

CAUSE NO. CR [REDACTED] G

STATE OF TEXAS

v.

[REDACTED]

* IN THE DISTRICT COURT
*
* 370th JUDICIAL DISTRICT
*
* HIDALGO COUNTY, TEXAS

**DEFENDANT'S MOTION FOR STATE EXPERT WITNESS REPORTS AND CURRIC-
ULA VITAE**

TO THE HONORABLE JUDGE OF SAID COURT:

The above DEFENDANT moves saying:

1. The Defendant respectfully requests this trial court to instruct the prosecution to submit to defense counsel a written list of the names, work and home addresses and phone numbers of all witnesses and potential witnesses, whom the prosecution expects to or may call to testify during any phase of trial in this case, as to any matter, including but not limited to the following:
 - a. Any expert opinion, including but not limited to opinions as to laboratory analysis as to narcotics and/or dangerous drugs, intoxication or sobriety of the accused and/or any other witness, mental capacity of the accused as to competency and/or sanity, physical condition at the relevant times of any witness or alleged deceased based upon a medical examination and/or medical report, handwriting comparisons, fingerprint examinations, fabric tests, blood type analysis, polygraph and/or hypnosis examinations, value, or the character and/or reputation of the defendant as to any character or habit trait including but not limited to reputation as to truth and veracity or being peaceful and law abiding;
 - b. As to any fact, as a rebuttal witness, to refute the Defendant's defense of not guilty; and
 - c. The character and/or reputation of any witness, including the accused or any alleged deceased.
 - d. All expert witnesses' curriculum vitae
2. This motion applies to each witness the State intends to describe in testimony or to call to testify, or could possibly call to testify during any phase of this case's trial, namely during:

- a. any hearing without the jury;
 - b. the State's case-in-chief on the issue of whether the Defendant is guilty as alleged in the charging instrument;
 - c. any rebuttal testimony of the State; and/or
 - d. the punishment hearing, if any.
3. This is requested for the purposes of complying with procedural and substantive due process.

WHEREFORE PREMISES CONSIDERED, DEFENDANT respectfully prays that the court will require the State to immediately provide defense counsel expert reports and expert curriculum vitae as requested above.

Respectfully submitted,

Law Office of Lennard K. Whittaker
P.O.Box 720876
McAllen, TX 78504
956 821 9918
fax: 866 596 6190
teksus@mac.com

By: _____
Lennard K. Whittaker
SBT 24008274
Attorney for [REDACTED]

Certificate of Service

I, Lennard K. Whittaker, affirm that a true and correct copy of the foregoing instrument has been delivered to:

Hidalgo County District Attorney
100 N. Closner
Edinburg, TX 78539
[REDACTED]@da.co.hidalgo.tx.us

Lennard K. Whittaker

CAUSE NO. CR [REDACTED] G

STATE OF TEXAS

v.
[REDACTED]

* IN THE DISTRICT COURT
*
* 370th JUDICIAL DISTRICT
*
* HIDALGO COUNTY, TEXAS

**ORDER ON DEFENDANT'S MOTION FOR STATE EXPERT WITNESS REPORTS
AND CURRICULA VITAE**

After considering the above motion, it is ordered by the court that the above motion be and the same is hereby in all things _____. IT IS ALSO ORDERED that to defense counsel, the prosecutor shall tender all said requested expert reports and expert curricula vitae within ____ days of today.

Signed this ____ day of _____, 2016.

Judge Presiding

cc:

Law Office of Lennard K. Whittaker
P.O. Box 720876
McAllen, TX 78504
956 821 9918
fax 866 596 6190
teksus@mac.com

Hidalgo County District Attorney
100 N. Closner
Edinburg, TX 78539
[REDACTED]@da.co.hidalgo.tx.us

CAUSE NO. CR [REDACTED] G

STATE OF TEXAS

v.

[REDACTED]

* IN THE DISTRICT COURT
*
* 370th JUDICIAL DISTRICT
*
* HIDALGO COUNTY, TEXAS

**ORDER SETTING DEFENDANT'S MOTION FOR STATE EXPERT WITNESS RE-
PORTS AND CURRICULA VITAE**

Hearing on above-described motion is set for the ___ day of _____ 201_ at
_____ am/pm in the 370th District Court.

Signed this ___ day of [REDACTED] 2016.

Judge Presiding

cc:

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P.O. Box 720876
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Hidalgo County District Attorney
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Edinburg, TX 78539

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