THE ANNUAL REVIEW OF CRIMINAL OPERATORS 2005 PAGES 629, 630 THE PROSECUTOR IS REQUIRED TO PROVE BEYOND A REASONABLE DOUBT EVERY ELEMENT OF THE CRIME WITH WHICH THE DEFENDANT IS CHARGED, THEREFORE THE DEFENDANT MUST BE ACQUITTED IF THE GOVERNMENT FAILS TO SUSTAIN ITS BURDEN OF PROOF. I THINK IT WOULD ALSO BELIEVE US TO COMPARE THE CULPABLE MENTAL STATES TO CHARGES LIKE MURDER, CAPITAL MURDER, OR BURGLARY OF A BUILDING WHICH THOSE CRIMES REQUIRE INTENT OR KNOWLEDGE TO FULFILL AND THE LOT LESSER INCLUDED OFFENSES OF MANSLAUGHTER AND CRIMINAL TRESPASSING THAT CAN BE DONE WITHOUT INTENT OR KNOWLEDGE TO DO THOSE CRIMES. BECAUSE THERE ARE STILL CRIMES BUT A LOT LESS PUNISHABLE BUT TO THE SAME END EFFECT. FOR MURDER VS. MANSLAUGHTER IT IS BEST TO SOMEONE WITH OR WITHOUT INTENTIONALITY OR KNOWING COMMITTING THE CRIME. BURGLARY OF A BUILDING IS THE SAME AS TRESPASSING BUT A LOT WORSE JUST BECAUSE ONE ELEMENT IS ADDED "INTENT TO DO A CRIME" COMPARING THAT TO SEXUAL ASSAULT OF A CHILD WITHOUT INTENT OR KNOWLEDGE OF THE FACTOR OF FACT THAT SHE WAS A CHILD IS STILL CONSIDERED EVEN MORE OF A HEAVY CRIME THAN MANSLAUGHTER WHICH IS NOT LISTED AS A 35 OFFENSE AND SEXUAL ASSAULT IS, EVEN THOUGH THERE WAS

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~~4 of 10~~

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ACTUAL/5 NO VICTIM CAUSED BECAUSE IN CASES LIKE MIAAM THERE WAS NO ONE INJURED ANOTHER REB 2 FOUND THAT COURT HELPED US AT TRIAL IF WE WERE MURDER IS TX RULES OF EVIDENCE 412; EVIDENCE OF PREVIOUS SEXUAL CONDUCT IN CRIMINAL CASES.

153

⑦

I know by reading that that it would have been up to the judge to allow us to use her extensive promiscuous sexual history as a way to prove that her motive and involvement was not as innocent and naive as the prosecution would have portrayed to the jury as stated in Rule 412 B)(2)C. We had several witnesses who would have testified who knew the girl personally and that she was constantly going to parties with different men and also is known to sleep with several men in a night to get drugs. There are also several statements she made in her interviews that were in the discovery that also prove that she had promiscuous past. I also have some case law that helps prove my points. I've been to the law library now for 6-8 hours and have learned so much about this case. I know that you went to law school for a long time and have lots of everyday experience to see where you are at in your practice so you know much more than me and you told me you found some more cases that could help. I appreciate you very much for your time in that research and look forward to receiving what you have. I would also like to ask your opinion on a couple other things. Can we postpone the motion to revoke probation back until the writ of habeas corpus is done and satisfied? If I was allowed a new jury trial because of that writ and I was acquitted on the original charge, would that nullify the state and the federal charge of failure to register like it should on De J. still have to be punished for those charges even though they are directly related to the original charge? Also my brother and co-defendant Jason Morrison is waiting to be sentenced in the feds on several charges dealing with real estate fraud. I don't know how much you know or have heard about that but I told him to take it to trial, but his attorney has convinced him that he needs to plea out with a guilty plea cause if he takes it to trial and loses they will give him the max. I personally think he did nothing wrong in that case and would like to talk to you about that sometime if you are interested and have time.

Exhibit 5
 5 of 10

But for now my question is this regarding him, would it be better if he were allowed to the 335th Judicial District court filing a writ of habeas corpus like I'm doing now and going ahead and start the case before he is sentenced in the feds to allow him

000153

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⑧

TO FIGHT THE NEW STATE TRIAL AT THE SAME TIME I AM WHEN WE WIN THAT TRIAL
 HE WOULD RECEIVE 2 LESS POINT WHICH I THINK WOULD PUT HIM INTO A CATEGORY II
 CRIMINAL HISTORY IN THE FEDERAL SENTENCING GUIDELINES INSTEAD OF A CATEGORY III
 PLUS HE WOULD POSSIBLY NOT HAVE TO DEAL WITH THE FAILURE TO REGISTER WHICH WOULD
 TAKE OFF ANOTHER 18 MONTHS TO HIS FED SENTENCE AND GIVE HIM THE MAX SUPERVISED
 RELEASE OF 5 YEARS INSTEAD OF LIFE ALSO HIS EX PARTNER MARC ROSENBERG WHO HAS
 BEEN CHARGED AS HIS CO-DEFENDANT IN THE REAL ESTATE CHARGES WOULD BE DONE WITH HIS
 JURY TRIAL BY THE TIME JASON GOT BACK TO THE FEDS AND JASON WOULD KNOW IF MARC
 WAS ACQUITTED OR NOT AND THEN COULD BASE HIS DEFENSE AND DECISION OF WHAT WOULD
 BE BEST TO DO ACCORDING TO THE OUTCOME OF THAT TRIAL. IF HE CAME TO FACE THE
 STATE CHARGE AND STILL HAD TO FACE THE PROBATION REVOCATION THEY ALSO COULD NOT
 USE THE REAL ESTATE OR ETR, CHARGES AGAINST HIM AS MORE CRIMES IN THE MTR
 BECAUSE HE HAS NOT BEEN FOUND GUILTY OF THEM YET. IS THAT CORRECT? WHAT
 WOULD HAPPEN THEN IF HE DID FIGHT THE STATE CASE WITH ME BEFORE HE GOT
 SENTENCED FEDS AND WE STILL GOT FOUND GUILTY IN THE RETRIAL/HABEAS CORPUS?
 WOULD THAT MEAN HE WOULD HAVE TO DO THE STATE PRISON TERM FIRST THEN
 WHEN THAT WAS DONE WOULD HE HAVE TO GO GET SENTENCED IN THE FEDS THEN DO
 THAT SENTENCE AFTER THE STATE TIME? DAVID GREENMAN AND TOM MORGAN TOLD
 ME SINCE WE WERE IN FEDERAL CUSTODY FIRST OUR STATE TIME WOULD RUN CONCURRENT
 TO OUR FED TIME, AND IF WE WERE IN STATE CUSTODY FIRST WE WOULD HAVE TO DO
 THE STATE TIME THEN FED TIME CONSECUTIVELY. SINCE JUDGE JUNILL STACKED MY FED FTR
 THEN STATE WHAT DOES THAT MEAN AND CAN I STILL HAVE THESE RUN CONCURRENT? BECAUSE
 OF ALL THAT WHICH WOULD BE BETTER THAN COMING TO FIGHT THE STATE CASE FIRST BEFORE
 HIS FEDERAL SENTENCING DATE WHICH KEEPS GETTING POSTPONED OR WAIT UNTIL AFTER HE
 IS SENTENCED IN THE FEDS BEFORE COMING TO FIGHT THE STATE? I APPOLOGIZE ABOUT
 THAT LONG DRAWN OUT QUESTION AND I KNOW IT HAS NOT MUCH TO DO WITH YOU
 BECAUSE HE IS NOT YOUR CLIENT BUT I NEED TO KNOW THE BEST STRATEGY IN
 REGARDS TO THIS QUESTION. IN YOUR LETTER YOU SAID YOU NEEDED A LIST OF KEY
 WITNESSES. I'LL TRY TO FIND OUT THE ADDRESSES OF THE PEOPLE WHO CAN HELP IN
 THE ORIGINAL CASE IF WE NEED THEM. I'M NOT SURE WHO CAN HELP OR NOT.

