



CASE NO. 20190D02537 COUNT I OF II  
 INCIDENT NO./TRN: 9054711906

THE STATE OF TEXAS

IN THE 409TH DISTRICT COURT

vs.

EDUARDO SANTILLANA GARZA

EL PASO, COUNTY, TEXAS

SID: TX-05838853

§  
§  
§  
§  
§  
§  
§

**JUDGMENT OF CONVICTION BY JURY – CAPITAL MURDER**

Judge Presiding:	<b>HON. SAM MEDRANO, JR.</b>	Date Sentence Imposed:	<b>04/04/2024</b>
Attorney for State:	<b>SAMANTHA NELSON</b>	Attorney for Defendant:	<b>PUBLIC DEFENDER</b>

Offense for Which Defendant Convicted:  
**CAPITAL MURDER BY TERROR THREAT/OTHER FELONY**

<u>Charging Instrument:</u> <b>INDICTMENT</b>	<u>Statute for Offense:</u> <b>19.03 (a)(2) PC</b>
--	---

<u>Date of Offense:</u> <b>07/25/2018</b>	<u>Plea to Offense:</u> <b>NOT GUILTY</b>
--	--

Degree of Offense:  
**CAPITAL MURDER**

<u>Verdict of Jury:</u> <b>GUILTY</b>	<u>Findings on Deadly Weapon:</u> <b>N/A</b>
--	---

<u>Punished Assessed by:</u> <b>COURT</b>	<u>Date Sentence to Commences:</u> <b>04/04/2024</b>
--	---

Punishment and Place of Confinement: **LIFE; Texas Department of Criminal Justice**

<u>Court Costs:</u> <b>\$ 0.00</b>	<u>Reimbursement Fees:</u> <b>\$ 0.00</b>
---------------------------------------	--

<u>Restitution:</u> <b>\$ 0.00</b>	<u>Restitution Payable to:</u> 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? **YES**

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.

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. The Indictment was read to the jury, 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 Defendant's guilt or innocence, 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.

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

The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the special issues set out in the jury charge. After due deliberation, the jury was brought into open court, where it returned its answers to the special issues as indicated below:

(1) The jury found beyond a REASONABLE DOUBT that there is a probability that defendant would commit criminal acts of violence that would constitute a continuing threat to society.

Yes (unanimous)

No (by at least 10 jurors)

(2) The jury found beyond a REASONABLE DOUBT that considering all the evidence, including the circumstances of the offense, the defendant's character and background, and the personal moral culpability of the defendant, 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?

- Yes (by at least 10 jurors)
- No (unanimous)

**Special Issues to be included if necessary:**

**(If Defendant is found GUILTY as a party under TEX. PEN. CODE §§ 7.01; 7.02)**

The jury found beyond a REASONABLE DOUBT that the defendant actually caused the death of the deceased or did not actually cause the death of the deceased but intended to kill the deceased or another or anticipated that a human life would be taken.

- Yes (unanimous)
- No (by at least 10 jurors)

**(If Defendant has a mental impairment or defect)**

The jury found from a PREPONDERANCE OF THE EVIDENCE that defendant is a person with:

- Mental illness
- Mental retardation

The Court FINDS Defendant committed the above offense and ADJUDGES Defendant GUILTY of the above offense.

The Court ORDERS Defendant punished as indicated above. The Court FINDS that the State of Texas is entitled to recover all costs and fees associated with the prosecution of this case from Defendant and may issue execution to recover the same.

**Punishment Options**

**Confinement in Institutional Division.** The Court ORDERS the authorized agent of the State of Texas or the County Sheriff to take, safely convey, 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 Sheriff until the Sheriff can obey the directions of this judgment. The Court ORDERS TDCJ to make withdrawals from Defendant's inmate account as such funds become available. TDCJ is hereby notified that Defendant has been ordered to pay court costs, reimbursement fees, and restitution as indicated above. The Court Orders TDCJ to make withdrawals from Defendant's inmate account as such funds become available to pay said court costs, reimbursement fees, and restitution until said amounts are paid in full. Any restitution ordered above shall be paid to the individual or agency indicated above. The withdrawals and payments shall be made in accordance with Section 501.014, Tex. Gov't Code, and TDCJ's policies and procedures, to the extent that such policies and procedures are consistent with Sec.501.014.

**Death.** The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the DIRECTOR OF THE CORRECTIONAL INSTITUTIONS DIVISION, TDCJ. Defendant shall be confined in said Institutions Division in accordance with the provisions of the law governing TDCJ until a date of execution of the said Defendant is imposed by this Court after receiving the mandate of affirmance from the Court of Criminal Appeals of the State of Texas. The Court Orders Defendant remanded to the custody of the Sheriff of this County until the Sheriff can obey the directions of this judgment.

**Execution**

The Court ORDERS Defendant's sentence EXECUTED.

After having conducted an inquiry into Defendant's ability to pay, the Court ORDERS Defendant to pay the court costs, reimbursement fees, and restitution as indicated above.

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

The El Paso Sheriff's Office is Ordered to remove any conditions of bond associated with this case from the Texas Crime Information Center database maintained by the Department of Public Safety.

