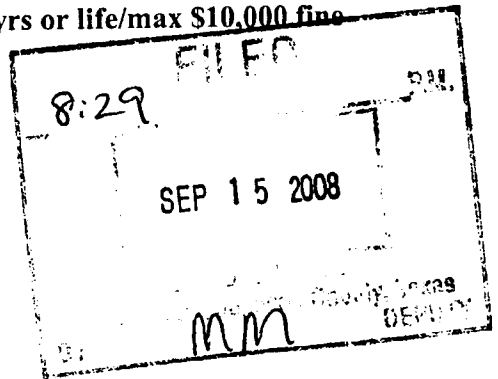


THE STATE OF TEXAS § IN THE 413<sup>TH</sup> JUDICIAL  
v. § DISTRICT COURT OF  
TIMOTHY PAUL LINER, § JOHNSON COUNTY, TEXAS  
DEFENDANT

SID: TX

**JUDGMENT OF CONVICTION BY JURY;**  
**SENTENCE BY JURY TO Institutional Division, TDCJ**

DATE OF JUDGMENT: September 11, 2008  
JUDGE PRESIDING: WILLIAM C. BOSWORTH, JR.  
ATTORNEY FOR THE STATE: MARTIN STRAHAN  
ATTORNEY FOR THE DEFENDANT: WILLIAM G. MASON  
OFFENSE: FELONY MURDER - LESSER INCLUDED  
STATUTE FOR OFFENSE: Article , Section 19.02(b)(1), Penal Code  
DEGREE OF OFFENSE: First Degree Felony  
APPLICABLE PUNISHMENT RANGE  
(including enhancements, if any): First Degree 5-99 yrs or life/max \$10,000 fine  
DATE OF OFFENSE: February 14, 2007  
CHARGING INSTRUMENT: Indictment  
PLEA TO OFFENSE: Not Guilty  
PLEA TO ENHANCEMENT Not Applicable  
PARAGRAPH(S):  
VERDICT FOR OFFENSE: Guilty  
FINDING ON ENHANCEMENT: Not Applicable  
AFFIRMATIVE FINDING ON Not Applicable  
DEADLY WEAPON:  
OTHER AFFIRMATIVE Not Applicable  
SPECIAL FINDINGS:  
DATE SENTENCE IMPOSED: September 12, 2008  
PUNISHMENT AND PLACE OF LIFE in the Institutional Division-TDCJ, and a  
CONFINEMENT: \$ 10,000.00 fine  
TIME CREDITED TO SENTENCE: 576 DAYS CREDIT  
COURT COSTS: \$288.00  
TOTAL AMOUNT OF RESTITUTION: \$.00  
NAME AND ADDRESS FOR NOT APPLICABLE  
RESTITUTION:



The Sex Offender Registration Requirements under Chapter 62, CCP, do not apply to the Defendant. The age of the victim at the time of the offense was not applicable.

This sentence shall run concurrently unless otherwise specified.

On the date stated above, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by the attorney stated above, and the Defendant and the Defendant's attorney, as stated above, were also present. Thereupon both sides announced ready for trial, and the Defendant pleaded not guilty and a jury, to wit: CHAD JAMES, and eleven others, was duly selected, impaneled and sworn. Having heard the evidence submitted

and having been duly charged by the Court, the jury retired to consider their verdict. Afterward, being brought into open court by the proper officer, the Defendant, the Defendant's attorney, and the State's attorney being present, and being asked if the jury had agreed upon a verdict, the jury answered it had and returned to the Court a verdict, which was read aloud, received by the Court, and is now entered upon the Minutes of the Court as follows:

**We, the Jury, find the Defendant, TIMOTHY PAUL LINER, guilty of the lesser-included offense of Felony Murder.**

Thereupon, the Defendant having previously elected to have the punishment assessed by the jury, pleaded to the enhancement paragraphs, if any, as stated above, and the jury was called back into the box and heard evidence related to the question of punishment. Thereafter, the jury retired to consider such question and, after having deliberated, the jury was brought back into open court by the proper officer, the Defendant, the Defendant's attorney, and the State's attorney being present, and being asked if the jury had agreed upon a verdict, the jury answered it had and returned to the Court a verdict, which was read aloud, received by the Court, and is now entered upon the Minutes of the Court as follows:

**WE, THE JURY, having found the defendant, Timothy Paul Liner, guilty of the offense of Felony Murder, a lesser-included offense within the Indictment, assess his punishment as confinement in the Texas Department of Criminal Justice - Institutional Division for a term of LIFE.**

**We further assess a fine of \$10,000.**

A presentence investigation report **was not required or done.**

And thereupon the Court asked the Defendant whether the Defendant had anything to say why said sentence should not be pronounced upon said Defendant, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded to pronounce sentence upon said Defendant as stated above.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the defendant is guilty of the offense stated above, the punishment is fixed as stated above, and the State of Texas do have and recover of said defendant all court costs in this prosecution expended, for which execution will issue.

It is ORDERED by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of this county and be safely conveyed and delivered to the **Director, Institutional Division-TDCJ**, there to be confined in the manner and for the period aforesaid, and the said defendant is hereby remanded to the custody of the Sheriff of this county until such time as the Sheriff can obey the directions of this sentence.

