



CASE NO. 2011-1513-C1 COUNT N/A
 INCIDENT NO./TRN: 9198934139

7th FILED
 Day of Nov, 2012
 at 2:11 o'clock P M

THE STATE OF TEXAS

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IN THE 19TH DISTRICT COURT
 KAREN C. MATKIN
 DISTRICT CLERK

v.

McLennan County, Texas

RICKEY DONNELL CUMMINGS

By Suzanne Bounds
 Deputy

STATE ID No.: TX7240492

JUDGMENT OF CONVICTION BY JURY

Judge Presiding:	HON. RALPH T. STROTHER	Date Judgment Entered:	11/7/2012
Attorney for State:	RUSS HUNT, SR. WALTER "SKIP" REAVES MICHELLE TUEGEL	Attorney for Defendant:	ABEL REYNA GREG DAVIS MICHAEL JARRETT

Offense for which Defendant Convicted:

CAPITAL MURDER

Charging Instrument:
INDICTMENT

Statute for Offense:
19.03 Penal Code

Date of Offense:
3/28/2011

Degree of Offense:
CAPITAL FELONY

Plea to Offense:
NOT GUILTY

Verdict of Jury:
GUILTY

Findings on Deadly Weapon:
YES, A FIREARM

Plea to 1st Enhancement Paragraph: **N/A**

Plea to 2nd Enhancement/Habitual Paragraph: **N/A**

Findings on 1st Enhancement Paragraph: **N/A**

Findings on 2nd Enhancement/Habitual Paragraph: **N/A**

Punishment Assessed by:
JURY

Date Sentence Imposed:
11/7/2012

Date Sentence to Commence:
11/7/2012

Punishment and Place of Confinement: **DEATH BY LETHAL INJECTION AT AN INSTITUTIONAL DIVISION, TDCJ**

THIS SENTENCE SHALL RUN CONCURRENTLY.

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

Fine:	Court Costs:	Restitution/Reparation:	Restitution/Reparation Payable to:
\$ 0.00	\$ 354.00	\$ N/A	<input type="checkbox"/> VICTIM (listed in Restitution Exhibit)
			<input type="checkbox"/> AGENCY/AGENT - if reparation, mail to DPS, P. O. BOX 4087, AUSTIN, TX 78773-0130
			LAB # CASE #

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 4-1-11 to 11/7/2012	From	to	From	to

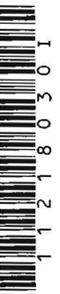
If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.
N/A DAYS NOTES: N/A

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 McLennan 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 Presentence 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 McLennan County District Clerk's Office. 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 MCLENNAN County, Texas on the date the sentence is to commence. Defendant shall be confined in the MCLENNAN County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the MCLENNAN COUNTY DISTRICT CLERK. 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 County. 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:

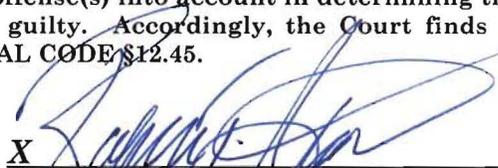
IF RESTITUTION IS ORDERED, A RESTITUTION EXHIBIT IS INCORPORATED IN THIS JUDGMENT BY REFERENCE.

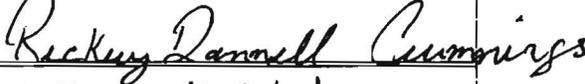
The Court orders the defendant's driver's license suspended for _____ months beginning the date of this order.

The Court makes an affirmative finding that the offense involved family violence as defined in §71.004 Texas Family Code.

The Court finds that, with the consent of the State's attorney, Defendant admitted guilt as to the unadjudicated offense(s) as set out in the Motion to Consider Unadjudicated Offense(s) in Sentencing, and the Court agreed to take the unadjudicated offense(s) into account in determining the sentence for the offense for which Defendant was adjudged guilty. Accordingly, the Court finds prosecution is barred for those offense(s) pursuant to TEX. PENAL CODE §12.45.

