



Consultation by Appointment Only

**BOARD
CERTIFIED**
Texas Board of Legal Specialization
Criminal Law (1991)
Criminal Appellate Law (2011)



Biographical Data

EDUCATION:

JD - *Texas Tech University School of Law*, May 1986

Fraternities: *Phi Delta Phi; Omega Lambda Phi*

BA - Criminal Justice / Sociology, *University of Nevada, Las Vegas*, August 1982

PROFESSIONAL EMPLOYMENT HISTORY:

Solo practitioner- 1998 to Present

Partner ("Schulman & Krug")- Austin, Texas 1994-1998

Solo practitioner-Austin, Texas 1993-1994

Staff Attorney; Texas Court of Criminal Appeals-Austin, Texas 1991-1993

Ethics Advisor to the Texas Court of Criminal Appeals 1992-1993

Solo Practitioner-Lubbock, Texas 1989-1991

Partner ("Chappell, Lanehart, Aldridge & Schulman")-Lubbock, Texas 1988-1989

Associate ("Chappell, Lanehart & Aldridge")-Lubbock, Texas 1986-1988

Associate ("Law Offices of Floyd Holder")-Lubbock, Texas 1986

CAREER HIGHLIGHTS:

Over 600 post-judgment cases (appeals/*habeas corpus*); 22 capital *habeas corpus* cases since 1996; numerous appearances before Texas Appellate Courts; U.S. Fifth Circuit Court of Appeals; 1 appearance at the Supreme Court of the United States as co-counsel; 77 First Chair Jury Trials; Approx. 25 Second Chair Jury Trials.

CERTIFICATIONS -TEXAS BOARD OF LEGAL SPECIALIZATION

Board Certified in Criminal Law (1991); Re-Certified in 1996, 2001, 2006, 2011

Board Certified in Criminal Appellate Law (2011)

RELATED ACTIVITIES:

Admitted to Practice:

Supreme Court of the United States 1997

United States Fifth Circuit Court of Appeals 1999

United States District Courts Northern District of Texas 1987

State Bar of Texas 1986

Texas Association of Board Certified Specialists in Criminal Law 1994 -1998

Texas Association of Post-Conviction Criminal Law Attorneys 2002 -2011

Texas Criminal Defense Lawyers Association 1985-Present

Capital *Habeas Corpus* Committee (Co-Chair, 1996-1997; Chair 1997-1999)

Amicus Curae Committee 2014-Present

Dave's Bar Association (Legal Education and Seminars); 1997-2002

Texas Independent Bar Association (Legal Education & Seminars); 2002 -Present

Texas Independent Legal Studies, Inc. (Legal Education and Seminars);

Executive Director 2002-2003

ACTIVITIES WITH TEXAS BOARD OF LEGAL SPECIALIZATION

Criminal Appellate Law Advisory Commission Member 2011 -Present

Criminal Appellate Law Examination Commission Member 2011 -Present

Exam Coordinator for Criminal Law and Criminal Appellate Law 2011-2013

Criminal Law Advisory Commission Member 2007 -2013

Criminal Law Examination Commission Member 2006 -2012

ACTIVITIES WITH THE STATE BAR OF TEXAS

Unauthorized Practice of Law Sub-Committee (2014-2016)

REPORTED CASES (* -- acted as co-counsel or of counsel)

[*Ex parte Rodriguez*](#), 466 S.W.3d 846 (Tex.Cr.App. 2015)

[*Saenz v. State*](#), 479 S.W.3d 939 (Tex.App. - San Antonio 2015)*

[*Hudson v. State*](#), 449 S.W.3d 495 (Tex.Cr.App. 2014)

[*Ex parte Tiede*](#), 448 S.W.3d 456 (Tex.Cr.App. 2014)*

[*Saenz v. State*](#), 421 S.W.3d 725 (Tex.App. - San Antonio 2014)*

[*In re State ex rel Tharp*](#), 393 S.W.3d 751 (Tex.Cr.App. 2012)*

[*Brewer v. State*](#), 367 S.W.3d 251 (Tex.Cr.App. 2012)*

[*Ridings v. State*](#), 357 S.W.3d 855 (Tex.App. -Eastland 2012)

[*Druery v. Thaler*](#), 647 F.3d 535 (5th Cir. 2011)

[*Shipp v. State*](#), 331 S.W.3d 433 (Tex.Cr.App. 2011)*

[*Gardner v. State*](#), 306 S.W.3d 274 (Tex.Cr.App. 2009)*

[*Hughen v. State*](#), 297 S.W.3d 330 (Tex.Cr.App. 2009)*

[*Johnson v. Quarterman*](#), 306 Fed.Appx. 116 (5th Cir. 2009)*

[*McCarty v. State*](#), 257 S.W.3d 238 (Tex.Cr.App. 2008)*

[*In re Schulman*](#), 252 S.W.3d 403 (Tex.Cr.App. 2008)*

[*Bartlett v. State*](#), 249 S.W.3d 658 (Tex.App. -Austin 2008)

