

CAUSE NO. 096-270080-14

ERICK MUÑOZ, AN INDIVIDUAL  
AND HUSBAND, NEXT FRIEND OF  
MARLISE MUÑOZ, DECEASED

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IN THE DISTRICT COURT  
  
TARRANT COUNTY, TEXAS  
  
96<sup>TH</sup> JUDICIAL DISTRICT

VS.

JOHN PETER SMITH HOSPITAL,  
AND DOES 1 THROUGH 10, INCLUSIVE

**JUDGMENT**

On this date came on to be heard *Plaintiff's First Amended Motion to Compel Defendants to Remove Marlise Muñoz from "Life-Sustaining" Measures and Application for Unopposed Expedited Relief* in conjunction with *Plaintiff's First Amended Original Petition for Declaratory Judgment and Application for Unopposed Expedited Relief*.

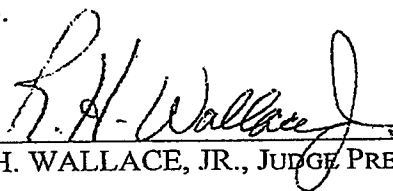
Having considered those matters, the Court finds:

1. The provisions of § 166.049 of the Texas HEALTH AND SAFETY CODE do not apply to Marlise Muñoz because, applying the standards used in determining death set forth in § 671.001 of the Texas HEALTH AND SAFETY CODE, Mrs. Muñoz is dead.
2. In light of that ruling, the Court makes no rulings on the Plaintiff's constitutional challenges to § 166.049.

**IT IS THEREFORE ORDERED** that *Plaintiff's First Amended Motion to Compel Defendants to Remove Marlise Muñoz From "Life-Sustaining" Measures* is granted and that the Defendants are ordered to pronounce Mrs. Muñoz dead and remove the ventilator and all other "life-sustaining" treatment from the body of Marlise Muñoz no later than 5:00 p.m., Monday, January 27<sup>th</sup>, 2014.

All relief not expressly granted herein is denied.

SIGNED this 24<sup>th</sup> day of January 2014.

  
R. H. WALLACE, JR., JUDGE PRESIDING