John
call David
Rogers

7
Pratt JV

EXHIBIT E
60610

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(9)

I GUESS THAT IS A QUESTION WE CAN TALK ABOUT IN A VISIT. YOU ALSO SAID YOU NEED MY CRIMINAL HISTORY. IN 2004 I GOT THE SEXUAL ASSAULT OF A CHILD WHICH WAS MY FIRST TIME IN TROUBLE. IN 2005 I GOT A MATRON TO REVOKE PROBATION FOR POSSESSION OF MARIJUANA. THE POSSESSION CHARGE GOT DISMISSED. I DID 90 DAYS IN COUNTY AND GOT TWO MORE YEARS PROBATION FOR THAT DISMISSED CHARGE. I AM CURRENTLY ON PROBATION IN BUREAU COUNTY, WASHINGTON STATE THAT I SHOULD HAVE BEEN AT THE PASSING OF MY BROTHER IN COUNTY ON THAT. I ALSO IDENTIFIED THAT REVEREND BISHOP'S PROBATION TO THE MOUNTAIN FEDERAL PRISON AND I WAS NOT SUPERVISED RELEASE. ALSO IS IT POSSIBLE FOR ME TO GET ALL MY DISCOVERY IN MY ORIGINAL CASE WHICH INCLUDES, THE RECORDED INTERVIEW I DID WITH DETECTIVE KAY THURMANGER IN LATE NOVEMBER 2008, THE COURT TRANSCRIPTS OF ALL THE COURT RECORDINGS ON MAY 6 2004 IN FORMER JUDGE PUGSLEY COURT, ALL INTERVIEWS FROM MY COUSIN, THE INTERVIEWS FROM THE ALLEGED VICTIM, HER MOTHER, AND EVERY ONE ELSE INVOLVED. WE USE TO HAVE A COPY OF ALL THESE INTERVIEWS AND AFTER GOING OVER IT SEVERAL TIMES MY BROTHER AND I FOUND OVER 140 DISCREPANCIES THAT COULD PROVE NO ONES STORY MATCHED AND THE DIARY THAT CAUSED THIS WAS REWRITTEN AFTER THE FACT. WE WERE GOING TO USE THIS TO PROVE WE WERE NOT GUILTY BUT TOM AND IAN SAID NONE OF THAT WOULD MATTER SO WE WERE NOT GIVEN A CHANCE TO USE IT. AND I'M NOT SURE WHERE IT IS NOW BUT IF I COULD GET ALL OF THAT DISCOVERY INCLUDING MY BROTHERS INTERVIEW WITH THE DETECTIVE, IT WOULD HELP TERRIFICALLY. ALSO COPIES OF THE LETTERS I SENT TO THE COURT AND COUNTY CLERK AND WHOMEVER ELSE YOU MIGHT THINK THAT WOULD HELP. I AM GOING TO CONTINUE TO GO TO THE LAW LIBRARY AND KEEP RESEARCHING CASES, RULES, DEFINITIONS, AND LAWS THAT WILL HELP US WITH THIS CASE. I LOOK FORWARD TO RECEIVING WHAT CASE LAW AND OTHER INFORMATION YOU HAVE FOUND OR KNOW THAT WILL HELP BUILD A STRONG DEFENSE THAT WILL FIX THIS INJUSTICE AND MIGHT BE ABLE TO HELP THOUSANDS OF OTHER YOUNG MEN WHO'S LIVES HAVE ALSO BEEN RUINED BY BEING FOUND GUILTY OR LIKE US WAS FORCED INTO PLEADING GUILTY TO A CRIME THAT THEY DID NOT KNOW THEY WERE ENGAGING IN UNTIL MONTHS LATER. I'VE MET LOTS OF MEN WHO HAVE MADE THE SAME MISTAKE OF FACT I MADE SINCE I'VE BEEN LOCKED UP, AND ON PROBATION, AND I'VE SEEN IT ON THE NEWS A LOT. BECAUSE OF THE LIVE MEDIA TYPE AND THE SELFISH PERSONAL AGENDAS

EXHIBIT E
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(10)

OF A LOT OF POLICE FIGURES THESE MINOR MISTAKES IN JUDGEMENT (NO PUN INTENDED) LIKE THE ONE I MADE ARE BEING TREATED LIKE THE MOST HEINOUS CRIMES. THERE IS ACTUALLY NOT MUCH OF A DIFFERENCE IN PUNISHMENT OR HOW SOCIETY LOOKS AT MISTAKES LIKE THAT OR CRIMES LIKE ACTUAL CHILD MOLESTATION OR VIOLENT RAPE CASES. THIS IS ACTUALLY INEFFECTIVE AND DANGEROUS TO SOCIETY BECAUSE OF THE HUGE NUMBER OF PEOPLE WHO ARE ON THE SEX OFFENDER REGISTRY THAT ARE NOT THREATS TO SOCIETY. THEY ARE JUST REQUIRED TO REGISTER BECAUSE OF THE WORDS THE LAWS HAVE BEEN WRITTEN. IT IS DANGEROUS BECAUSE IT DESITHEZIZES THE REASON THE REGISTRY WAS ESTABLISHED WHICH IS TO MONITOR AND LET THE PUBLIC KNOW WHERE THE DANGEROUS PREDATORS, VIOLENT RAPEISTS AND CHILD MOLESTORS ARE AND NOW IT IS A LOT HARDER TO KEEP TRACK OF THESE TYPES OF OFFENDERS BECAUSE OF THE MASS AMOUNT OF NON DANGEROUS PEOPLE WHO NOW SHARE THE REGISTRY WITH THEM. IT DOES NOT MAKE SENSE TO ANY LOGIC IN MY HEAD EXCEPT SO THE POLITICIANS CAN LOOK LIKE THEY ARE "TIGHT OVERCRIME" OR "PROTECTING THE CHILDREN" OR MAY BE BECAUSE THE SENSATIONALIZED TOPIC OF SEX CRIMES HAS CREATED A VORTEX OF PROSECUTOR AND LAWYER SUCKING INTO THE CRIMINAL JUSTICE SYSTEM A VAST AMOUNT OF NON CRIMINALS WHO HAVE UNWITTINGLY MADE A MISTAKE AND BECAUSE OF THAT ARE NOW BRANDED WITH THE WORST STIGMA ONE CAN HAVE IN THE MODERN DAY. BUT IN REALITY IT IS TAKING AWAY THE VALUABLE RESOURCES FROM KEEPING AN EYE ON THE DANGEROUS SEX OFFENDERS AND MAKING THEM KEEP AN EYE ALSO ON THE NON DANGEROUS PEOPLE WHO JUST MADE A MISTAKE AND HAD NO VICIOUS WILL TO CREATE A VICTIM. EXCEPT FOR THE VICTIMS THESE LAWS HAVE MADE WHICH SAY THAT EVEN THESE NON DANGEROUS, NON VIOLENT PEOPLE WHO MADE A MISTAKE IN THE IDENTITY OF SOMEONES AGE AND WAS ENCOURAGED INTO SEX WITH A MINOR WHO REPRESENTED THEMSELVES AS AN ADULT CAN NOW NOT HAVE CONTACT WITH THEIR CHILDREN OR OTHER CHILDREN WHO LOVE THEM. SO NOW THERE ARE THOUSANDS OF FATHERS LIKE ME WHO CAN'T HAVE CONTACT WITH THEIR KIDS AND LOVED ONES UNDER THE AGE OF 17 BECAUSE OF STATUTORY BULLSHIT WHO ARE THE REAL VICTIMS. IT IS IGNORANT AND I BELIEVE THE LAWS NEED TO BE FIXED OR PROPERLY SEEN. THERE WILL BE LAWS THAT EFFECT EVERY SOCIAL EVENT WE DO FOR EXAMPLE WALKING

EXHIBIT "E"

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home from the BAR because you had to much to drink and it wasn't safe to drive, on newsmind that is now illegal too. Someone I know got arrested for public intoxication for that. Sorry about that but I got called away sometimes. It is just that I was very impressed with your professionalism and knowledge in our first meeting and I would just like you to know my views on how ridiculous I think all of this is and to let you know I'm gonna fight this kind of injustice not only for me but for others in my shoes. It is just common sense that these laws need to be reformed. I'm the type of person that keeps it real and does not like sugar coating stuff and I got that impression your the same type so I would appreciate anytime you have an idea or you don't like something I said or did give it to me straight. Don't be influenced by how my feelings might be hurt or by the prosecutor getting pissed off or anything else just be real with me because I will always be real with you. Lastly, off and on over the past eight months I have been writing a autobiography type book dealing with my life and my lives. It starts a few weeks before we found out about the sex charge and it goes into detail about how it changed our lives after the sentence. It also warns young men about the dangers of living a promiscuous lifestyle and how having lots of casual sex could lead into the troubles it got us into. It also lets the minor girls understand that they can get older men into lots of trouble by leading them on and acting like they are older than they actually are. It takes the reader through the whole legal process and shows how it actually is living as a sex offender and the way these victimless crimes are ruining peoples lives. I want the truth to be known on how sex offender laws actually are and to also show they can be fixed where they are fair and yet effective. Congratulations! You being my court appointed counsel in this major point in my life has landed you a major role in my book. Let me know if that is cool with you. I assure you it can benefit you enormously in the future. I also may have some legal questions about the book in the future and wonder if it would be proper to ask you about those since

Exhibit E

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(12)

IT DOES NOT REALLY REFLECT THE REASON YOU ARE MY ATTORNEY. I KNOW YOU ARE MY COST APPROVED ATTORNEY AND I WOULD LOVE TO PAY YOU WHAT YOU ARE WORTH SO I APOLOGIZE FOR NOT BEING ABLE TO PAY YOU RIGHT NOW. I HOPE AND PRAY THAT WE CAN RESOLVE THIS MISCARriage OF JUSTICE SO I CAN HAVE ALL MY LIBERTYS AND RIGHTS RESTORED TO WHERE THEY SHOULD BE SO I CAN MAKE IT WELL WORTH YOUR TIME FOR YOUR HELP WITH MY PROBLEMS. I ALSO APOLOGIZE FOR THIS LONG WINDED LETTER AND I HOPE IT DID NOT TAKE UP TO MUCH OF YOUR TIME READING IT. I KNOW YOU PROPERLY KNOW ALL THE RULES, LAWS, AND DEFENSES I HAVE TOLD YOU ABOUT IN THIS LETTER THAT I HAVE LEARNED RECENTLY AND I HOPE ~~BASED ON~~ YOUR EXPERT KNOWLEDGE AND MY WILL AND FAITH THAT WE CAN USE ALL OF THIS EVIDENCE AND INFORMATION TO SET ME FREE AND NEGOTE THESE CHARGES OFF OF MY RECORD. PLEASE LET ME KNOW WHAT YOU THINK ABOUT ALL MY QUESTIONS AND IDEAS. THANK YOU AGAIN FOR ALL YOUR HELP AND TIME.

