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CAUSE NO. 72,927

STATE OF TEXAS

§

IN THE DISTRICT COURT

V.

§

27TH JUDICIAL DISTRICT

MARVIN L. GUY

§

BELL COUNTY, TEXAS

FILED
3:39 pm
CLOCK

FEB 23 2017

**MOTION TO PRODUCE
BALLISTICS EVIDENCE FOR FORENSIC TESTING**

To the Honorable Judge of said Court

Pursuant to Article 39.14 of the Texas Code of Criminal Procedure, the accused, through his attorney, respectfully moves the Court to issue a an Order instructing the State to produce and deliver Ballistics evidence for testing by an independent expert, as agreed by the parties and mandated by TCCP Article 39.14 and pursuant to the 5th, 6th, 8th, and 14th Amendments to the United States Constitution, and Article I, Sections 3A, 9,10, 13, and 19 of the Texas Constitution.

I. Agreement to Test Ballistics Evidence

By agreement, the Defense and the State agree that certain ballistics evidence shall be tendered to the Defense' ballistics experts for testing by a mutually agreed upon manner of transfer. The physical evidence is as follows:

- Item 1 (KPD Item 99) 1 bullet/projectile
- Item 2 (KPD Item 100) 1 bullet/projectile
- Item 5 (KPD Item 164) 1 bullet/projectile
- Item 6 (KPD Item 191) 1 bullet/projectile
- Item 4 (KPD Item 130) 1 9mm Taurus PT 111 handgun SN: TBT87335
- Item 7 (KPD Items 121-126, 146,147,149) nine (9) gold shell casings
- Item 263 1 Sig Sauer P226 .40 cal handgun SN: U742294
- Item 264 1 Sig Sauer Magazine
- Item 60 1 silver shell casing
- Item 9 Magazine from DPS Item #4/KPD Item #130
- Item 153 Taurus PT 145 handgun SN: NEU96333
- Item 67 1 gold shell cartridge casing
- Item 69 1 gold shell cartridge casing
- Item 70 1 gold shell cartridge casing
- Item 71 1 gold shell cartridge casing
- Item 75 1 gold shell cartridge casing