

Case No. CR-1607-06-E (COUNT ONE)  
TRN 904 045 1729 D001

THE STATE OF TEXAS § IN THE 275TH JUDICIAL  
vs. MISAEL GONZALEZ, § DISTRICT COURT OF  
DEFENDANT § HIDALGO COUNTY, TEXAS  
SID: TX 07646649

JUDGMENT OF CONVICTION BY JURY &  
LIFE SENTENCE TO THE INSTITUTIONAL DIVISION  
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE

DATE OF JUDGMENT: May 29, 2007  
JUDGE PRESIDING: JUAN R. PARTIDA  
ATTORNEY FOR THE STATE: A. MURRAY MOORE & JOSEPH  
LEONARD  
OFFENSE CODE: 09990027  
ATTORNEY FOR THE DEFENDANT: RUBEN RAMIREZ & O. RENE FLORES  
OFFENSE: CAPITAL MURDER, AS CHARGED IN  
THE INDICTMENT  
DATE OF OFFENSE: JANUARY 1, 2006  
DEGREE OF OFFENSE: CAPITAL FELONY  
STATUTE FOR OFFENSE: 19.03 (a)(8) PENAL CODE  
APPLICABLE PUNISHMENT RANGE: LIFE  
(Including enhancements if any):  
CHARGING INSTRUMENT: INDICTMENT or INFORMATION  
PLEA TO OFFENSE: NOT GUILTY  
JURY VERDICT FOR OFFENSE: GUILTY  
PUNISHMENT IMPOSED BY COURT: LIFE IMPRISONMENT WITHOUT  
PAROLE  
PLACE OF IMPRISONMENT INSTITUTIONAL DIVISION OF THE  
TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE  
FINE: NONE  
RESTITUTION: NONE  
CREDIT FOR TIME SPENT IN JAIL: 512 DAYS  
DISMISS: CR-1607-06-E (COUNTS TWO & THREE)  
CONSIDER: NONE  
CONCURRENT WITH: NONE  
PLEA TO ENHANCEMENT NONE  
PARAGRAPH(S):  
FINDING TO ENHANCEMENT: NONE  
FINDING ON DEADLY WEAPON: NONE  
COURT COSTS: \$291.00  
DATE SENTENCE IMPOSED: MAY 29, 2007

On MAY 8, 2007, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by A. MURRAY MOORE & JOSEPH LEONARD, and Judgment of Conviction by Court & Sentence, Case No. CR-1607-06-E (COUNT ONE)

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the Defendant and the Defendant's attorney, **RUBEN RAMIREZ & O. RENE FLORES**, were also present. Thereupon both sides announced ready for trial, and the Defendant pleaded **NOT GUILTY** to the offense charged in the indictment or information. A Jury was duly selected, impaneled and sworn. Having heard the evidence submitted and having been duly charged by the Court, the Jury retired to consider their verdict. Afterward, on **MAY 25, 2007**, being brought into open court by the proper officer, the Defendant, the Defendant's Attorney and the State's Attorney being present, and being asked if the Jury had agreed upon a verdict, the Jury answered it had and returned to the Court a verdict, which was read aloud, received by the Court, and is now entered upon the minutes of the Court as follows:

**We, the Jury, find the Defendant, MISAEL GONZALEZ, GUILTY of the offense of CAPITAL MURDER as charged in the indictment.**

/S/ \_\_\_\_\_  
**PRESIDING JUROR**

Thereupon, the State having elected not to seek the death penalty as allowed under Article 37.071 Section 1 of the Texas Code of Criminal Procedure, the Court then asked the Defendant whether the Defendant had anything to say why the sentence should not be pronounced upon Defendant, and the Defendant having answered nothing in bar thereof, the Court proceeded to pronounce sentence upon Defendant.

It is therefore **ORDERED, ADJUDGED and DECREED** by the Court that the Defendant is guilty of the offense of **CAPITAL MURDER, AS CHARGED IN THE INDICTMENT, CAPITAL FELONY**, committed on **JANUARY 1, 2006**; that the punishment is fixed at **LIFE imprisonment** in the **INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE** without parole, and a Fine of **NONE**; and that the State of Texas do have and recover of the Defendant all court costs in this prosecution expended, for which execution will issue.

A pre-sentence investigation report **WAS NOT DONE** according to Article 42.12, Sec. 9, CCP.

It is further **ORDERED** by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of Hidalgo County, Texas, and be safely conveyed and delivered to the Director of the Institutional Division of the Texas Department of Criminal Justice, there to be confined in the manner and for the period aforesaid, and the Defendant is hereby remanded to the custody of the Sheriff of Hidalgo County, Texas, until such time as the Sheriff can obey the directions of this sentence.

**Furthermore, the following special findings or orders apply:**

The Court, upon the State's motion, **DISMISSED** the following count, case or complaint: **CR-1607-06-E (COUNTS TWO & THREE) STATE OF TEXAS VS. MISAEL GONZALEZ, 275TH DISTRICT COURT, HIDALGO COUNTY, TEXAS.**

The Court, upon the Defendant's request and the State's consent, **CONSIDERED** as an admitted unadjudicated offense the following count, case or complaint: **NONE.**

The Court finds that this sentence shall run concurrent with: **NONE**.

The Court finds that the Defendant shall be credited with **512 DAYS** on his sentence for time spent in jail in this cause.

The Court finds the Defendant owes **NONE** for the Fine, **NONE** in restitution, \$ \_\_\_\_\_ in court costs.

Signed on the 29 day of May, 2007.

*Julian L. Parida*  
Judge Presiding

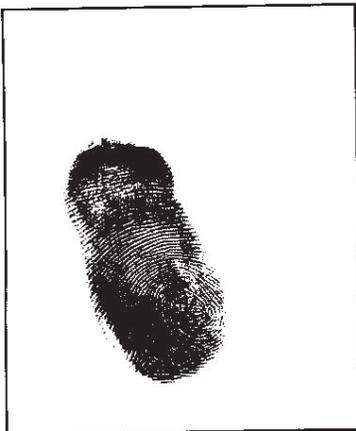
Receipt is hereby acknowledged on the date shown above of one copy of this Judgment & Sentence.

*Miguel Gonzalez*  
Defendant

*Nick Villanueva, Jr.*  
Community Supervision Officer

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Defendant's right thumbprint



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