

CAUSE NO. CR \_\_\_\_\_

INCIDENT NO./TRN: \_\_\_\_\_

THE STATE OF TEXAS

V.

§  
§  
§  
§  
§  
§

IN THE

COUNTY COURT AT LAW NO. 2

OF HUNT COUNTY, TEXAS

STATE ID No.: \_\_\_\_\_

**JUDGMENT OF CONVICTION BY COURT - WAIVER OF JURY TRIAL**

Judge Presiding: **HON. JOEL D. LITTLEFIELD**

Date Sentence Imposed:

Attorney for State: **G. CALVIN GROGAN, V**

Attorney for Defendant:

Offense for which Defendant Convicted:

Charging Instrument:

Statute for Offense:

**Information**

Date of Offense:

Plea to Offense:

Degree of Offense:

Terms of Plea Bargain (if any): Terms of Plea Bargain are attached and incorporated herein by this reference.

1<sup>st</sup> Enhancement Paragraph:

Finding on 1<sup>st</sup> Enhancement Paragraph:

2<sup>nd</sup> Enhancement Paragraph:

Finding on 2<sup>nd</sup> Enhancement Paragraph:

SENTENCE OF CONFINEMENT IS SUSPENDED /  PAYMENT OF FINE IS SUSPENDED  
DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR \_\_\_\_ MONTHS.  
(The document setting forth the conditions of community supervision is incorporated herein by this reference.)

Punishment and Place of Confinement:

DAYS HUNT COUNTY JAIL

**DATE SENTENCE COMMENCES:**  
(Date does not apply to confinement served as a condition of community supervision.)

**THIS SENTENCE SHALL RUN: CONCURRENTLY.**

Fines:

Court Costs:

Reimbursement Fees:

\$

\$270.00

\$

Restitution:

Restitution Payable to:

\$

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

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

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

This cause was called and the parties appeared. The State appeared by her County Attorney as named above.

A. **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.

B. **General Announcements / Findings / Orders**

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of the plea. The Court received the plea and entered it of record. After hearing the evidence submitted, if any, the Court **ADJUDGES** Defendant **GUILTY** of the offense indicated above. 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. Having been convicted of the offense designated above, the Court Orders Defendant punished in accordance with the findings as to the proper punishment as indicated above.

C. **Defendant's Ability to Pay Monetary Obligations** (select as appropriate)

After having conducted an inquiry into Defendant's ability to pay, as directed by Articles 26.05, 42.15, 42A.301 and 42A.655 Code of Crim Pro., the Court **FINDS**:

- Defendant has financial resources that enable Defendant to offset in part or in whole the cost of the legal services provided to Defendant. Therefore, the Court **ORDERS** Defendant to pay  all costs, or  the partial amount of \$\_\_\_\_\_ as a reimbursement fee to the County for legal services provided.
- Defendant does not have sufficient resources or income to immediately pay all or part of the fine, court costs, and reimbursement fees. Therefore, the Court **ORDERS** Defendant shall pay the fine, court costs, and reimbursement as indicated above in \_\_\_\_\_ equal payments before the 15<sup>th</sup> day of each month hereafter to the Hunt County Community Supervision Office until paid in full. The Court **ORDERS** the Hunt County Community Supervision Office to calculate the monthly payments. Payments shall be made: (a) in person to the Hunt County Community Supervision Office by cash, cashier's check, or money order only (no personal checks), or (b) by mail to the Hunt County Community Supervision Office, P.O. Box 977, Greenville, Texas 75404-0977, by cashier's check or money order only (no personal checks).
- Defendant is indigent or does not have sufficient resources to pay and each alternative method of discharging the fine, court costs, and reimbursement fees would impose an undue hardship and therefore hereby **ORDERS** the waiver of the payment of the fine, court costs, and reimbursement fees.

D. **Punishment Options** (select one, if applicable)

- County Jail — Confinement / Payment upon Release**  
The Court **ORDERS** Defendant committed to the custody of the Hunt 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 Hunt County 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 Hunt 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 Hunt County 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 restitution due. The Court hereby orders the payment of Fine, Costs and Reimbursement Fees be credited to time served by the Defendant.
- Fine Only Payment**  
The punishment assessed against Defendant is for a **FINE ONLY**. The Court **ORDERS** Defendant to proceed immediately to the Hunt County 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.

