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Why was Susan Criss in court for Virginia kidnapping suspect?

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Posted: Friday, September 26, 2014 10:49 pm

By T.J. AULDS

GALVESTON — For some political candidates, the presence of cameras and reporters from across the country may seem as a great opportunity. For one former district court judge-turned state representative candidate, having media coverage in a Galveston County courtroom was not the most convenient photo opportunity.

With cameras rolling and snapping photos Virginia kidnapping suspect Jesse Matthew was led into court Thursday afternoon for an extradition hearing. Matthew is accused of kidnapping University of Virginia sophomore Hannah Graham, 18.

He fled Virginia and was found on the beach in the Gilchrist community of the Bolivar Peninsula.

And as he was led into court, there for all the cameras to capture was Susan Criss.

Criss resigned from her judicial post last year and is running for the District 23 state representative seat. She is also in private practice as an attorney and among the dozens who are part of the county's docket attorney rotation.

The system, implemented to help speed up the court process and ease crowded jails, has an attorney on standby as those on the county's criminal docket are brought in for hearings.

A prosecutor from the county's district attorney's office is there too. He or she will often seek to reach an early plea deal with some of the accused that often don't have an attorney in court.

For those who don't have an attorney, the docket attorney is there to provide basic legal advice. They are not the defendant's appointed attorney.

The attorneys assigned to the criminal docket each serve for a week and are assigned on a rotating basis and are paid about \$1,000 a week. Most of the assignments are made months ahead of time.

As it turns out, this was Criss' week in the rotation.

"It was the first time in over 15 years (to be on the docket rotation)," Criss said.

The criminal docket judges are also assigned on a rotating basis. In Matthew's case it was 405th District Court Judge Michelle Slaughter.

The job is usually an hour or two each morning and isn't very exciting. Most cases are run-of-the-mill drug, burglary, assault or driving while intoxicated charges.

Every once in a while there's a murder or out of state warrant.

Matthew, who waived the right to have an appointed attorney, was in court for an extradition

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hearing. It was a formality and Matthew said he wasn't going to fight extradition back to Virginia.

Criss was there to answer any questions he had about the legal proceedings and explain the paperwork he was signing.

"I had to get him to sign the paper saying he waived (fighting) extradition," Criss said. "I explained he could waive and go back to Virginia or contest (the warrant) and if he chose to have a hearing and could not afford one, then a lawyer would be appointed."

For Criss, who grew a reputation for drawing cases that had national attention such as the Robert Durst murder case, drawing the Matthew extradition hearing was yet another one of those cases.

"Oddly enough, it was my job in the (district attorneys) office over 20 year ago to set this system up," Criss said. "I was the first felony prosecutor to do jail docket."

Her appearance sparked the political rumor mill. Some blasted The Daily News in phone calls and emails "for covering up (Criss) was defending" Matthew.

Others accused the newspaper of running the photo of her in courtroom to tie her to an alleged kidnapper.

For Criss, though, the rumormill wasn't her biggest worry. She was caught in a torrential downpour as she went into the courthouse.

Bailiffs, court clerks and assistant district attorneys grabbed a hair dryer and loaned her a coat, she said, so her soaked white blouse wasn't exposed in the courtroom with all the cameras rolling.

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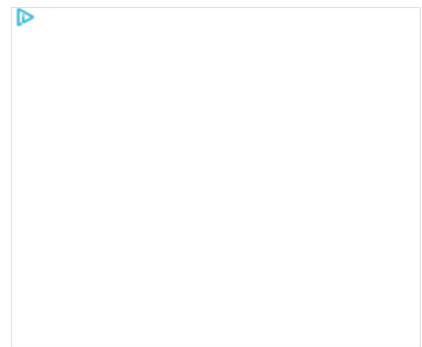
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