

CAUSE NO. CR [REDACTED] G

STATE OF TEXAS

v.

[REDACTED]

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IN THE DISTRICT COURT

370th JUDICIAL DISTRICT

HIDALGO COUNTY, TEXAS

DEFENDANT'S MOTION FOR DISCLOSURE OF INVESTIGATION OF [REDACTED]

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, [REDACTED] Defendant herein, and files this motion requesting that this Honorable Court order the State of Texas to disclose the status, jurisdiction, agencies, and lead agents investigating the alleged sexual assault of the alleged victim by [REDACTED], [REDACTED],

1. The alleged victim was interviewed by a forensic interviewer at the CAC.
2. In her interview, the alleged victim stated that she had been assaulted by [REDACTED] *in the same way* as my client is alleged to have assaulted her.
3. The CAC interview occurred on [REDACTED] 2015 in the presence of CPS and Pharr PD investigators.
4. For a proper investigation and defense, including possible exculpatory information, Defendant requests the State be ordered to provide, at minimum, an update on the status of the [REDACTED] investigation, the agencies involved, and the names/contact information of those agents. The request, though, extends to reports, criminal filings, and witness statements.

WHEREFORE PREMISES CONSIDERED, DEFENDANT respectfully prays that the court grant this motion and order the disclosure of investigation of [REDACTED].

Respectfully submitted,

Law Office of Lennard K. Whittaker
P.O.Box 720876
McAllen, TX 78504
956 821 9918
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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

@da.co.hidalgo.tx.us

Lennard K. Whittaker

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STATE OF TEXAS

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IN THE DISTRICT COURT

v.

370th JUDICIAL DISTRICT

[REDACTED]

HIDALGO COUNTY, TEXAS

ORDER TO STATE TO DISCLOSE INVESTIGATION OF [REDACTED]

On this the ___ day of _____, 2016, came to be heard in the above-entitled and numbered cause DEFENDANT'S MOTION FOR DISCLOSURE OF INVESTIGATION OF [REDACTED] and this court finds that Defendant's motion is hereby:

GRANTED, AND ORDERS State of Texas to provide:

--the names/contacts of agents investigating [REDACTED], an update on the status of that investigation.

--the reports, criminal filings, and witness statements pertaining to the [REDACTED] investigation.

DENIED.

Signed this ___ day of _____, 2016.

Judge Presiding

cc:

Law Office of Lennard K. Whittaker
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Hidalgo County District Attorney
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