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Daniel J. Kiley

From: Lynda De La Vina
Sent: Tuesday, November 20, 2007 7:08 PM
To: Diane Walz; Todd Wollenzier; Daniel J. Kiley; Dave Hernandez
Cc: Daniel Hollas; Katherine Pope; Caron Kiley; Kyle Snyder
Subject: RE: language

Julie reported to Beth that Mr. Retzlaff carried a gun in his glove box which she had seen. I do not know if this is accurate but thought I should report to you all.

From: Diane Walz
Sent: Tuesday, November 20, 2007 2:38 PM
To: Todd Wollenzier; Daniel J. Kiley; Dave Hernandez
Cc: Lynda De La Vina; Daniel Hollas; Katherine Pope; Caron Kiley; Kyle Snyder
Subject: language
Importance: High

FYI
Dean de la Vina asked me to forward this to you, from Mr. Retzlaff's early release from prison decision:

<http://www.bakers-legal-pages.com/cca/opinions/74772c.htm>

Ex parte Ratzlaff

May 19, 2004
No. 74,772
Dissenting opinion by Judge Hervey
Hervey, J., filed a dissenting opinion in which Keasler, J., joined.

DISSENTING OPINION

This dissenting opinion is substituted for the prior dissenting opinion which is withdrawn. The Court has apparently decided that it will provide the extreme remedy of applicant's early release from prison (even though a parole panel has determined that this would endanger the public) if the parole panel does not meet the Court's extra-statutory and arbitrary deadline for reviewing applicant for mandatory supervision release after "timely notice" to applicant. All of this ignores the ultimate due process question and has the very real potential of putting the security of the public at risk. I must, therefore, respectfully dissent to this particular exercise of the judicial power.

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