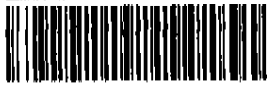


10-DCR-054995A
JURY
Jury
2283042



Cause Nos. 10-DCR-54992A
10-DCR-54995A
11-DCR-56930A

STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

FORT BEND COUNTY, TEXAS

LARRLYON DESHUN WILLIAMS

240TH JUDICIAL DISTRICT

CHARGE OF THE COURT

LADIES AND GENTLEMEN OF THE JURY:

I.

By your verdict returned in this case you have found the defendant guilty of the offense of Aggravated Assault with a Deadly Weapon (10-DCR-54992A), Aggravated Assault of a Public Servant (10-DCR-54995A), and Aggravated Robbery (11-DCR-56930), all which were alleged to have been committed on or about the 22nd day of May, 2010 in Fort Bend County, Texas. It is necessary now for the jury to assess and fix punishment for these offenses.

You are instructed that the range of punishment for Aggravated Assault with a Deadly Weapon, Aggravated Assault of a Public Servant, and Aggravated Robbery is confinement in the Institutional Division in the Texas Department of Criminal Justice for a period of not less than five (5) years nor more than ninety-nine (99) years, or life. Additionally, the jury in its discretion, may, if it chooses, assess a fine in any amount not to exceed \$10,000.00, in addition to said confinement. Therefore, you will assess the punishment, upon said finding of guilt, at any term of years not less than five (5) years nor more than ninety-nine (99) years, or life in the Institutional Division of the Texas Department of Criminal Justice; and in addition, if you choose to assess a fine in addition to such confinement, you will assess such fine in an amount not to

exceed \$10,000.00.

II.

You are further instructed that in fixing the defendant's punishment, which you will show in your verdict, you may take into consideration all 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.

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 indictments 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, but if you do not so believe, or if you have a reasonable doubt thereof, you will not consider such testimony for any purpose.

III.

Under the law applicable in this case, the defendant, if sentenced to a term of imprisonment, may earn time off the period of incarceration imposed through the award of good conduct time. Prison authorities may award good conduct time to a prisoner who exhibits good behavior, diligence in carrying out prison work assignments, and attempts at rehabilitation. If a prisoner engages in misconduct, prison authorities may also take away all or part of any good conduct time earned by the prisoner.

It is also possible that the length of time for which the defendant will be imprisoned might 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, without consideration of any good conduct time he may earn.

Eligibility for parole does not guarantee that parole will be granted.

It cannot accurately be predicted how the parole law and good conduct time might be applied to this defendant if he is sentenced to a term of imprisonment, because the application of these laws will depend on decisions made by prison and parole authorities.

You may consider the existence of the parole law and good conduct time. However, you are not to consider the extent to which good conduct time may be awarded to or forfeited by this particular defendant. You are not to consider the manner in which the parole law may be applied to this particular defendant.

You are further instructed that when an accused is found guilty of more than one offense arising out of the same criminal episode and prosecuted in a single criminal action, as was done in this instance, the sentences for each offense for which he has been found guilty shall run concurrently.

IV.

The defendant has filed his sworn motion for "community supervision," also known herein as "probation," alleging that he has never before been convicted of a felony in this State or any other State. Our law provides that when the Jury finds the defendant guilty and the punishment assessed by the Jury does not exceed ten years imprisonment, and the Jury finds in its verdict that the defendant has never been convicted of a felony in this State or in any other state, the Jury may recommend to the judge that the imposition of the sentence be suspended and the defendant placed on community supervision under supervision of the court. The Court shall grant community supervision if the Jury recommends it in their verdict.

"Community supervision" or "probation" means the supervised release of a convicted defendant by a court under a continuum of programs and sanctions with conditions imposed by the court for a specified period during which the imposition of sentence is suspended.

A defendant who has been placed on community supervision and who subsequently violates his conditions of community supervision shall be brought before the judge, and the judge, after a hearing without a jury may either continue or revoke community supervision. If the community supervision is revoked, the judge shall assess punishment not to exceed that assessed by the jury.

Now, if you find true that the defendant has never been convicted of a felony in this State or any other State, you may in your sound discretion recommend that the defendant be placed on community supervision. If you desire the defendant to be placed on community supervision, let your verdict show that you find that the defendant has never been convicted of a felony in this State or any other State and further show that you recommend community supervision. Whether you do, or do not, recommend community supervision for the defendant is a matter that rests within the sound discretion of the jury. If you do not desire to recommend community supervision, you will not mention the matter of community supervision at all in your verdict.

V.

You are charged that it is only from the witness stand that the jury is permitted to receive evidence regarding the case, or any witness therein, and no juror is permitted to communicate to any other juror anything he or she may have heard regarding the case or any witness therein, from any source other than the witness stand. In deliberating on the cause you are not to refer to or discuss any matter or issue not in evidence before you; nor talk about this case to anyone not of your jury; and after the reading of this charge you shall not separate from each other until you have reached a verdict.

You are the exclusive judges of the facts proved, of the credibility of the witnesses and the weight to be given their testimony, but the law you shall receive in these written instructions,

and you must be governed thereby. You may make reasonable inferences from the evidence admitted.

No one has any authority to communicate with you except the officer who has you in charge. During your deliberations in this case, you must not consider, discuss, nor relate any matters not in evidence before you. You should not consider nor mention any personal knowledge or information you may have about any fact or person connected with this case which is not shown by the evidence.

