



JANNA K. WHATLEY
DISTRICT JUDGE
343rd Judicial District

Jennifer Surginer
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COUNTIES:
Aransas
Bee
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September 14, 2022

Attorneys and Pro Se litigants appearing in the 36th, 156th and 343rd District Courts

Re: Minute Order Dated: August 19, 2022

Flash drive requirement and Spanish Evidence translation required

All,

The District Judges of the 36th, 156th and 343rd District Courts have signed a Minute Order that relates to the admission of video/audio evidence and evidence originally in Spanish. This Order is attached to this letter.

In summary, the Order is paraphrased as follows:

1. Audio/Video evidence is preferred to be offered on Flash drives – as most computers and IT equipment available to our Courts no longer support DVD's nor have a DVD player available; it is the proponents responsibility to ensure a DVD can be played, if not the exhibit may not be allowed in evidence;
2. Objections regarding redaction of audio/video evidence must be ruled on prior to the commencement of a jury trial, otherwise it will be within the discretion of the trial judge whether to allow a trial delay for redactions;
3. All exhibits shall be in English or translated into English. All translations must be disclosed and a copy given to opposing parties at least 3 days prior to the exhibit's anticipated offer.

We ask that all prosecutors share this Order with law enforcement to avoid any unnecessary delays. Please contact the District Judges' Office if you have any questions or need some assistance finding a Spanish/English translator, as we have several individuals that have indicated they can assist with translations. This Order will be available on your website (36-156-343districtcourts.org) and at each of the District Clerks' offices.

Sincerely,


Janna K. Whatley

**MINUTE ORDER RELATING TO ELECTRONIC AUDIO
AND/OR VIDEO EVIDENCE**


For cases in the 36th, 156th and 343rd District Courts:

Audio and/or video evidence that a party intends to offer at pre-trial or trial must be in admissible form and format at the time of the offer of said evidence. A flash drive is preferable over a DVD. Questions regarding form and format of said evidence **SHALL** be made to the trial judge prior to the offer of evidence and **MUST** be made prior jury selection, if applicable. Additionally, as to not cause unnecessary delay of a trial before a jury, all objections relating to a video/audio recording **redaction** of shall be ruled on by the presiding judge prior to the commencement of the jury trial.

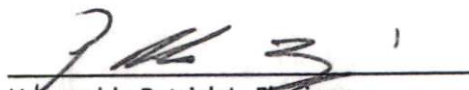
All exhibits shall be in the English language or, if they are not, they shall be offered with an English translation. Any said offer with a translation **MUST** be disclosed along with the translation to opposing parties at least 3 days prior to the offer of said exhibit with a translation.

If the above procedures are not followed the admission of said evidence will be up to the sole discretion of the presiding judge.

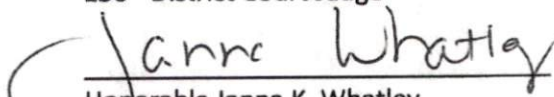
Dated this the 19th day of August, 2022.



Honorable Starr Boldrick Bauer
36th District Court Judge



Honorable Patrick L. Flahigan,
156th District Court Judge



Honorable Janna K. Whatley,
343rd District Court Judge