

NO. 000000

STATE OF TEXAS ) IN THE DISTRICT COURT  
VS. ) 186th JUDICIAL DISTRICT  
JOE SMITH ) BEXAR COUNTY, TEXAS

**MOTION FOR PRODUCTION OF COPIES OF  
FIREARMS TRACE SUMMARY**

TO THE HONORABLE JUDGE OF SAID COURT:

Joe Smith moves for production of copies of the Firearms Trace Summary produced by the Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, concerning one Glock model 27 semi-automatic pistol, serial number DXE201US, pursuant to the Fifth, Sixth and Fourteenth Amendments of the United States Constitution, Article I, §§ 3, 10, 13, and 19 of the Texas Constitution and Article 39.14 of the Texas Code of Criminal Procedure.

I.

The defendant asserts that:

1. The items requested are in the exclusive possession, custody and control of the State of Texas or the United States Government by and through its agents, the police or the prosecuting attorney's office, and the Defendant has no other means of ascertaining the disclosures requested.
2. The items requested are not privileged.
3. The items and information are material to this cause and the issues of guilt or innocence and punishment to be determined in this cause.
4. The Defendant cannot safely go to trial without production of the requested items, such information and inspection, nor can the Defendant adequately prepare the defense to the charges against him.

5. The absent such discovery the Defendant's rights under Article 39.14, Article I, §§ 3, 10, 13 and 19 of the Constitution of the State of Texas, and the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the Constitution of the United States of America will be violated, to his irreparable injury and thus deprive the Defendant of a fair trial herein.

Respectfully submitted:

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State Bar No. 19184200

Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing Motion has been delivered to the Bexar County District Attorney's Office, 101 W. Nueva, San Antonio, TX 78205, on July 12, 2018.

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MARK STEVENS

**ORDER**

On this the \_\_\_\_ day of \_\_\_\_\_, 2018, came to be considered Defendant's Motion For Production Of Copies Of Firearms Trace Summary, and said motion is hereby

(GRANTED)

(DENIED)

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JUDGE PRESIDING