

IN THE COUNTY COURT AT LAW #1 §

COUNTY OF WISE §

STATE OF TEXAS §

COURT’S STANDING CRIMINAL PRE-TRIAL ORDER

In order to promote informal discovery and prevent a complaint of ineffective assistance of counsel the following Court’s Standing Pre-trial Order is decreed:

I. The Prosecuting Attorney shall, upon a timely request by Defendant, permit discovery pursuant to the provisions and limitations of Texas CCP Art.39.14 and all subsections.

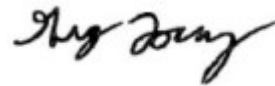
II. The Defense Attorney will be responsible for the following:

- 1) To interview the defendant in depth.
- 2) To review the Penal Code for the elements of the offense, the punishment range, and the possibility of probation.
- 3) To seek informal discovery from the State, pursuant to Texas CCP 39.14. **Formal discovery motions will only be heard on matters outside of Texas CCP 39.14 and this Order**
- 4) To file **factually specific** (not “boilerplate”) Motions to Suppress if the circumstances surrounding the case indicate questioning the relevant stop, detention, arrest, or search of the defendant.
- 5) To reimburse prosecuting attorney’s office for the costs of obtaining copies of documents and physical evidence not to exceed charges prescribed by Subchapter F, Chapter 552, Government Code.
- 6) To obtain a Plea Bargain recommendation and convey the same to the defendant with a discussion of his rights.
- 7) To interview such witnesses as may be favorable to the defendant.

- 8) In the event the State's recommendation is not acceptable to the defendant, and pre-trial is needed, obtain a hearing on said pre-trial motions. Issues known from Texas CCP Art 39.14 discovery not raised prior to trial shall be considered untimely if raised for the first time during trial.
- 9) In the event of a trial, subpoena defense witnesses.
- 10) In the event of a jury trial, assure that defendant is dressed in street clothes.
- 11) Appointed and retained counsel shall remain as defendant's counsel for all purposes until permitted to withdraw.

III. The Court Reporter shall be responsible for the following:

- 1) Recording all pre-trial hearings, trial, final arguments, sentencing, and any post-trial hearings.
- 2) In cases involving numerous exhibits, to mark the State's exhibits in advance of trial.



Greg Lowery, Judge Presiding