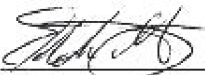
Date Judgment Entered: 4 / APRIL / 2024

X   
Sam Medrano, Jr.  
JUDGE PRESIDING

Clerk: Ana Q. Sanchez  
4/4/2024

Right Thumbprint



(Print) Name: Eddie Gomez Signature: 



CASE NO. 20190D02537 COUNT II OF II  
INCIDENT NO. /TRN: 9054711906

THE STATE OF TEXAS

IN THE 409TH DISTRICT COURT

V.

EDUARDO SANTILLANA GARZA

EL PASO COUNTY, TEXAS

STATE ID No.: TX-05838853

§  
§  
§  
§  
§  
§  
§

**JUDGMENT OF CONVICTION BY JURY**

Judge Presiding: **HON. SAM MEDRANO, JR.** Date Sentence Imposed: **04/04/2024**

Attorney for State: **SAMANTHA NELSON** Attorney for Defendant: **PUBLIC DEFENDER**

Offense for which Defendant Convicted: **AGG ROBBERY ;**

Charging Instrument: **INDICTMENT** Statute for Offense: **29.03 PC**

Date of Offense: **07/25/2018** Plea to Offense: **NOT GUILTY**

Degree of Offense: **1ST DEGREE FELONY**

Verdict of Jury: **GUILTY** Findings on Deadly Weapon: **N/A**

1st Enhancement Paragraph: **N/A** Finding on 1st Enhancement Paragraph: **N/A**

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

Punishment Assessed by: **COURT** Date Sentence Commences: **04/04/2024** (Date does not apply to confinement served as a condition of community supervision.)

Punishment and Place of Confinement: **FOURTY (40) YEARS; Texas Department of Criminal Justice**

THIS SENTENCE SHALL RUN: WITH 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.)

**DO NOT APPLY** Defendant is required to register as sex offender in accordance with Chapter 62, Tex. Code Crim Proc. (For sex offender registration purposes only) The age of the victim at the time of the offense was N/A.

Fines: **\$ 0.00** Restitution: **\$0.00** Restitution Payable to: **N/A** (See special finding or order of restitution which is incorporated herein by this reference.)

Court Costs: **\$ 0.00** Reimbursement Fees: **\$ 0.00**

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: **1868 DAYS** If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below. **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 fines, court costs, reimbursement fees, and restitution as indicated above and further detailed below.

**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 fines, court costs, reimbursement fees, 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 fines, court costs, reimbursement fees, 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 fines, court costs, reimbursement fees, and restitution ordered by the Court in this cause.

**Confinement as a Condition of Community Supervision.** The Court **ORDERS** Defendant confined \_\_\_\_\_ days in **El Paso County Detention Facility** 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.

**Fines Imposed Include (check each fine and enter each amount as pronounced by the court):**

- General Fine (§12.32, 12.33, 12.34, or 12.35, Penal Code, Transp. Code, or other Code) \$ \_\_\_\_\_ (not to exceed \$10,000)
- Add'l Monthly Fine for Sex Offenders (Art. 42A.653, Code Crim. Proc.) \$ \_\_\_\_\_ (\$5.00/per month of community supervision)
- Child Abuse Prevention Fine (Art. 102.0186, Code Crim. Proc.) \$ \_\_\_\_\_ (\$100)
- EMS, Trauma Fine (Art. 102.0185, Code Crim. Proc.) \$ \_\_\_\_\_ (\$100)
- Family Violence Fine (Art. 42A.504 (b), Code Crim. Proc.) \$ \_\_\_\_\_ (\$100)
- Juvenile Delinquency Prevention Fine (Art. 102.0171(a), Code Crim. Proc.) \$ \_\_\_\_\_ (\$50)
- State Traffic Fine (§ 542.4031, Transp. Code) \$ \_\_\_\_\_ (\$50)
- Children's Advocacy Center Fine - as Cond of CS (Art. 42A.455, Code Crim. Proc.) \$ \_\_\_\_\_ (not to exceed \$50)
- Repayment of Reward Fine (Art. 37.073/42.152, Code Crim. Proc.) \$ \_\_\_\_\_ (To Be Determined by the Court)
- Repayment of Reward Fine - as Cond of CS (Art. 42A.301 (b) (20), Code Crim. Proc.) \$ \_\_\_\_\_ (not to exceed \$50)
- DWI Traffic Fine (a/k/a Misc. Traffic Fines) (§ 709.001, Transp. Code) \$ \_\_\_\_\_ (not to exceed \$6,000)

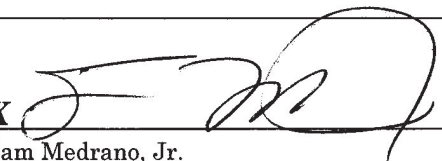
**Execution / Suspension of Sentence**

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:**

The El Paso Sheriff's Office is Ordered to remove any conditions of bond associated with this case from the Texas Crime Information Center database maintained by the Department of Public Safety.

**Date Judgment Entered:** 4 / APRIL / 2024

**X**   
Sam Medrano, Jr.  
JUDGE PRESIDING

CLERK: Ana Q. Sanchez  
4/4/2024

Right Thumbprint



(Print) Name: Eddie Guerra Signature: 