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CAUSE NO. 1088181

OFFICE OF
COURT ADMINISTRATION

THE STATE OF TEXAS § IN THE 339TH DISTRICT COURT
VS. § OF HARRIS COUNTY, TEXAS
ANTONIO LEE WILLIAMS § NOVEMBER TERM, A. D., 2007

Members of the Jury:

The defendant, Antonio Lee Williams, stands charged by indictment with the offense of capital murder, alleged to have been committed on or about the 5th day of August, 2006, in Harris County, Texas. The defendant has pleaded not guilty.

A person commits the offense of murder if he intentionally or knowingly causes the death of an individual.

A person commits the offense of capital murder if he commits murder, as hereinbefore defined, and the person intentionally or knowingly causes the death of more than one person during the same criminal transaction.

"Deadly weapon" means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury; or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury.

"Bodily injury" means physical pain, illness, or any impairment of physical condition.

"Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

A person acts intentionally, or with intent, with respect to a result of his conduct when it is his conscious objective or desire to cause the result.

A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.

You are instructed that it is your duty to consider the evidence of all relevant facts and circumstances surrounding the

deaths and the previous relationship, if any, existing between the accused and Yolanda Styles and the accused and Vincent Williams together with all relevant facts and circumstances going to show the condition of the mind of the defendant at the time of the alleged offense.

Now, if you find from the evidence beyond a reasonable doubt that on or about the 5th day of August, 2006, in Harris County, Texas, the defendant, Antonio Lee Williams, did then and there unlawfully, during the same criminal transaction, intentionally or knowingly cause the death of Yolanda Styles by shooting Yolanda Styles with a deadly weapon, namely, a firearm, and intentionally or knowingly cause the death of Vincent Williams by shooting Vincent Williams with a deadly weapon, namely, a firearm, then you will find the defendant guilty of capital murder, as charged in the indictment.

Unless you so find from the evidence beyond a reasonable doubt, or if you have a reasonable doubt thereof, you will acquit the defendant of capital murder and say by your verdict, "NOT GUILTY."

Upon the law of self-defense, you are instructed that a person is justified in using force against another when and to the degree he reasonably believes the force is immediately necessary to protect himself against the other person's use or attempted use of unlawful force. The use of force against another is not justified in response to verbal provocation alone.

A person is justified in using deadly force against another if he would be justified in using force against the other in the first place, as above set out, and when he reasonably believes that such deadly force is immediately necessary to protect himself against the other person's use or attempted use of unlawful deadly force, and if a reasonable person in the defendant's situation would not have retreated.

By the term "reasonable belief" as used herein is meant a belief that would be held by an ordinary and prudent person in the same circumstances as the defendant.

By the term "deadly force" is meant force that is intended or known by the defendant to cause, or in the manner of its use or intended use capable of causing, death or serious bodily injury. When a person is attacked with unlawful deadly force, or he reasonably believes he is under attack or attempted attack with unlawful deadly force by one or more persons, and there is created in the mind of such person a reasonable expectation or fear of death or serious bodily injury at the hands of such assailants, then the law excuses or justifies such person in resorting to deadly force by any means at his command to the degree that he reasonably believes immediately necessary, viewed from his standpoint at the time, to protect himself from such attack or attempted attack. It is not necessary that there be an actual attack or attempted attack, as a person has a right to defend his life and person from apparent danger as fully and to the same extent as he would had the danger been real, provided that he acted upon a reasonable apprehension of danger, as it appeared to him from his standpoint at the time, and that he reasonably believed such deadly force was immediately necessary to protect himself against the use or attempted use of unlawful deadly force by his assailants.

You are instructed that it is your duty to consider the evidence of all relevant facts and circumstances surrounding the alleged offense and the previous relationship existing between the accused and Yolanda Styles and/or Vincent Williams, together with all relevant facts and circumstances going to show the condition of the mind of the defendant at the time of the alleged offense. You will also consider evidence of the previous relationship, if any, existing between the accused and Yolanda Styles and/or Vincent Williams at the time in question and any conduct, words, or both with Yolanda Styles and/or Vincent Williams at said time. In considering all the foregoing, you should place yourselves in the defendant's position and view the circumstances from his standpoint alone, at the time in question.

You are instructed, in connection with the right of self-defense, that if the defendant was acting in self-defense when he

shot at Yolanda Styles and/or Vincent Williams, if he did, then he would have a right to continue firing his firearm so long as it reasonably appeared to him, at the time, as viewed from his standpoint alone, that all danger had not passed.

