



THE STATE OF TEXAS

IN THE 213TH DISTRICT COURT

v.

CARY JOSEPH HEATH
AKA CARY JOESPH HEATH

TARRANT COUNTY, TEXAS

STATE ID No.: TX12002635

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JUDGMENT OF CONVICTION BY JURY

Judge Presiding:	HON. CHRIS WOLFE	Date Sentence Imposed:	9/12/2019
Attorney for State:	SHAREN WILSON CATHERINE SIMPSON NICHOLAS L VINCENT	Attorney for Defendant:	GEORGE DEWAYNE HUSTON JOHN STICKELS

Offense for which Defendant Convicted:
CAPITAL MURDER - MULTIPLE

Charging Instrument: Indictment	Statute for Offense: 19.03(A)(7) PC
Date of Offense: 10/23/2016	Plea to Offense: NOT GUILTY

Degree of Offense:
CAPITAL FELONY

Verdict of Jury: Guilty	Findings on Deadly Weapon: N/A
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1st Enhancement Paragraph: **N/A** Finding on 1st Enhancement Paragraph:

2nd Enhancement Paragraph: **N/A** Finding on 2nd Enhancement Paragraph:

3rd Enhancement Paragraph: **N/A** Finding on 3rd Enhancement Paragraph:

Punishment Assessed by: Jury	Date Sentence Commences: (Date does not apply to confinement served as a condition of community supervision.) 9/12/2019
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Punishment and Place of Confinement: **LIFE Institutional Division, TDCJ**

THIS SENTENCE SHALL RUN **N/A**.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR **N/A**.
(The document setting forth the conditions of community supervision is incorporated herein by this reference.)

Defendant is required to register as sex offender in accordance with Chapter 62, CCP.

(For sex offender registration purposes only) The age of the victim at the time of the offense was **N/A**

Fine:	Court Costs:	Restitution:	Restitution Payable to:
N/A	\$319.00	N/A	(See special finding or order of restitution which is incorporated herein by this reference.)

Was the victim impact statement returned to the attorney representing the State? **N/A**

(FOR STATE JAIL FELONY OFFENSES ONLY) Is Defendant presumptively entitled to diligent participation credit in accordance with Article 42A.559, Tex. Code Crim. Proc.? **N/A**

Total Jail Time Credit:	If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.
1054 Days	N/A Days Notes: N/A

This cause was called for trial by jury and the parties appeared. The State appeared by her District Attorney as named above.

Counsel / Waiver of Counsel (select one)

- Defendant appeared with counsel.
- Defendant appeared without counsel and knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.
- Defendant was tried in absentia.

Both parties announced ready for trial. It appeared to the Court that Defendant was mentally competent to stand trial. A jury was selected, impaneled, and sworn, and Defendant entered a plea to the charged offense. The Court received the plea and entered it of record.

The jury heard the evidence submitted and argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defendant, and the jury retired to consider the evidence. Upon returning to open court, the jury delivered its verdict in the presence of Defendant and defense counsel, if any.

The Court received the verdict and ORDERED it entered upon the minutes of the Court.

Punishment Assessed by Jury / Court / No election (select one)

- Jury.** Defendant entered a plea and filed a written election to have the jury assess punishment. The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the question of punishment. After due deliberation, the jury was brought into Court, and, in open court, it returned its verdict as indicated above.
- Court.** Defendant elected to have the Court assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.
- No Election.** Defendant did not file a written election as to whether the judge or jury should assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.

In accordance with the jury's verdict, the Court ADJUDGES Defendant GUILTY of the above offense. The Court FINDS that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc..

The Court ORDERS Defendant punished in accordance with the jury's verdict or Court's findings as to the proper punishment as indicated above. After having conducted an inquiry into Defendant's ability to pay, the Court ORDERS Defendant to pay the fine, court costs, and restitution, if any, as indicated above.

Punishment Options (select one)

- Confinement in State Jail or Institutional Division.** The Court ORDERS the authorized agent of the State of Texas or the County Sheriff to take and deliver Defendant to the Director of the Correctional Institutions Division, TDCJ, for placement in confinement in accordance with this judgment. The Court ORDERS Defendant remanded to the custody of the County Sheriff until the Sheriff can obey the directions of this paragraph. Upon release from confinement, the Court ORDERS Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fine, court costs, and restitution due.
- County Jail Confinement / Confinement in Lieu of Payment.** The Court ORDERS Defendant committed to the custody of the County Sheriff immediately or on the date the sentence commences. Defendant shall be confined in the county jail for the period indicated above. Upon release from confinement, the Court ORDERS Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fine, court costs, and restitution due.
- Fine Only Payment.** The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay the fine, court costs, and restitution ordered by the Court in this cause.
- Confinement as a Condition of Community Supervision.** The Court ORDERS Defendant confined N/A Days in N/A as a condition of community supervision. The period of confinement as a condition of community supervision starts when Defendant arrives at the designated facility, absent a special order to the contrary.

