

CAUSE NO. _____

THE STATE OF TEXAS § IN THE COUNTY COURTS

 VS. § AT LAW OF

 § ECTOR COUNTY, TEXAS

**MOTION TO PLACE PENDING MISDEMEANOR ON
COUNTY COURT AT LAW “FELONY PENDING” DOCKET**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Defendant, _____, by and through their Attorney,
_____, and files this Motion to place the Defendant’s current
misdemeanor case, which is pending in this court, on the County Court at Law’s “Felony Pending”
docket, and would show unto the Court as follows:

- 1.) Defendant is currently charged in the above-numbered cause with a misdemeanor.
- 2) Defendant is also currently charged with the felony offense of _____ in cause no. _____ in the _____ District Court of Ector County, OR is currently awaiting indictment for said offense.
- 3.) Defendant asserts that the pending felony and the pending misdemeanor both arise out of the same transaction, occurrence, circumstances, or events.
- 4.) In the interest of judicial economy, the Defendant believes that placement of the misdemeanor on a separate docket while the felony is pending in the District Court will avoid the need for duplicitous appearances for docket calls, the filing of multiple continuances, and will serve to make the County Court at Law’s pre-trial and jury trial docket calls more efficient.
- 5.) The Defendant represents to the Court that the Defendant believes that the

resolution of the felony case will facilitate a resolution to the pending misdemeanor that will be agreeable to all parties and will best serve the interests of judicial economy.

- 6.) The Defendant states to the Court that, by filing this motion, the Defendant is aware that the placement of the misdemeanor case on the "Felony Pending" Docket constitutes a waiver of the Defendant's right to a speedy trial with regard to the misdemeanor case, and the Defendant voluntarily agrees to waive that right.
- 7.) Defendant acknowledges that the Defendant may, at any time prior to the resolution of the felony case, request that the Court remove the case from 'Felony Pending' docket and ask that the case be placed on the Court's pre-trial, jury trial, or will plea docket.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that this Honorable Court grant this motion, that the Defendant's current pending misdemeanor be placed on the Court's "Felony Pending" docket, pending further orders of the Court, and for any other relief, at law or in equity, to which the Defendant may be entitled.

RESPECTFULLY SUBMITTED,

DEFENDANT

BY: _____
ATTORNEY FOR DEFENDANT

VERIFICATION

STATE OF TEXAS

COUNTY OF _____

_____, Defendant in the above-numbered cause, personally appeared before me, and being first duly sworn declared that he/she signed this Motion in the capacity designated, and further states that he/she has read the above Motion and the statements therein contained are true and correct.

NOTARY PUBLIC, State of Texas

(Personalized Seal)

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STATE OF TEXAS

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ECTOR COUNTY, TEXAS

ORDER PLACING PENDING MISDEMEANOR ON
"FELONY PENDING" DOCKET

ON THIS, the _____ day of _____, 20____, the Court, having received Defendant's Motion for placement of the Defendant's current misdemeanor case on the "Felony Pending" docket, and having considered the arguments in support of the Motion, the Court is of the opinion that the Motion is well taken and should be granted.

IT IS, THEREFORE, ORDERED that the Defendant's Motion is **GRANTED**, and the Defendant's current pending misdemeanor is hereby placed on the "Felony Pending" docket. The initial status conference for this cause is hereby set for the _____ day of _____, 20____, at ____:____.m. The Defendant will not need to be present at the status conference.

SIGNED AND ENTERED: _____

JUDGE PRESIDING