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**Third Chair Digital Forensics LLC**

2502 Gravel Drive

Fort Worth, Texas 76118

817-953-3385

817-554-1534 fax

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| --- |
| **No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **THE STATE OF TEXAS** | **§** | **IN THE \_\_\_\_\_ JUDICIAL**  |
|  | **§** |  |
| **VS.** | **§** | **DISTRICT COURT OF** |
|  | **§** |  |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **§** | **\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS** |

DEFENDANT’S *EX PARTE* MOTION FOR APPROVAL OF FUNDS FOR CONSULTING EXPERT

**FILED UNDER SEAL**

*(The Clerk of the Court is ORDERED to seal this ex parte Motion in the file)*

 TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the Defendant in the above-styled and numbered cause, by and through his attorney of record, (name of Defendant’s attorney of record), and files this *Ex Parte* Motion for Approval of Funds For Consulting Expert; and in support thereof would show this Honorable Court as follows:

I.

In the instant case, the Defendant is charged with the offense of (offense with which Defendant charged). The Defendant has been found to be indigent. The Defendant remains indigent. Undersigned counsel was court-appointed to represent the Defendant.

II.

Counsel’s review of the facts of the instant case reveals that it is necessary to the defense of the case to consult with an expert in the field of (cell phone forensics, video forensics, cell tower mapping, etc). Counsel for Defendant has investigated the matter and has identified experts in the field. Counsel requests that the Court appoint THIRD CHAIR DIGITAL FORENSICS LLC to serve as consulting expert to the Defendant in this case. Through counsel’s investigation it has been determined that consulting expert services in this case will cost approximately $(amount of anticipated expense). Counsel therefore requests that the Court approve payment not to exceed this amount when the expert consultation has been concluded.

III.

 A compelling need exists in this case for expert consultation to address a significant issue at trial. Counsel for Defendant has determined through investigation that (set out facts stating compelling need for expert consultation to address a significant issue at trial).

 WHEREFORE, PREMISES CONSIDERED, the Defendant hereby requests that the Court grant an *ex parte* hearing on this Motion in the instant cause; and that subsequent to the hearing of said Motion that the Court ORDER the approval of funds for THIRD CHAIR DIGITAL FORENSICS LLC to assist the Defendant in the preparation and trial of this case.

 Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ATTORNEY FOR DEFENDANT

FIAT

 IT IS HEREBY ORDERED that the above Motion be heard on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_m.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUDGE PRESIDING

CERTIFICATE OF SERVICE

 I hereby certify that no copy of this *Ex Parte* Motion was delivered to attorneys for the State of Texas, because Defense Counsel wishes to proceed *ex parte* on said Motion.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ATTORNEY FOR DEFENDANT

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| --- |
| **No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **THE STATE OF TEXAS** | **§** | **IN THE \_\_\_\_\_ JUDICIAL**  |
|  | **§** |  |
| **VS.** | **§** | **DISTRICT COURT OF** |
|  | **§** |  |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **§** | **\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS** |

O R D E R

**FILED UNDER SEAL**

 The above and foregoing Defendant's *Ex Parte* Motion for Approval of Funds For Consulting Expert having been heard by the Court, and the Court having considered such Motion, it is hereby ordered that the Defendant's Motion be GRANTED and the Court hereby appoints THIRD CHAIR DIGITAL FORENSICS LLC to perform expert consultation in the case.

The Court further ORDERS that funds for expert consultation to assist the Defendant in the preparation and trial of the instant case be approved in the amount of $(amount approved).

The Court further ORDERS that the Defendant’s Motion and this ORDER be sealed for the record and that no access to same be allowed to any person without prior approval of the Court.

SIGNED on this the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 201\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUDGE PRESIDING

**Third Chair Digital Forensics LLC**

EIN: 47-3276146

2502 Gravel Drive

Fort Worth, Texas 76118

817-953-3385

817-554-1534 fax

Orders@ThirdChair.com