



CAUSE No. 157709201010

RECEIVED
OCT 20 2022
OFFICE OF
COURT ADMINISTRATION

INCIDENT No. /TRN: 926583112XA001

THE STATE OF TEXAS

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IN THE 182ND DISTRICT

v.

COURT

PERALTA, ERICK ALFREDO

HARRIS COUNTY, TEXAS

STATE ID No.: TX50408585

JUDGMENT OF CONVICTION BY JURY

Judge Presiding:	DANILO LACAYO	Date Sentence Imposed:	10/11/2022
Attorney for State:	LACY JOHNSON & SAMANTHA KNECHT	Attorney for Defendant:	VELA, JOSE JULIO JR.
<u>Offense for which Defendant Convicted:</u>			
CAPITAL MURDER			
<u>Charging Instrument:</u>		<u>Statute for Offense:</u>	
INDICTMENT			
<u>Date of Offense:</u>		<u>Plea to Offense:</u>	
1/13/2018		NOT GUILTY	
<u>Degree of Offense:</u>			
CAPITAL FELONY			
<u>Verdict of Jury:</u>		<u>Findings on Deadly Weapon:</u>	
GUILTY		N/A	
1 st Enhancement Paragraph:	PLEADED TRUE	Finding on 1 st Enhancement Paragraph:	FOUND TRUE
2 nd Enhancement Paragraph:	N/A	Finding on 2 nd Enhancement Paragraph:	N/A
<u>Punishment Assessed by:</u>	<u>Date Sentence Commences:</u> (Date does not apply to confinement served as a condition of community supervision)		
JURY	10/11/2022		
<u>Punishment and Place of Confinement:</u>	LIFE WITHOUT PAROLE		

THIS SENTENCE SHALL RUN: N/A.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .
(The document setting forth the conditions of community supervision is incorporated herein by this reference.)

Defendant is required to register as sex offender in accordance with Chapter 62, Tex. Code Crim. Proc.
(For sex offender registration purposes only) The age of the victim at the time of the offense was N/A .

<u>Fines:</u>	<u>Restitution:</u>	<u>Restitution Payable to:</u> N/A (See special finding or order of restitution which is incorporated herein by this reference.)
\$ N/A	\$ N/A	
<u>Court Costs:</u>	<u>Reimbursement Fees:</u>	
\$ 290.00	\$ 170.00	

Was the victim impact statement returned to the attorney representing the State? N/A
(FOR STATE JAIL FELONY OFFENSES ONLY) Is Defendant presumptively entitled to diligent participation credit in accordance with Article 42A.559, Tex. Code Crim. Proc.? N/A

Total Jail Time
Credit: 1358 If Defendant is to serve sentence in county jail or is given credit toward the fine and costs, enter days credited below.
DAYS N/A DAYS NOTES: N/A

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.
 Defendant was tried in absentia.

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, 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 returned 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.

In accordance with the jury's verdict, the Court **ADJUDGES** Defendant **GUILTY** of the above offense. The Court **FINDS** that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc.

The Court **ORDERS** Defendant punished in accordance with the jury's verdict or Court's findings as to the proper punishment as indicated above. After having conducted an inquiry into Defendant's ability to pay, the Court **ORDERS** Defendant to pay the fines, court costs, reimbursement fees, and restitution as indicated above and further detailed below.

Punishment Options (select one)

- Confinement in State Jail or Institutional Division.** The Court **ORDERS** the authorized agent of the State of Texas or the County Sheriff to take 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 County Sheriff until the Sheriff can obey the directions in this paragraph. Upon release from confinement, the Court **ORDERS** Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fines, court costs, reimbursement fees, and restitution due.
 County Jail—Confinement / Confinement in Lieu of Payment. The Court **ORDERS** Defendant committed to the custody of the County Sheriff immediately or on the date the sentence commences. Defendant shall be confined in the county jail for the period indicated above. Upon release from confinement, the Court **ORDERS** Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fines, court costs, reimbursement fees, and restitution due.
 Fine Only Payment. The punishment assessed against Defendant is for a **FINE ONLY**. The Court **ORDERS** Defendant to proceed immediately to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay the fine, court costs, reimbursement fees, and restitution ordered by the Court in this cause.
 Confinement as a Condition of Community Supervision. The Court **ORDERS** Defendant confined days in as a condition of community supervision. The period of confinement as a condition of community supervision starts when Defendant arrives at the designated facility, absent a special order to the contrary.