Therefore, if you find from the evidence beyond a reasonable doubt that the defendant, Antonio Lee Williams did intentionally and knowingly cause the death of Yolanda Styles and Vincent Williams in the same criminal transaction as alleged, but you further find from the evidence, or you have a reasonable doubt thereof, that viewed from the standpoint of the defendant at the time, from the words or conduct, or both, of both Yolanda Styles and Vincent Williams, it reasonably appeared to the defendant that his life or person was in danger and there was created in his mind a reasonable expectation or fear of death or serious bodily injury from the use of unlawful deadly force at the hands of both Yolanda Styles and Vincent Williams, and that acting under such apprehension and reasonably believing that the use of deadly force on his part was immediately necessary to protect himself against both Yolanda Styles and Vincent Williams' use or attempted use of unlawful deadly force, he shot both Yolanda Styles and Vincent Williams, and that a reasonable person in the defendant's situation would not have retreated, then you should acquit the defendant on the grounds of self-defense; or if you have a reasonable doubt as to whether or not the defendant was acting in self-defense with respect to both Yolanda Styles and Vincent Williams on said occasion and under the circumstances, then you should give the defendant the benefit of that doubt and say by your verdict, not guilty.

If you do not believe that the defendant was justified in using deadly force against both Yolanda Styles and Vincent Williams, or if you do not have a reasonable doubt thereof, you will next consider whether the defendant was justified in using deadly force against either Yolanda Styles or Vincent Williams, but not both.

You are instructed that if the defendant had a right to act in self-defense against either Yolanda Styles or Vincent

Williams, but not both, then the defendant had a right to act in self-defense with respect to one without regard to whether he was also in fear of death or serious bodily injury at the hands of the other.

Therefore, if you find from the evidence beyond a reasonable doubt that the defendant, Antonio Lee Williams did intentionally and knowingly cause the death of Yolanda Styles and Vincent Williams in the same criminal transaction as alleged, but you further find from the evidence, or you have a reasonable doubt thereof, that viewed from the standpoint of the defendant at the time, from the words or conduct, or both, of Yolanda Styles but not Vincent Williams, it reasonably appeared to the defendant that his life or person was in danger and there was created in his mind a reasonable expectation or fear of death or serious bodily injury from the use of unlawful deadly force at the hands of Yolanda Styles but not Vincent Williams, and that acting under apprehension and reasonably believing that the use of deadly force on his part was immediately necessary to protect himself against Yolanda Styles but not Vincent Williams' use or attempted use of unlawful deadly force, he shot Yolanda Styles and Vincent Williams, and that a reasonable person in the defendant's situation would not have retreated from Yolanda Styles, you will find the defendant guilty of the murder of Vincent Williams; or if you have a reasonable doubt as to whether or not the defendant was acting in self-defense in regards to Yolanda Styles on said occasion and under the circumstances, then you should give the defendant the benefit of that doubt and find him guilty only of the murder of Vincent Williams.

If you find from the evidence beyond a reasonable doubt that the defendant, Antonio Lee Williams did intentionally and knowingly cause the death of Yolanda Styles and Vincent Williams in the same criminal transaction as alleged, but you further find from the evidence, or you have a reasonable doubt thereof, that viewed from the standpoint of the defendant at the time, from the words or conduct or both, of Vincent Williams but not Yolanda Styles, it reasonably appeared to the defendant that his life or

person was in danger and there was created in his mind a reasonable expectation or fear of death or serious bodily injury from the use of unlawful deadly force at the hands of Vincent Williams but not Yolanda Styles, and that acting under such apprehension and reasonably believing that the use of deadly force on his part was immediately necessary to protect himself against Vincent William's but not Yolanda Styles' use or attempted use of unlawful deadly force, he shot both Yolanda Styles and Vincent Williams, and that a reasonable person in the defendant's situation would not have retreated from Vincent Williams, you will find the defendant guilty of the murder of Yolanda Styles; or if you have a reasonable doubt as to whether or not the defendant was acting in self-defense in regards to Vincent Williams on said occasion and under the circumstances, then you should give the defendant the benefit of that doubt and find him guilty only of the murder of Yolanda Styles.

If you find from the evidence beyond a reasonable doubt that at the time and place in question the defendant did not reasonably believe that he was in danger of death or serious bodily injury, or that a reasonable person in the defendant's situation would have retreated before using deadly force against Yolanda Styles and Vincent Williams, or that the defendant, under the circumstances as viewed by him from his standpoint at the time, did not reasonably believe that the degree of force actually used by him was immediately necessary to protect himself against either Yolanda Styles or Vincent Williams' use or attempted use of unlawful deadly force, then you should find against the defendant on the issue of self-defense and find him guilty of capital murder as charged in the indictment.