Respectfully

Jared Morrison

EXHIBIT "E"

10 of 10

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EXHIBIT "F"

Letter to the Honorable Judge Darr from Jason Morrison dated April 8, 2011. This letter was filed with the clerk on April 26, 2011.

Exhibit "F" is cited to at:

Memorandum of Law p. 6

This is a copy of Jason's "Writ of Habeas Corpus" that he sent to judge Darr. It shows along with Exhibits "H" and "I" that Morrison and Jason were corresponding back and forth about Morrison's rationale and that both Jason and Morrison were planning to do a Pre-conviction Writ of Habeas Corpus on their rationale in hopes for a new jury trial. It also shows that regardless of Jason's rationale, he was properly counseled by his attorney Mark Dettman about not rejecting the seven year offer and was sentenced to seven years.

000159

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Dear Judge Darr:

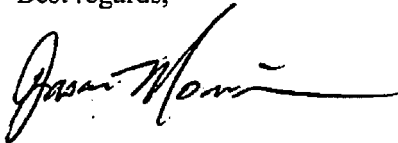
April 8, 2011

I Jason Heath Morrison hereby respectfully file a writ of Habeas Corpus and hereby withdraw my guilty plea that was given to your court on May 6, 2004 for cause number CR-29321. I am filing this writ and withdrawing my plea on the basis that I received ineffective assistance of counsel. The ineffective assistance of counsel that I received, fallaciously persuaded my decision to plea guilty. I have recently discovered evidence and case law that was withheld from me by my defense attorney Tom Morgan. I feel these new findings would have given me a legitimate defense which would support my case resulting in a favorable and fair outcome. I ask the court to defend my constitutional rights as a United States citizen and grant me the opportunity to a fair trial which includes effective assistance so I can properly defend myself from these charges and give me the opportunity to correct this miscarriage of justice. I also request the court to appoint an attorney for me since I can not afford to hire one, and request permission to obtain all discovery and states evidence to include transcripts of all court hearings pertaining to CR-29321.

I am currently in federal custody and since these state charges have an effect on my federal case I would like the opportunity to speak to counsel regarding this writ as soon as possible. Please have my state appointed attorney visit me at:

Odessa Detention Center
203 N. Grant
Odessa, Texas 79760.

Best regards,



Jason Morrison

EXHIBIT "F"
1 of 1

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EXHIBIT "G"

Affidavit from Jason Morrison, signed and notarized on July 21, 2014.

Exhibit "G" is cited to as:

Memorandum of Law pp. 6, 13

Morrison wishes to use this affidavit from Jason to show that both of them had the same rationale, that because they did not know the female in their case was a minor, they did not possess the mens rea element that is required by 22:011 (according to the plain language of the statute), and they were requesting a new trial because of their interpretation of 22:011. It also shows Jason was properly counseled by his counsel to accept the seven year offer, and that Morrison's intentions were not to reject the seven year offer because he wanted to fight the accusations in the revocation of probation, he wanted to postpone it so he could pursue his mens rea issue. It supports that Morrison was not given effective assistance of counsel, and if he was properly counseled by Rogers that he would have been sentenced to seven years like Jason was.

000161

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AFFIDAVIT OF TESTIMONY

STATE OF TEXAS §

§ KNOWN ALL PERSONS BY THESE PRESENTS:

COUNTY OF EL PASO §

BEFORE ME the undersigned authority, on this day personally appeared Jason Heath Morrison (Affiant) who first duly sworn upon his oath, did state:

- 1) My name is Jason Heath Morrison, I am competent to testify and hereby make this affidavit.
- 2) Jared Anthony Morrison is my brother, and I am knowledgeable in the circumstances and facts regarding the case he is currently imprisoned for.
- 3) Between August 1, 2010 and August 1, 2011 Jared and I were in federal custody and we were authorized to correspond with each other through mail.
- 4) During this time, Jared and I were also facing a probation violation from the State of Texas, and had the opportunity to discuss strategies and a defense regarding the mens rea element of the 22.011 statute, which was the statute that he and I were on probation for.
- 5) Because Jared and I was unaware the victim in the case was under the age of seventeen, we both discussed the option of requesting a hearing with Judge Darr to withdraw our guilty plea and have a trial based on the fact that we did not possess the mens rea element required by 22.011, since we did not know the victim was under the age of seventeen.
- 6) When it came time for Jared's probation revocation hearing, he sent me a letter telling me it was his intention to request that the court postpone the revocation hearing so he pursue the mens rea issue. It is my understanding that the court and perhaps Jared's defense counsel misinterpreted Jared's intention for that hearing, and thought he was fighting the accusations of the revocation hearing. It was my understanding that he never intended to fight the revocation hearing, he just wanted to postpone it.

Exhibit "6"

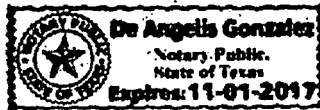
163

- 7) Jared was sentenced to sixteen years imprisonment because the court found that he violated his terms of probation.
- 8) Because of the stiff sentence imposed on my brother, my attorney advised me not to raise the mens rea argument. In July or August 2011, I accepted a plea offer of seven years imprisonment and pled guilty to the probation revocation.

Executed on 21st July 2014.


 Jason Morrison

SUBSCRIBED AND SWORN TO before me, the undersigned Notary Public
 on 21st July 2014 by Jason Heath Morrison



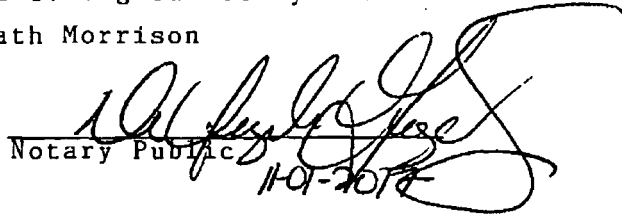

 Notary Public
 11-01-2017

Exhibit 6"

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EXHIBIT "H"

Jason's plea agreement of seven years prison signed and filed on August 4, 2011.

Exhibit "G" is cited to at:

Memorandum of Law pp.6, 9

Morrison wishes to use this exhibit from Jason to show that both of them had the same rationale, but Jason was effectively counseled by his attorney to accept the seven year offer, and had Rogers effectively counseled Morrison about the laws affecting his decision to reject the same offer as shown in ground one, Morrison would have accepted the seven year offer as Jason did, and the prosecutor and court would have also accepted the offer, causing Morrison to be sentenced to seven years instead of 16 years.

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FILED

2011 AUG -4 PM 2: 30

NO. CR29321

THE STATE OF TEXAS

V.

JASON MORRISON:

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*
*
*
*

ROSS BUSH, DISTRICT CLERK
MIDLAND COUNTY, TEXAS
IN THE DISTRICT COURT
BY *[Signature]*
385TH JUDICIAL DISTRICT
MIDLAND COUNTY, TEXAS

PLEA AGREEMENT
ON STATE'S MOTION TO REVOKE COMMUNITY SUPERVISION
AFTER A DEFERRED ADJUDICATION OF GUILT
SENTENCE TO ID-TDCJ

COMES NOW the State, by and through her District Attorney, and the defendant in person together with the defendant's attorney, and in compliance with Article 26.13 C.C.P. regarding the disclosure of plea agreements, would show the court as follows:


1. That the defendant will enter a plea of true to those allegations in the motion to revoke community supervision that are true.
2. That the Court will revoke the community supervision of the defendant, enter an adjudication of guilt to the offense of SEXUAL ASSAULT OF A CHILD and assess the defendant's punishment at SEVEN (7) YEARS in the Institutional Division of the Texas Department of Criminal Justice and a fine in the amount of ZERO.
3. That the defendant shall pay such restitution and/or reparation as the Court may determine.
4. That the defendant pay any new fine assessed and all unpaid restitution and/or reparation previously ordered and all unpaid court costs, attorney fees, supervision fees, and all court costs and attorney's fees associated with the prosecution of the State's motion to revoke the defendant's community supervision as certified by the District Clerk in the bill of costs.
5. That the defendant will waive appeal of this cause.
6. That the law of parole, the eligibility of the defendant for release on parole or mandatory supervision and the release of the defendant on parole or mandatory supervision, if any, IS NOT a part of this plea bargain agreement.


