

FILED
AT 1127 O'CLOCK 9 M
JUN 23 2010
LAWRA MINOJOBA, CLERK
DISTRICT COURT, HIDALGO COUNTY, TEXAS

THE STATE OF TEXAS
VS
FRANCISCO BUENO
CABALLERO,
DEFENDANT
SID: TX 03104979

§ IN THE 398TH JUDICIAL DISTRICT COURT
§ DISTRICT COURT
§ OF
§ HIDALGO COUNTY, TEXAS

MOTION TO DISMISS INDICTMENT

TO THE HONORABLE JUDGE OF THIS COURT:

NOW COMES the State of Texas by RENE GUERRA, Criminal District Attorney in and for Hidalgo County, Texas, and the undersigned Assistant Criminal District Attorney, and respectfully requests the Court's permission and consent to dismiss the criminal action(s) contained in the indictment filed in the above numbered and styled cause in which Defendant is charged with the offense(s) of POSSESSION OF CONTROLLED SUBSTANCE, TO-WIT: COCAINE, IN AN AMOUNT OF LESS THAN ONE GRAM alleged to have been committed on or about FEBRUARY 5, 2009, respectively, and for cause would show the following:

☒ IN THE INTEREST OF JUSTICE

☒ OTHER: Mr. Guerra said dismissing because
defendant serves Federal time until April 2011

WHEREFORE, it is prayed that the criminal action(s) contained in the indictment filed in the above numbered and styled cause be dismissed.

Signed on the 23 day of June, 20 10.


RANDY ORTEGA, Assistant
Criminal District Attorney
Hidalgo County, Texas

THE STATE OF TEXAS	§	IN THE 398TH JUDICIAL
VS	§	DISTRICT COURT
FRANCISCO BUENO	§	OF
CABALLERO,	§	HIDALGO COUNTY, TEXAS
DEFENDANT		
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JUDGMENT OF DISMISSAL

On this day came on to be heard the State's motion to dismiss the criminal action(s) contained in the indictment filed in the above numbered and styled cause in which the Defendant is charged with the offense of POSSESSION OF CONTROLLED SUBSTANCE, TO-WIT: COCAINE, IN AN AMOUNT OF LESS THAN ONE GRAM committed on or about FEBRUARY 5, 2009, respectively, and the Court having considered the same is of the opinion that said motion be granted.

It is therefore ORDERED, ADJUDGED and DECREED that the criminal action(s) contained in the indictment of the above numbered and styled cause in which the Defendant is charged with the offense of POSSESSION OF CONTROLLED SUBSTANCE, TO-WIT: COCAINE, IN AN AMOUNT OF LESS THAN ONE GRAM committed on or about FEBRUARY 5, 2009, respectively, be DISMISSED for the reason(s) stated in the State's motion to dismiss.

Signed on the _____ day of _____, 20____.

Judge Presiding