[*Ex parte Frazier*](#), 206 S.W.3d 666 (Tex.Cr.App. 2006)*

[*Ex parte Riley*](#), 193 S.W.3d 900 (Tex.Cr.App. 2006)*

[*State v. Kothe*](#), 152 S.W.3d 54 (Tex.Cr.App. 2004)

[*Green v. State*](#), 137 S.W.3d 356 (Tex.App. -Austin 2004)

[*Smith v. State*](#), 104 S.W.3d 130 (Tex.App.-Austin 2003)

[*Granados v. State*](#), 85 S.W.3d 217 (Tex.Cr.App. 2002)

[*Ex parte Aviles*](#), 78 S.W.3d 677 (Tex.App.-Austin 2002)*

[*In re Lee*](#), 76 S.W.3d 811 (Tex.App. -Corpus Christi 2002).

[*Rudd v. Johnson*](#), 256 F.3d 317 (5th Cir. 2001)

REPORTED CASES (CONT):

[*Texas v. Cobb*](#), 532 U.S. 162 (2001)*

[*Finley v. Johnson*](#), 243 F.3d 215 (5th Cir. 2001)

[*Ross v. State*](#), 59 S.W.3d 754 (Tex.App.-Austin 2001)

[*Hernandez v. Johnson*](#), 213 F.3d 243 (5th Cir. 2001)

[*King v. State*](#), 29 S.W.3d 556 (Tex.Cr.App. 2000)

[*Hart v. State*](#), 15 S.W.3d 117 (Tex.App.-Texarkana 2000)

[*Ross v. State*](#), 9 S.W.3d 878 (Tex.App.-Austin 2000)

[*Fain v. State*](#), 986 S.W.2d 666 (Tex.App.-Austin 1998)

[*Hernandez v. State*](#), 983 S.W.2d 867(Tex.App.-Austin 1998)*

[*Gonzales v. State*](#), 977 S.W.2d 189 (Tex.App.-Austin 1998)*

[*Gonzales v. State*](#), 966 S.W.2d 521 (Tex.Cr.App. 1998)*

[*Cooper v. State*](#), 959 S.W.2d 682 (Tex.App.-Austin 1997).

[*Ex parte Davis*](#), 947 S.W.2d 216 (Tex.Cr.App. 1996)*

[*Ramos v. State*](#), 934 S.W.2d 358 (Tex.Cr.App. 1996)

[*Waddell v. State*](#), 918 S.W.2d 91 (Tex.App.-Austin 1996)

[*Vega v. State*](#), 898 S.W.2d 359 (Tex.App.-San Antonio 1995)

[*Stotts v. Wisser*](#), 894 S.W.2d 366 (Tex.Cr.App. 1995)

[*Hardeman v. State*](#), 891 S.W.2d 960 (Tex.Cr.App. 1995)

[*Halstead v. State*](#), 891 S.W.2d 11 (Tex.App.-Austin 1994)

[*Lewis v. State*](#), 889 S.W.2d 403 (Tex.App.-Austin 1994)

[*Hutchins v. State*](#), 887 S.W.2d 207 (Tex.App.-Austin 1994)*

[*Hardeman v. State*](#), 868 S.W.2d 404 (Tex.App.-Austin 1993)

[*Gomez et al v. SBOT*](#), 856 S.W.2d 804 (Tex.App.-Austin 1993)

[*Robbins Bonding v. Roberts*](#), 833 S.W.2d 619 (Tex.App.- Amarillo 1992)

[*Ex parte Boetscher*](#), 812 S.W.2d 600 (Tex.Cr.App. 1991)

PAPERS / PUBLICATIONS:

“Significant Decisions 2015-2016” © 2016 (Austin Criminal Defense Lawyers Association)

“DWI: The Law and the Impact of *Missouri v. McNeely*” © 2016 (State Bar College)

“Post-Conviction *Habeas Corpus* Primer: An Introduction to Post-Conviction *Habeas Corpus* For Lawyers Who Never Thought They’d Care” © 2016 (Harris County Criminal Lawyers Association & Texas Criminal Defense Lawyers Association)

“Mandatory Blood Draws and the Impact of *Missouri v. McNeely* on DWI Law in Texas” © 2015 (State Bar of Texas CLE)(Co-Authored with John G. Jasuta)