Signed and entered on November 7, 2012


 X
 RALPH T. STROTHER
 JUDGE PRESIDING

RIGHT THUMBPRINT	Defendant's signature
	 Officer's signature  Date: 11-7-2012

CUMMINGS, RICKEY DONNELL

CAUSE NO: 20111513C1

ACTION NO: 0 CASE TYPE: CRIMINAL

L I S T O F F E E S

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT	COST
FEE NO: 1 BILLED 7/05/2011 TO CUMMINGS, RICKEY DONNELL						
WFSO	WARRNT FEE-SO	001	50.00		C	
SRCF	RELS/COMMIT FEE	001	5.00		C	
SWRT	SHERIFF SERVE WRIT	001	35.00		C	
TOTAL FEE:		90.00	COURT COST:	90.00	OTHER:	0.00
TOTAL PAID:		0.00	LAST PAID:		AMOUNT DUE:	90.00

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT	COST
FEE NO: 25 BILLED 10/22/2012 TO CUMMINGS, RICKEY DONNELL						
JURC	JURY FEE - CRIMINAL	001	20.00		C	
TOTAL FEE:		20.00	COURT COST:	20.00	OTHER:	0.00
TOTAL PAID:		0.00	LAST PAID:		AMOUNT DUE:	20.00

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT	COST
FEE NO: 28 BILLED 11/08/2012 TO CUMMINGS, RICKEY DONNELL						
FCRM	CRIMINAL FILING FEE	001	219.00		C	
TOTAL FEE:		219.00	COURT COST:	219.00	OTHER:	0.00
TOTAL PAID:		0.00	LAST PAID:		AMOUNT DUE:	219.00

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT	COST
FEE NO: 29 BILLED 11/08/2012 TO CUMMINGS, RICKEY DONNELL						
TPMT	TIME PMT (>31 DAYS)	001	25.00		C	
TOTAL FEE:		25.00	COURT COST:	25.00	OTHER:	0.00
TOTAL PAID:		0.00	LAST PAID:		AMOUNT DUE:	25.00

RECAPITULATION BY FEE CODE

CODE DESCRIPTION	COURT COST	OTHER
FCRM CRIMINAL FILING FEE	219.00	0.00
JURC JURY FEE - CRIMINAL	20.00	0.00
SRCF RELS/COMMIT FEE	5.00	0.00
SWRT SHERIFF SERVE WRIT	35.00	0.00

Karen C. Matkin
McLennan County District Clerk

DATE: 11/08/2012
TIME: 15:12:53

DISTRICT COURT FEE SYSTEM
BILL OF COST

PAGE: 2

CUMMINGS, RICKEY DONNELL

CAUSE NO: 20111513C1

ACTION NO: 0 CASE TYPE: CRIMINAL

L I S T O F F E E S

RECAPITULATION BY FEE CODE

CODE DESCRIPTION	COURT COST	OTHER
TPMT TIME PMT (>31 DAYS)	25.00	0.00
WFSO WARRNT FEE-SO	50.00	0.00
TOTAL	354.00	0.00

* NO DISBURSEMENTS ON FILE - CHECK FEE BOOK *

TOTAL COST: DUE -	354.00	PAID -	0.00	BAL -	354.00
TOTAL FINE: DUE -	0.00	PAID -	0.00	BAL -	0.00
TOTAL REST: DUE -	0.00	PAID -	0.00	BAL -	0.00



Karen C. Matkin
McLennan County District Clerk

STATE OF TEXAS

IN THE DISTRICT COURT OF

v.

McLENNAN COUNTY, TEXAS

19TH JUDICIAL DISTRICT

Rickey Donnell Cumming

**ATTACHMENT "A"
ORDER TO WITHDRAW FUNDS**

TO: INMATE TRUST ACCOUNT, TEXAS DEPARTMENT OF CRIMINAL JUSTICE

COPY TO DEFENDANT: Rickey Donnell Cummings PDCJ# _____ SID# 7240492

GREETINGS:

THE ABOVE named Texas Department of Criminal Justice offender has of this date been assessed court costs, fees and/or fines and/or restitution in the 19th District Court of McLennan County, Texas, in the above entitled cause in accordance with the sentence imposed as reflected in the judgment to which this Order is attached. The Court finds that the offender is unable to pay the court costs, fees and/or fines and/or restitution on this date and that the funds should be withdrawn from the offender's Inmate Trust Account. Court costs, fees and/or fines and/or restitution have been incurred in the amount of \$ 354.00

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

After the payment of the initial amount, the offender shall pay an amount equal to the lesser of

(1) 10% of each deposit in the offender's Inmate Trust Account; or

(2) The total amount of court costs, fees and/or fines and/or restitution that remains unpaid.

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

On receipt of a copy of this Judgment, 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 McLennan County District Clerk, P. O. Box 2451, Waco, TX 76703 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 as a part of the Judgment and Sentence of this Court and pursuant to Government Code, Section 501.014, on the 23rd day of November 2012.



JUDGE PRESIDING