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DISTRICT CLERK LUBBOCK CO.
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BY *[Signature]*
2009 APR 13 AM 11:24
u. Balwana

NO. 2006-411,661

THE STATE OF TEXAS § IN THE DISTRICT COURT
VS. § OF LUBBOCK COUNTY, TEXAS
STEVEN T. LOGAN § 364TH JUDICIAL DISTRICT.

COURT'S CHARGE

MEMBERS OF THE JURY:

The defendant, STEVEN T. LOGAN, stands charged by indictment with the offense of Capital Murder, alleged to have been committed in Lubbock County, Texas, on or about January 27, 2006. The defendant has entered a plea of not guilty to the indictment which was read to you.

You are instructed that you will consider only the guilt or innocence of the defendant from the evidence admitted before you and from the law as given to you in charge by the Court.

You are instructed that the law applicable to this case is as follows:

1.

Our law provides that a person commits murder when he intentionally or knowingly causes the death of an individual.

A person commits capital murder if he commits murder as defined above and such person murders more than one person during the same criminal transaction.



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2.

“Person” means an individual, corporation, or association.

“Individual” means a human being who is alive.

3.

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.

4.

Now bearing in mind the foregoing instructions, if you find from the evidence beyond a reasonable doubt that on or about January 27, 2006, in Lubbock County, Texas, as alleged in the indictment, the defendant, STEVEN T. LOGAN, did then and there intentionally or knowingly cause the deaths of Wanda Turner and Vicki Logan, during the same criminal transaction, by strangling each of them with his hands or cord, then you will find the defendant, STEVEN T. LOGAN, guilty of the offense of capital murder and so say by your verdict.

If you have a reasonable doubt as to whether the defendant is guilty, then you will acquit the defendant and say by your verdict “Not Guilty.”

5.

You are further charged that if there is any evidence before you in this case tending to show that the defendant herein committed offenses other than the offense alleged against him in the indictment, you cannot consider said testimony for any purpose unless you find and believe, beyond a reasonable doubt, that the defendant committed such other offenses, if any were committed; and if you find and believe beyond a reasonable doubt from such testimony that other offenses were committed, you may then consider the same in determining the motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident, and for no other purpose.

6.

Our law provides that a defendant may testify in his own behalf if he elects to do so. This, however, is a privilege 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 or allude to that fact throughout your deliberations, or take it into consideration for any purpose whatsoever as a circumstance against the defendant.

7.

In your deliberations, you will consider this charge as a whole. You are

instructed that the indictment in this case is of itself a mere accusation or charge against this defendant, and is not any evidence of the defendant's guilt; no juror in this case should permit himself/herself to be to any extent influenced against this defendant because of, or on account of, said indictment.

8.

You are charged that it is only from the witness stand that the jury is permitted to receive evidence regarding the case, and no juror is permitted to communicate to any other juror anything he/she may have heard regarding the case from any source other than the witness stand.

9.

In deliberating on the cause you are not to refer to or discuss any matter or issue not in evidence before you; nor talk about this case to anyone not of your jury; and after the reading of this Charge you shall not separate from each other until you have reached a verdict.

10.

Your verdict, if any, will be by unanimous vote.

11.

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 a person 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 of 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."

12.

When the jury wishes to communicate with the Court, it shall so notify the Bailiff, who shall inform the Court thereof. Any communication relative to the cause must be written, signed by the Foreman, and shall be submitted to the Court through

the Bailiff.

13.

You are the exclusive judges of the facts proven, of the credibility of the witnesses, and of the weight to be given to their testimony; but you are bound to receive the law from the Court, which is herein given you, and be governed thereby.

14.

After argument of counsel, you will retire and select one of your members as your Foreman. It is his/her duty to preside at your deliberations and to vote with you in arriving at a verdict. Your verdict, if any, must be unanimous; and after you have arrived at your verdict, you may use one of the forms attached hereto by having your Foreman sign his/her name to the particular form that conforms to your verdict.

The above and foregoing is the Charge in this case, and the same is hereby signed and certified by the Court, this the 9th day of April, 2009.



Judge Presiding

David Gleason
Senior District Judge
by assignment

3:42 p.m.



I, Barbara Sucsy, District Clerk, in and for Lubbock County, Texas, do hereby certify this to be a true and correct copy of a like instrument now on file in this office.

This 13 day of April 2009 ay Deputy Clerk of District Court, Lubbock County, Texas pg te of 6

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THE STATE OF TEXAS

§ IN THE DISTRICT COURT

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§ 364TH JUDICIAL DISTRICT

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Barbara Sucsy
Deputy

VERDICT

We, the jury, find from the evidence beyond a reasonable doubt the defendant is guilty of the offense of Capital Murder, as charged in the indictment.

Rick Matley

Foreman of the Jury

*Verdict returned in open Court
at 8:22 p.m. April 9, 2009.*

David L. Gleason

David Gleason
Senior District Judge
by assignment



I, Barbara Sucsy, District Clerk, in and for Lubbock County, Texas, do hereby certify this to be a true and correct copy of a like instrument now on file in this office.

This 13 day of April, 2009 Deputy Clerk of District Court, Lubbock County, Texas pg 1 of 1



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VERD - VERDICT
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