

CAUSE NO. 04CR0846 ( ) TRN # \_\_\_\_\_

2007 OCT -1 PM 4:41

THE STATE OF TEXAS  
v.  
BRANDY BERGARA,  
DEFENDANT

§  
§  
§

IN THE 212TH JUDICIAL DISTRICT COURT OF GALVESTON COUNTY, TEXAS  
DISTRICT CLERK  
GALVESTON COUNTY, TX.

SID: TX 07215273

**JUDGMENT OF CONVICTION BY JURY; SENTENCE  
BY COURT TO INSTITUTIONAL DIVISION, TDCJ**

DATE OF JUDGMENT: October 1, 2007  
JUDGE PRESIDING: Susan E. Criss  
ATTORNEY FOR THE STATE: Joel H. Bennett and Felicia Kerney  
ATTORNEY FOR THE DEFENDANT: Kelly W. Case and Mark Stevens

OFFENSE: **Capital Murder**  
STATUTE FOR OFFENSE: Article , Section 19.03, Penal Code  
DEGREE OF OFFENSE: Capital Felony  
APPLICABLE PUNISHMENT RANGE

(including enhancements, if any): Life in Prison

DATE OF OFFENSE: October 11, 2002  
CHARGING INSTRUMENT: Indictment  
PLEA TO OFFENSE: Not Guilty  
PLEA TO ENHANCEMENT

PARAGRAPH(S): Not Applicable  
VERDICT FOR OFFENSE: Guilty  
FINDING ON ENHANCEMENT: Not Applicable  
AFFIRMATIVE FINDING ON

DEADLY WEAPON: Not Applicable  
OTHER AFFIRMATIVE  
SPECIAL FINDINGS: Not Applicable  
(see full text below)

DATE SENTENCE IMPOSED: October 1, 2007  
PUNISHMENT AND PLACE  
OF CONFINEMENT: **LIFE Institutional Division of the Texas  
Department of Criminal Justice, and a \$ -0- fine**

**COUNTY JAIL TIME CREDITED**

TO SENTENCE: Since 03/29/2004  
COURT COSTS: \$ 338.00 ATTORNEY FEES: \$ \_\_\_\_\_  
AMOUNT OF FINE: \$ \_\_\_\_\_ CRIME STOPPERS: \$ 25.00  
EXTRADITION COSTS: \$ \_\_\_\_\_  
TOTAL AMOUNT OF  
RESTITUTION: \$ \_\_\_\_\_

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The Defendant is given credit as stated above on this sentence for the time spent in county jail. The Defendant also is ordered to pay restitution to the person(s) named above in the amount specified above.

**Also see attached Attachment "A".**

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

Signed on the 1<sup>st</sup> day of October, A.D., 2007.



DEFENDANT'S RIGHT THUMBPRINT

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

NOTICE OF APPEAL: \_\_\_\_\_

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2009-11-11 10:30 AM

ATTACHMENT A

STATE OF TEXAS

VS.

BRANDY BERGARA

CAUSE NO. 04CR0846

( ) Pursuant to Article 42.18 8(g), of the Texas Code of Criminal Procedure the Court finds that the victim(s) of this crime is (are) owed restitution. Such restitution shall be ordered as a condition of parole.

VICTIM: \_\_\_\_\_ VICTIM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

AMOUNT: \$ \_\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

( X ) Pursuant to Article 42.18 8(g), of the Texas Code of Criminal Procedure the Defendant is ordered to pay to Latonia D. Wilson, District Clerk, of Galveston County, Room 404 Galveston County Courthouse, Galveston, Texas, \$ \_\_\_\_\_ as reimbursement for court appointed attorney fees. Such fees shall be ordered as a condition of parole.

( X ) Pursuant to Article 42.18 8(g), of the Texas Code of Criminal Procedure the Defendant is ordered to pay to Latonia D. Wilson, District Clerk, of Galveston County, Room 404 Galveston County Courthouse, Galveston, Texas, \$ 338.00 for Court Costs. Such costs shall be ordered as a condition of parole.

( ) Pursuant to Article 42.18 8(g), of the Texas Code of Criminal Procedure the Defendant is ordered to pay to Latonia D. Wilson, District Clerk, of Galveston County, Room 404 Galveston County Courthouse, Galveston, Texas, \$ \_\_\_\_\_ as a fine. Such fine shall be ordered as a condition of parole.

( X ) Pursuant to Article 37.072, 42.151 and 42.18 8(g), Texas Code of Criminal Procedure, the Defendant is ordered to pay to \_\_\_\_\_ Crime Stoppers Program, \_\_\_\_\_, \$ 25.00 as repayment for a Crime Stoppers award distributed in this case. Such repayment shall be ordered as a condition of parole.

( ) Pursuant to Article 42.18 8(g), of the Texas Code of Criminal Procedure the Defendant is ordered to pay to the G.C.C.S.C.D. \$ \_\_\_\_\_ to reimburse the County for extradition costs. Such costs shall be ordered as a condition of parole.

( ) Attend and successfully complete a program designed to educate persons on the dangers of drug abuse pursuant to V.T.C.A. Transportation Code, Section 521.374.

( ) The Defendant's driver's license will be suspended for 180 days and continue for an indefinite period up and until the Defendant completes the education program pursuant to V.T.C.A. Transportation Code, Section 521.372.

( ) The Defendant's driver's license will be suspended for one (1) year.

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LATONIA D. WILSON  
DISTRICT CLERK  
GALVESTON COUNTY, TX.

NO. 030 - 0447 - 340  
11/14/07