“Dr. Dave’s Top Ten Cases” © 2015 (Austin Criminal Defense Lawyers Association)

“*Anders Briefs*” © 2014 (TIBA’s Texas Law Reporter, Vol. 22, No. 10; March 10, 2014)

“*The Paperless Office & eFiling Revisited*” © 2014 (TIBA’s Texas Law Reporter, Vol. 22, No. 2; January 13, 2014)

“*Ineffective Assistance of Counsel-Gideon, the Fair Defense Act, and Maintenance of the Status Quo*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 46; November 18, 2013)

“*Courthouse Security Screening: Is there a Method to this Madness?*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 45; November 11, 2013)

“*Changes to the Appellate Rules*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 43; October 21, 2013)

“*Forgiveness? Not Around Here*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 39; September 30, 2013)

“*Actual Innocence & Newly Discovered Evidence*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 29; July 22, 2013)

“*Representing the Indigent-Part IV-Death Row inmates*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 25; June 24, 2013)

“*Representing the Indigent-Part III-Indigent Veterans*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 18; May 6, 2013)

“*What to Do with Texas’ Undercrowded Prisons?*” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 17; April 29, 2013)(Co-Authored with John G. Jasuta)

PAPERS / PUBLICATIONS (CONT):

“The 21st Century Law Office-Part II: Avoiding Long-Term Damage from Catastrophic Events” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 14; April 8, 2013)

“A Brief History of Prisons in America, Part II” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 13; April 1, 2013)

“On Representing the Indigent” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 12; March 25, 2013)

“What is a ‘Well Regulated Militia,’ Anyway?” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 10; March 11, 2013)

“A Brief History of Prisons in America” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 7; February 18, 2013)

“The 21st Century Law Office Revisited” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 4; January 28, 2013)

“A Brief History of TIBA’s Travel to Cuba” © 2013 (TIBA’s Texas Law Reporter, Vol. 21, No. 3; January 21, 2013)

“Habeas Corpus and the Trial Judge: Reviewing Evidence and Preparing Recommendations” © 2012 (Texas Center for the Judiciary)(Co-Authored with John G. Jasuta)

“Appellate Advocacy” © 2012 (Lubbock Criminal Defense Lawyers Association)(Co-Authored with John G. Jasuta)

“Remedies? What Remedies? When it Comes to Evidentiary Issues, You Better Do it Correctly at Trial, Because, If You Don’t, It Probably Won’t be Won on Appeal” © 2011 (Co-Authored with J.W. Howeth and John G. Jasuta)

“Habeas Corpus and the Trial Judge -Reviewing Evidence and Preparing Recommendations” 2009

“Appellate Advocacy: Motion for New Trial, Brief Writing and Oral Argument” © 2009 (Co-Authored with John G. Jasuta)

The 21st Century Law Office -You Can Do It on a Criminal Law Practice Budget” ©2006 (Texas Bar Journal, Vol. 69, No. 3, March 2006)(PP. 214-215)

“Meritless Appeals, Frivolous Appeals, and Anders v. California in the 21st Century” © 2005 (Co-Authored with Justice Lee Ann Dauphinot)

PAPERS / PUBLICATIONS (CONT):

TIBA's G&S Texas Criminal Law Report (Co-Author, Publisher 2004-2012)

the Greenwood / Schulman report (Co-Author, Editor, Co-Publisher 1993-2004)

"Preparing the Case for Trial" © 2002

"Are You Sure You Want to Practice Criminal Defense Here?" © 2002

"The History of Prisons in America" © 1999, 2000

Greenwood's & Schulman's Texas Criminal Law Digest, © James Publishing; 1997 (Co-Author 1997-1999)

"Post-Conviction Habeas Corpus Developments; The Situation in Texas" © 1997

"Preparing the Case for Trial" © 1996 (*Voice for the Defense*, Vol. 26, No. 2, 1997)

"On Representing the Indigent" © 1996 (*Voice for the Defense*, Vol. 25, No. 5, 1996)

"Pending Issues at the Court of Criminal Appeals" © 1996

"Pre-Trial Motions and the Texas Trial Lawyer" © 1996

"Recent Significant Decisions -September 1995 to April 1996" © 1996

"Court of Criminal Appeals Capital Jury Selection Cases 1991-1995" © 1995

"Habeas Corpus and the Trial Lawyer" © 1993

"Post-Conviction Proceedings (Appeals and Habeas Corpus) in Capital Cases" © 1993

"Habeas Corpus and the Trial Court" © 1993

"Habeas Corpus and the Trial Court" © 1992

"The State's Right to Appeal" © 1991, 1992 (*Prosecutor's Report*, Vol. 4, No. 1, February 1992); (*Voice for the Defense*, Vol. 21, No. 2, Winter 1992)