Exhibit 11
1 of 2

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WHEREFORE, PREMISES CONSIDERED, both the State and the defendant pray that the Court accept this plea agreement and enter Judgment accordingly.

SIGNED the 4TH DAY OF AUGUST, 2011.


DEFENDANT



ATTORNEY FOR DEFENDANT


ATTORNEY FOR THE STATE

ACKNOWLEDGMENT BY DEFENDANT

I, the defendant in the above entitled and numbered cause, acknowledge that the recommendation of the State set out above fulfills all the promises that have been made to me. I also understand that the recommendation of the prosecuting attorney is not binding on the Court. I further understand that if the punishment assessed by the Court does not exceed the punishment recommended by the State and agreed to by me, the Court must give its permission before I may prosecute an appeal of this case except for those matters raised by written motion filed prior to trial which were ruled on by the Court.

I understand that my eligibility for release on parole or mandatory supervision is not a part of this Plea Agreement. I also understand that no one, including my attorney, can tell me as a matter of fact how long I must serve the sentence imposed against me before I am released on parole or mandatory supervision.


DEFENDANT



ATTORNEY FOR DEFENDANT

Exhibit "A"
2 of 2

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EXHIBIT "I"

Letter from Morrison to Jason in late January/early February 2011.

Exhibit "I" is cited to at:

Memorandum of Law p.6^s

Morrison wrote this letter after being extradited to Midland County Jail, and after he went to the law library and discovered his rationale about his habeas corpus issues. This letter shows Morrison's rationale on trying to get a new jury trial. It also shows that he thought he would prevail on his rationale.

000167

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(17)

I couldn't find the one I wrote to Judge DARR from ADPSSA TO SPEAK WITH THE JUDICATION OF MY CASE IN CR29320 WAS IT WAS SOMETHING LIKE THIS

Honorable Judge DARR

MY NAME IS JESSE MORRISON I AM NOW IN FEDERAL CUSTODY IN ADPSSA AT A FEDERAL HOLDING FACILITY, ESPECIALLY CONCERNING THE RIGHTS THAT MONITOR TO REQUEST THE COURT TO START WITH THE JUDICATION PROCESS IN MY CASE. MY CASE NUMBER IS 29320. I ALSO WOULD LIKE TO RESPECTFULLY ASK THE COURT TO APPOINT ME COUNSEL SINCE I HAVE NO WAY OF PAYING FOR ONE. I APOLOGIZE FOR TAKING UP YOUR TIME IN THIS MANNER. THANK YOU

JR

You need to write her one that sounds like this:

Honorable Judge DARR

MY NAME IS JESSE MORRISON MY CASE NUMBER IS 29321 I AM FACING A PROBATION REVOCATION IN YOUR HONOR'S COURT SOMETIME IN THE FUTURE AND I WOULD LIKE TO FILE A WRIT OF HABEAS CORPUS AND WITH A PLEA MY GUILTY PLEA DUE TO INEFFECTIVE COUNSEL ^{OF MY ORIGINAL CASE IN 2004} MY BROTHER / CO-DEFENDANT AND I HAVE FOUND EVIDENCE IN THAT CASE THAT WAS WITHHELD FROM US BY OUR ATTORNEYS THAT COULD POSSIBLY GIVE US A CHANCE AT AN ACQUITTAL IN A JURY TRIAL. (YOU CAN SAY WHATEVER YOU WANT ABOUT THE CASE LIKE I DID IN THE LETTER I SENT TO JUDGE DARR THAT I GOT YOUR COPY OF.) WE WERE GIVEN A MISGIBRANCE OF JUSTICE AND I WOULD LIKE TO EXERCISE MY RIGHT TO A FAIR JURY TRIAL I WOULD ALSO LIKE TO RESPECTFULLY REQUEST THAT THE COURT APPOINT ME COUNSEL BECAUSE I AM UNABLE TO PAY FOR ONE. I AM IN FEDERAL CUSTODY AND THINK IT WOULD BE IN MY BEST INTEREST IF IT WAS BROUGHT IN FRONT OF YOUR COURT BEFORE I GOT SEPARATED IN FOLS THEREFORE I LIKE TO REQUEST THE 3RD JUDICIAL DISTRICT COURT TO START WITH THE JUDICATION PROCESS IN MY CASE. I WOULD ALSO LIKE TO REQUEST PERMISSION TO OBTAIN ALL DISCOVERY THAT IS ON RECORD IN MY CASE. (USE THIS LETTER, MY LETTER I SENT YOU TO JUDGE DARR, AND YOUR KNOWLEDGE TO WRITE JUDGE DARR A LETTER TO FILE A HABEAS CORPUS & ARREST

Exhibit "I" 1 of 2

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(18)

With the proceedings. Then write me to Junell and tell him that you sent a letter to DARR's court and fill him in on what happened and tell his court you want to postpone your sentencing until after the state court is resolved.) I'm sure you can write a very good letter to both courts. Do that ASAP get them notarized by a notary at D.C. and mail them to the judges in both courts ill give you the addresses again so I know you have them still. After you write them write me a copy and send it to me

Honorable Judge DARR	Honorable Judge Junell
385 th Judicial District Court	Federal Court House
500 N. LOCALINE	200 E WALL ST.
MCKENNA TX 79701	MCKENNA TX 79701

That is to send a copy of the letter to the judge I send

so I can read what you wrote. Also write me back and tell me what you think about this strategy. That collateral attack rule I told you about is: Rule 11 states that after the court imposes a sentence the defendant may not withdraw a plea of guilty and the plea may be set aside only on direct appeal or collateral attack. Courts will set aside a plea of guilty on collateral attack only if doing so is necessary to correct a miscarriage of justice that ANDY VAMBERG will be considered against the government and in accordance with defendant's reasonable understanding of the agreement.

Rule 11 is sound we since who think

Tell me what you think that is saying too. I feel really good about all of this and have faith that we will come out of this with a win on this Bull shit. I'm gonna go lay down for a little but now I got these letters to the judges and to give you a copy of what to say. I think this strategy of you doing the state first will be better. What do you think? I can give you all copy that and write something more about how to do the all the details in the other books.

I don't know if we can get it all

EXHIBIT "I"
2 of 2

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EXHIBIT "J"

Morrison's Motion for Continuance that Rogers presented to the court on April 28, 2011.

Exhibit "J" is cited to at:

Application pp.16, 22
Memorandum of Law p.92

This exhibit shows Morrison's intentions were to postpone the Motion to Revoke hearing so he could have his Writ of Habeas Corpus hearing heard before he was convicted of the Motion to Revoke probation. It also shows Rogers knew Morrison "attempted" to file a "post conviction writ" challenging the original conviction, but nevertheless allowed Morrison to go into the revocation hearing knowing he was guilty of the probation violations without him helping Morrison file the pleadings for relief correctly.

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NO. CR 29320

FILED

STATE OF TEXAS

§
§
§
§
§

IN THE DISTRICT COURT

vs.

385th JUDICIAL DISTRICT

JARED ANTHONY MORRISON

MIDLAND COUNTY, TEXAS

FILED
JAN 20 2016
AGAS BOBBI GIBSON, DISTRICT CLERK
MIDLAND COUNTY, TEXAS
[Signature]

MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Jared Anthony Morrison, Defendant, and files this Motion for Continuance of this cause from its present setting of April 28, 2011 and shows the following:

1. This motion is filed in accordance with Article 29.03 of the Texas Code of Criminal Procedure.
2. The Defendant has filed a Post Conviction Writ or has attempted to file a Post Conviction Writ challenging the original conviction. The Defendant requests that this trial be postponed until the Post Conviction Writ Process is concluded.
3. This motion is not made for purposes of delay but that justice may be done.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Court enter its order continuing this cause until some future date, or, in the alternative, sets this motion for hearing.

Respectfully submitted,

FIVECOAT, ROGERS & GOBLE, P.L.L.C.
Attorneys at Law
214 W. Texas Ave., Ste. 811
Midland, TX 79701

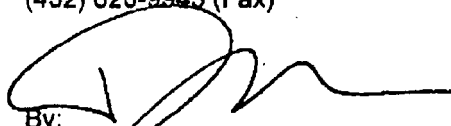
ORIGINAL

Exhibit "J"

10F3

172

(432) 620-8774 (Tel)
(432) 620-9945 (Fax)



By: _____
David G. Rogers
State Bar No. 00788310
Attorney for Jared Anthony Morrison

VERIFICATION

STATE OF TEXAS

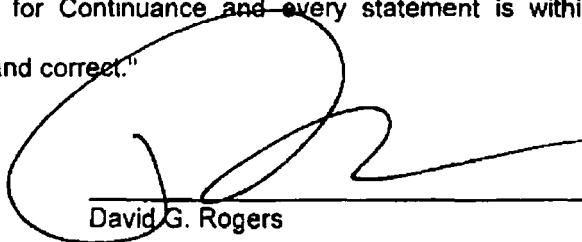
§
§
§

COUNTY OF MIDLAND

ON THIS DAY personally appeared David G. Rogers, who, after being placed under oath, stated the following:

"My name is David G. Rogers and I am the attorney of record for Jared Anthony Morrison and have been so at all material times relevant to this proceeding.

