

21FC-1349F (COUNTS 1 – 10)

THE STATE OF TEXAS

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IN THE 214TH DISTRICT COURT

VS

OF NUECES COUNTY, TEXAS

AMBER PRINCE

STATE ID TX-10519243

ORIGINAL MOTION TO REVOKE PROBATION
Deferred Adjudication Probation

Summary of prior proceedings:

Pleading: Indictment

Offense charged: Counts 1 – 10: Improper Relationship Between Educator/student

Offense on probation for: Counts 1 – 10: Improper Relationship Between Educator/student

Plea: Guilty

Guilt decided by: Judge

Punishment decided by: Judge

Date of probation: February 22, 2022

Term of probation: Five (5) Years

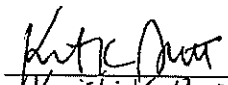
Date of offense: February 24, 2021; March 17, 2021; March 16, 2021; March 15, 2021; March 14, 2021; March 13, 2021; March 11, 2021; March 10, 2021; March 10, 2021; March 12, 2021

The Defendant is currently on probation in this cause on a deferred adjudication of guilt under Article 42.12, Sec. 5, Texas Code of Criminal Procedure. The conditions of that probation are set out in a conditions-of-probation order on file in this cause.

The Community Supervision and Corrections Department of Nueces County has filed with this office an ADULT PROBATION VIOLATION REPORT wherein it is alleged that the defendant has violated various conditions of their probation. A copy of the violation report is attached here as part of this motion as Exhibit A.

Based on each allegation of violation contained in Exhibit A, the State of Texas moves to revoke the probation of the defendant, and requests upon revocation that the Court proceed to an adjudication of guilt on the original charge.

The State further requests on this motion that the Court issue a warrant/summons for the arrest of the defendant and that the defendant be held in jail without bond pending a hearing on this motion.



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Probation Officer: Luann McDonald

COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT
1901 TROJAN DRIVE
"Exhibit A"
VIOLATION REPORT

DEFENDANT: Amber Nicole Prince

CAUSE NUMBER: 21FC-1349F

DATE OF SUPERVISION: February 22, 2022

SUPERVISION TERM: 5 Years

PUNISHMENT TERM: Deferred Adjudication

SID NUMBER: 20011510

TO THE DISTRICT ATTORNEY The Defendant has violated the following conditions of community supervision:

3. REPORT to the Community Supervision Corrections Department (CSCD) Officer as directed and at least once each month while under supervision; To wit: The Defendant failed to report as directed on 02/07/2023.

4. (A). REFRAIN from the use of vulgar or obscene language and remain courteous and respectful to the Court, CSCD Staff, and Court personnel; To wit: On or about 02/02/2023, the defendant failed to remain respectful to Community Supervision Officer LuAnn McDonald stating, Officer McDonald "nit picks and digs to find things."

4.(B) On or about 02/02/2023, the defendant failed to remain respectful to Community Supervision Officer LuAnn McDonald by stating Officer McDonald would have engaged in the same criminal behavior (Improper Relationship Between Educator/Student) under similar circumstances.

10. PAY the following by cashier's check, credit card, or money order to the Nueces County CSCD as determined by the Court:

a. * \$305.00 COURT COSTS: at the rate of \$60.00 per month beginning 04/20/22 and the same day of each month thereafter until Court Costs has been paid in full. (**Balance: \$305.00**)

b. \$1,500.00 FINE: at the rate of \$60.00 per month beginning 09/20/22 and the same day of each month thereafter until Fine has been paid in full. (**Arrears: \$450.00**)

19. Zero Tolerance: To wit; The Defendant has violated zero tolerance by failing to abide by curfew.

20. (b) FELONY VICTIM IMPACT PANEL Program as directed; To wit: Defendant has not enrolled in and completed Felony Victim Impact Panel.

21. (d) COMPLETE 120.00 hours of Community Service Restitution (CSR) at the rate of 16 hours per month 4 hours per week or 8 hours every two weeks as directed by your community Supervision Officer; To wit: The Defendant as failed to enroll in CSR as directed 04/19/2022.

