



SCANNED

CASE No. F-1475905-J
INCIDENT No./TRN: 9176639118

THE STATE OF TEXAS

IN THE CRIMINAL DISTRICT

v.

COURT #3

CLEZEL MONTAGUE MUGHNI

DALLAS COUNTY, TEXAS

STATE ID NO.: TX07701253

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JUDGMENT OF CONVICTION BY JURY

Judge Presiding: HON. Gracie Lewis Date Judgment Entered: 4/22/2015
Attorney for State: Reynie Tinajero Attorney for Defendant: Kenneth Weatherspoon

Offense for which Defendant Convicted: CAPITAL MURDER OF CHILD UNDER 10 YEARS OF AGE

Charging Instrument: INDICTMENT Statute for Offense: 19.03 Penal Code

Date of Offense: 6/2/2014

Degree of Offense: CAPITAL FELONY Plea to Offense: NOT GUILTY

Verdict of Jury: GUILTY Findings on Deadly Weapon: YES, NOT A FIREARM

Plea to 1st Enhancement Paragraph: SEE SPECIAL ORDERS Plea to 2nd Enhancement/Habitual Paragraph: N/A

Findings on 1st Enhancement Paragraph: SEE SPECIAL ORDERS Findings on 2nd Enhancement/Habitual Paragraph: N/A

Punishment Assessed by: COURT Date Sentence Imposed: 4/22/2015 Date Sentence to Commence: 4/22/2015

Punishment and Place of Confinement: LIFE INSTITUTIONAL DIVISION, TDCJ

THIS SENTENCE SHALL RUN CONCURRENTLY.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .

Fine: \$ N/A Court Costs: \$ 269.00 Restitution: \$ N/A Restitution Payable to: (see below) AGENCY/AGENT VICTIM

Attachment A, Order to Withdraw Funds, is incorporated into this judgment and made a part hereof.

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62.

The age of the victim at the time of the offense was N/A .

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

Time Credited: From 6/4/2014 to 4/22/2015 From to From to

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

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Dallas County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)



Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for 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 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.

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution 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 Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court ORDERS that upon release from confinement, Defendant proceed immediately to the Dallas County District Clerk Felony Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

**County Jail—Confinement / Confinement in Lieu of Payment.** The Court ORDERS Defendant immediately committed to the custody of the Sheriff of Dallas County, Texas on the date the sentence is to commence. Defendant shall be confined in the Dallas County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the Dallas County District Clerk Felony Collections Department. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

**Fine Only Payment.** The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Dallas County District Clerk Felony Collections Department. Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

**Execution / Suspension of Sentence (select one)**

The Court ORDERS Defendant's sentence EXECUTED.

The Court ORDERS Defendant's sentence of confinement SUSPENDED. The Court ORDERS Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

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

The Court FINDS Defendant used or exhibited a deadly weapon, namely, DEFENDANT'S HAND, BRUSH, AND AN UNKNOWN OBJECT THE THE EXACT NATURE AND DESCRIPTION OF WHICH IS UNKNOWN AND UNKNOWABLE TO THE GRAND JURY, during the commission of a felony offense or during immediate flight therefrom or was a party to the offense and knew that a deadly weapon would be used or exhibited. TEX. CODE CRIM. PROC. art. 42.12 §3g. THE COURT DID NOT ADDRESS THE 1<sup>ST</sup> ENHANCEMENT PARAGRAPH ALLEDGED IN THE INDICTMENT.

X *Gracie H. Lewis*

Gracie Lewis  
JUDGE PRESIDING

Clerk: C. HAMILL



THE STATE OF TEXAS

CAUSE NO. F 1475905 -J

VS.

CRIMINAL

DISTRICT COURT #3

CLEZEL MONTAGUE  
MUGHNI

DALLAS COUNTY, TEXAS

**ORDER TO WITHDRAW FUNDS**

TO: INMATE TRUST ACCOUNT, TEXAS DEPARTMENT OF CRIMINAL JUSTICE

COPY TO: CLEZEL MONTAGUE MUGHNI

TDCJ# \_\_\_\_\_ SID# 07701253

**GREETINGS:**

THE ABOVE named Texas Department of Criminal Justice offender has of this date been assessed court costs, fees, and/or fines in the District Court of Dallas County, Texas, in the above entitled and numbered cause in accordance with the sentence imposed as reflected in the judgment attached to this Order. The Court finds that the offender is unable to pay the court costs, fees, and/or fines on this date and that the funds should be withdrawn from the Offender's Inmate Trust Account. Court costs, fees, and/or fines have been incurred as represented in the attached judgment in the amount of \$(**269.00**) for court fees and costs, and \$(**N/A**) in fines.

