

CASE NO. _____

THE STATE OF TEXAS

§ IN THE _____ COURT

v.

§

§

OF

§

§ FORT BEND COUNTY, TEXAS

MOTION FOR SANITY EVALUATION BY BEHAVIORAL HEALTH SERVICES OF FORT BEND COUNTY

The Attorney for the Defendant files this motion for an examination of, Defendant, with respect to the issue of the sanity of Defendant, and shows as follows:

1. The issue of insanity has been raised in this cause with respect to Defendant as provided by Article 46C.051 of the Texas Code of Criminal Procedure and the Texas Penal Code 8.01.
2. A request is hereby made that disinterested experts be appointed under Article 46C.101 of the Texas Code of Criminal Procedure, to examine Defendant with regard to the insanity defense and/or testify herein.
3. A request is further made for Defendant to be examined by a licensed psychologist with Fort Bend County Behavioral Health Services able to do such examinations under Article 46C.107 of the Texas Code of Criminal Procedure.
4. The issue as to the Defendant's competency to stand trial has been resolved and all parties are in agreement that Defendant is competent to stand trial.
5. The issue to the Defendant's state of mind at the time of the alleged criminal conduct is still at issue and should be resolved by competent mental health professionals.
6. In the event the Court determines that there is competent evidence to support the defense of insanity, request is further made that a jury submit a verdict at trial as provided by Article 46C.151 of the Texas Code of Criminal Procedure.

Therefore, the Attorney for the Defendant prays that this Court will issue an order permitting an examination by a disinterested mental health expert who can examine the defendant and report to the Court on the state of mind of the defendant at the time of the alleged criminal conduct and testify as may be required.

Respectfully submitted this the _____ day of _____, 20 .

Attorney for Defendant/State of Texas