

Nos. 09-0236 and 09-243

IN THE
SUPREME COURT
OF TEXAS

THE STATE OF TEXAS,
Petitioner
v.
K.E. W.,
Respondent

On Petition for Review from the First Court of Appeals at Houston, Texas

RESPONSE TO PETITIONER'S POST SUBMISSION BRIEF

TO THE HONORABLE SUPREME COURT OF TEXAS:

Respondent, K.E. W., response to the State of Texas' Post Submission Brief, solely for the purpose of clarifying one factual ambiguity which may arise from the factual matters addressed by the State, as follows:

The State addresses the question of the precise identity of "the woman sought by K.E. W.," upon his appearance at the Texas City MHMR facility in a manner which may tend to suggest that contact with that woman may have been K.E. W.'s sole purpose for that appearance. However, the medical record which is attached to the State's Brief on the Merits recites that K.E. W. was referred to the hospital emergency room "after presenting to his MHMR clinic appointment." The same document recites that K.E. W. receives psychiatric

care at that same facility. (Appendix item 6 to Petitioner's Brief on the Merits 6, Page 2 of

8). This fact is also recited by the opinion of the Court of Appeals.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Response to Petition for Review was served on March 12, 2010, on Donald S. Glywasky, Galveston County Legal Department, 722 Moody, 5th floor, Galveston, TX 77550, via facsimile, to: (409) 770-5560.

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