

CAUSE NO. 26-CR-4065

THE STATE OF TEXAS	§	IN THE 56 th DISTRICT COURT
	§	
	§	
VS.	§	OF
	§	
	§	
SUCHIT CHNDRAKANT PATEL	§	GALVESTON COUNTY, TEXAS

APPLICATION FOR WRIT OF HABEAS CORPUS
AND REQUEST FOR REDUCTION OF BAIL

TO THE HONORABLE JUDGE OF SAID COURT:

Mark White, III, counsel and Petitioner on behalf of Applicant Suchit Chndrakant Patel, presents this application under Articles 11.08, 11.12, 11.13, and 11.24 of the Texas Code of Criminal Procedure. Applicant seeks relief from excessive pretrial bail of \$10,000,000 and requests that the Court issue the writ, conduct a prompt evidentiary hearing, and reduce bail to \$100,000, subject to reasonable conditions. In support, Petitioner states:

I. APPLICANT, RESTRAINT, AND JURISDICTION

1. Applicant is Suchit Chndrakant Patel, the defendant charged by criminal complaint with engaging in organized criminal activity, a first-degree felony, in Cause No. 26-CR-4065 in the 56th District Court of Galveston County, Texas. He has not been convicted of this offense.

2. Applicant was arrested on October 3, 2026. A municipal judge in Hitchcock, Texas, set his bail at \$10,000,000. He remains confined because neither he nor his family can afford to post bail in that amount.

3. Applicant is restrained in Galveston County by the Sheriff of Galveston County, Texas, and the official in charge of the facility in which he is confined, whose personal names are not presently known to Petitioner. His present place of confinement is the Galveston County Jail, 5700

Ave. H, Galveston, TX 77551. The restraint is unlawful to the extent that continued confinement rests on an excessive bail requirement.

4. Applicant is held under the criminal complaint and the related arrest, commitment, and bail process in this cause. A copy of the criminal complaint cannot be obtained; one has not been uploaded to the Galveston County District Clerk's webpage corresponding to this cause number. A copy of a document entitled Magistrate's Warnings, Findings, and Order signed by the Hitchcock, Texas municipal court judge is attached as Exhibit "B." It states the charged offense and the bail amount set by that judge along with other details identifying the Applicant.

5. This Court has jurisdiction under Article 11.08. Article 11.24 authorizes habeas relief from confinement in default of excessive bail. Article 17.029(b) also permits a district judge in the county where the offense will be tried to modify a felony bail decision made by a magistrate whose court lacks jurisdiction to try the offense, even before indictment.

6. Mark White, III, presents this application as Applicant's attorney and Petitioner, with Applicant's knowing and voluntary consent. Petitioner's affidavit and verification are attached as Exhibit "A," including the oath required by Article 11.14(a)(5) and (b).

II. FACTS SUPPORTING REASONABLE BAIL

7. Applicant lives in Fort Bend County, Texas, with his wife and their eleven-year-old daughter. His brother also lives in the community. These close family relationships and Applicant's established home provide substantial ties to Texas and reasons to remain available for court proceedings.

8. Applicant has no prior arrests. His clean criminal history weighs in favor of reasonable bail and against treating him as a person with an established pattern of criminal conduct or noncompliance.

9. Applicant has worked in and around the mining industry for a significant period. He has an interest in a gold mining claim in the United States. It is not currently producing but is in an exploration phase. His occupational experience and that interest in an active mining claim provide additional ties to the United States.

10. Applicant has expertise in assaying metal to determine whether a substance is gold and, if so, its purity, quality, and weight. He has specialized equipment for assaying gold and provides his services to the public. His account is that, if gold in his possession was stolen, he did not know it was stolen. He held the substance because a customer had asked him to test it for a fee and to return it after testing. This explanation bears on the circumstances of the alleged offense and the strength of the accusation; it is not an admission of knowing participation in a theft or an organized criminal scheme.

11. Counsel initially learned the asserted circumstances of the offense from a news account reporting an allegation that a co-defendant stole gold belonging to an elderly victim of a telemarketing-type scam. The allegation is serious. The news account, however, is not presented as proof of Applicant's conduct, knowledge, or agreement to participate in the scheme. In fact, the Applicant was not mentioned in the story; it was exclusively about his co-defendant, whom he does not even know. The Applicant had no contact with any elderly person and did not contact anyone to defraud them of gold or any other valuables. Instead, he merely performed assaying services, which were lawful to provide, for people whom he believed were in lawful possession of gold.

