



CASE NO. 1074292
INCIDENT NO./TRN: 9037233163-A001

THE STATE OF TEXAS

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IN THE 208TH DISTRICT

V.

COURT

ASHLEY ERVIN

HARRIS COUNTY, TEXAS

STATE ID No.:TX07757051

JUDGMENT OF CONVICTION BY JURY—NON-DEATH CAPITAL

Judge Presiding: HON. DENISE COLLINS Date Judgment Entered: 2/13/2008

Attorney for State: L ANDREWS Attorney for Defendant: J MONKS

Offense for which Defendant Convicted: CAPITAL MURDER

Charging Instrument: INDICTMENT Statute for Offense: N/A

Date of Offense: 5/26/2006

Degree of Offense: CAPITAL FELONY Plea to Offense: NOT GUILTY

Verdict of Jury: GUILTY Findings on Deadly Weapon: YES, A FIREARM

Plea to 1st Enhancement Paragraph: N/A Plea to 2nd Enhancement/Habitual Paragraph: N/A

Findings on 1st Enhancement Paragraph: N/A Findings on 2nd Enhancement/Habitual Paragraph: N/A

Punished Assessed by: COURT Date Sentence Imposed: 2/13/2008 Date Sentence to Commence: 2/13/2008

Punishment and Place of Confinement: LIFE, INSTITUTIONAL DIVISION, TDCJ

w/o Parole THIS SENTENCE SHALL RUN CONCURRENTLY.

Fine: \$ N/A Court Costs: \$ 280.00 Restitution: \$ N/A Restitution Payable to: [ ] VICTIM (see below) [ ] AGENCY/AGENT (see below)

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62.

The age of the victim at the time of the offense was N/A

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

Table with 4 columns: From, to, From, to. Row 1: 6/24/2006, 2/13/2008, blank, blank. Row 2: blank, blank, blank, blank. Row 3: blank, blank, blank, blank.

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

N/A DAYS NOTES: N/A

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Harris County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)

- [X] Defendant appeared in person with Counsel.
[ ] Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.
It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for trial. A jury was selected, impaneled, and sworn. The INDICTMENT was read to the jury, 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. The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

The Court ORDERS Defendant's sentence EXECUTED. The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

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

**Deadly Weapon.**

The Court FINDS Defendant used or exhibited a deadly weapon, namely, A FIREARM, during the commission of a felony offense or during immediate flight therefrom or was a party to the offense and knew that a deadly weapon would be used or exhibited. TEX. CODE CRIM. PROC. art. 42.12 §3g.

Signed and entered on February 13, 2008

X /s/ Denise Collins  
**HONORABLE DENISE COLLINS**  
JUDGE PRESIDING

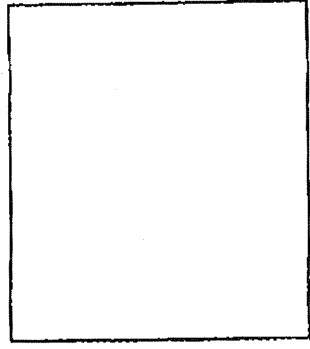
Ntc Appeal Filed: 2/19/08 Mandate Rec'd: \_\_\_\_\_

After Mandate Received, Sentence to Begin Date is: \_\_\_\_\_

Def. Received on \_\_\_\_\_ at \_\_\_\_\_ AM / PM

By: \_\_\_\_\_, Deputy Sheriff of Harris County

Clerk: \_\_\_\_\_



Right Thumbprint



13/094

Cause No. 1074292

The State of Texas

v.

Ashley Ervin

a/k/a \_\_\_\_\_

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In the 208th District Court or County Criminal Court at Law No. \_\_\_\_\_  
Harris County, Texas

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## ENTRY OF JUDGMENT NUNC PRO TUNC

Today, the Court held a hearing on

- the State's written motion for judgment nunc pro tunc.  
 the Defendant's written motion for judgment nunc pro tunc.  
 its own motion.

Satisfied from its own recollection and / or from the evidence presented the Court grants the motion and **ORDERS** entry of the following judgment in the minutes of the Court in the above styled and numbered case to make the following correction:

The 1<sup>st</sup> judgement written up was the incorrect judgement. The new and correct judgement indicates "Life withiut Parole".

If applicable, the judgment nunc pro tunc supersedes the erroneous judgment previously entered and attached.

Signed this date: March 5, 2008.A handwritten signature in cursive script that reads "Jennie Collins".

Jennie Collins  
Judge Presiding