"I have read the Motion for Continuance and every statement is within my personal knowledge and is true and correct."



David G. Rogers

Sworn to and subscribed before me on April 28, 2011


NOTARY PUBLIC

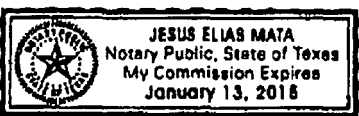



EXHIBIT "J"

20F3

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CERTIFICATE OF SERVICE

This is to certify that on April 28, 2011, a true and correct copy of the above and foregoing document was served on the District Attorney's Office, Midland County, [* _____*], by hand delivery.



David B. Rogers

Exhibit "J"
3 of 3

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EXHIBIT "K"

Motion for New Trial and Motion in Arrest of Judgement, signed and filed on May 24, 2011.

Exhibit "K" is cited to at:

Statement of Facts p.9.

Application p.22

Morrison wishes to use this exhibit to show that Rogers was ineffective for not raising on appeal the trial court's err in overruling his Motion for Continuance as raised in this motion.

000174

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7. The Trial Court erred in admitting portions of and allowing testimony regarding the Defendants community supervision file.

8. The trial court has the discretion to grant a new trial in the interests of justice, as the Court of Criminal Appeals has emphasized:

For more than one hundred and twenty years, our trial judges have had the discretion to grant new trials in the interest of justice. In Mullins v. State, 37 Tex. 337, 339-340 (1872-73), the Supreme Court, which at that time had criminal jurisdiction, held:

... The discretion of the District Court, in granting new trials, is almost the only protection to the citizen against the illegal or oppressive verdicts of prejudiced, careless, or ignorant juries, and we think the District Court should never hesitate to use that discretion whenever the ends of justice have not been attained by those verdicts.

State v. Gonzalez, 855 S.W.2d 692 (Tex. Crim. App. 1993).

9. For the foregoing reasons, and for such other reasons that may arise on the hearing of this Motion, Defendant requests a new trial.

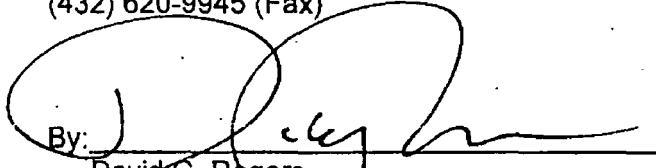
WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Court set aside the judgment of conviction entered in this cause and order a new trial on the merits.

EXHIBIT "K"
2 of 3

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Respectfully submitted,

FIVECOAT, ROGERS & GOBLE, P.L.L.C.
Attorneys at Law
214 W. Texas Ave., Ste. 811
Midland, TX 79701
(432) 620-8774 (Tel)
(432) 620-9945 (Fax)

By: 
David G. Rogers
State Bar No. 00788310
Attorney for Jared Anthony Morrison

CERTIFICATE OF PRESENTMENT

By signature above, I hereby certify that a true and correct copy of the above and foregoing has been hand-delivered to the Office for the 385th Judicial District Court of Midland County, on this day, May 24, 2011.

CERTIFICATE OF SERVICE

This is to certify that on May 24, 2011, a true and correct copy of the above and foregoing document was served on the District Attorney's Office, Midland County, by hand delivery.



David G. Rogers

EXHIBIT "K"
3 OF 3

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EXHIBIT "L"

Letter to Rogers from Morrison dated December 3, 2011.

Exhibit "L" is cited to at

Statement of Facts pp. 8, 9

Application pp. 16, 19, 22

Memorandum of Law pp. 5, 13

This is a carbon paper copy of a letter that Morrison wrote Rogers shortly after he got to T.D.C.J., after completing his federal sentence. Morrison wishes to use this exhibit to show that he wanted Rogers to appeal the courts err in denying his Motion for Continuance, the reasonings he refused the state offer of seven years, and his concern about not being able to have any witnessess testify on his behalf.

000178

179 David,

Hi. How are you? I wanted to send you a quick letter to let you know I got moved to TDCJ, and to send you my new address so you can send me my legal mail concerning my appeal. Right now I'm in Abilene at the John Middleton Unit. My mother told me that you sent me the appeal filing brief, or whatever it is that you filed explaining the reasons and justifications for my grounds to appeal, but I never received anything from your office regarding my appeal. The last thing I got was notice of you applying for a court recorded transcript from the county clerk and that was months ago. Could you please send me everything regarding my appeal and let me know the reasons and strategies of how you think it is best to get a reversal on my conviction or how to get a fair jury trial on my original case. I was hoping you would have come and saw me while I was in Midland before I caught chain here because I would have liked to talk to you face to face about some things, but I guess we can do it through the mail. I think there are lots of reasons that need to be addressed in my appeal because of how it went down starting in May of 2004 when I was duped out of my right to a fair jury trial which I have talked to you about before when I was pressured into taking the plea bargain. Also my sentencing in April of 2011 where I was not allowed a continuance on my recidivism hearing because Judge Darr did not grant me the pre-conviction collateral attack or habeas corpus that should have at least been addressed where I could have given me a chance for a new jury trial due to the new evidence I found and the miscarriage of justice. I was also withheld proper counsel when Tom Morgan was appointed to me before they appointed you because he was a conflict of interest and should

Exhibit "L" 10 of 3

000179

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 HAVE RECUSED HIMSELF KNOWING HE WAS MY CO-DEFENDANT ATTORNEY. SO THE
 WAY I SEE IT I DID NOT HAVE PROPER COUNSEL THAT IS GUARANTEED BY THE
 CONSTITUTION FOR THE PRELIMINARY PART OF MY HEARINGS UNTIL I WAS APPOINTED
 YOUR COUNSEL. IS THAT A TECH THAT WE CAN USE TO HELP GET A NEW TRIAL?
 ALSO I THINK THE REASON I GOT SUCH A HUGE SENTENCE WHICH IS 16 YEARS
 WAS BECAUSE I DID NOT TAKE THE OFFER OF 7 YEARS THAT WAS OFFERED TO ME
 BY TOM MORGAN. WHEN I REFUSED THE STATE OFFER OF 7 YEARS I WAS WITHOUT
 PROPER COUNSEL AND I HAD FOUND REASONS THAT JUSTIFIED A CONSTITUTIONAL RIGHTS
 VIOLATION WHICH SHOULD HAVE GIVEN ME A NEW TRIAL. I KNOW I WAS GUILTY
 OF THE PROBATION VIOLATIONS AND REVOCATION. I JUST THOUGHT BECAUSE OF THE
 INTENTIONAL AND KNOWINGLY ELEMENT OF MY ORIGINAL CHARGE NOT BEING FULFILLED
 AND THE PLAIN WAY THE LAWS IS WRITTEN ABOUT THE SCULPTEMENTAL
 STATE BEING A MANDATORY ELEMENT OF THE CRIME THAT I WAS NOT GUILTY OF MY
 ORIGINAL CHARGE BECAUSE I DID NOT INTENTIONALLY OR KNOWINGLY CAUSE THE
 REMOVAL OF THE MAMMARY GLAND AND THE SCULPTEMENTAL STATE LAW
 AND THE 5TH AMENDMENT SAYS I AM NOT GUILTY OF WHAT CRIME SO I WAS JUST
 TRYING TO GET A FAIR TRIAL BECAUSE OF THE NEW EVIDENCE I FOUND IN
 THE LAW BOOKS. THAT IS WHY I DIDNT TAKE THE 7 YEARS WHEN IT WAS OFFERED.
 I WAS EXPECTING THE SYSTEM TO BE FAIR AND JUST AND GIVE ME A NEW JURY
 TRIAL BECAUSE OF HOW THE LAW WAS WRITTEN. SO YOU KNOWING THAT IS
 THERE ANY ACTION THAT WE CAN GET ON APPEAL BECAUSE OF THAT. ALSO
 I WAS NEVER GIVEN ANY OPPURTUNITY TO LOOK OVER ANY DISCOVERY, STATE'S
 EVIDENCE, OR CALL ANY WITNESSES ON MY BEHALF. I KNOW FOR CERTAIN IF I
 WAS ALLOWED TO CALL MY PROBATION OFFICER (NOT THE ONE WHO SHOWED UP TO TESTIFY
 AGAINST ME BUT KIM ROGERS) SHE WOULD HAVE TOLD THE JUDGE HOW GOOD I
 HAVE DONE ON PROBATION AND WAS NOT A PERSON THAT BELONGS IN
 PRISON. KIM GARCIA MY PROBATION REQUIRED COUNSELOR WOULD HAVE ALSO

Testified that I WAS A ASSET TO THE COMMUNITY AND NOT A THREAT TO SOCIETY WHO DESERVES 16 YEARS PRISON. THEY HAVE KNOWN ME BETTER THAN THE WITNESSES THE PROSECUTOR CALLED AND I THINK IF THEY WOULD HAVE BEEN CALLED TO TESTIFY AS FACT BASIS NEUTRAL WITNESSES I WOULD HAVE RECEIVED A LOT LESS TIME. I ALSO WISH I WAS ALLOWED TO CALL IN SOME CHARACTER WITNESSES FROM THE COMMUNITY WHO KNOW ME SO THEY COULD LET JUDGE DARR KNOW I AM NOT A DANGEROUS, SICK, DEVIANT FELON WHO BELONGS IN PRISON.