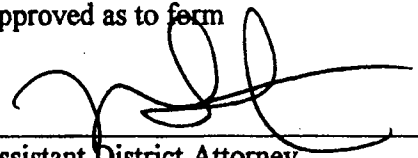
The defendant is given credit as stated above on this sentence for the time spent in county jail. The Defendant also is ordered to pay restitution to the person(s) named above in the amount specified above.

**Furthermore, the following special findings or orders apply:**

NOT APPLICABLE

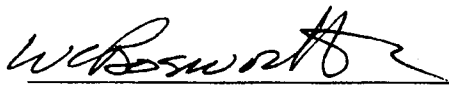
CAUSE NUMBER F41437

Approved as to form

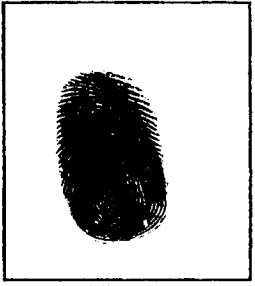


Assistant District Attorney

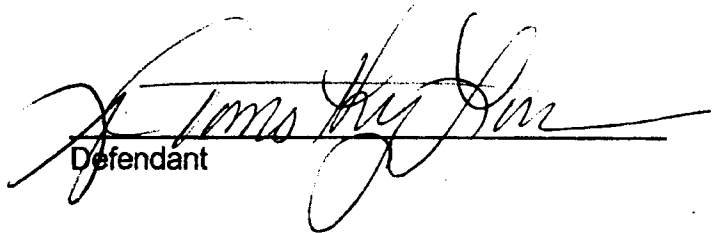
Signed on the 15 day of Sept, 2008.



Presiding Judge



Right Thumbprint



Defendant

**COMMITMENT**

THE STATE OF TEXAS  
COUNTY OF JOHNSON

IN THE 413TH DISTRICT COURT  
July TERM A.D. 2008

STATE OF TEXAS  
VS.  
TIMOTHY PAUL LINER

CAUSE NO. F41437

To the Director of the Institutional Division of the Texas Department of Criminal Justice, Johnson County Law Enforcement Center, State Jail, or any other officer legally authorized to receive convicts, greetings:

Whereas, by the judgment of the Honorable 413TH DISTRICT COURT of Johnson County, Texas, in the above styled and numbered cause, made and entered on the 12th day of September, 2008. The above-named defendant was adjudged to be guilty of the offense of FELONY MURDER – LESSER INCLUDED; a felony, on his plea of guilty; whereas by proper sentence of said Court, dated September 12, 2008 the above-named defendant was sentenced to be confined and imprisoned in the Institutional Division, TDCJ for a term of LIFE.

And it appearing to the Court that the defendant herein has been incarcerated in the County Jail in this cause without trial and prior to the passage of sentence herein upon him and that 576 days should be credited on this sentence. It is so ordered.

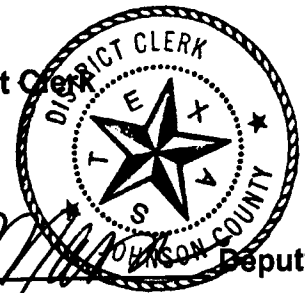
Wherefore, you are hereby commanded to take into your custody the above-named defendant and convey him to said Institutional Division, TDCJ and that you execute the sentence herein as required of you by law by confining the said defendant in the State Penitentiary for the term stated above, subject to the rules and regulations of the foregoing authorities.

Herein fail not, but duly execute this order.

DAVID R. LLOYD - District Clerk  
413TH DISTRICT COURT  
Johnson County, Texas

By

  
Deputy



MANDATE

THE STATE OF TEXAS

TO THE 413TH DISTRICT COURT OF JOHNSON, COUNTY GREETING:

Before our Court of Appeals on the 2nd day of December A.D. 2010, the cause upon appeal to revise or reverse the judgment between

TIMOTHY PAUL LINER, Appellant(s)

Trial Court No. F41437 and  
Court of Appeals No. 10-08-00362-CR

THE STATE OF TEXAS, Appellee(s)

was determined; and therein our said Court of Appeals made its order in these words:

This cause came on to be heard on the transcript of the record of the Court below, and the same being considered, because it is the opinion of this Court that there was no error in the judgment, it is ordered, adjudged and decreed by the Court that the judgment be in all things affirmed, and that the appellant pay all costs in this behalf expended and that this decision be certified below for observance.

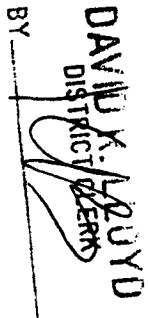
WHEREFORE WE COMMAND YOU to observe the order of our said Court of Appeals in this behalf, and in all things to have it duly recognized, obeyed and executed.

WITNESS the Hon. TOM GRAY, Chief Justice of our said Court of Appeals for the Tenth District of Texas, with the seal thereof annexed, at the City of Waco, the 2nd day of December A.D. 2010.

SHARRI ROESSLER, CLERK

BY:   
Neil Hegefeld, Deputy Clerk

9-27-08

FILED  
JOHNSON COUNTY  
2010 DEC - 6 AM 9:53  
BY:   
DAVID K. BOYD  
DISTRICT CLERK