FACULTY MEMBER:

2016 Texas Bar College Summer School 2016 (Galveston)

2015 TIBA Cuban Law Conference (Havana, Cuba)

2015 SBOT & ACDLA Driving While Intoxicated Seminars (Austin)

2012 TIBA Cuban Law Conference (Havana, Cuba)

2010 TIBA Cuban Law Conference (Havana, Cuba)

FACULTY MEMBER (CONT):

2009 TCJ Judicial Conference -Habeas Corpus for Trial Judge (Dallas)

2009 TCDLA Prairie Dog Lawyers Advanced Criminal Law Seminar (Lubbock)

2008 FOM / TIBA Southwestern Criminal & Juvenile Law Conference (Laie HI)

2008 TIBA Cuban Law Conference (Coordinator)

2007 FOM / TIBA Southwestern Criminal & Juvenile Law Conference (Laie HI)

2006 FOM / TIBA Southwestern Criminal & Juvenile Law Conference (Laie HI)

2005 TIBA Last Chance Capital Murder Seminar (Austin)

2005 FOM / TIBA Southwestern Criminal & Juvenile Law Conference (Laie HI)

2005 UT LAW Conference on Criminal Appeals (Austin)

2004 TIBA Last Chance Capital Murder Seminar (Austin)

2004 FOM / TIBA Southwestern Criminal & Juvenile Law Conference (Laie HI)

2003 FOM / TIBA Texas Criminal & Family Law Conference (Laie HI)

2003 TILS Jury Project (San Marcos)

2003 TILS Texas Fair Defense Act Seminar (Huntsville)

2003 TILS Texas Fair Defense Act Seminar (Georgetown)

2003 TILS Texas Fair Defense Act Seminar (Lubbock)

2003 TILS Texas Fair Defense Act Seminar (El Paso)

2002 TILS Texas Fair Defense Act Seminar (San Antonio)

2002 TILS Texas Fair Defense Act Seminar (South Padre Island)

2002 FOM/DBA Texas Criminal & Family Law Conference (Laie HI)

2002 TILS Texas Fair Defense Act Seminar (Kerrville)

2002 TILS Texas Fair Defense Act Seminar (Tyler)

2002 TILS Texas FDA Court Appointed Attorney Certification Course (Midland)

2002 San Antonio Bar Association Criminal Law Institute (San Antonio)

2001 FOM/DBA Texas Criminal & Family Law Conference (Laie HI)

2001 ACDLA / DBA Ethics Seminar (Austin)

2000 DBA Cuban Law Conference (Havana, Cuba)

2000 ACDLA / DBA Ethics Seminar (Austin)

2000 FOM/DBA Texas Criminal Law Seminar in Hawaii (Laie HI)

FACULTY MEMBER (CONT):

1999 FOM/DBA Texas Criminal Law Seminar in Hawaii (Laie HI)
1999 ACDLA / DBA Ethics Seminar (Austin)
1998 FOM/DBA Texas Criminal Law Seminar in Hawaii (Laie HI)
1997 TCDLA/ACDLA Trial & Appellate Skills Course (Austin)
1997 CDLP Habeas Corpus Forensic Skills Course (San Antonio)
1997 ACDLA / DBA Ethics Seminar (Austin)
1997 TCDLA Rusty Duncan Advanced Criminal Law Short Course (San Antonio)
1997 TCDLA/FHAP Capital Habeas Corpus Law and Procedure (Austin)
1996 CDLP Trial Skills Course (Lubbock)
1996 CDLP Capital Seminar / Appeals and Habeas Corpus (Galveston)
1996 CDLP Capital Seminar / Trial of a Capital Case (Houston)
1996 TCDLA Rusty Duncan Advanced Criminal Law Short Course (San Antonio)
1996 CDLP Pre-Trial Skills Course (Midland))
1995 TCDLA Capital Habeas Corpus Workshop (Houston)
1995 HCBA Capital Murder Certification Course (Houston)
1993 PAPA Fall Immigration Seminar (Austin)
1993 PAPA Spring Immigration Seminar (Austin)
1993 HCBA Harris County Appointed Attorneys Certification Course (Houston)
1993 TCJ Texas College of Advanced Judicial Studies (Austin)
1992 TCJ Texas Judicial Conference (El Paso)
1992 SBOT Advanced Criminal Law Course (Houston)
TIBA Spring & Fall Criminal Law Courses & Webcasts 2005-Present
TIBA Spring & Fall Criminal Law Courses 2002-2005
DBA Spring & Fall Criminal Law Courses 1993-2002