



THE STATE OF TEXAS

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IN THE 356TH DISTRICT

v.

COURT

JASON DELACERDA

HARDIN COUNTY, TEXAS

STATE ID No.: TX

JUDGMENT OF CONVICTION BY JURY-CAPITAL MURDER

Judge Presiding:	HON. STEVE THOMAS	Date Judgment Entered:	2/27/2018
Attorney for State:	DAVID A. SHEFFIELD BRUCE A. HOFFER KENDRA WALTERS	Attorney for Defendant:	JAMES MAKIN RYAN GERTZ
<u>Offense for which Defendant Convicted:</u>			
CAPITAL MURDER			
<u>Charging Instrument:</u>		<u>Statute for Offense:</u>	
INDICTMENT		19.03 Penal Code	
<u>Date of Offense:</u>			
8/17/2011			
<u>Degree of Offense:</u>		<u>Plea to Offense:</u>	
CAPITAL MURDER		NOT GUILTY	
<u>Verdict of Jury:</u>		<u>Findings on Deadly Weapon:</u>	
GUILTY		N/A	
Plea to 1 st Enhancement Paragraph:	N/A	Plea to 2 nd Enhancement/Habitual Paragraph:	N/A
Findings on 1 st Enhancement Paragraph:	N/A	Findings on 2 nd Enhancement/Habitual Paragraph:	N/A
<u>Punished Assessed by:</u>	<u>Date Sentence Imposed:</u>	<u>Date Sentence to Commence:</u>	
JURY	2/27/2018	2/27/2018	
Punishment:	DEATH		

FILED FOR RECORD
2018 MAR - 1 PM 3:11
CLERK OF DISTRICT COURT
HARDIN COUNTY TEXAS

<u>Fine:</u>	<u>Court Costs:</u>	<u>Restitution:</u>	<u>Restitution Payable to:</u>
\$ N/A	\$ 904.00	\$ N/A	<input type="checkbox"/> VICTIM (see below) <input type="checkbox"/> AGENCY/AGENT (see below)

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 Hardin 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.

The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the special issues set out in the jury charge. After due deliberation, the jury was brought into Court, and, in open court, it returned its answers to the special issues indicated below.

The jury found beyond a reasonable doubt that there is a probability that defendant would commit criminal acts of violence that would constitute a continuing threat to society.

- Yes (Unanimous)
- No (by at least 10 jurors)

The jury found beyond a reasonable doubt that considering all the evidence, including the circumstances of the offense, the defendant's character and background, and the personal moral culpability of the defendant, that there is a sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment without parole rather than a death sentence be imposed?

- Yes (Unanimous)
- No (by at least 10 jurors)

Special Issues to be included if necessary:

(If defendant is found GUILTY as a party under TEX. PEN CODE §§ 7.01, 7.02)

- The jury found beyond a reasonable doubt that the defendant actually caused the death of the deceased or did not actually cause the death of the deceased but intended to kill the deceased or another or anticipated that a human life would be taken.
- Yes (Unanimous)
- No (by at least 10 jurors)

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES, AND DECREES, that Defendant is GUILTY of the above offense.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS that the State of Texas shall recover all costs of the prosecution from the Defendant and that execution will issue.

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 . 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.
- Death.** 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 Defendant shall be confined in said Institutional Division in accordance with the provisions of the law governing the Texas Department of Criminal Justice, Institutional Division, until a date of execution of the said Defendant is imposed by this Court after receipt in this Court of mandate of affirmance from the Court of Criminal Appeals of the State of Texas. The Court ORDERS Defendant remanded to the custody of the Sheriff of this County until the Sheriff can obey the directions of this sentence.

Execution:

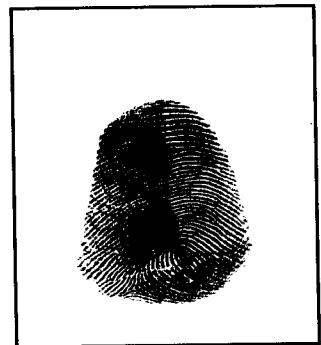
- The Court ORDERS Defendant's sentence EXECUTED.
The Court ORDERS that Defendant is given credit noted above on the sentence for the time spent incarcerated.
The Court further ORDERS Defendant to pay restitution to the person(s) named above in the amount specified.

Furthermore, the following special findings or orders apply:

Pronounced and entered on February 27, 2018

Clerk: MEM

X
HON. STEVE THOMAS
JUDGE PRESIDING



Defendant's Right Thumbprint

MEM
2-27-18