

CAUSE NO. 526,673

THE STATE OF TEXAS

IN THE DISTRICT COURT OF

VS.

HARRIS COUNTY, TEXAS

SHIRLEY SOUTHERLAND

180TH JUDICIAL DISTRICT

ORDER FOR INTERIM PAYMENT TO COURT-APPOINTED COUNSEL

TO THE AUDITOR AND TREASURER OF HARRIS COUNTY, TEXAS:

This Court heretofore appointed SANDRA L. SMITH, Attorney at Law, to represent Appellant in the above-styled and numbered cause in connection with his appeal to the Court of Appeals of Texas pursuant to this Court's authority and under Article 26.05 of the Texas Code of Criminal Procedure.

Court-appointed counsel has, at this time, filed a brief in connection with this appeal, and has, with the possible exception of oral argument and preparation of a motion for rehearing, if same is deemed necessary, done all that is normally required of a court-appointed attorney in prosecuting an appeal to the Court of Appeals of Texas.

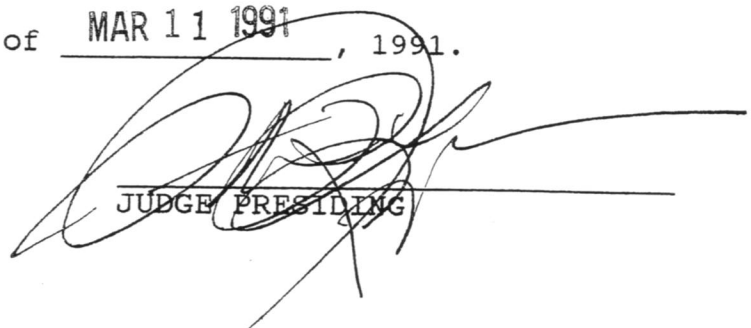
Because of the enormous backlog of the Court of Appeals and resulting delay in ultimate issuance of a mandate from said Court, this Court is of the opinion that it would be grossly unfair to require court-appointed counsel to wait until issuance of a mandate to be compensated for work which has already been performed, and is therefore of the opinion that an interim payment should be made at this time to the court-appointed counsel for work performed to date, prior to the issuance of a mandate in the above case.

V0398 P0280

Payment for any further legal services herein will be authorized by this Court only after issuance of a mandate herein.

IS IS THEREFORE ORDERED that you or either of you immediately issue a check from the General Fund of Harris County, Texas to the aforesaid SANDRA L. SMITH in the amount of \$ 1200⁰⁰ which the Court has determined to be a reasonable fee for services rendered to date, upon your receipt of a certified copy of this Order and approved claim for attorney's fees.

SIGNED this _____ day of MAR 11 1991, 1991.



JUDGE PRESIDING

2/13/94

V0398 P0281