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State of Texas

Vs.

Marvin Louis Guy

In District

Judicial 27th

District Court

Bell County, TX

Cause No. 72927

Cause No 79711

Pre-Trial Motion
To Dismiss Death Penalty
Officer Failed to Comply with
Department Policy

Come now Marvin Louis Guy defendant in the above entitled numbered Causes, 4th Amendment violation under the Texas Constitution, Art 1 section 9 and the 4th Amendment of the United States Constitution. Art 1 Section 3 of the Bill of Rights, Equal rights and/or 3a Equality under the law. 14th Amendment of the United States Constitution.

Defendant request an ex-parte hearing as to the eligibility of the death penalty in the said cause No. 72927 and/or 79,711 to resolve the 2 cause No. and process of the Reindictment issue. Also to perform a balancing test of the "Legal Causation" of the acts of the government under the circumstances.

Legal Causation is the limit for which one is culpable for the caused. In order to show legal causation, the prosecution must prove that the defendant's conduct was the proximate cause of the victim's harm. A defendant is generally the proximate cause of harm only if this conduct set in motion a chain of events that ultimately resulted in the victim's death. Courts put a limit on this link in the chain theory by excusing defendant from responsibility when an intervening superseding event occurs there by breaking the chain between defendant culpability and the victim's injury. An intervening cause is generally an unforeseeable, extraordinary occurrence. Said warrant was served during the time of day that people are sleeping. The Scott needs report of reasonableness of incident not redated. Marvin L. Guy challenges if the Killeen S.W.A.T were in a lawful discharge of official duty to-wit executing a lawful search warrant.