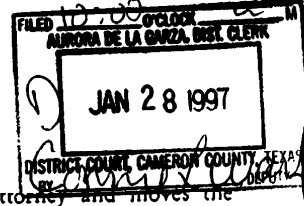


IN THE DISTRICT COURT OF CAMERON COUNTY, TEXAS

103RD JUDICIAL DISTRICT

THE STATE OF TEXAS)
)
VS.)
MATTHEW EDWARD PATRICIA)

No. 96-CR-1058-D



MOTION TO DISMISS

TO THE SAID HONORABLE COURT:

Now comes the State of Texas by and through her Assistant District Attorney and moves the Court to dismiss the above entitled and numbered cause for the reason that:

- 1. The evidence is insufficient
- 2. The defendant was convicted in another cause
- 3. The complaining witness has requested dismissal
- 4. The cause has been re-indicted and refiled
- 5. Case dismissed — operation of law (P.C. 12.45)
- 6. Subsequent investigation shows defendant is a juvenile
- 7. Indictment alleges alternative counts, defendant pleaded guilty to one count
- 8. Multi-count indictment, defendant pleaded guilty to one or more counts
- 9. Necessary witness(es) cannot be located
- 10. Evidence suppressed or suppressible
- 11. Other

and for cause would show the Court the following:

VICTIM IS UNABLE TO TESTIFY AND CAN NOT GIVE A DATE CERTAIN WHEN SHE WILL BE AVAILABLE. VICTIM DOES NOT FEEL SHE CAN FACE THE PRESSURES OR STRESS OF A TRIAL. VICTIM MAY REQUEST THAT THE CASE BE REFILED AT A LATER DATE.

Respectfully submitted,

Jacqueline Resnoid Wynn
Assistant District Attorney

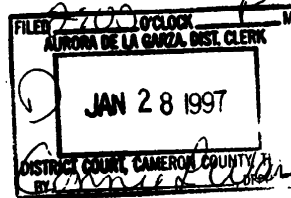
O R D E R

The above entitled and numbered cause is hereby dismissed on the foregoing motion for the reasons herein above stated.

ENTERED this the 28th day of January, 19 97.

aw
01/30/97 COPIES TO:
HON. JOE ESQUIVEL (HAND DEL.)
SHERIFF'S OFFICE
DA'S OFFICE

Paul Mumford
JUDGE



1-29-97
AWB