

CAUSE NO. 178499801010

THE STATE OF TEXAS
VS.
LEHMAN, ANDREW PETER

§ IN THE 263RD DISTRICT COURT
§ OF
§ HARRIS COUNTY, TEXAS

OFFENSE: AGG ASSAULT W/DEADLY WEAPON

MOTION TO DISMISS

The State respectfully requests the Court to dismiss the above entitled and numbered criminal action for the following reason(s):

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| <input type="checkbox"/> Case refiled as Cause No. | <input type="checkbox"/> Incomplete Lab Results / No Lab Report |
| <input type="checkbox"/> Court unsatisfactorily terminated Motion to Adjudicate or Motion to Revoke Community Supervision | <input type="checkbox"/> Insufficient evidence of Defendant's guilt |
| <input type="checkbox"/> Court amended conditions of community supervision | <input type="checkbox"/> Missing Witness |
| <input type="checkbox"/> Court found no probable cause | <input type="checkbox"/> Motion to Quash Granted |
| <input type="checkbox"/> Death of Defendant | <input type="checkbox"/> Motion to Suppress Granted |
| <input checked="" type="checkbox"/> Defendant was convicted in another case in Cause No. <u>1807640</u> | <input type="checkbox"/> No probable cause exists at this time to believe the defendant committed the offense |
| <input type="checkbox"/> Deported by ICE | <input type="checkbox"/> Pretrial Diversion Program Completed, |
| <input type="checkbox"/> Driver's License Restored | <input type="checkbox"/> Referred to Mental Health Treatment |
| <input type="checkbox"/> Due to passage of time, defendant not likely to be located or, if arrested, successfully prosecuted | <input type="checkbox"/> Request of Complaining Witness |
| <input type="checkbox"/> Duplicate Filing | <input type="checkbox"/> State intends to use as punishment evidence |
| <input type="checkbox"/> Federal Indictment / Federal Custody | <input type="checkbox"/> Statute of Limitations |
| <input type="checkbox"/> In custody elsewhere – will not be extradited to Harris County | |

EXPLANATION:

WHEREFORE, PREMISES CONSIDERED, it is requested that the above entitled and numbered cause be dismissed.

Respectfully submitted,



PENCE, JESSE COLE
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ORDER AND NOTICE

The foregoing motion having been presented to me on May 25, 2023, and the same having been considered, it is, therefore, ORDERED, ADJUDGED and DECREED that the above-styled and numbered cause is hereby dismissed.

NOTICE: Pursuant to Article 38.50(d) of the Code of Criminal Procedure, the Court is notifying you that any toxicological evidence collected in your case pursuant to an investigation or prosecution of an offense under Chapter 49 of the Penal Code does not have to be retained or preserved and may be destroyed pursuant to the authority of Article 38.50(c)(3) and (e) if your indictment or information has been dismissed with prejudice.

SIGNED AND ENTERED on May 25, 2023.



Judge Presiding
Harris County 263rd District Court
Harris County, Texas