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 court costs, fees, and/or fines that remains unpaid.

In each month following payment of the initial amount, payment shall be made out of the Offender's Inmate Trust Account in an amount equal to the lesser of:

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

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

IT IS FURTHER ORDERED that payments for court fees, court costs, and fines shall not be withdrawn pursuant to this order until all orders which the department has been notified of requiring an inmate to pay child support, restitution, and/or reimbursement to the Health and Human Services Commission for financial assistance to a child of the inmate for the child's health needs under Chapter 31 of the Human Resources Code have been paid in full.

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 Dallas County District Clerk 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.

The Court enters this order pursuant to Texas Government Code §501.014 this (22<sup>ND</sup>) day of (April), (2015).

*Gracie H. Lewis*

**JUDGE PRESIDING**

**JUDGMENT  
CERTIFICATE OF THUMBPRINT**

**THE STATE OF TEXAS**

**CAUSE NO. F** 1475905-J

**VS.**

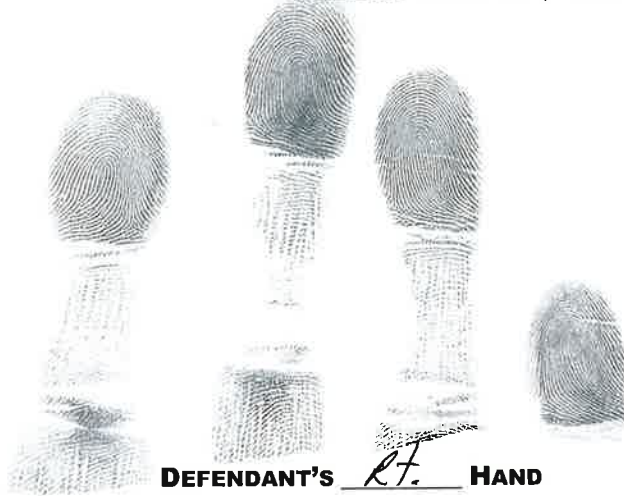
**CRIMINAL DISTRICT COURT #3**

Mughni, Clezel

**DALLAS COUNTY, TEXAS**



**RIGHT THUMB**



**DEFENDANT'S** RT. **HAND**

**THIS IS TO CERTIFY THAT THE FINGERPRINTS ABOVE ARE THE ABOVE-NAMED DEFENDANT'S FINGERPRINTS TAKEN AT THE TIME OF DISPOSITION OF THE ABOVE STYLED AND NUMBERED CAUSE.**

**DONE IN COURT THIS** 22 **DAY OF** April, 20 15.

K. Crump #597  
**BAILIFF/DEPUTY SHERIFF**

**\*INDICATE HERE IF PRINT OTHER THAN DEFENDANT'S RIGHT THUMBPRINT IS PLACED IN BOX:**

**LEFT THUMBPRINT**

**LEFT/RIGHT INDEX FINGER**

**OTHER,** \_\_\_\_\_

**SIGNED AND ENTERED ON THIS** 22 **DAY OF** April, 20 15.

Shacie Lewis  
**PRESIDING JUDGE**



Cause No. F1475905-J

TRN 9176639118

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DALLAS COUNTY, TEXAS

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**CLERK'S CERTIFICATE**

I, Felicia Pitre, Clerk of the District Courts within and for the State of Texas and Dallas County, do hereby certify that the above and foregoing is a true and correct copy of judgment and imposition of sentence in Cause No. F1475905-J, entitled The State of Texas vs. CLEZEL MONTAGUE MUGHNI as the same appears on record in **Volume 826, Page 206** now on file in my office.

Given under my hand and seal of office in Dallas County, Texas on 4/22/2015.

Felicia Pitre  
District Clerk  
Dallas County, Texas

by: C. HAMILL  
Deputy District Clerk