After you have retired, you may communicate with this court in writing through the officer who has you in charge. Do not attempt to talk to the officer who has you in charge, or the attorneys, or the court, or anyone else concerning any questions you may have.

Your verdict must be by a unanimous vote of all members of the jury. In arriving at your verdict, it will not be proper 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 under the evidence admitted before you.

Your verdict must be in writing and signed by your presiding juror. After you have reached a unanimous verdict, the presiding juror will certify thereto by filling in the verdict form attached to this charge and signing his or her name as presiding juror.

After the arguments of counsel, you will retire to consider your verdict.

FILED

JAN 25 2013

AT 9:43 A.M.

Ann Marie Elliott
Clerk District Court, Fort Bend Co., TX

Thomas R. Culver III

Thomas R. Culver III
Presiding Judge
240th Judicial District Court
Fort Bend County, Texas

CAUSE NO. 10DCR54992A

STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

FORT BEND COUNTY, TEXAS

LARRLYON DESHUN WILLIAMS

240TH JUDICIAL DISTRICT

VERDICT

(Please select one)

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Assault with a Deadly Weapon as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for life. In addition, we assess a fine of \$ _____ [Zero (0) to Ten Thousand (10,000) dollars].

Presiding Juror

OR

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Assault with a Deadly Weapon as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of forty five (45) years [five (5) to ninety-nine (99) years]. In addition, we assess a fine of \$ 10,000. [Zero (0) to Ten Thousand (10,000) dollars].

FILED

Simon Miller
Presiding Juror

JAN 25 2013

AT *D. J. ...*
Carrie ...
Clerk District Court, Fort Bend Co., TX

OR

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Assault with a Deadly Weapon as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal

Justice for a period of _____ years [five (5) to ten (10) years]. In addition, we assess a fine of \$ _____ [Zero (0) to Ten Thousand (10,000) dollars]; and having found that the defendant has never before been convicted of a felony offense in this State or any other State, we DO recommend that the imposition of his sentence of _____ (confinement only OR confinement and fine) be suspended and that he be granted community supervision.

Presiding Juror

After documenting your verdict in this cause number please go on to consider the next cause number as detailed in the following page.

CAUSE NO. 10DCR54995A

STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

FORT BEND COUNTY, TEXAS

LARRLYON DESHUN WILLIAMS

240TH JUDICIAL DISTRICT

VERDICT

(Please select one)

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Assault of a Public Servant as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for life. In addition, we assess a fine of \$ _____ [Zero (0) to Ten Thousand (10,000) dollars].

Presiding Juror

OR

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Assault of a Public Servant as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of forty five (45) years [five (5) to ninety-nine (99) years]. In addition, we assess a fine of \$ 10,000⁰⁰ [Zero (0) to Ten Thousand (10,000) dollars].

Jim Miller
Presiding Juror

FILED

JAN 25 2013

AT

10:40 M.

OR

Quinn P. ...
Clerk District Court, Fort Bend Co., TX

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the

offense of Aggravated Assault of a Public Servant as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of _____ years [five (5) to ten (10) years]. In addition, we assess a fine of \$ _____ [Zero (0) to Ten Thousand (10,000) dollars]; and having found that the defendant has never before been convicted of a felony offense in this State or any other State, we DO recommend that the imposition of his sentence of _____ (confinement only OR confinement and fine) be suspended and that he be granted community supervision.

Presiding Juror

After documenting your verdict in this cause number please go on to consider the next cause number as detailed in the following page.

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CAUSE NO. 11-DCR-56930A

STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

FORT BEND COUNTY, TEXAS

LARRLYON DESHUN WILLIAMS

240TH JUDICIAL DISTRICT

VERDICT

(Please select one)

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Robbery as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for life. In addition, we assess a fine of \$ _____ [Zero (0) to Ten Thousand (10,000) dollars].

Presiding Juror

OR

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Robbery as charged in the indictment, assess his punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of thirty (30) years [five (5) to ninety-nine (99) years]. In addition, we assess a fine of \$ Zero [Zero (0) to Ten Thousand (10,000) dollars].

Diana Miller
Presiding Juror

FILED

JAN 25 2013

AT _____
[Signature]
Clerk, District Court, Fort Bend Co.

OR

We, the Jury, having found the defendant, Larrlyon Deshun Williams, guilty of the offense of Aggravated Robbery as charged in the indictment, assess his punishment at

confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of _____ years [five (5) to ten (10) years]. In addition, we assess a fine of \$ _____ [Zero (0) to Ten Thousand (10,000) dollars]; and having found that the defendant has never before been convicted of a felony offense in this State or any other State, we DO recommend that the imposition of his sentence of _____ (confinement only OR confinement and fine) be suspended and that he be granted community supervision.

Presiding Juror

Replacement Instruction for Subparagraph 3 in Paragraph III of the Court's Charge

Please disregard subparagraph 3 in paragraph III of the previous charge and follow the instructions contained below as the new subparagraph 3 in paragraph III to your charge:

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 thirty (30) years, whichever is less, without consideration of any good conduct time he may earn. Eligibility for parole does not guarantee that parole will be granted. It cannot accurately be predicted how the parole law and good conduct time might be applied to this defendant if he is sentenced to a term of imprisonment, because the application of these laws will depend on decisions made by prison and parole authorities.



Thomas R. Culver III
Presiding Judge
240th District Court
Fort Bend County, Texas

FILED

JAN 25 2013

AT

10:37 J.M.


Clerk District Court, Fort Bend Co., TX