

NO. 1827911

THE STATE OF TEXAS § IN THE CRIMINAL DISTRICT
VS. § COURT NO. 3
LAMONT COUSINS § TARRANT COUNTY, TEXAS

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

COURT'S CHARGE

MEMBERS OF THE JURY:

APR 30 2025

TIME 1:54 pm
BY [Signature] DEPUTY

You have found the Defendant, Lamont Cousins, guilty of the offense of capital murder. You are instructed that the defendant shall be punished by confinement in the Texas Department of Criminal Justice for life without parole or by death. It is now necessary for you to determine, from all the evidence in the case, the answers to certain Special Issues, which are as follows:

SPECIAL ISSUE NUMBER 1: Do you find from the evidence beyond a reasonable doubt that there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society?

You shall answer Special Issue Number 1 "Yes" or "No."

The prosecution has the burden of proving that the answer to Special Issue Number 1 should be "Yes," and it must do so by proving a "Yes" answer to Special Issue Number 1 beyond a reasonable doubt. If the State fails to do so, you must answer Special Issue Number 1 "No."

In deliberating on Special Issue Number 1, the jury shall consider all evidence admitted at the guilt or innocence stage and the punishment stage, including

evidence of the defendant's background or character or the circumstances of the offense that militates for or mitigates against the imposition of the death penalty.

Members of the jury need not agree on what particular evidence supports a "No" answer to Special Issue Number 1.

You may not answer Special Issue Number 1 "Yes" unless you agree unanimously. You may not answer Special Issue Number 1 "No" unless ten (10) or more jurors agree.

If the jury answers Special Issue Number 1 "Yes," then you shall answer the following Special Issue Number 2. If the jury answers Special Issue Number 1 "No," do not answer Special Issue Number 2 or Special Issue Number 3.

SPECIAL ISSUE NUMBER 2: Do you find beyond a reasonable doubt that the defendant actually caused the death of the deceased or did not actually cause the death of the deceased but intended to kill the deceased or another or anticipated that a human life would be taken?

You shall answer Special Issue Number 2 "Yes" or "No."

The prosecution has the burden of proving that the answer to Special Issue Number 2 should be "Yes," and it must do so by proving a "Yes" answer to Special Issue Number 2 beyond a reasonable doubt. If the State fails to do so, you must answer Special Issue Number 2 "No."

In deliberating on Special Issue Number 2, the jury shall consider all evidence admitted at the guilt or innocence stage and the punishment stage, including evidence of the defendant's background or character or the circumstances of the offense that militates for or mitigates against the imposition of the death penalty.

Members of the jury need not agree on what particular evidence supports a “No” answer to Special Issue Number 2.

You may not answer Special Issue Number 2 “Yes” unless you agree unanimously. You may not answer Special Issue Number 2 “No” unless ten (10) or more jurors agree.

If the jury answers Special Issue Number 2 “Yes,” then you shall answer the following Special Issue Number 3. If the jury answers Special Issue Number 2 “No,” do not answer Special Issue Number 3.

SPECIAL ISSUE NUMBER 3: Taking into consideration all of the evidence, including the circumstances of the offense, the defendant’s character and background, and the personal moral culpability of the defendant, do you find that there is a sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment without parole rather than a death sentence be imposed?

You shall answer Special Issue Number 3 “Yes” or “No.”

You are instructed that you may not answer Special Issue Number 3 “No” unless you agree unanimously. You may not answer Special Issue Number 3 “Yes” unless ten (10) or more jurors agree.

You are instructed that if a jury answers that a circumstance or circumstances warrant that a sentence of life imprisonment without parole rather than a death sentence be imposed, the Court will sentence the defendant to imprisonment in the Texas Department of Criminal Justice for life without parole. Under the law applicable in this case, if the defendant is sentenced to confinement for life without

parole in the Texas Department of Criminal Justice, the defendant will be ineligible for release from the department on parole.

Members of the jury need not agree on what particular evidence supports a “Yes” answer on Special Issue Number 3.

In deliberating on Special Issue Number 3, you shall consider mitigating evidence to be evidence that a juror might regard as reducing the Defendant’s moral blameworthiness.

If the jury returns a “Yes” answer on Special Issue Number 1 and Special Issue Number 2 and a “No” answer on Special Issue Number 3, the Court shall sentence the defendant to death. If the jury returns a “No” answer on Special Issue Number 1 or Special Issue Number 2 or a “Yes” answer to Special Issue Number 3, the Court shall sentence the defendant to confinement in the Texas Department of Criminal Justice for life without parole.

The State has introduced evidence of extraneous crimes or bad acts other than the one charged in the indictment in this case. This evidence was admitted only for the purpose of assisting you, if it does, in deciding punishment. You cannot consider the evidence for any purpose unless you find and believe beyond a reasonable doubt that the defendant committed such acts, if any.

While you should consider only the evidence, you are permitted to draw such reasonable inferences from the testimony and exhibits as you feel are justified in the light of common experience. In other words, you may make deductions and reach

conclusions that reason and common sense lead you to draw from the facts which have been established by the evidence.

Our law provides a defendant may testify in his own behalf if he elects to do so. This, however, is a privilege accorded to the defendant, and in the event he does not testify, that fact cannot be taken as a circumstance against him. In this case the defendant has not testified, and you are instructed that you cannot and must not refer or allude to this fact throughout your deliberations or take it into consideration for any purpose whatsoever as a circumstance against the defendant.

In deliberating on this case, you shall consider the charge as a whole and you must not refer to or discuss any matters not in evidence before you. You must not consider or mention any personal knowledge or information you may have about any facts or person connected with this case that is not shown by the evidence. You shall not consult law books or anything not in evidence in this case.

