

CASE NO. \_\_\_\_\_

THE STATE OF TEXAS

§ IN THE \_\_\_\_\_ COURT

v.

§  
§ OF

§  
§ FORT BEND COUNTY, TEXAS

**MOTION FOR COMPETENCY EXAMINATION  
TEX. CRIM. PROC. ART. 46B.021, 46B.022**

- The Court, on its own motion,
- The State of Texas by and through an Assistant Fort Bend County District Attorney,
- The Attorney for the Defendant,

has reason to believe Defendant is suffering from a mental impairment such that he/she does not have a rational or factual knowledge of the proceedings against him/her, or that he /she is unable to consult with his/her attorney with a reasonable degree of rational understanding. This motion is based on the following behaviors:

**(Check all that apply)**

- Disturbed perceptions*
- Disturbed and/or bizarre thoughts and beliefs*
- Disturbed and intense feelings*
- Disturbed communications*
- Lack of understanding*
- Difficulty assisting counsel*
- Intellectual & Developmental Disabilities*
- Other:* \_\_\_\_\_

**Please describe specific concerns below:**

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\*Required: (Check one)

- I have records regarding the defendant's history that are pertinent to the requested evaluation and I will make them available to the examiner.
- I do not have records available regarding the defendant's history.

Therefore,

- The State of Texas by and through an Assistant Fort Bend County District Attorney,
- The Attorney for the Defendant,

prays that this Court will issue an order permitting a competency examination by a disinterested mental health expert who can examine the defendant and report to the Court on the competency or incompetency of the defendant and testify as may be required to assist the Court in such a determination. Counsel further moves the Court to authorize the payment of an allowable expert fee pursuant to Tex. Code Crim. Proc. art. 26.05, Section (f), for the purpose stated herein.

Respectfully submitted this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Attorney for Defendant/State of Texas