

C E R T I F I C A T E O F P R O C E E D I N G S

CASE: 1002038 DATE: 3, 11, 08 DOCKET: 1002038D CID: 0674102

DEFENDANT: WILKINS, CHRISTOPHER CHUBASCO WARRANT:
MICRO: WILKINS, CHRISTOPHER CHUBASCO INDICTED: Y DATE: 02/07/06

COURT: D297 HEARD: _____ TRANSFER COURT: _____

CHOV: ___/___/___ I/O: ___ COUNTY: _____

CHARGE OFFENSE: 099920 CAPITAL MURDER DATE: 10/28/05 LSR INC: ___

DISPOSITION OFFENSE: ↓ _____

PLEA: NGBT BOND TYPE: _____ FINE: _____

DISP: FELC / / STATUS: _____ CT COST: _____

SENTENCE: DEATH / / EVENT: _____ MISC: _____

ACTION: APPL / / DUE: ___/___/___

PROB (MOS): ___/___/___ AMOUNT: _____ PAID: _____

FORFEIT: ___/___/___

INST VERD: _____ BONDSMAN: _____

PROCEEDINGS: 314108: Dett FIG To Court One; 311108: Punish Charge Filed

July Verdict: Special Issue #1 - Yes; Special Issue #2 - No;

Dett Sentenced To Death By Court; Automatic Appeal

JUDGE /
MAGISTRATE: *E. J. Jones*

CLERK: *K. Johnson*

*Was Ball, Appeal Atty
Per Agreement*

*Jack Shickland, Post Conviction Writ
App'l*

*Was Ball
J. Warren et John*

William Shelton

*Kevin Rousseau
Tiffany Burks*

MAR 11 2008

NO. 1002038D

TIME 2:35 pm
BY [Signature] DEPUTY

THE STATE OF TEXAS § IN THE 297TH JUDICIAL DISTRICT COURT OF
VS. § TARRANT COUNTY, TEXAS
CHRISTOPHER CHUBASCO WILKINS §

MEMBERS OF THE JURY:

You have found the Defendant guilty of the offense of capital murder as charged in the indictment. You are instructed that the Defendant shall be punished by confinement in the Institutional Division of the Texas Department of Criminal Justice for life imprisonment without parole, or by death. It is necessary now for you to determine, from all the evidence in the case, the answers to certain Special Issues which are as follows:

SPECIAL ISSUE NUMBER 1: Whether there is a probability that the Defendant would commit criminal acts of violence that would constitute a continuing threat to society.

You shall answer Special Issue Number 1 "Yes" or "No".

The prosecution has the burden of proving that the answer to Special Issue Number 1 should be "Yes", and it must do so by proving a "Yes" answer to Special Issue Number 1 beyond a reasonable doubt, and if it fails to do so, you must answer Special Issue Number 1 "No".

In the event you have a reasonable doubt as to whether the answer to Special Issue Number 1 should be "Yes" after considering all the evidence before you, and these instructions, you will answer Special Issue Number 1 "No".

In deliberating on Special Issue Number 1, the jury shall consider all evidence admitted at the guilt or innocence stage and the punishment stage, including evidence of the defendant's background or character or the circumstances of the offense that militates for or mitigates against the imposition of the death penalty.

You may not answer Special Issue Number 1 "Yes" unless you agree unanimously.

You may not answer Special Issue Number 1 "No" unless ten (10) or more jurors agree.

Members of the jury need not agree on what particular evidence supports a negative answer to Special Issue Number 1.

If the jury answers Special Issue Number 1 "Yes", then you shall answer the following Special Issue Number 2; otherwise, do not answer Special Issue Number 2.

SPECIAL ISSUE NUMBER 2: Whether, taking into consideration all of the evidence, including the circumstances of the offense, the defendant's character and background, and the personal moral culpability of the defendant, there is a sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment without parole rather than a death sentence be imposed.

You shall answer Special Issue Number 2 "Yes" or "No".

You are instructed that you may not answer Special Issue Number 2 "No" unless you agree unanimously.

You may not answer Special Issue Number 2 "Yes" unless ten (10) or more jurors agree.

