

NO. 0974892D

THE STATE OF TEXAS

)(IN THE CRIMINAL DISTRICT

VS.

)(COURT NUMBER TWO

TARRENCE LAMONE STEVENSON)(TARRANT COUNTY, TEXAS

FILED
THOMAS A. WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

APR 22 2008

MEMBERS OF THE JURY:

TIME _____
BY: ml 4:48 P DEPUTY

The Defendant, Tarrence Lamone Stevenson, has been found guilty by you of the offense of Murder, as charged in the Indictment, and you will no longer concern yourselves with the guilt of the Defendant. It now becomes your duty to affix the punishment to be assessed against the Defendant.

You are instructed that in fixing the Defendant's punishment, which you will show in your verdict, you may take into consideration all the facts shown by the evidence admitted before you in the full trial of this case and the law as submitted to you in the charge.

The punishment for the offense of Murder is by confinement in the Institutional Division of the Texas Department of Criminal Justice for Life or for any term of not more than 99 years or less than 5 years. In addition, a fine not to exceed \$10,000 may be imposed.

Our law provides a Defendant may testify in his own behalf if he elects to do so. This, however, is a privilege accorded to the Defendant, and in the event he does not testify, that fact cannot be taken as a circumstance against him. In this punishment phase of the case the Defendant has not testified, and you are instructed that you cannot and must not refer or allude to the fact throughout your deliberations or take it into consideration for any purpose whatsoever as a circumstance against the Defendant.

In this case, the Defendant has filed, before trial, his sworn motion in which he prays that in the event he be convicted, he be placed on community supervision. If you find that the Defendant has not ever been convicted of a felony in this or any other State, and if you assess the punishment of the Defendant at confinement for a term of not more than 10 years and you recommend that he be placed on community supervision, then let your verdict show the punishment which you assess, and show that the Defendant has never before been convicted of a felony in this or any other State, and further show that you recommend that his sentence be suspended and that he be placed on community supervision.

If you choose to recommend that the Defendant be placed on

community supervision, the Court will set the actual term of years and the conditions of community supervision and may, at any time during the period of community supervision, alter or modify the conditions. The Judge may impose any reasonable condition that is designed to protect or restore the community; protect or restore the victim; or punish, rehabilitate, or reform the Defendant. You may NOT recommend that part of the period of confinement be served by incarceration and part by community supervision.

Should the punishment assessed by you include a fine, a recommendation of community supervision should state whether or not the fine will be paid, or be suspended and probated.

Whether you do or do not recommend community supervision for the Defendant is a matter that rests within the sound discretion of the jury; however, if you do recommend community supervision, the Court is required by law to follow the jury's recommendation.

In the event that you should recommend community supervision be granted in this case, the conditions of community supervision which this Court may impose may include, but shall not be limited to, the conditions that the Defendant shall:

1. Commit no offense against the laws of this State or of any other State or of the United States;
2. Avoid injurious or vicious habits;
3. Avoid persons or places of disreputable or harmful character;
4. Report to the community supervision officer as directed by the judge or community supervision officer and obey all rules and regulations of the community supervision department;
5. Permit the community supervision officer to visit him at his home or elsewhere;
6. Work faithfully at suitable employment as far as possible;
7. Remain within a specified place;
8. Pay a fine, if one be assessed or not, in one or several sums, and make restitution or reparation in any sum that the Court shall determine;
9. Support his dependents;
10. Participate, for a time specified by the Court, in any community-based program, including a community-service work program designated by the Court;
11. Submit to testing for controlled substances;

12. In addition to any other terms and conditions imposed under this section, the Court may require the Defendant as a condition of his community supervision to make one payment in an amount not to exceed \$50 to a local crime stoppers program.

13. The Court may require that the Defendant submit to a period of detention in a county jail to serve a term of imprisonment not to exceed 180 days.

Under the law applicable in this case, the Defendant, if sentenced to a term of imprisonment, may earn time off the period of incarceration imposed through the award of good conduct time. Prison authorities may award good conduct time to a prisoner who exhibits good behavior, diligence in carrying out prison work assignments, and attempts at rehabilitation. If a prisoner engages in misconduct, prison authorities may also take away all or part of any good conduct time earned by the prisoner.

It is also possible that the length of time for which the Defendant will be imprisoned might be reduced by the award of parole.

Under the law applicable in this case, if the Defendant is sentenced to a term of imprisonment, he will not become eligible for parole until the actual time served equals one-half of the sentence imposed or 30 calendar

years, whichever is less, without any consideration of any good conduct time he may earn. If the Defendant is sentenced to a term of less than four years, he must serve at least two years before he is eligible for parole.

It cannot accurately be predicted how the parole law and good conduct time might be applied to this Defendant if he is sentenced to a term of imprisonment, because the application of these laws will depend on decisions made by prison and parole authorities.

You may consider the existence of the parole law and good conduct time. However, you are not to consider the extent to which good conduct time may be awarded to or forfeited by this particular Defendant. You are not to consider the manner in which the parole law may be applied to this particular Defendant.

In determining the penalty to be assessed, you shall not affix the punishment by adding together a number determined by each juror and then dividing the total by 12, nor shall you affix the same by lot, chance, or any other method than by a full, fair and free exercise of the opinion of the individual jurors, under the evidence admitted before you.

You are not to discuss among yourselves how long the Defendant would be required to serve the sentence, if any, that you impose. Such


matters come within the exclusive jurisdiction of the Pardons and Paroles Division of the Texas Department of Criminal Justice and the Governor of the State of Texas.

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

Your verdict must be by a unanimous vote of all members of the jury. In deliberating on this case you shall consider the charge as a whole and you must not refer to or discuss any matters not in evidence before you.

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

Any further communication to the Court should be in writing.



JUDGE WAYNE F. SALVANT
Criminal District Court No. 2
Tarrant County, Texas

VERDICT FORMS

Community supervision NOT recommended:

We, the jury, having found the Defendant, Tarrence Lamone Stevenson, guilty beyond a reasonable doubt of the offense of Murder, as charged in the Indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for Life
(Life, or term of years 5-99)

In addition thereto, WE DO / WE DO NOT assess a fine in the amount of \$ _____
(not to exceed \$10,000)

WE DO NOT RECOMMEND community supervision.

Gary D. Logston
Foreman

-OR-

FILED
THOMAS A. WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS
APR 23 2008
TIME 10:45
BY [Signature] DEPUTY

Community supervision recommended:

We, the jury, having found the Defendant, Tarrence Lamone Stevenson, guilty beyond a reasonable doubt of the offense of Murder, as charged in the Indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for _____ years (5-10), and we, the jury, having assessed the punishment of the Defendant at not more than ten years confinement in the Institutional Division of the Texas Department of Criminal Justice, and having further found that he has never before been convicted of a felony in this or in any other state, WE DO RECOMMEND that the imposition of his sentence be suspended and he be placed on community supervision.

In addition thereto, WE DO / WE DO NOT assess a fine in the amount of \$ _____
(not to exceed \$10,000)

(If fine is assessed, answer the following by checking appropriate blank:)

WE RECOMMEND:

____ (A) that the Defendant be required, as a condition of community supervision, to pay the fine assessed.

____ (B) that payment of the fine be suspended.

Foreman