

CAUSE NO. \_\_\_\_\_

THE STATE OF TEXAS	§	IN THE COUNTY COURT
	§	
VS.	§	AT LAW
	§	
_____	§	SAN PATRICIO COUNTY, TEXAS
Hearing Date: _____	§	

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**NOTICE OF PENDING FELONY OF LESSER INCLUDED MISDEMEANOR  
OFFENSE AND REQUEST FOR CONTINUANCE**

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**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES** the Defendant, \_\_\_\_\_, by and through (his/her) attorney of record in the above-styled and numbered cause and respectfully files this Notice of Pending Felony of Lesser Included Misdemeanor Offense and Request for Continuance. In support thereof would show the Court the following:

In addition to the misdemeanor allegation in this cause, the above-referenced Defendant has also been accused of felony misconduct. The misdemeanor and felony accusations are alleged to have arisen from the **(1) same criminal episode, (2) contain contemporaneous factual circumstances, and (3) this misdemeanor offense is a lesser included offense of the current pending felony charge out of the same criminal episode.**

I certify that as the attorney of record making this request I have conferred with the State’s felony prosecuting office within the last seven days from the date of this filing, and the status of the felony is as follows:

\_\_\_\_\_  
\_\_\_\_\_.

The Defendant is aware of this request, does not object to such, and is hereby joining (his/her) attorney in this request to reset this case.

WHEREFORE, the Defendant requests this matter be reset until their felony pending matters are resolved.

**Respectfully submitted,**

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**Attorney for Defendant**

SBN: \_\_\_\_\_

**State's misdemeanor prosecuting attorney hereby represents to the Court that this case is a lesser included offense of a felony matter that is currently before the District Courts system, and am hereby asking this matter be reset.**

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Attorney for the State

This request for continuance is approved this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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**ELIZABETH WELBORN  
PRESIDING JUDGE,  
SAN PATRICIO COUNTY  
COURT-AT-LAW No. 1**