E. **Fines Imposed Include** (check each fine and enter each amount as pronounced by the Court)

- |     |                                     |   |            |
|-----|-------------------------------------|---|------------|
| 1.  | <input checked="" type="checkbox"/> | <b>General Fine</b> (§12.21 and 12.22 Penal Code, or any other Code) (not to exceed \$4,000)                              | \$         |
| 2.  | <input type="checkbox"/>            | <b>Additional Monthly Fine for Certain Sex Offenders</b> (CCP, art. 42A.653)<br>\$5.00 per month of community supervision | \$         |
| 3.  | <input type="checkbox"/>            | <b>EMS, Trauma Fine</b> (For Intoxication Convictions) (CCP, Art. 102.0185)   | \$100.00   |
| 4.  | <input type="checkbox"/>            | <b>Family Violence Fine to Women in Need</b> (CCP, art. 42A.504(b))   | \$100.00   |
| 5.  | <input type="checkbox"/>            | <b>Juvenile Delinquency Prevention Fine</b> (CCP, Art. 102.0171(a))   | \$50.00    |
| 6.  | <input type="checkbox"/>            | <b>Local Traffic Fine</b> (Transportation Code § 542.403) (All offenses listed in TC §541 thru 600)                       | \$3.00     |
| 7.  | <input type="checkbox"/>            | <b>State Traffic Fine</b> (Transportation Code § 542.4031) (All offenses listed in TC §541 thru 600)                      | \$50.00    |
| 8.  | <input type="checkbox"/>            | <b>Repayment of Reward Fine to Hunt County Crime Stoppers</b> (CCP, art. 42A.301(b)(20)) (Not to exceed \$50.00)          | \$25.00    |
| 9.  | <input type="checkbox"/>            | <b>DWI 1<sup>st</sup></b> (Transportation Code § 709.001)   | \$3,000.00 |
| 10. | <input type="checkbox"/>            | <b>DWI 2<sup>nd</sup></b> (Transportation Code § 709.001)   | \$4,500.00 |
| 11. | <input type="checkbox"/>            | <b>DWI with BAC &gt;.15</b> (Transportation Code § 709.001)   | \$6,000.00 |
| 12. | <input type="checkbox"/>            | <b>Judge finds Defendant indigent and waives all fines and costs imposed under Transp. Code § 709.001.</b>                |            |

F. **Furthermore, the following marked special findings or orders apply.**

1.  **Family Violence:** The Court enters an affirmative finding that Defendant's offense involved family violence, as defined by Section 71.004, Family Code.
2.  **Driver's License Suspension:** The Court **ORDERS** Defendant's driver's license suspended for a period of \_\_\_\_\_ days. Said Suspension shall begin thirty (30) days from Judgment.
3.  **Drug-Free Zones:** The Court **FINDS** that the offense occurred in a drug free zone, to wit: \_\_\_\_\_.
4.  **Unadjudicated Offenses:** (Tex. Penal Code §12.45) The Court **FINDS** that, with the consent of the State's attorney, Defendant admitted guilt as to the following unadjudicated offense(s) \_\_\_\_\_, and the Court agreed to take the unadjudicated offense(s) into account in determining the sentence for the offense of which Defendant was adjudged guilty. Accordingly, the Court **FINDS** prosecution is barred for the unadjudicated offense(s) listed herein.
5.  **Restitution:** The Court **FINDS** that Restitution shall be paid to the Community Supervision Office on behalf of \_\_\_\_\_ at a rate of \$ \_\_\_\_\_ on or before the 15<sup>th</sup> day of each month hereafter until paid in full. Payments may be made by cash, cashier's check, or money order (no personal checks).
6.  **Temporary Suspension of Payment:** The Court **ORDERS** all court-ordered payments, if any, suspended while Defendant is in custodial supervision, and such payments shall be reinstated thirty days after the date of Defendant's discharge from custodial supervision.
7.  **Discharge of Fines, Costs & Reimbursement Fees:** The Court **ORDERS** that for each day's confinement served, the Defendant shall receive credit toward payment of the fine and credit toward payment of costs adjudged against the Defendant in this case. Additionally, the Court **ORDERS** that the Defendant receive credit for each day's confinement served by the Defendant as punishment for this offense.
8.  **Subsequent DWI – Interlock:** (Tex. Penal Code §49.09(h)) The Court **FINDS** that Defendant is a person convicted of a second or subsequent offense relating to the operation of a motor vehicle while intoxicated within five years of the date on which the most recent proceeding was committed. The Court **ORDERS** that Defendant have installed (at his/her own cost) on each motor vehicle owned or operated by Defendant, a device that uses a deep-lung breath analysis mechanism (with camera feature) to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator, and Defendant may not, before the first anniversary of the ending date of the period of license suspension under Section 521.344 of the Transportation Code, operate any motor vehicle not equipped with that device. Defendant shall provide evidence to the Court of the installation.
9.  **Other:**

**G. 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.

**Judgment entered on the following date:** \_\_\_\_\_.

\_\_\_\_\_  
**JUDGE PRESIDING**

Receipt is hereby acknowledged on the date shown above of one copy of the above order.

**XX** \_\_\_\_\_  
**DEFENDANT**

\_\_\_\_\_  
**DEFENDANT'S ATTORNEY**

**CERTIFICATE OF THUMBPRINT**

This is to certify that the fingerprints attached to this Judgment are the above-named Defendant's fingerprints taken at the time of disposition of the above styled and numbered cause on \_\_\_\_\_.

\*Indicate here if print other than **Defendants right thumbprint** is placed in box:  
Defendant's Right Thumbprint\*

\_\_\_\_\_  
**BAILIFF/DEPUTY SHERIFF/NOTARY PUBLIC**



- left thumbprint
- left/right index finger
- other \_\_\_\_\_