12. The reported co-defendant is Rajdeep Singh, charged in Cause No. 26-CR-3895 in this Court. Singh's bail is set at \$5,000,000, one-half of Applicant's bail. *See* Exhibit "B." Applicant requests that the Court consider this disparity while making an individualized decision based on the evidence concerning Applicant's role, resources, history, and risk. He does not contend that

Singh's bail itself establishes a reasonable amount. In fact, the Applicant could not afford even a \$5,000,000 bond. It is just that the disparity makes no sense given the equities described herein, including especially that the Applicant, unlike the co-defendant apparently, never defrauded or even had contact with the alleged victim.

13. According to news media, the gold allegedly stolen was valued at \$185,000. This is a reported valuation, subject to confirmation by the complaint and evidence at the hearing. The current \$10,000,000 bond is approximately fifty-four times that amount. The value of the alleged loss is relevant to the circumstances of the charge, although it does not establish a legal ceiling on bail. Neither that value nor Applicant's mining-claim interest, which is currently producing no revenue, establishes that he controls funds sufficient to post a \$10,000,000 bond.

14. Applicant is a citizen of India and holds a United States work permit. He has immigration documentation that will be submitted with Exhibit "C." Applicant relies on those documents as evidence of his actual circumstances and employment authorization; he does not contend that the work permit alone resolves every question concerning his immigration status.

15. Counsel understands that there apparently is an immigration hold. Applicant has retained Gordon Quan as immigration counsel. Mr. Quan has filed an appearance in immigration court to seek to resolve immigration consequences of this arrest. *See* Exhibit "C." A hearing on the matter is set for October 15 before the U.S. Immigration Court. *See* Exhibit "C." The existence, terms, and present effect of any detainer should be established by the relevant records, and as appropriate, information from immigration counsel. Bond in this criminal case is a separate matter and should be set on the merits set out herein and according to the evidence.

16. Applicant's wife, minor daughter, brother, occupational history, and mining-claim interest provide concrete reasons for him to remain in the United States and address both the

criminal case and his immigration proceedings through counsel. His foreign citizenship and any detainer should be evaluated together with those ties and his work authorization.

17. Neither Applicant nor his family can afford to post \$10,000,000 bail. Applicant requests \$100,000 bail and an opportunity to present evidence of available income, cash, assets, liabilities, family assistance, and the premium and collateral required by a surety. The value and liquidity of his mining-claim interest should be evaluated rather than assumed. Applicant does not rely on inability to pay as the sole ground for relief.

III. THE \$10,000,000 BAIL REQUIREMENT IS EXCESSIVE

18. The Eighth Amendment to the United States Constitution and Article I, Section 13 of the Texas Constitution prohibit excessive bail. Article I, Section 11 provides the general right to bail subject to constitutional exceptions. Applicant seeks an individualized bail determination under these protections.

19. Article 17.15(a) requires consideration of assurance of compliance, oppression, the nature and circumstances of the offense, ability to make bail, future safety of the victim, law enforcement, and community, criminal history, and citizenship. Article 17.028(b)–(c) requires the least restrictive bail and conditions necessary to reasonably assure appearance and safety and provides a rebuttable presumption of their sufficiency unless another law specifically provides otherwise.

20. Applicant bears the burden of showing excessiveness. Relevant considerations include work history, family ties, residence, financial resources, criminal history, previous bond compliance, other bonds, and aggravating circumstances. *See Ex parte Rubac*, 611 S.W.2d 848, 849–50 (Tex. Crim. App. [Panel Op.] 1981). Applicant's evidence should be assessed as a whole.

21. In *Ex parte Beard*, 92 S.W.3d 566, 573–74 (Tex. App.—Austin 2002, pet. ref’d), the court reduced \$8,000,000 bail to \$500,000 in a capital-murder case after considering the relevant circumstances. *Beard* explains that financial ability alone neither establishes excessiveness nor justifies the amount imposed; bail must reasonably serve the government’s legitimate interests. The decision does not establish a fixed ceiling, but it illustrates why the seriousness of a charge and a defendant’s assets require a reasoned assessment rather than an extraordinary amount without sufficient justification.

22. The first-degree charge and potential punishment warrant consideration, of course. However, they do not dispense with consideration of Applicant’s clean criminal history, his Texas family and residence, his occupational and property ties, his actual means, and his explanation of the alleged possession of another’s property. On the facts presented, Applicant contends that \$10,000,000 exceeds the amount reasonably necessary to address appearance and safety.