Members of the jury need not agree on what particular evidence supports an affirmative finding on Special Issue Number 2.

In deliberating on Special Issue Number 2, you shall consider mitigating evidence to be evidence that a juror might regard as reducing the defendant's moral blameworthiness.

If the jury returns an affirmative finding on Special Issue Number 1, and a negative finding on Special Issue Number 2, the Court shall sentence the Defendant to death. If the jury returns a negative finding on Special Issues Number 1, or an affirmative finding to Special Issue Number 2, the Court shall sentence the Defendant to confinement in the Institutional Division of the Texas Department of Criminal Justice for life imprisonment without parole.

You are instructed that if the jury answers that a circumstance or circumstances warrant that a sentence of life

imprisonment without parole rather than a death sentence be imposed, the Court will sentence the defendant to imprisonment in the Institutional Division of the Texas Department of Criminal Justice for life without parole.

Under the law applicable in this case, a defendant sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for life without parole for capital murder is ineligible for release from the Department on parole.

You are the exclusive judges of the facts proven, of the credibility of the witnesses, and of the weight to be given their testimony, but you are bound to receive the law from the Court which is herein given you, and be governed thereby.

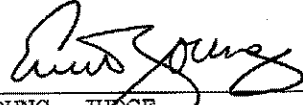
In arriving at the answers to the above issues, it will not be proper for you to fix the same by lot, chance, or any other method than a full, fair, and free exercise of the opinion of the individual jurors.

In deliberating on this case, you shall consider the charge as a whole and you must not refer to or discuss any matters not in evidence before you.

You must not consider nor mention any personal knowledge or information you may have about any facts or person connected with this case which is not shown by the evidence. You shall not consult law books or anything not in evidence in this case.

Any further communication must be in writing signed by your foreman through the bailiff to the Court, except as to your personal needs which may be communicated orally to the bailiff in charge. Do not attempt to talk to the bailiff, the attorneys or the Court regarding any questions you may have concerning the trial of the case.

After argument of counsel, you will retire to the jury room to deliberate. When you have reached a verdict, you may use the attached forms to indicate your answers to the Special Issues, and your foreman should sign the appropriate form certifying to your verdict.



EVERETT YOUNG, JUDGE
297TH DISTRICT COURT
TARRANT COUNTY, TEXAS

Now, bearing in mind the foregoing instructions, you will answer the following Special Issues:

SPECIAL ISSUE NUMBER 1

Do you find from the evidence beyond a reasonable doubt that there is a probability that the Defendant would commit criminal acts of violence that would constitute a continuing threat to society?

In your verdict, you will answer "Yes" or "No".

Answer: We, the Jury, unanimously find from the evidence beyond a reasonable doubt that the answer to Special Issue Number 1 is "Yes."

FILED
THOMAS A. WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

MAR 11 2008

TIME 5:28 pm
BY [Signature] DEPUTY

Mike Rooney
Foreman of the Jury

OR

Answer: We, the Jury, because at least ten (10) jurors agree, find that the answer to Special Issue Number 1 is "No."

Foreman of the Jury

If your answer to Special Issue Number 1 is "Yes" then you will answer Special Issue Number 2; otherwise, you will not answer Special Issue Number 2.

SPECIAL ISSUE NUMBER 2

Taking into consideration all of the evidence, including the circumstances of the offense, the Defendant's character and background, and the personal moral culpability of the Defendant, do you find that there is a sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment without parole rather than a death sentence be imposed?

In your verdict, you will answer "Yes" or "No".

Answer: We, the Jury, because at least ten (10) jurors agree, find that the answer to Special Issue Number 2 is "Yes."

Foreman of the Jury

OR

Answer: We, the Jury, unanimously find that the answer to Special Issue Number 2 is "No."

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

MAR 11 2008

TIME _____
BY _____ DEPUTY

Mike Rooney
Foreman of the Jury

We, the Jury, return in open Court the above answers to the Special Issues submitted to us and the same is our verdict in this case.

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

MAR 11 2008

TIME _____
BY _____ DEPUTY

Mike Rooney
Foreman of the Jury