

Astley Shaw

JUL 12 2023

CLERK OF THE COURT

SENATE OF TEXAS

COURT OF IMPEACHMENT

DISCOVERY ORDER

THE COURT HEREBY ORDERS the parties to confer and accomplish the following as soon as practicable:

The House Board of Managers (“Managers”) shall produce and/or permit the inspection of and the electronic duplication, copying, and photographing, by counsel on behalf of Warren Kenneth Paxton, Jr., of the following:

- (a) all reports, including law enforcement reports, in the possession of the Managers or their agents or the House General Investigating Committee (“Committee”) or its agents that are relevant to any Article of Impeachment;
- (b) all documents, including business records or governmental records, papers, and written or recorded witness statements in the possession of the Managers or their agents or the Committee or its agents that contain or constitute evidence relevant to any Article of Impeachment; and
- (c) all written or recorded statements made by or attributed to Warren Kenneth Paxton, Jr., in the possession of the Managers or their agents or the Committee or its agents.

The above orders do not extend to work product or written communications between the Managers and their agents. The above orders do not extend to documents not in the care, custody, or control of the Managers, the Committee, or their agents.

The following items may be inspected by counsel to Warren Kenneth Paxton, Jr.:

- (a) all physical objects/evidence expected to be introduced at trial by the Managers or their counsel;
- (b) all documents and photographs expected to be introduced at trial by the Managers or their counsel; and
- (c) all business records or governmental records expected to be introduced at trial by the Managers or their counsel.

The Managers shall disclose to counsel of Warren Kenneth Paxton, Jr.:

- (a) all known convictions which are admissible for impeachment concerning any of the Managers’ witnesses listed under Rule 5(e) of the Rules of Impeachment;

(b) any exculpatory, impeachment, or mitigating evidence in any form (documents, items, or information) that tends to negate the guilt of Warren Kenneth Paxton, Jr., on any article of impeachment or would tend to mitigate punishment; and

(c) the existence and substance of any payment, promise, possible immunity, leniency, or preferential treatment made to any prospective witness listed under Rule 5(e) of the Rules of Impeachment.

The Managers and Warren Kenneth Paxton, Jr., shall, upon request of the opposing party, promptly disclose to the opposing party the name and address of each person that said party may use at trial to present evidence as an expert, pursuant to Texas Rules of Evidence Rules 702, 703, and 705.

Any dispute between the Managers and counsel to Warren Kenneth Paxton, Jr., relating to compliance with this order should be brought to the Court's attention as soon as possible through written communications or motions.

Failure to comply with this order may result in the exclusion of the evidence at issue and/or contempt of court.

Signed this 12th day of July, 2023.



Presiding Officer of the Court of Impeachment