

Filed at the bench in open
Court @ 8:38 AM on 5/24
Day of March, 20 24

NO. F20-54-211

THE STATE OF TEXAS

*

Sherry Shipman
IN THE 16th JUDICIAL
Judge, 16th District Court

VS.

*

DISTRICT COURT OF

JAMARQUE WASHINGTON

*

DENTON COUNTY, TEXAS

CHARGE ON PUNISHMENT

FILED
DENTON COUNTY, TEXAS
24 MAR -5 PM 3:20
DAVID TRANTHAM
DISTRICT CLERK
DEPUTY

LADIES AND GENTLEMAN OF THE JURY:

You have found the defendant, JAMARQUE WASHINGTON, guilty of the offense of Murder, a lesser included offense of Capital Murder. It is now your duty to assess punishment.

You are instructed that the punishment for the offense of Murder shall be confinement in the Institutional Division of the Texas Department of Criminal Justice for LIFE, or for any term of not more than NINETY-NINE (99) years or less than FIVE (5) years. An optional fine not to exceed \$10,000.00 may also be assessed.

It now becomes your duty to set the punishment which should be assessed against this Defendant.

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

In arriving at the amount of punishment, it will not be proper for you to fix the same by lot, chance or any other method than by a full, fair and free exercise of the opinion of the individual jurors.

Our law provides that a defendant may testify if he elects to do so. However, in the event a defendant does not testify, the fact that he did not testify cannot be considered as evidence or

circumstance against him or anyone else. You are instructed that you cannot, and must not, refer to or allude to the election of any defendant to not testify when you enter your deliberations, or take such election into consideration for any purpose whatsoever as evidence or a circumstance against the defendant.

You are instructed that if there is testimony before you in this case regarding the defendant having committed other acts or participated in other transactions other than the offense alleged against him in the indictment in this case, that you cannot consider such other acts or transactions, if any, unless you first find and believe beyond a reasonable doubt that the defendant committed such acts or participated in such transactions, if any. If you do not so believe, or if you have a reasonable doubt thereof, you will not consider such testimony for any purpose.

The length of time for which the defendant will be imprisoned may 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 years, whichever is less. Eligibility for parole does not guarantee that parole will be granted.

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

You may consider the existence of the parole law. You are not to consider the manner in which the parole law may be applied to this particular Defendant.

In determining the punishment in this case, you are instructed that you are not to discuss among yourselves how long the Defendant will be required to serve any sentence you decide to

impose. Such matters come within the exclusive jurisdiction of the Board of Pardons and Paroles and the Governor of the State of Texas.

At times throughout the trial the Court has been called upon to pass on the question of whether or not certain offered evidence might properly be admitted. You are not to draw any inferences from them. Whether offered evidence is admissible is purely a question of law. In admitting evidence to which an objection is made, the Court does not determine what weight should be given such evidence; nor does it pass on the credibility of the witness. As to any offer of evidence that has been rejected by the Court, you, of course, must not consider the same; as to any question to which an objection was sustained, you must not conjecture as to what the answer might have been or as to the reason for the objection.

You are instructed that you are not to allow yourselves to be influenced in any degree whatsoever by what you think or surmise the opinion of the Court to be. The Court has no right by any word or any act to indicate any desire respecting its outcome. The Court has not intended to express any opinion upon any matter of fact in this case, and if you have observed anything which you have or may interpret as the Court's opinion upon any matter of fact in this case, you must wholly disregard it.

You are instructed that any statements of counsel, made during the course of the trial or during argument, not supported by the evidence, or statements of law made by counsel, not in harmony with the law as stated to you by the Court in these instructions, are to be wholly disregarded.

The Presiding Juror or any other juror who observes a violation of the Court's instructions shall immediately warn the one who is violating the same and caution the juror not to do so again.

It is the Presiding Juror's duty to preside at your deliberations, to vote with you, and, when you have unanimously agreed upon a verdict, to certify your verdict to the Court by using the appropriate form attached hereto, and signing the same as Presiding Juror.

This the 5th day of March, 2024,



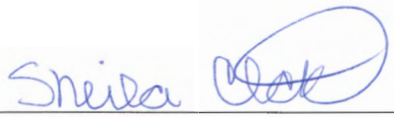
JUDGE PRESIDING

VERDICT FORM

(PRESIDING JUROR TO SIGN ONLY ONE)

We, the jury, having found the Defendant, JAMARQUE WASHINGTON, guilty of the offense of Murder, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for **LIFE**.

We further assess a fine of \$ 10,000. (Write in any amount not to exceed \$10,000 or "none").



PRESIDING JUROR

We, the jury, having found the Defendant, JAMARQUE WASHINGTON, guilty of the offense of Murder, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for _____ years. [Write in any term of not more THAN NINETY-NINE (99) years or less than FIVE (5) years].

We further assess a fine of \$ _____. (Write in any amount not to exceed \$10,000 or "none").

PRESIDING JUROR