**No. [\_\_\_\_\_\_\_\_\_]**

THE STATE OF TEXAS IN THE XXXX JUDICIAL

COUNTY OF XXXXXX DISTRICT COURT OF

CITY OF XXXXX XXXXXXX COUNTY, TEXAS

**MOTION FOR DESTRUCTION OF EVIDENCE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, **[Custodian Name]**, Custodian of Property for **[Law Enforcement Agency]**, of the State of **[State]**, and moves the Court to order the destruction of evidence seized in **[County]** by **[Law Enforcement Agency]** and would show as follows:

**I. Evidence Description**

The evidence sought to be destroyed is described in the attached **Exhibit A**, which is incorporated herein for all purposes.

**II. Grounds for Destruction**

The above-described evidence is subject to destruction under the provisions of the Code of Criminal Procedure for the following reasons:

* **X** All criminal proceedings against any and all defendants are final.
* **X** No criminal or other proceedings are pending concerning said evidence, and none will be filed.
* **X** The above-described evidence should be destroyed/disposed of, and an Order to do so is hereby requested.

WHEREFORE, premises considered, **[Law Enforcement Agency]** respectfully prays that this Court enter its Order for destruction/disposal of the above-described evidence by **[Law Enforcement Agency]**, the seizing agency.

Custodian of Property  
[Law Enforcement Agency]

**No. [\_\_\_\_\_\_\_\_\_]**

THE STATE OF TEXAS IN THE XXXX JUDICIAL

COUNTY OF XXXXXX DISTRICT COURT OF

CITY OF XXXXX XXXXXXX COUNTY, TEXAS

**ORDER FOR DESTRUCTION OF EVIDENCE**

**UNDER THE CODE OF CRIMINAL PROCEDURE**

The Court having considered the foregoing Motion finds that it should in all things be granted.

It is therefore **ORDERED** that all evidence described in the attached **Exhibit “A”** shall be destroyed/disposed of by **[Law Enforcement Agency]**, the seizing agency.

It is further ordered that said Motion and Order be recorded in the minutes of the Court or under the appropriate case number.

Signed and entered this **[day]** of **[month, year]**.

Judge Presiding

**DESTRUCTION OF EVIDENCE**

COMES NOW, **[Law Enforcement Agency]**, the seizing agency, and shows the Court that, pursuant to the Court’s order of destruction of evidence described in **Exhibit A** attached to the Motion, the said evidence was destroyed/disposed of on the **[day]** of **[month, year]**, by **[Law Enforcement Agency]**, the seizing agency.

Title: [Law Enforcement Agency]

Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**EXHIBIT A**

**Description of Evidence:**  
[Insert detailed description of evidence here]