Fines Imposed Include (check each fine and enter each amount as pronounced by the court):

- General Fine (§12.32, 12.33, 12.34, or 12.35, Penal Code, Transp. Code, or other Code) \$ (not to exceed \$10,000)
 Add'l Monthly Fine for Sex Offenders (Art. 42A.653, Code Crim. Proc.) \$ As assessed as a Cond. CS (\$5 00/per month of community supervision)
 Child Abuse Prevention Fine (Art. 102.0186, Code Crim. Proc.) \$100
 EMS, Trauma Fine (Art. 102.0185, Code Crim. Proc.) \$100
 Family Violence Fine (Art. 42A.504 (b), Code Crim. Proc.) \$100
 Juvenile Delinquency Prevention Fine (Art. 102.0171(a), Code Crim. Proc.) \$50
 State Traffic Fine (§ 542.4031, Transp. Code) \$50
 Children's Advocacy Center Fine - as Cond of CS (Art. 42A.455, Code Crim. Proc.) \$ As assessed in Cond of CS (not to exceed \$50)
 Repayment of Reward Fine (Art. 37.073/42.152, Code Crim. Proc.) \$ (To Be Determined by the Court)
 Repayment of Reward Fine - as Cond of CS (Art. 42A.301 (b) (20), Code Crim. Proc.) \$ As assessed as a Cond. CS. (not to exceed \$50)
 DWI Traffic Fine (a/k/a Misc. Traffic Fines) (§ 709.001, Transp. Code) \$ (not to exceed \$6,000)

Execution of Sentence

- The Court **ORDERS** Defendant's sentence **EXECUTED**. The Court **FINDS** that Defendant is entitled to the jail time credit indicated above. The attorney for the state, attorney for the defendant, the County Sheriff, and any other person having or who had custody of Defendant shall assist the clerk, or person responsible for completing this judgment, in calculating Defendant's credit for time served. All supporting documentation, if any, concerning Defendant's credit for time served is incorporated herein by this reference.

Furthermore, the following special findings or orders apply:

SEE THE ATTACHED FIREARM ADMONISHMENT

Date Judgment Entered: 10/11/2022

X 
DANILO LACAYO JUDGE PRESIDING

Clerk: C GARCIA

Notice of Appeal Filed: 10/11/2022

Mandate Received: _____ Type of Mandate: _____

After Mandate Received, Sentence to Begin Date is: _____

Jail Credit: _____ DAYS



Thumbprint

Case Number: 1577092 Court: 182ND Defendant: **PERALTA, ERICK ALFREDO**

**WRITTEN ADMONITION ON INELIGIBILITY TO POSSESS FIREARM OR
AMMUNITION**

In accordance with Texas Administrative Code §176.1, the Court hereby admonishes you of the following:

1. You are, by entry of order or judgment, ineligible under Texas law to possess a firearm or ammunition.
2. Beginning now, if you possess a firearm or ammunition it could lead to charges against you. If you have questions about how long you will be ineligible to possess a firearm or ammunition, you should consult an attorney.
3. Under Texas Penal Code §46.01(3):
 - a. "Firearm" means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use
 - b. "Firearm" does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Penal Code Chapter 46 and that is (1) an antique or curio firearm manufactured before 1899 or (2) a replica of an antique or curio firearm manufactured before 1899 but only if the replica does not use rim fire or center fire ammunition.

The statutes listed below are a starting point for ineligibility to possess a firearm or ammunition. For more information about the laws that make you ineligible to possess a firearm or ammunition, or for more information on how long your ineligibility to possess a firearm or ammunition lasts, the Court recommends you contact an attorney.

- Code of Criminal Procedure Article 17.292 – Magistrate’s Order for Emergency Protection
- Code of Criminal Procedure Article 42.0131 – Notice for Persons Convicted of Misdemeanors Involving Family Violence
- Penal Code §46.02 – Unlawful Carrying Weapons
- Penal Code §46.04 – Unlawful Possession of Firearm
- Penal Code §25.07 – Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case
- Family Code §85.026 – Warning on Protective Order

DATE: 10/11/2022

DEFENDANT: *Erick Peralta*

CASE NUMBER: 157709201010

DEFENDANT NAME: PERALTA, ERICK ALFREDO