



CASE NO. CR15001914-G
COUNT ONE - PARAGRAPH TWO
INCIDENT NO./TRN: 9193357788

THE STATE OF TEXAS

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IN THE 319TH DISTRICT

vs.

COURT

ARTURO GARZA

NUECES COUNTY, TEXAS

SID: 07214157

JUDGMENT OF CONVICTION BY JURY - CAPITAL MURDER

Judge Presiding:	DAVID STITH	Date Sentence Imposed:	3/14/2019
Attorney for State:	MICHELLE PUTMAN BAR NO. 24068493	Attorney for Defendant:	RICHARD ROGERS BAR NO. 17191200

Offense for Which Defendant Convicted:
CAPITAL MURDER BY TERROR THREAT/OTHER

Charging Instrument:
INDICTMENT

Statute for Offense:
19.03(a)(7)(A) Penal Code

Date of Offense:
5/29/2015

Plea to Offense:
GUILTY

Degree of Offense:
CAPITAL MURDER

Verdict of Jury:
GUILTY

Findings on Deadly Weapon:
N/A

Punished Assessed by:
JURY

Date Sentence to Commences:
3/15/2019

Punishment and Place of Confinement:
LIFE WITHOUT PAROLE, TDCJ - CID

Court Costs:
\$ 289.00

Restitution:
\$ -0-

Restitution Payable to:
(See special finding or order of restitution which is incorporated herein by this reference.)

Was the victim impact statement returned to the attorney representing the State? **YES**

This cause was called for trial by jury and the parties appeared. The State appeared by her District Attorney as named above.

Counsel / Waiver of Counsel (select one)

- Defendant appeared with counsel.
- Defendant appeared without counsel and knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. It appeared to the Court that Defendant was mentally competent to stand 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 Defendant's guilt or innocence, 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.

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 open court, where it returned its answers to the special issues as indicated below:

(1) 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)

(2) 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 (by at least 10 jurors)
- No (unanimous)

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)

(If Defendant has a mental impairment or defect)

The jury found from a PREPONDERANCE OF THE EVIDENCE that defendant is a person with:

- Mental illness
- Mental retardation

The Court FINDS Defendant committed the above offense and ADJUDGES Defendant GUILTY of the above offense.

The Court ORDERS Defendant punished as indicated above. The Court FINDS that the State of Texas is entitled to recover all costs of the prosecution from Defendant and may issue execution.

Punishment Options

Confinement in Institutional Division. The Court ORDERS the authorized agent of the State of Texas or the County Sheriff to take, safely convey, and deliver Defendant to the DIRECTOR OF THE CORRECTIONAL INSTITUTIONS DIVISION, TDCJ, for placement in confinement in accordance with this judgment. The Court ORDERS Defendant remanded to the custody of the Sheriff until the Sheriff can obey the directions of this judgment. The Court ORDERS TDCJ to make withdrawals from Defendant's inmate account as such funds become available. The Court Orders TDCJ to pay such funds to the individual/agency cited above until the ordered restitution and court costs are paid in full. The withdrawals and payments shall be made in accordance with Section 501.014, Tex. Gov't Code.

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 OF THE CORRECTIONAL INSTITUTIONS DIVISION, TDCJ. Defendant shall be confined in said Institutions Division in accordance with the provisions of the law governing TDCJ until a date of execution of the said Defendant is imposed by this Court after receiving the 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 judgment.

Execution

The Court ORDERS Defendant's sentence EXECUTED.

After having conducted an inquiry into Defendant's ability to pay, the Court ORDERS Defendant to pay the court costs and restitution, if any, as indicated above.

Furthermore, the following special findings or orders apply:

The State dismissed Count 2 of the indictment, Unlawful Possession of Firearm by Felon.

Date Judgment Entered: MAR 26 2019

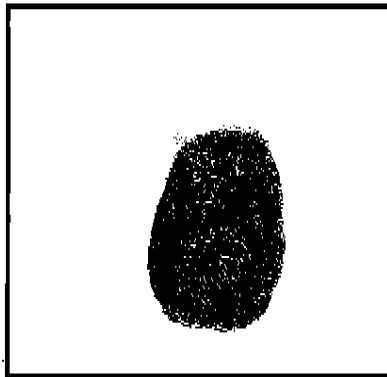
X
JUDGE PRESIDING

IN THE 319TH DISTRICT COURT
OF NUECES COUNTY, TEXAS

THE STATE OF TEXAS
VS.
ARTURO J GARZA

CAUSE NO. CR15001914-G

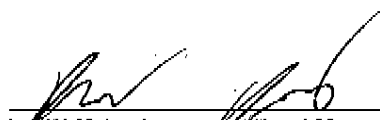
SUPPLEMENT TO JUDGMENT OR ORDER



I, Roger Reyes, Bailiff
(Name) (Title)

am qualified to take fingerprints. I hereby certify that on this day I took the above print of the thumb* of the Defendant at the time of the disposition of this cause (other than on a finding of not guilty).

Completed and signed in Court on MAR 14 2019



Bailiff (or Deputy Sheriff)
Clerk of the Court

CAUSE NO. CR15001914-G (Count 2)

THE STATE OF TEXAS

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IN THE 319th District Court OF

VS.

§

NUECES COUNTY, TEXAS

Arturo Garza

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UNL POSS FIREARM BY FELON
CHARGE

MOTION TO DISMISS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the State of Texas by and through her Criminal District Attorney, and respectfully requests the Court to dismiss the above entitled and numbered criminal action without prejudice for the following reason:

Defendant Convicted Of Capital Murder

And for cause would show the Court the following: Sentenced to life without parole.

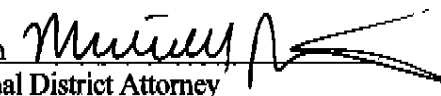
WHEREFORE, PREMISES CONSIDERED, it is requested that the above entitled and numbered cause be dismissed without prejudice.

FILED

MAR 26 2019

ANNE LORENTZEN, CLERK
COUNTY DISTRICT COURT, NUECES COUNTY, TEXAS
BY Melinda Melom DEPUTY

Respectfully Submitted,

Michelle Putman 
Assistant Criminal District Attorney
Nueces County, Texas

ORDER

The foregoing motion having been presented to me on this the _____ day of _____

MAR 26 2019

A.D., and the same having been considered, it is, therefore, ORDERED,

ADJUDGED and DECREED that said above entitled and numbered cause be and the same is hereby dismissed.



PRESIDING JUDGE
319th District Court
Nueces County, Texas