

THE SENATE OF THE STATE OF TEXAS  
SITTING AS A HIGH COURT OF IMPEACHMENT

*Nancy Shaw*

AUG 15 2023

IN THE MATTER OF  
WARREN KENNETH  
PAXTON, JR.

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§

CLERK OF THE COURT

**HOUSE MANAGERS' RESPONSE TO PAXTON'S  
MOTION FOR PRE-TRIAL SCHEDULING ORDER OR PRE-TRIAL HEARING**

**To the Honorable Dan Patrick, President of the Court of Impeachment:**

Most, if not all, of the requests in the proposed order attached to Kenneth Warren Paxton’s Jr’s (“Paxton”) Motion for Pre-Trial Scheduling Order or Pre-trial Hearing have been decided or are moot. Nevertheless, the House of Representative’s Board of Managers (“House Managers”) file this response out of an abundance of caution.

Since the filing of this motion on July 7, 2023, the Senate has issued several orders. It appears to the House Managers that any other relief requested but not granted in these orders was therefore denied. Time has also mooted some requests. To the extent there are issues yet to be decided, the House Managers offer this response:

***Exhibits:*** Paxton’s Motion requests the Senate order a deadline of August 28, 2023, for objections to exhibits. The Senate has since ordered the parties to exchange exhibits by August 22, 2023, and did not designate a time for objections. Thus, the House Managers presume this request was denied and that the Senate intends to rule on objections as they are raised at trial. The House Managers believe that proceeding in this manner will be the most efficient use of the Senate’s time. That said, the House Managers favor the pre-admission of exhibits and welcome a pre-trial hearing for that limited purpose. The House Managers propose August 29, 2023.

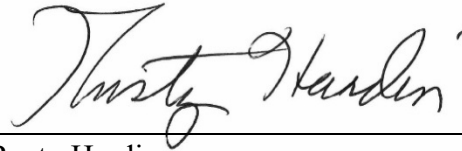
***Replies:*** Paxton’s Motion requests the Senate order a deadline of August 20, 2023, for “replies in support of pretrial motions.” The Senate established deadlines for motions and responses.<sup>1</sup> The Senate Rules do not allow for “replies.” Nor should they. The parties have spent a considerable amount of time fully briefing the issues. Indeed, Paxton submitted over 20 pretrial motions and the House Managers have dutifully responded. Paxton’s request should be denied.

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<sup>1</sup> [Senate Rule 15](#).

**Jury Charge.** Paxton’s Motion requests the Senate set a deadline of August 25, 2023, for “proposed jury charges, to include jury instructions.” Senate Rules 27, 28, and 29 include the instructions and questions for deliberation.<sup>2</sup> Thus, there is no need for the parties to submit a proposed jury charge. Paxton’s request should be denied.

Respectfully submitted,



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<sup>2</sup> [Senate Rules](#) 27, 28, and 30.



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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served on the following counsel  
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