SINCE MY BROTHER AND CO-DEFENDANT GOT SENTENCED 7 YEARS TO CS TO RUN CONCURRENT WITH HIS FED TIME ON THE SAME EXACT CASE THAT I GOT SENTENCED 16 YEARS TO RUN CONSECUTIVE WITH MY FED TIME, IS THAT MUCH OF A DIFFERENCE IN SENTENCING JUSTIFIABLE AND CONSTITUTIONAL JUST BECAUSE I FELT I WAS NOT GUILTY AND WANTED TO CHALLENGE A CONSTITUTIONAL VIOLATION? SHOULD I HAVE TO DO OVER TWICE THE AMOUNT OF TIME BECAUSE I WANTED TO EXERCISE MY RIGHT TO A FAIR JURY TRIAL? IS THAT SOMETHING WE CAN GET SOME ACTION ON AT APPEAL? I SENT YOU A LETTER OR TWO WHILE I WAS IN THE FEDS ABOUT THOSE ISSUES. I HOPE YOU GOT THEM AND TOOK THEM INTO CONSIDERATION WHEN YOU FILED THE APPEAL. I HAVE FAITH IN YOUR JUDGEMENT AND WOULD LIKE TO KNOW YOUR OPINION ON THESE MATTERS AND HOW MY APPEAL IS GOING. I HOPE YOU UNDERSTAND MY FRUSTRATIONS WITH HOW THINGS TURNED OUT AND REALIZE MY COMPLAINTS ARE JUSTIFIABLE AND CAN PERSUADE THE APPELLATE JUDGES TO SYMPATHIZE WITH MY CONCERNS AND BE FAIR. THANK YOU FOR YOUR HELP IN MY CASE AND ANSWERING MY QUESTIONS IS THIS LETTER, AND LETTING ME KNOW HOW THINGS ARE GOING.

MY NEW ADDRESS IS -

JARED MORRISON 1747148
JOHN MIDDLETON UNIT
13055 F.M. 3522
ABILENE TX 79601

Respectfully,
JARED MORRISON

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EXHIBIT "M"

Letter to Rogers from Morrison dated May 19, 2012.

Exhibit "M" is cited to at:

Statement of Facts pp. 13, 9

Application pp. 19, 22

Memorandum of Law pp. 5, 13

This letter Morrison wrote while in T.D.C.J. It is a hand written rough draft of the actual letter he sent Rogers. Its contents are the same. Morrison wishes to use this exhibit to show that he did ask Rogers several questions regarding his appeal that went to avail. Morrison sent this letter in response to the appellate brief. He again requested Rogers to appeal the issue of the trial court denying his Motion for Continuance. He also addresses his concern about not being able to call witnesses. He again explains his rationale for rejecting the seven year offer. There are several questions also asked that are irrelevant to this instant Writ of Habeas Corpus. Please disregard those.

000182

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D

DAVID ROBERTS

MAY 19 2012

I WANTED TO WRITE AND EXPRESS SOME CONCERNS AND ASK SOME QUESTIONS ABOUT THE APPELLATE BRIEF AND THE APPEALER BRIEF THAT I RECEIVED IN JANUARY. I SENT A LETTER OUT ON FEBRUARY 21 ASKING THOSE QUESTIONS ABOUT THESE ISSUES AND NEVER GOT A RESPONSE OF WHAT YOU THOUGHT ABOUT THEM. I ALSO SENT A LETTER OUT ON DEC 3 2011 ASKING SEVERAL QUESTIONS AND NEVER GOT A LETTER BACK EITHER. PLEASE TAKE THE TIME TO READ THIS AND TO COMMENT ON MY CONCERNS AND ANSWER MY QUESTIONS. FIRST I WILL GO OVER MY ISSUES WITH THE TWO BRIEFS, THEN I WILL RECOMMENT ON THE LETTER I SENT IN NOVEMBER IN CASE YOU NEVER RECEIVED THEM.

A

- 1) WHY WAS THE DENIAL OF MY MOTION FOR CONTINUANCE AND THE DENIAL OF THE COURT TO HEAR MY WRIT OF HABEAS CORPUS NOT PART OF THE "ISSUES PRESENTED FOR REVIEW" IN THE APPELLATE BRIEF. LIKE IT WAS INCLUDED IN THEM AS NUMBER 5 IN THE MOTION FOR NEW TRIAL AND MOTION IN ARREST OF JUDGMENT THAT YOU FILED ON MAY 24 2011?
- 2) DOES IT MATTER THAT IT WASNT PART OF THE 5 ISSUES PRESENTED FOR REVIEW INSTEAD OF JUST BEING PART OF "THE STATEMENTS OF FACT" ON PAGE 4?
- 3) WILL THE APPELLATE JUDGES STILL LOOK AT THAT AS A ISSUE THAT CAUSED HARM FROM AN ERROR BY THE DISTRICT COURT?
- 4) WHY DOES THE APPELLATE BRIEF MENTION ON PAGE 4 THAT I FILED A POST CONVICTION WRIT WHEN IT WAS ACTUALLY A WRIT FILED BEFORE I WAS CONVICTED OF THE DEFERRED ADJUDICATION? WILL THIS DIFFERENCE IN WORD DESCRIPTION OF THE WRIT EFFECT HOW THE JUDGES INTERPRET MY INTENTIONS OF THE WRIT?
- 6) WILL THEY DENY ITS AUTHORITY OF GIVING ME A NEW TRIAL BECAUSE IT WAS CALLED A "POST CONVICTION WRIT"? LIKE JUDGE DARR DID WHEN SHE SAID THE MOTION WOULDNT BE ACCEPTED BECAUSE I COULDN'T FILE A POST CONVICTION WRIT WITHOUT BEING CONVICTED.
- 7) HOW CAN ~~THE~~ ^{DARR} JUDGE CONSIDER A MOTION FOR A PRO SE WRIT, LIKE THE ONE I WROTE EXPLAINING TO THE COURT A MISCHANCE OF JUSTICE, AND REQUESTING A NEW FAIR JURY TRIAL, ~~AND~~ ^{AND} ATTORNEY, MY DISCOVERY, AND A REQUEST TO SET ASIDE EXHIBIT "M" 1 OF 8

2

MY Guilty plea, NOT A WRIT OR MOTION FOR RELIEF BUT AS A UNILATERAL / COMMUNICATION OR AN EX PARTE COMMUNICATION WITH THE COURT?

8

WHY WAS PART OF THE LETTER TAKEN SERIOUSLY AND THE REST CONSIDERED A UNILATERAL COMMUNICATION? THE PART THEY TOOK SERIOUSLY WAS MY REQUEST FOR A NEW ATTORNEY, THE REST OF MY REQUESTS WEREN'T EVEN ACKNOWLEDGED.

9

HOW IS THAT FAIR? WILL THE APPELLATE JUDGES GET A COPY OF THAT LETTER? WHY DIDN'T THE PROSECUTOR MENTION ANYTHING ABOUT IT IN HER BRIEF?

(B)

ON PAGE 3 YOU SAID THAT MY PROBATION WAS MODIFIED A 3RD TIME WHEN I HAD TO DO TAIP, BUT ACTUALLY THAT WAS THE SECOND AND LAST TIME IT WAS MODIFIED PRIOR TO THE REVOCATION HEARING. I ONLY HAD ONE PRIOR M.T.R. THAT EFFECTED MY PROBATION ADVERSELY. ^{THAT WAS IN 2005} THE TAIP MODIFICATION ^{IN 2008} WAS NOT A M.T.R. IT WAS AN AGREEMENT BETWEEN ME AND MY P.O. KIM ROGERS

1)

COULD IT HAVE AN ADVERSE EFFECT ON THE OUTCOME IF THE APPELLATE JUDGES THOUGHT I HAD MORE DISCIPLINARY M.T.R.s THAN I ACTUALLY HAD?

(C)

ON PAGE 4 UNDER THE TITLE "REVOCATION HEARING" IT SAYS THE STATE CALLED ROMONA MARTIN WHO WAS MY SUPERVISING OFFICER. ROMONA MARTIN WAS NEVER MY SUPERVISING OFFICER WHILE I WAS ON PROBATION. IT SAYS AS EVIDENCE IN THE APPELLATE'S BRIEF ON PAGE 5 AND IN THE RECORDER'S RECORD VOL 3 PG 11-12 THAT ROMONA MARTIN DID NOT BECOME MY P.O. UNTIL JANUARY 2011. THAT WAS 8 MONTHS AFTER I WAS ARRESTED IN MAY 2010 AND ALREADY IN JAIL AND OFF OF PROBATION.

1)

HOW COULD SHE LEGALLY TESTIFY TO ANYTHING ABOUT ME PRIOR TO JAN 2011?

