

THE STATE OF TEXAS	§	IN THE DISTRICT COURT
VS.	§	216TH JUDICIAL DISTRICT
KEVIN WILLIAM FRANKE	§	KERR COUNTY, TEXAS

**AGREED ORDER SETTING STATUS HEARING AND MODIFYING BOND  
CONDITIONS**

On August 14, 2019, the Defendant's Special Exceptions to Indictment came to be heard. The Defendant appeared by and through the Defendant's attorney of record and announced ready for a hearing on the merits. The State of Texas appeared by and through her assistant district attorney and announced ready for a hearing on the merits. After reviewing the motion, considering the submitted case law, and hearing the argument of counsel, the court finds it necessary, per agreement of the parties, to vacate the current trial setting in the above-captioned causes to await an opinion in *Fraiser v. State*, which is currently pending in cause no. PD-711-17 before the Court of Criminal Appeals, and which will rule on an issue dispositive to some claims raised in the Defendant's special exceptions.

**IT IS THEREFORE ORDERED** that the trial setting in the above-captioned causes are vacated and the causes are hereby set for a status hearing on November 21, 2019, at 8:30 a.m. in the district courtroom of Kerr County.

**IT IS FURTHER ORDERED** that the terms of the Defendant's bond conditions are modified in the following way:

- A). Condition 1. and 2. of the court's bond conditions signed on October 4, 2018, are deleted.
- B). As a condition of bond, the Defendant must fully comply with all the terms and conditions of his felony probation out of the 198<sup>th</sup> Judicial District Court of Bandera County.
- C). All other previously ordered bond conditions will remain in full force and effect.

SIGNED this the 15 day of Aug, 2019.



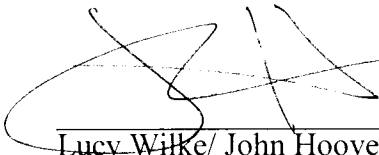
N. Keith Williams  
Presiding Judge

AGREED:

/s/ Richard L. Ellison

SBOT: 06580700

Attorney for the Defendant



Lucy Wilke/ John Hoover  
District Attorney/Assistant District Attorney

cc: Lucy Wilke, D.A.

Defendant

Bondsman

Defense Attorney - Rick Ellison

Kerr County Adult Probation