

Cause No. GN1-00142

**EDMUND BRYAN HEIMLICH,**  
**Plaintiff,**  
  
**v.**  
  
**STATE OF TEXAS, by and through**  
**GREG ABBOTT, the Attorney General,**  
**Defendant.**

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**IN THE DISTRICT COURT OF**  
  
**TRAVIS COUNTY, TEXAS**  
  
**200TH JUDICIAL DISTRICT**

**FILED**  
**DEC 29 1:53**  
*Robert J. Henry*  
DISTRICT CLERK  
TRAVIS COUNTY, TEXAS

**Defendant's Response to Plaintiff's Request for Court Appointed Experts**

Defendant, the State of Texas, asks the Court to deny the Plaintiff's request. Plaintiff brings suit pursuant to the Compensation to Persons Wrongfully Imprisoned statute found at Tex.Civ.Prac.&Rem.Code chapter 103. Plaintiff was granted summary judgment as to liability on August 14, 2003. Plaintiff now seeks damages.

Plaintiff asks the Court to order the Defendant to pay for experts he requires to prove his alleged damages, citing Chapter 103.105(a)(1). However, this chapter does not provide any authority to require that the Court order the Defendant pay for any expert for the Plaintiff during the pendency of the litigation. As there is no basis for the Plaintiff's request, the Defendant asks that the Plaintiff's request be denied.

Respectfully submitted,

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**BARRY R. McBEE**  
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