2)

WILL THE APPELLATE JUDGES KNOW ABOUT THAT ERROR AND CAN THEY GRANT ME A NEW TRIAL BASE ON INADMISSABLE EVIDENCE DUE TO Hearsay?

ON PAGE 5 OF THE PROSECUTOR'S BRIEF UNDER STATEMENT'S OF FACTS ^{THAT ALL} SHOULD BE INADMISSABLE BECAUSE IT IS ALL Hearsay.

EXHIBIT "M"

P 2 of 8

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(3)

(D) 1) since the prosecutor filed the motion for entry of judgment nunc pro tunc that corrected the issues "she embellished in the written judgment stated in issue one. Does that make the issue moot?

(E) ON PAGE 7 ISSUE #2 UNDER TITLE "STANDARD OF REVIEW" IT SAYS I PLED GUILTY TO AGGRAVATED SEXUAL ASSAULT OF A CHILD. THAT IS A HUGE TYPO WHICH MAKES ME GO FROM A CLASS B FELONY TO A CLASS A FELONY. THE CHARGE WAS NEVER AGGRAVATED. CAN THAT TYPO BE FIXED? OR IS IT TOO LATE? AND CAN THAT TYPO EFFECT HOW THE APPELLATE JUDGES JUDGE MY CASE?

(F) SINCE THE COURT FOUND ME GUILTY AND SENTENCED ME TO 16 YEARS AS PART OF OWING PROBATION FEES. CAN THAT BE CONSIDERED UNCONSTITUTIONAL BECAUSE AMENDMENT 18 OF THE TEXAS CONSTITUTION STATES "NO ONE SHOULD EVER BE IMPRISONED FOR ANY DEBT". IT SOUNDS TO ME THAT BY THEM ADDING THE DEBT I OWED PROBATION TO THE LIST OF VIOLATIONS THAT PUT ME IN PRISON THAT I SHOULD GIVE SOME OF THIS 16 YEARS BACK. IS THAT APPEALABLE WHAT DO YOU THINK ABOUT THAT?

(G) 1) WHY IS THERE NO MENTION OF ANY CASE LAW THAT CAN SHOW THAT MY SENTENCE IS DISPROPORTIONATE TO THE GRAVITY OF THE OFFENSE UNDER THE 8TH AMENDMENT. COULD WE HAVE USED THE FACT THAT MY BROTHER / CO-DEFENDANT WITH THE EXACT SAME CASE AS ME, EXCEPT HE HAD A LOT MORE FED CHARGES AND HE ONLY WAS SENTENCED 7 YEARS TDCJ TO RUN CONCURRENTLY WITH HIS 7 YEARS FED TIME. WHY SHOULD I HAVE TO DO 10 1/2 MORE YEAR THAN HIM BECAUSE I FELT I NEEDED TO EXERCISE MY RIGHT TO FILE A WRIT OF HABEAS CORPUS? HOW IS THAT PROPORTIONATE? STATE V JOSEPH ARMADARIZ - HE WAS ON PROBATION FOR AGGRAVATED SEXUAL ASSAULT TO A CHILD WHO WAS LIKE 9 YEARS OLD. HE ORSCORDED PROBATION, WENT
EXHIBIT "M" 3 OF 8

(4)

TO MEXICO, GOT ARRESTED THERE ON A NEW CHARGE, GOT EXTRADITED BACK TO MIDLAND OVER A YEAR LATER AND WAS SENTENCED BY JUDGE DARR TWO YEARS TDCJ FOR THE PROBATION VIOLATION AND 7 YEARS FOR FAILURE TO REGISTER WHICH WAS ORDERED TO RUN CONCURRENTLY.

STATE V LAURA MULLENEX - SHE WAS ON PROBATION FOR A SIMILAR CHARGE AS ME THEN GOT BACK WITH HER VICTIM WHO WAS LEGAL AGE BY THEN BUT STILL A SERIOUS PROBATION VIOLATION. SHE GOT HER PROBATION REVOKED, TOOK IT TO THE HEARING, LOST, AND ONLY GOT 5 YEARS TDCJ.

THOSE ARE JUST THREE CASES I KNOW THAT ARE SIMILAR TO MINE BUT MY SENTENCE WAS DISPROPORTIONATE COMPARED TO THEIRS. I'VE SEEN OTHER CASE LAW THAT ALSO SUPPORTS MY PREMISE ON THIS ISSUE.

IF THESE CASES WERE LISTED IN THE BRIEF TO SUPPLEMENT THE ISSUE WOULD THAT HAVE HELPED?

(H)

ON PAGE 8 ISSUE THREE "THE TRIAL COURT ABUSED ITS DISCRETION WHEN IT ORDERED THAT THE SENTENCE RUN CONSECUTIVE TO THE APPELLATE'S FEDERAL CONVICTION. EVERYTHING THAT WAS MENTIONED HERE WAS FINE, BUT WHY WASN'T TEXAS PENAL CODE SECTION 3.03 "SENTENCES ARISING OUT OF THE SAME CRIMINAL EPISODE" NOT SHOWN AS AN ARGUMENT FOR IT BEING UNLAWFUL TO RUN A SENTENCE CONSECUTIVELY LIKE IN MY SITUATION WHEN THE FEDERAL CHARGE WAS DONE IN THE SAME CRIMINAL EPISODE AS THE PROBATION VIOLATION. BECAUSE OF THAT STATUTE, SHOULD THE COURT HAVE RUN THEM CONCURRENTLY?"

(I)

ON PAGE 9 AND 10 ISSUE NUMBER FOUR I THINK THAT IS A VERY STRONG ISSUE AS WELL AND HAS VERY GOOD VALID POINTS. GOOD JOB FINDING THAT. IN THE PROSECUTOR'S BRIEF SHE SAYS WE DID NOT RAISE AN OBJECTION ON THAT ISSUE SO IT IS NOT VALID. EVEN THOUGH WE OBJECTED TO EVERYTHING AND HAD A RUNNING OBJECTION IN WHICH ALL WAS OVERRULED, CAN THE COURT SEE OUR SIDE ON THIS ISSUE SINCE THE PROSECUTOR MESSED UP AND DIDN'T ASK THE RIGHT QUESTION IN TX.R. EVID 803(B) EXHIBIT "M" 4 OF 8

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(5)

on page 18 issue #4 of The Appellate's Brief she says "IN ORDER TO PRESERVE A COMPLAINT FOR APPELLATE REVIEW A PARTY MUST MAKE A TIMELY AND SPECIFIC OBJECTION THAT MAKES THE TRIAL COURT AWARE OF THE COMPLAINT. SHE STATES THAT WE DIDN'T MAKE THE PROPER OBJECTIONS REGARDING ADMISSION TO SEX OFFENDER REGISTRATION RECORDS. SINCE WE DID PRESENT A "LAUNDRY LIST OF OBJECTIONS" AND A RUNNING OBJECTION IN WHICH ALL GOT OVERRULED AND I REMEMBER YOU PUTTING IT ON RECORD THAT WE WOULD BE USING THOSE OBJECTIONS FOR THE APPEAL AND INSTEAD OF US REPEATING EACH OBJECTION EVERY TIME FOR EVERY ISSUE WOULD THE COURT ALLOW IT AS A RUNNING OBJECTION DOES HER ARGUMENT USING TRAP 33.1(A)(1), T.R.E 103(A)(1) HOLD ANY WEIGHT SINCE WE OBJECTED AND OBJECTED BUT THEY KEPT GETTING OVERRULED?"

(J)

ON PAGE 11 UNDER TITLE "ARGUMENTS" IT SAYS RECORDS SHOW THAT I WAS UNEMPLOYED FROM DECEMBER 2009 TO JANUARY 2010. I ~~REMEMBER~~ ^{REMEMBER} ~~PROBABLY~~ ^{PROBABLY} ~~MY~~ ^{MY} ~~WIFE~~ ^{WIFE} KIM BANCIA WOULD HAVE BEEN CALLED AS A WITNESS. THEY WOULD HAVE TESTIFIED I WAS NOT WORKING FROM EX? 2009 & MAR. 2010 AND AS SOON AS I GOT PAID FROM A JOB IN PAINT CO. WHY DIDN'T THEY TAKE THAT IN CONSIDERATION ALONG WITH THE OVER \$15000 I PAID WHILE I WAS ON PROBATION WHY WASN'T I ALLOWED TO CALL ANY WITNESSES TO PROVE I WAS NOT WORKING DURING THAT TIME AND THAT I ALWAYS PAID WHAT I COULD?

(K)

IN REGARDS TO THE FAILURE TO REPORT CHANGE OF ADDRESS ON APR 2 2010 THERE WAS NO INDICATION THAT I CHANGED MY ADDRESS, WAS CORRECT, BECAUSE MY WIFE AND SON WAS STILL AT 808 SINGAIR WITH ALL OUR BELONGINGS, PLUS I DIDN'T HAVE A NEW ADDRESS TO CHANGE. ~~WISH I~~ ^{WISH I} ~~COULD~~ ^{COULD} HAVE CALLED HER AS A WITNESS TO SAY I DIDN'T HAVE A NEW ADDRESS.

