

480/140

CAUSE NO. F99-01889

THE STATE OF TEXAS

VS

PHILLIP DEBBS MORRIS

§  
§  
§  
§  
§

CRIMINAL DISTRICT COURT

282<sup>nd</sup> DISTRICT COURT

DALLAS COUNTY, TEXAS

2003 AUG 4 AM 9:06  
FILED  
CLERK  
DEPUTY

**MOTION FOR DISMISSAL FOR FAILURE TO AFFORD CONSTITUTIONAL  
RIGHT TO SPEEDY TRIAL AND DEMAND FOR SPEEDY TRIAL**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Phillip Debbs Morris, the Defendant in the above styled and numbered cause and moves the Court to dismiss this case for failure to afford the Defendant a speedy trial herein and as grounds therefore would show the Court as follows:

**I.**

This offense is alleged to have occurred on or about July 20, 1995. This case was referred to the Dallas County Grand Jury and an indictment was returned on September 7, 1999, wherein it is alleged that the Defendant committed the offense of Misapplication of Fiduciary Property \$1,500-\$20,000. On that same date an arrest warrant was issued for the Defendant.

**II.**

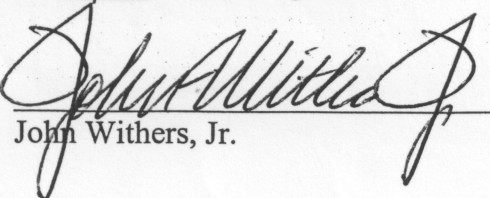
The Defendant was arrested on or about November 12, 2000, after being stopped for an expired sticker on his car. Until his arrest the Defendant was unaware of any charges pending against him and the warrant.

**III.**

The State failed to exercise due diligence in arresting the defendant following indictment. The Defendant has lived in Denton County, Texas since the filing of the charge. The Defendant

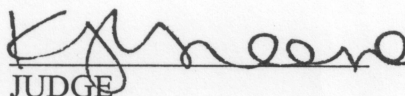
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing has been hand delivered to the Dallas County District Attorney, on this 4<sup>th</sup> day of August, 2003.

  
John Withers, Jr.

**ORDER**

On this 25 day of Aug, 2003, the foregoing Motion having been timely presented to the Court, the same is hereby (GRANTED) (~~DENIED to which action of the Court the Defendant~~  
~~excepts).~~

  
JUDGE