

NO. 07 CR 3875 F

THE STATE OF TEXAS

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IN THE 214TH

VS.

DISTRICT COURT

VALENTIN GAONA

NUECES COUNTY, TEXAS

JUDGMENT ON JURY VERDICT OF GUILTY
PUNISHMENT FIXED BY COURT

b. Synopsis of The Judgment

Judge Presiding: Jose Longoria	Date Of Judgment: 4/25/2008
Attorney For State: William Ainsworth	Attorney For Defendant: James Gardner
Offense Convicted Of: Capital Murder	Date Of Offense: 8/24/1999
Degree: Capital	
Charging Instrument: Indictment	
Plea: Not Guilty	
Jury Verdict: Guilty	Foreman: Michael R. Cherro
FINDINGS ON USE OF A DEADLY WEAPON: Not Applicable	
Punishment Assessed By: Court	
Date Sentence Imposed: 4/25/2008	Cost: \$ 1,105.57
Punishment And Place Of Confinement.	
Term Of Confinement: Life Imprisonment Without Parole	
Fine: \$-0-	
Place Of Confinement: Institutional Division of The Texas Department of Criminal Justice	
Date To Commence: 4/25/2008	
Time Credited: 104 Days	Total Amount of Restitution/Reparation: \$ -0-

SCANNED
APR 30 2008

b. Text of Judgment

This case was called for trial on April 24, 2008. The parties appeared and announced ready for trial. The following attorney appeared for the State: William Ainsworth. The following attorney appeared for the defendant: James Gardner.

A jury of twelve was selected and sworn. The indictment was read in the presence of the jury. The defendant entered a plea of not guilty to the offense charged. Evidence was submitted to the jury on the issue of guilt. The jury received the court's charge, heard the arguments of counsel, and retired to determine its verdict.

On April 24, 2008, the jury returned the following verdict:

"We, the Jury, find the Defendant, VALENTIN GAONA, guilty of the offense of CAPITAL MURDER, as alleged in the indictment.

/s/ MICHAEL R. CHERRO
PRESIDING JUROR"

On February 1, 2008 the State made an oral Motion Not to Seek the Death Penalty in this cause. In accordance with the Code of Criminal Procedure, Article 37.071, Section 1, the judge sentenced the defendant, Valentin Gaona to life imprisonment without parole.

The Court further finds beyond a reasonable doubt that the defendant as a result of defendant's criminal conduct caused monetary damages in this case in the amount of \$-0-.

The Court finds beyond a reasonable doubt that the offense was committed on August 24, 1999.

The Court assesses punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for a term of life imprisonment without parole and by a fine of \$-0-.

In accordance with these findings and the jury's verdict it is ordered, adjudged, and decreed by the Court that the defendant, Valentin Gaona, is guilty of the offense of Capital Murder, a felony of the Capital degree; that defendant be punished by confinement in the Institutional Division of the Texas Department of Criminal Justice for a term of life imprisonment without parole and by a fine of \$-0-; and that the State of Texas have and recover of the defendant all costs for this prosecution in the amount of \$1,105.57 and the fine for which let execution issue.

Before pronouncing sentence, the defendant was asked if there was any reason why sentence should not be pronounced. The defendant gave no reason to prevent sentencing. In open court, in the presence of defendant and defendant's counsel, the Court pronounced sentence as

follows:

It being the judgment of this Court that the defendant, Valentin Gaona, is guilty of the offense of Capital Murder, and that defendant's punishment be by confinement in the Institutional Division of the Texas Department of Criminal Justice for a term of LIFE IMPRISONMENT WITHOUT PAROLE and by a fine of \$. It is the order of this Court that the punishment be carried into execution in the manner prescribed by law. The Sheriff of Nueces County, or an authorized agent of the State of Texas, is hereby ordered to deliver defendant to the Institutional Division of the Texas Department of Criminal Justice to begin serving defendant's term of confinement. The State of Texas shall have and recover of Defendant the fine and costs of this prosecution, for which let execution issue against defendant's property. Defendant is remanded to jail to await transfer to the penitentiary.

Sentence was pronounced on April 25, 2008.

Sentence shall commence on April 25, 2008.

SIGNED AND ORDERED ENTERED this th28 day of April, 2008.



JOSE LONGORIA
JUDGE PRESIDING

IN THE DISTRICT COURT
OF NUECES COUNTY, TEXAS
THE 214TH JUDICIAL DISTRICT COURT

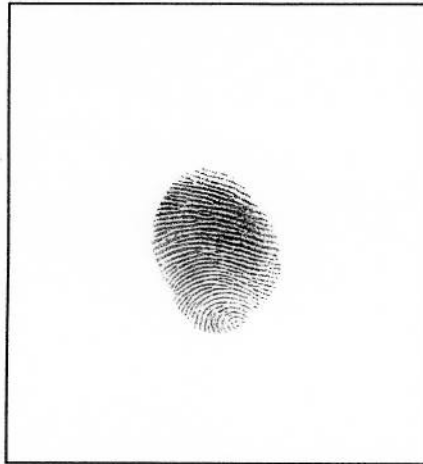
THE STATE OF TEXAS

VS.

CAUSE NO. CR-07-3875-F

Valentin GAONA

SUPPLEMENT TO JUDGEMENT OR ORDER



I, Manuel Gonzales, Bailiff of the 214th Judicial District Court, am qualified to take fingerprints. I hereby certify that on this day I took the above print of the right thumb of the Defendant at the time of disposition of this cause (other than a finding of not guilty).

Done and signed in Court on 24th day of April 2008.

Manuel R. Gonzales
Manuel Gonzales, Bailiff (or Deputy Sheriff)

**If Defendant has no right thumb, then the print was taken from the following finger: _____.