- 21.e (1) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 11/26/22, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (2) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 12/16/22, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (3) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 12/19/22, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (4) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 12/20/2022, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (5) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 12/23/2022, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (6) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 1/4/2023, The Defendant failed to abide by curfew hours (Per RemoteCOM conversation log).
- 21.e (7) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 3/7/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (8) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 3/17/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (9) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 3/21/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (10) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 3/22/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (11) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 4/29/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (12) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 5/08/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (13) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 5/11/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 21.e (14) OBSERVE a curfew from 8:00PM to 6:00AM; To wit: On or about 5/14/2023, The Defendant failed to abide by curfew hours (Per LifeSafer report account #: 10089001156).
- 22.o (1) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 04/24/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

22.o (2) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 04/25/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

22.o (3) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 04/26/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

22.o (4) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 04/27/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

22.o (5) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 04/28/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

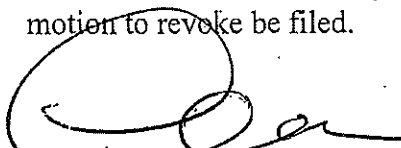
22.o (6) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 04/29/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

22.o (7) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 04/30/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

22.o (8) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 05/01/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

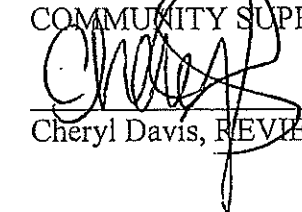
22.o (9) DEFENDANT shall permit RemoteCOM to install any computer software program and accessories designed to monitor, manage, and control any and all computer and internet activity on any computer or other electronic device that is owned, used, possessed, or accessed by the Defendant. The Defendant shall comply with all guidelines as stated in her contract with RemoteCOM; To wit: The Defendant failed to allow RemoteCOM to backup on 05/07/2023. The Defendant failed to comply with all guidelines as stated in her RemoteCOM contract.

Because of these violations, the Community Supervision and Corrections Department recommends that a motion to revoke be filed.



LUANN McDONALD
COMMUNITY SUPERVISION OFFICER

DATE SUBMITTED: 05/22/2023



Cheryl Davis, REVIEWING AUTHORITY

DATE SUBMITTED: 05/22/2023

IN THE 214TH DISTRICT COURT OF NUECES COUNTY, TEXAS

21FC-1349F (COUNTS 1 – 10)

THE STATE OF TEXAS VS. AMBER PRINCE

WARRANT OF ARREST

TO ANY PEACE OFFICER OF THE STATE OF TEXAS, GREETINGS:

You are hereby COMMANDED TO ARREST AMBER PRINCE if found in your County and to bring said person before the Court below named and located, INSTANTER, then and there to answer THE STATE OF TEXAS for an offense against the laws of the State of Texas, namely: COUNTS 1 – 10: IMPROPER RELATIONSHIP BETWEEN EDUCATOR/STUDENT of which offense an information/indictment is pending in said Court, or for a violation of a condition of community supervision as alleged in a motion to revoke probation pending in said Court, or for revocation of bond upon fail to appear, or for surrender of surety.

Herein Fail Not, but of this Writ make due return, showing how you have executed the same.

Signed and issued this _____ day of _____, 20_____.

Judge, 214th District Court
Nueces County, Texas

RETURN OF SERVICE

Came to hand the _____ day of _____ A.D. 20_____, at _____ o'clock _____ M., and executed on the _____ day of _____ A.D. 20_____, at _____ o'clock _____ M., by arresting the within named individual at _____ in _____ County, Texas, placing them in the County jail of _____ County, Texas.

I actually and necessarily traveled _____ miles in the service of this Writ, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.

FEES- Making Arrest..... \$ _____
Mileage _____ Miles..... \$ _____
Taking Bond..... \$ _____
Commitment..... \$ _____
Release..... \$ _____

Total \$ _____

J.C. Hooper, Sheriff
Nueces County, Texas

By _____ Deputy