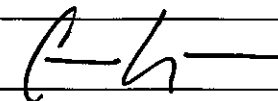
Execution / Suspension of Sentence

- The Court ORDERS Defendant's sentence EXECUTED. The Court FINDS that Defendant is entitled to the jail time credit indicated above. The attorney for the state, attorney for the defendant, the County Sheriff, and any other person having or who had custody of Defendant shall assist the clerk, or person responsible for completing this judgment, in calculating Defendant's credit for time served. All supporting documentation, if any, concerning Defendant's credit for time served is incorporated herein by this reference.

Furthermore, the following special findings or orders apply:

ATTACHMENT A, ORDER TO WITHDRAW FUNDS

Date Judgment Entered: 9/12/2019

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JUDGE PRESIDING

NOTICE OF APPEAL FILED: SEPTEMBER 12, 2019

CASE No. 1474853D COUNT ONE
INCIDENT No./TRN: 9134282815

THE STATE OF TEXAS

V.

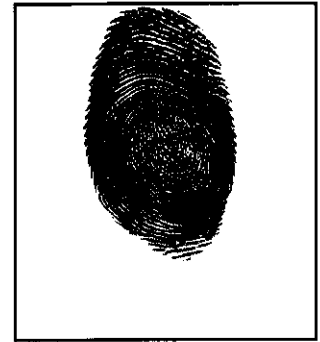
CARY JOSEPH HEATH
AKA CARY JOESPH HEATH
STATE ID No.: TX12002635

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IN THE 213TH DISTRICT COURT

TARRANT COUNTY, TEXAS

Date: SEP 12 2019



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PERSON TAKING PRINT

JUDGMENT AND SENTENCE
FINGERPRINT PAGE

Clerk

AJ	DRR
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IN THE 213TH DISTRICT COURT

V.

CARY JOSEPH HEATH
AKA CARY JOESPH HEATH

TARRANT COUNTY, TEXAS

ATTACHMENT A
ORDER TO WITHDRAW FUNDS

TO: INMATE TRUST ACCOUNT, TEXAS DEPARTMENT OF CRIMINAL JUSTICE
COPY TO: CARY JOSEPH HEATH CARY JOESPH HEATH SID #: TX12002635

GREETINGS:

THE ABOVE named Texas Department of Criminal Justice offender has of this date been assessed court costs, fees and/or fines and/or restitution in the IN THE 213TH DISTRICT COURT TARRANT County, Texas, in the above entitled cause in accordance with the sentence imposed as reflected in the judgment to which this Order is attached. The Court finds that the offender is unable to pay the court costs, fees and/or fines and/or restitution on this date and that the funds should be withdrawn from the offender's Inmate Trust Account. Court costs, fees and/or fines and/or restitution have been incurred in the amount of \$319.00.

THE COURT ORDERS that payment be made out of the offender's Inmate Trust Account as follows:
Pay an initial amount equal to the lesser of:

- (1) 15% of the account balance up to and including \$100, plus 25% of any portion of the account balance that is between \$100.01 and \$500 inclusive, plus 50% of any portion of the account balance that is more than \$500; or
- (2) The total amount of court costs, fees and/or fines and/or restitution that remains unpaid.

After the payment of the initial amount, the offender shall pay an amount equal to the lesser of:

- (1) 10% of each deposit in the offender's Inmate Trust Account; or
- (2) The total amount of court costs, fees and/or fines and/or restitution that remains unpaid.

Payments are to continue until the total amount of the court costs, fees and/or fines and/or restitution are paid, or the offender is released from confinement.

On receipt of a copy of this Judgment, the department (Inmate Trust Account) shall withdraw money from the trust account of the offender, hold same in a separate account, and shall forward said money to the TARRANT County District Clerk, 401 W BELKNAP, FT.WORTH, TX. 76196 on the earlier of the following dates:

- (1) Monthly
- (2) The date the total amount to be forwarded equals the total amount which remains unpaid; or
- (3) The date the offender is released.

THIS ORDER is entered and incorporated into the Judgment and Sentence of this Court and pursuant to Government Code, Section 501.014, on this 12 day of SEPTEMBER, 2019.

BILL OF COST

CAUSE NO. 1474853D

THE STATE OF TEXAS

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TARRANT COUNTY, TEXAS

The total cost assessed in this case for court costs:

COURT COST BREAKDOWN

Clerk Fees-R	\$40.00
DC Recs Tech	\$4.00
DC Rec Pre&A-R	\$2.50
Security Fees-R	\$5.00
Crim. Records	\$22.50
Jury Service FD	\$4.00
Jury Fees-R	\$40.00
PO Arrest Fee	\$50.00
PO Commit/Rel	\$5.00
Ind DefenseFund	\$2.00
Jud Support-CRM	\$6.00
E-File Crim	\$5.00
CCC-Felony	\$133.00
Total Court Cost Breakdown:	\$319.00

DISTRICT COURT OF TARRANT COUNTY, TEXAS

I hereby certify that the foregoing is a correct account of the Court Costs adjudged against the Defendant in the above entitled and numbered cause, up to 9/12/2019.

Deputy, Audrey Jenkins
Thomas A. Wilder, District Clerk
Tarrant County, Texas