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HERE ARE THE ISSUES I HAVE WITH THE APPELLATE'S BRIEF

- 1) STATEMENTS OF THE CASE PAGE THREE SHE BROUGHT UP AND USED A MTR. FILED ON JULY 10 2006 THAT WAS DISMISSED BECAUSE I WAS NOT GUILTY OF THAT PROBATION VIOLATION. SHE LATER ADDED THAT INTO HER ASSERTATION ON PAGE 16 WHEN SHE FALLACIOUSLY EMBELLISHED THE AMOUNT OF CHARGES I HAD PRIOR TO THAT HEARING WITH COMMUNITY SUPERVISION MODIFICATIONS TO MAKE ME LOOK WORSE. TO THE APPELLATE JUDGES AS TO JUSTIFY MY 17 1/2 YEARS IN PRISON. IS IT RIGHT FOR HER TO LIE ALL THROUGHOUT HER BRIEF TO MAKE ME LOOK WORSE THAN I AM?
- PAGE 15 SAYS "APPELLATE TURNS A BLIND EYE THAT HE WAS SENTENCED TO 16 YEARS FOR SEXUAL ASSAULT OF A CHILD. THAT AGAIN IS NOT TRUE. I WAS SENTENCED TO 9 YEARS PROBATION FOR THAT AND SENTENCED TO 16 YEARS PLUS ANOTHER YEAR AND A HALF IN FED PRISON PLUS 16 YEARS FED SUPERVISED RELEASE FOR FAILURE REGISTER, OWING PROBATION FEES, AND NOT REPORTING FOR A MONTH. WITH THE 6 YEARS I COMPLETED ON PROBATION THAT IS A 40 YEAR SENTENCE FOR A CRIME THAT ALL STEMMED FROM BELIEVING SOMEONE WAS OLDER THAN WHAT HER TRUCK ^{WAS} ABOUT. IS THAT REALISTICALLY A DISPROPORTIONATE SENTENCE TO THE CRIME. SHE ALSO USES CASE LAW TO COMPARE TO MY CASE TO MAKE ME IN MY OPINION LOOK WORSE. SHE COMPARED MY CASE WITH CASES LIKE PATTIBLOW V STATE AND WILLIAMSON V STATE WHICH WERENT EVEN COMPARABLE. THEY WERE WAY WORSE WHY CANT SHE JUST BE REAL AND TELL THE APPELLATE JUDGES THE TRUTH? I'M SURE SHE READ THE FILE AND KNOWS THE SITUATION AND READ THE LETTER I WROTE THE COURT WANTING HABEAS RELIEF BECAUSE OF THE INTENTIONAL AND KNOWINGLY EMBELLISHMENTS WERE MADE COMMITTED. DO YOU THINK THE JUDGES CAN SEE THROUGH HER EXAGGERATIONS OR WILL THEY BELIEVE HER AND GIVE ME NO RELIEF BECAUSE IT LOOKS LIKE I BELONG IN PRISON.

EXHIBIT "M"
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ON PAGE 11 OF THE APPELLER'S BRIEF STATE'S REPLY TO ISSUE 3 SUMMARY OF ARGUMENT STATE SAYS, "THE COURT TREATED THE REVOCATION OF PROBATION AS A CONVICTION AND HAS AUTHORITY TO RUN IT CONSECUTIVELY TO THE CONVICTION IN THE NYW FED CASE."

WHAT CONSTITUTES IT BEING A NEW FED CASE? SINCE I WAS CONVICTED OF THE FED CASE FIRST WOULDNT IT BE A OLD CASE?

THEY ARE THE QUESTIONS AND CONCERNS ABOUT THE BRIEFS YOU SENT ME. PLEASE WRITE ME A LETTER BACK EXPLAINING THE ANSWERS TO MY QUESTIONS, AND LET ME KNOW HOW THE APPEAL IS GOING AND IF YOU HEARD WHEN IT WILL BE HEARD THANK YOU FOR YOUR TIME

Respectfully

James Morrison

IN ALSO LIKE TO ASK ABOUT SOME QUESTIONS I HAD IN THE LETTER I SENT YOU ON DEC 3 2011 CONCERNING WHAT YOU THOUGHT ABOUT WHETHER I SHOULD APPEAL THE MISFEARANCE OF JUSTICE THAT HAPPENED IN 2004 TO THE DIRECT APPEAL. I UNDERSTAND NOW I WILL HAVE TO DO A POST CONVICTION UNIT 1107 ON THAT NOW BECAUSE THE DIRECT APPEAL JUST HAS TO DO WITH THE TRIAL RECORDS. IN THE LETTER I MENTIONED AND WANTED TO KNOW YOUR THOUGHTS ABOUT WHEN JIM MORRIS WAS APPOINTED AS MY COUNSEL AND WAS MY BARBARA'S COUNSEL IN THE ORIGINAL CHARGE DID THAT CREATE A CONFLICT OF INTEREST THAT COULD ALLOW ME TO AT LEAST GET ONLY 7 YEARS BECAUSE THE PROSECUTOR

IN THAT TRIAL WAS 7 YEAR STATE OFFICE CASE BECAUSE OF THE INFO I FOUND IN THE LAW LIBRARY OF LIVERMOUTH COUNTY WAS SUPPLEMENTED AND WAS A

STATE OFFICE CASE THE LIVING TO BE A STATE OFFICE TO BE GUILTY AND

IN THAT TRIAL THAT I EXPLAINED IN THE LETTER I WROTE TO JUDGE BARK

IN THAT TRIAL WAS GUILTY OF ONE OF THE PROSECUTOR'S CONDITIONS; NOT STRONG ENOUGH

AT THAT TIME BUT REQUIRED SINCE I WAS CONVICTED GUILTY OF THE PROSECUTOR'S

EXHIBIT "M" 7 OF 8

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(8)

Because of the way I found I would be a good person
 to be a lawyer in the preliminary
 steps of the trial and was a court of interest and should have helped
 himself and I thought I would get some relief from the court
 because of that ^{MOTION} I wrote about Tom and Jane's inadequate assistance
 in the original charge, but it was not heard for 4 years because
 of the way I was treated. I mentioned in that letter
 like the law says it should be, I mentioned in that letter
 on December 2nd that I was hoping you could add that to the issues
 on appeal. Is it to late to do that if so can I still somehow get
 the same 7 years as my brother because of my interpretation of the laws
 I studied in the library while I was waiting on my writ of habeas
 corpus letter I wrote reviewed and honored. Look in my file to see
 if you have the two letters I sent prior to this one explaining
 those similar issues. My letter might be had some more questions
 also. Please write a letter back explaining ^{THE ANSWERS TO MY} ~~THE ANSWERS TO MY~~
 questions and let me know when the appeal is going and if you heard
 when it will be heard. Also if you did send a letter explaining my
 letters I sent you can review the same one if you have a copy of it
 I have for some reason not got some mail from other people so
 that could be it too. I appreciate you.

ANNEX

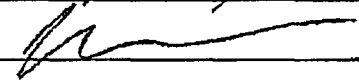
Respectfully


EXHIBIT "M"
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INMATE'S UNSWORN DECLARATION

I, Jared Morrison #1747148, being presently incarcerated at the Huntsville Unit, Walker County, Texas, of the Texas Department of Criminal Justice, declare under the penalty of perjury the aforementioned statements regarding these exhibits "A"- "M" are true and correct.

Executed on December 21, 2014

 12/21/14

Jared Morrison pro se
Huntsville Unit
815 12th Street
Huntsville TX 77348

CR-29320

Clerk of the 385th Distric Court
500 North Loraine Suite 801
Midland, TX 79701

FILED

2014 DEC 30 AM 11:42

ROSS BUSH, DISTRICT CLERK
MIDLAND COUNTY, TEXAS

BY _____ DEPUTY

RE. Jared Morrison's Writ of Habeas Corpus/11.07

Dear Clerk,

Please file the enclosed Application for Writ of Habeas Corpus in the clerk's records and forward a copy to the Midland County's Writ of Habeas Corpus District Attorney pursuant to Texas Code of Criminal Procedure Article 11.07(b). Also please send me a copy of the cover page file marked and time stamped that shows when the Application for Writ of Habeas Corpus was filed, in the self addresses stamped envelope that I provided. Please send to my address any facts and Conclusions of Law that the judge may find, and any response that the state's attorney has. I never heard an answer about the Motion to Suspend TRAP Rule 73.1(d) that I sent to the court which was filed on December 8, 2014. Since it pertained to my 11.07 I was under the impression since the law does not require me to do a Certificate of Service to the state that I did not need to send a copy of that motion to the state. If I am wrong about that, please let me know in a quick note so I can comply with the Certificate of Service rules, or maybe you could copy the Motion to Suspend TRAP Rule 73.1(d) when you copy this Writ of Habeas Corpus and also send it to the habeas corpus attorney that is assigned to my writ. Thank you dearly for your help in this matter.

Respectfully Submitted,

Jared Morrison 12/21/14

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