

NO. 2011-CR-0001

STATE OF TEXAS ) IN THE DISTRICT COURT  
VS. ) 226TH JUDICIAL DISTRICT  
JOE SMITH ) BEXAR COUNTY, TEXAS

**DEFENDANT'S MOTION FOR EXAMINING TRIAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Joe Smith respectfully requests that this Court set an examining trial pursuant to Chapter 16 of the Texas Code of Criminal Procedure, and for good cause shows the following:

I.

Defendant is presently incarcerated in the Bexar County Adult Detention Center charged by complaint with the felony offense of murder. He is unable to make bond at the present time. Defendant has not yet been indicted in this case.

II.

Defendant requests an examining trial "to examine into the truth of the accusation made," as required by article 16.01 of the Texas Code of Criminal Procedure.

WHEREFORE, PREMISES CONSIDERED, defendant prays that this Court grant his Motion for Examining Trial.

Respectfully submitted:

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MARK STEVENS  
310 S. St. Mary's St., Suite 1920  
San Antonio, TX 78205  
(512) 226-1433  
State Bar No. 19184200

Attorney for Defendant

**CERTIFICATE OF SERVICE**

I certify that a copy of Defendant's Motion for Examining Trial has been delivered to the Bexar County District Attorney's Office, Bexar County Justice Center; 300 Dolorosa; San Antonio, Texas, on this the 1st day of April, 2011.

\_\_\_\_\_  
MARK STEVENS

**ORDER**

On this the \_\_\_ day of \_\_\_\_\_, 2011, came to be considered Defendant's Motion for Examining Trial, and said motion is hereby

(GRANTED)

(DENIED)

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JUDGE PRESIDING