Our law provides that a defendant may testify in his own behalf if he elects to do so. This, however, is a right accorded a defendant, and in the event he elects not to testify, that fact cannot be taken as a circumstance against him.

In this case, the defendant has elected not to testify and you are instructed that you cannot and must not refer to or allude to that fact throughout your deliberations or take it into consideration for any purpose whatsoever as a circumstance against him.

You are further instructed that if there is any evidence before you in this case regarding the defendant's committing an alleged offense or offenses other than the offense alleged against him in the indictment in this case, you cannot consider such evidence for any purpose unless you find and believe beyond a reasonable doubt that the defendant committed such other offenses, if any. Even then, you may not consider evidence of such other offense or offenses as proof of the character of the defendant in order to show or infer action in conformity therewith. However, you may consider such evidence for other purposes such as proof of intent, knowledge, or rebuttal of a defensive theory.

A Grand Jury indictment is the means whereby a defendant is brought to trial in a felony prosecution. It is not evidence of guilt nor can it be considered by you in passing upon the question of guilt of the defendant. The burden of proof in all criminal cases rests upon the State throughout the trial and never shifts to the defendant.

All persons are presumed to be innocent and no person may be convicted of an offense unless each element of the offense is proved beyond a reasonable doubt. The fact that he has been arrested, confined, or indicted for, or otherwise charged with the offense gives rise to no inference of guilt at his trial. The law does not require a defendant to prove his innocence or produce any evidence at all. The presumption of innocence alone is sufficient to acquit the defendant, unless the jurors are satisfied beyond a reasonable doubt of the defendant's guilt after careful and impartial consideration of all the evidence in the case.

The prosecution has the burden of proving the defendant guilty and it must do so by proving each and every element of the offense charged beyond a reasonable doubt and if it fails to do so, you must acquit the defendant.

It is not required that the prosecution prove guilt beyond all possible doubt; it is required that the prosecution's proof excludes all reasonable doubt concerning the defendant's guilt.

In the event you have a reasonable doubt as to the defendant's guilt after considering all the evidence before you, and these instructions, you will acquit him and say by your verdict "Not Guilty."

You are the exclusive judges of the facts proved, of the credibility of the witnesses and the weight to be given their testimony, but the law you shall receive in these written instructions, and you must be governed thereby.

After you retire to the jury room, you should select one of your members as your Foreman. It is his or her duty to preside at your deliberations, vote with you, and when you have unanimously agreed upon a verdict, to certify to your verdict by

using the appropriate form attached hereto and signing the same as Foreman.

During your deliberations in this case, you must not consider, discuss, nor relate any matters not in evidence before you. You should not consider nor mention any personal knowledge or information you may have about any fact or person connected with this case which is not shown by the evidence.

No one has any authority to communicate with you except the officer who has you in charge. After you have retired, you may communicate with this Court in writing through this officer. Any communication relative to the cause must be written, prepared and signed by the Foreman and shall be submitted to the court through this officer. Do not attempt to talk to the officer who has you in charge, or the attorneys, or the Court, or anyone else concerning any questions you may have.

Your sole duty at this time is to determine the guilt or innocence of the defendant under the indictment in this cause and restrict your deliberations solely to the issue of guilt or innocence of the defendant.

Following the arguments of counsel, you will retire to consider your verdict.

FILED


Theresa Chang
District Clerk

DEC 05 2007

Time: 9:36am

Harris County, Texas

By: 
Deputy


Caprice Cosper, Judge
339th District Court
Harris County, TEXAS

THE STATE OF TEXAS

§ IN THE 339TH DISTRICT COURT

VS.

§ OF HARRIS COUNTY, TEXAS

ANTONIO LEE WILLIAMS

§ NOVEMBER TERM, A. D., 2007

CHOOSE ONE

"We, the Jury, find the defendant, Antonio Lee Williams, not guilty."

Foreman of the Jury

(Please Print) Foreman

"We, the Jury, find the defendant, Antonio Lee Williams, guilty of capital murder, as charged in the indictment."

David J. Douglas

Foreman of the Jury

DAVID J. DOUGLAS

(Please Print) Foreman

FILED

Theresa Chang
District Clerk

DEC 06 2007

Time: 10:42am
Harris County, Texas

By: [Signature]
Deputy

"We, the Jury, find the defendant, Antonio Lee Williams, guilty of the murder of Yolanda Styles."

Foreman of the Jury

(Please Print) Foreman

"We, the Jury, find the defendant, Antonio Lee Williams, guilty of the murder of Vincent Williams."

Foreman of the Jury

(Please Print) Foreman