



CAUSE NO. 13 DCR 064483B

THE STATE OF TEXAS

§

IN THE 434th DISTRICT COURT

VS.

§

OF

LAMELVIN DEWAYNE JOHNSON

FORT BEND COUNTY, TEXAS

JUDGMENT

On this the 16th day of SEPTEMBER 2019 this cause was called for trial, and the State appeared by her District Attorney, and the defendant LAMELVIN DEWAYNE JOHNSON appeared in person in open court, his counsel, STEPHEN DOGGETT also being present, and the said defendant having been duly arraigned, entered a plea of NOT GUILTY to the charge contained in the indictment herein, both parties announced ready for trial, and thereupon a jury was selected and seated consisting of JONATHAN GERMER and eleven others who were duly sworn. Thereupon the indictment was read and the defendant entered his plea of NOT GUILTY to the following charge contained in the indictment and read to the jury by the State: Capital Murder.

All of the evidence was presented by both the State and the Defendant and the charge was read to the jury by the Court and thereupon the jury heard the arguments of both sides and retired in charge of the proper officer to consider of their verdict and afterward were brought into open court by the proper officer, the defendant and his counsel being present, and returned the following verdict which was received by the Court and is here now entered upon the minutes of the Court, namely:

"We, the Jury, find the defendant, LAMELVIN DEWAYNE JOHNSON, guilty of the offense of capital murder, as alleged in the indictment.

/s/ _____

Foreperson of the Jury"

And on this the 30th day of SEPTEMBER 2019, this cause being again called, the State appeared by her District Attorney and the defendant, LAMELVIN DEWAYNE JOHNSON, appeared in person, his counsel also being present, and the same jury being called to access the punishment, evidence was presented to the same jury in the matter of accessing punishment. The same jury after hearing all the evidence presented by the State and the defendant for the purpose of accessing punishment, and after having heard argument of counsel, again retired in charge of the proper officer to consider of their verdict, and afterward were again brought into court and returned into open court the following verdict, which was received by the Court and is here now entered upon the minutes of the Court, namely,

ISSUE NO. 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?

ANSWER: YES

ISSUE NO. 2

Do you find from the evidence, 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, that there is a sufficient mitigating circumstance or circumstances that a sentence of life imprisonment without parole rather than a death sentence be imposed?

ANSWER: YES

"We, the Jury, having answered the foregoing issues, return the same into court as our verdict.

/s/ _____

Foreperson of the Jury"

It is therefore considered and adjudged by the court that the defendant LAMELVIN DEWAYNE JOHNSON is guilty of capital murder as found by the jury and that the said defendant committed the offense on the 29th day of SEPTEMBER, 2019; and the jury having further answered "YES" to Issue No. 1 and "YES" to Issue No. 2; and the law providing that on such jury find the Court shall access a sentence of life without parole, it is the judgment of this court that said defendant be punished by confinement in the Institutional Division of the Texas Dept. of Criminal Justice for life without parole.

Thereupon the Defendant, LAMELVIN DEWAYNE JOHSNON was asked by the Court whether he had anything to say why said 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:

Whereas, the Defendant has been adjudged to be guilty of capital murder by the jury and the jury having answered "YES" to Issue No. 1 and "YES" to Issue No 2 and the law providing that on such jury finding the Court shall sentence the Defendant to Life Imprisonment without parole.

It is, therefore, the ORDER of the Court that the Defendant is sentenced to Life Imprisonment without parole in the Institutional Division of the Texas Dept. of Criminal Justice.

The Defendant is now remanded to the custody of the Sheriff of FORT BEND County, Texas, to be transported to the Institutional Division of the Texas Dept. of Criminal Justice at Huntsville, Texas upon expiration of time for appeal.

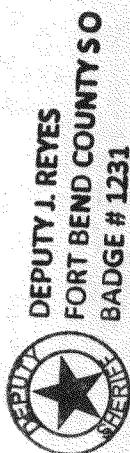
ENTERED this the 15TH day of OCTOBER A.D., 2019.



James Shoemake
Judge Presiding
434th District Court
Fort Bend County, Texas

FILED

OCT 08 2019
AT 10:33 A M.
Deputy J. Reyes
CLERK DISTRICT COURT, FORT BEND CO., TX



10/16/2019 AB

ROUTED TO COURT

RT'D TO D. CLERK

10/18/2019 AB

Filed
10/16/2019 3:33 PM
Beverley McGrew Walker
District Clerk
Fort Bend County, Texas
Alison Becerra

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THE STATE OF TEXAS

IN THE DISTRICT COURT OF

VS.

FORT BEND COUNTY, TEXAS

LAMELVIN DEWAYNE JOHNSON

^{434th} JUDICIAL DISTRICT

JUDGMENT NUNC PRO TUNC

On OCTOBER 8, 2019, Judgment and Sentence was pronounced on the above entitled cause as follows, a portion of the "JUDGMENT" was recorded erroneously as follows, namely:

RECITATION OF DATE OF OFFENSE, THIRD PAGE, 2ND PARAGRAPH:

That portion of the said "JUDGMENT" which was recorded in error is hereby modified and reformed as follows, namely,

"It is therefore considered and adjudged by the Court that the defendant LAMELVIN DEWAYNE JOHNSON is guilty of capital murder as found by the jury and that the said defendant committed the offense on the 29th day of September, 2013; ..."

The remainder of said Judgment and Sentence remain in full force and effect and is incorporated herein by reference for all purposes.

Signed on this 17th day of Octoober, 2019.



JUDGE PRESIDING
434th DISTRICT COURT

Approved:



Date: 10/16/2019

Thomas Pfeiffer
Assistant District Attorney
Fort Bend County, Texas

COPY TO DA AND JAIL