23. The described accusation concerns a property offense arising from an alleged scam. Counsel’s present information does not identify an allegation that Applicant personally participated in scamming the victim, used violence, threatened the victim, or sought to intimidate a witness. In fact, on information and belief, Applicant was duped into assaying gold whose character as stolen was not known to him. Applicant requests that the Court determine any safety risk from evidence of his conduct and circumstances, while accounting for the alleged victim’s vulnerability and the possibility of financial harm.

24. Applicant proposes \$100,000 bail with reasonable conditions as necessary, including residence at his Fort Bend County home, regular pretrial reporting, restrictions on travel outside Texas, surrender of any passport in his possession or control subject to arrangements needed for immigration proceedings, and no contact with the alleged victim. Electronic monitoring may be

considered if the Court finds it necessary. Travel for immigration proceedings may be permitted by prior court approval. These are proposed conditions for the Court's consideration.

25. If an ICE detainer is confirmed, Article 17.027(a-2)(1)(C) restricts release decisions by magistrates appointed under Government Code Chapter 54; it does not prohibit this district court from granting bail. Applicant seeks reduction of the state bond. Any independent federal custody issue will be addressed through immigration counsel.

26. Taken together, the requested \$100,000 bond and any necessary conditions would recognize the seriousness of the allegation and the reported \$185,000 loss while accounting for Applicant's history, resources, and ties. The current amount imposes an unaffordable barrier to release that Applicant contends is disproportionate to the risks established by his individual circumstances.

IV. REQUEST FOR WRIT AND PROMPT HEARING

27. Applicant requests issuance of the writ and a prompt evidentiary hearing. The Sheriff or other actual custodian should be directed to make a return identifying the authority for the restraint and to produce Applicant as directed by the Court. Applicant requests reasonable notice to the State and the opportunity to present witnesses and records addressing the statutory bail factors.

28. Applicant requests consideration of the charging and bail records, his criminal-history and public-safety information, the immigration documents, evidence of family and occupational ties, financial and surety evidence, and any evidence the State offers concerning his alleged role, flight risk, or danger. Applicant requests a ruling on the merits of his claim of excessive bail and entry of a written order reflecting that ruling.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Applicant Suchit Chndrakant Patel, through Mark White, III, respectfully requests that the Court issue the writ of habeas corpus, direct a return and Applicant's production as appropriate, conduct a prompt evidentiary hearing, grant habeas relief from excessive bail, and reduce bail in Cause No. 26-CR-4065 from \$10,000,000 to \$100,000. Applicant requests that the Court permit a surety bond in that amount, subject to any reasonable conditions the Court finds necessary, and grant all further relief to which Applicant is entitled.

Respectfully submitted,

DEGUERIN & DICKSON

/s/ Mark White

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of this application and its filed attachments was served on the Galveston County Criminal District Attorney's Office, through Assistant District Attorney Adam Poole, by electronic service and email on October 6, 2026.

/s/ Mark White

Mark White, III

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EXHIBIT A: AFFIDAVIT AND VERIFICATION OF MARK WHITE, III

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, personally appeared Mark White, III, who, being by me duly sworn, stated:

“My name is Mark White, III. I am over eighteen years of age and competent to make this affidavit. I am an attorney representing Suchit Chndrakant Patel, Applicant in the accompanying Application for Writ of Habeas Corpus and Request for Reduction of Bail in Cause No. 26-CR-4065 in the 56th District Court of Galveston County, Texas.

“I am the Petitioner presenting the application on Applicant’s behalf. I have read the application. Its factual allegations are true according to my belief, based on information provided to me in connection with my representation and on the sources identified in the application. Allegations attributed to a news account are identified as reported allegations, rather than established facts of guilt. Applicant’s account of his assaying work and lack of knowledge that any gold was stolen is presented as his account.

“Applicant is restrained under the charge and \$10,000,000 bail requirement described in the application. I believe that the bail is excessive for the reasons stated there and request a hearing and reduction to \$100,000.

"I state under oath that I am presenting this application with Suchit Chndrakant Patel's knowing and voluntary consent, as required by Article 11.14(b) of the Texas Code of Criminal Procedure. I make this verification under Article 11.14(a)(5) according to my belief concerning the allegations of the application."


Mark White, III, Affiant

SUBSCRIBED AND SWORN TO before me by Mark White, III, on the 6th day of October, 2026.


Notary Public, State of Texas
Printed name: _____
My commission expires: _____

