11 - DCR - 058694 Conviction - Not Guilty Plan Jury Verdict

CAUSE NO. 11-DCR-058694

IN THE DISTRICT COURT OF 9 THE STATE OF TEXAS FORT BEND COUNTY, TEXAS 9 VS.

400TH JUDICIAL DISTRICT § RICHARD MENDOZA, JR.

JUDGMENT ON JURY VERDICT OF GUILTY PUNISHMENT FIXED BY JURY - NO PROBATION GRANTED

Judge Presiding: CLIFFORD J. VACEK Date of Judgment: FEBRUARY 11, 2013

Attorney(s) for State: LORRETTA OWEN & SHERRY ROBINSON Attorney(s) for Defendant: CRAIG HUGHES & ZACHARY MALONEY

Offense Convicted of: MURDER Degree: FIRST DEGREE FELONY

Date Offense Committed: NOVEMBER 7, 2002

Charging Instrument: INDICTMENT Plea: NOT GUILTY

Presiding Juror: MICHAEL KELLY POINDEXTER Jury Verdict: GUILTY Findings on Enhancement: N/A

Plea to Enhancement Paragraph(s): N/A

Findings on Use of Deadly Weapon: TRUE

Date Sentence Imposed: FEBRUARY 11, 2013 Costs: \$418.00

Punishment and Place of Confinement: 50 YEARS TEXAS DEPARTMENT OF CRIMINAL

JUSTICE - INSTITUTIONAL DIVISION

Date to Commence: FEBRUARY 11, 2013 Time Credited: 107 DAYS

CONCURRENT UNLESS OTHERWISE SPECIFIED

Total Amount of Restitution/Reparation: N/A Fine: \$10,000.<u>00</u>

This day, the 29th day of January, 2013, this cause was called for trial, and the State appeared by her District Attorney as named above and the Defendant named above, having been duly arraigned, appeared in person, in open court, his counsel also being present, and both parties announced ready for trial; thereupon a jury of good and lawful persons, including the Presiding Juror as named above, and eleven others, was duly selected, impaneled and sworn, according to law; the indictment was read, and the Defendant entered his plea of not guilty thereto, and evidence for the State and the Defendant was submitted and concluded, and the Court charged the jury as to the law applicable to said cause, and argument of counsel for the State and the Defendant was duly heard and concluded, and the jury retired in charge of the proper officer to consider their verdict; and afterward was brought into open court by the proper officer, the Defendant and his counsel being present, and in due form of law returned into open court the verdict indicated above, which was received by the Court and is here now entered upon the minutes of the Court, to-wit: We, the Jury, find the Defendant, RICHARD MENDOZA, JR. guilty of MURDER.

PRESIDING JUROR

Thereupon, the Defendant, RICHARD MENDOZA, JR., elected to have his punishment fixed by the Jury. On this, the 11th day of February, 2013, the Jury reconvened and having heard all the evidence submitted for the State and the Defendant on the question of punishment fixed the Defendant's punishment at 50 YEARS TEXAS DEPARTMENT OF CRIMINAL JUSTICE - INSTITUTIONAL DIVISION AND \$10,000.00 FINE.

_____/s/ PRESIDING JUROR

It is THEREFORE CONSIDERED AND ADJUDGED by the Court that the Defendant named above is guilty of the offense named above as found by the jury, and that he be punished as found by the Jury, that is by confinement in the Institutional Division of the Texas Department of Criminal Justice for the period indicated above and that the State of Texas do have and recover of the said Defendant all costs in this prosecution, for which execution may issue.

And thereupon the said Defendant was asked by the Court whether he had anything to say why sentence should not be pronounced against him, and he answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of said Defendant, to pronounce sentence against him as follows, to-wit: "It is the order of the Court that the Defendant, named above who has been adjudged to be guilty of the offense indicated above, a felony, and whose punishment has been assessed at confinement in the Institutional Division of the Texas Department of Criminal Justice for the period indicated above, be delivered by the Sheriff of Fort Bend County, Texas, immediately to the Director of the Institutional Division of the State of Texas, or other person legally authorized to receive such convicts, and said Defendant shall be confined in said Institutional Division for the period indicated above, in accordance with the provisions of the law governing the Institutional Division of the Texas Department of Criminal Justice."

The said Defendant was remanded to jail until said Sheriff can obey the directions of this sentence.

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S	e. Signed and entered this/ day o	of	, 2013.
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