During your deliberations, you must not communicate with or provide any information to anyone by any means about this case. You may not use any electronic device or media, such as a telephone, cell phone, smart phone, iPhone, or computer; the internet, any internet or social media service to communicate to anyone any information about this case or to conduct any research about this case until I accept your verdict, if any.


It is your duty to consult with one another and to deliberate in an effort to reach agreement if you can do so. Each of you must decide the case for yourself, but only after an impartial consideration of the evidence with your fellow jurors. During

your deliberations, do not hesitate to reexamine your own opinions and change your mind if convinced that you were wrong. But do not give up your honest beliefs as to the weight or effect of the evidence solely because of the opinion of your fellow jurors, or for the mere purpose of returning a verdict.

It will not be proper for you to arrive at your answers to the Special Issue or Issues by lot, chance, or any other random method. Your answers, if any, must be arrived at by a full, fair, and free exchange of the opinions of each individual juror. Each of you must decide the case for yourself, but only after an impartial consideration of the evidence with your fellow jurors. Do not give up your honest beliefs as to the weight or effect of the evidence solely because of the opinion of your fellow jurors, or for the mere purpose of answering the Special Issues.

Any further communication must be in writing signed by your presiding juror through the bailiff to the Court, except as to your personal needs, which may be communicated orally to the bailiff. Do not attempt to talk to the bailiff, the attorneys, or the Court regarding any questions you may have concerning the trial of the case.

After argument of counsel, you will retire to the jury room to deliberate. When you have reached a verdict, you may use the attached forms to indicate your answers to the Special Issue or Issues, and your presiding juror should sign the appropriate form certifying to your verdict.



HON. DOUGLAS A. ALLEN
Criminal District Court No. 3
Tarrant County, Texas

ANSWERS TO SPECIAL ISSUE(S)

SPECIAL ISSUE NUMBER 1:

Do you find from the evidence beyond a reasonable doubt that there is a probability that the Defendant would commit criminal acts of violence that would constitute a continuing threat to society?

In your verdict, you will answer "Yes" or "No."

Answer: We, the jury, unanimously find from the evidence beyond a reasonable doubt that the answer to Special Issue Number 1 is "Yes."

PRESIDING JUROR

OR

Answer: We, the jury, because at least ten (10) jurors agree, find that the answer to Special Issue Number 1 is "No."

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

MAY 01 2025

TIME 10:20am
BY [Signature] DEPUTY

Christine Balthrop
PRESIDING JUROR

If your answer to Special Issue Number 1 is "Yes," then you will answer Special Issue Number 2; otherwise, you will not answer Special Issue Number 2 or Special Issue Number 3.

SPECIAL ISSUE NUMBER 2:

Do you find beyond a reasonable doubt that the defendant actually caused the death of the deceased or did not actually cause the death of the deceased but intended to kill the deceased or another or anticipated that a human life would be taken?

In your verdict, you will answer “Yes” or “No.”

Answer: We, the jury, unanimously find from the evidence beyond a reasonable doubt that the answer to Special Issue Number 2 is “Yes.”

PRESIDING JUROR

OR

Answer: We, the jury, because at least ten (10) jurors agree, find that the answer to Special Issue Number 2 is “No.”

PRESIDING JUROR

If your answer to Special Issue Number 2 is “Yes,” then you will answer Special Issue Number 3; otherwise, you will not answer Special Issue Number 3.

SPECIAL ISSUE NUMBER 3:

Taking into consideration all of the evidence, including the circumstances of the offense, the Defendant's character and background, and the personal moral culpability of the Defendant, do you find that there is a sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment without parole rather than a death sentence be imposed?

In your verdict, you will answer "Yes" or "No."

Answer: We, the jury, unanimously find that the answer to Special Issue Number 3 is "No."

PRESIDING JUROR

OR

Answer: We, the jury, because at least ten (10) jurors agree, find that the answer to Special Issue Number 3 is "Yes."

PRESIDING JUROR

NO. 1827911

THE STATE OF TEXAS	§	IN THE CRIMINAL DISTRICT
VS.	§	COURT NO. 3
LAMONT COUSINS	§	TARRANT COUNTY, TEXAS

COURT'S CHARGE

MEMBERS OF THE JURY:

In any jury trial there are, in effect, two judges. I am one of the judges; the other is the jury. It is my duty to preside over the trial and to decide what evidence is proper for your consideration. It is also my duty at the end of the trial to explain to you the rules of law that you must follow and apply in arriving at your verdict.

First, I will give you some general instructions which apply in every case. Then I will give you some specific rules of law about this particular case, and finally I will explain to you the procedures you should follow in your deliberations.

You, as jurors, are the judges of the facts. But in determining what actually happened, that is, in reaching your decision as to the facts, it is your sworn duty to follow all of the rules of law as I explain them to you.

You have no right to disregard or give special attention to any one instruction, or to question the wisdom or correctness of any rule I may state to you. You must not substitute or follow your own notion or opinion as to what the law is or ought to be. It is your duty to apply the law as I explain it to you, regardless of the consequences. It is also your duty to base your verdict solely upon the evidence that has been presented to you in court.

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

APR 22 2025
TIME 9:57am
BY HV DEPUTY

All persons are presumed to be innocent and no person may be convicted of an offense unless each element of the offense is proved beyond a reasonable doubt. The fact that a person has been arrested, confined, or indicted for, or otherwise charged with the offense gives rise to no inference of guilt at his trial.

The law does not require a defendant to prove his innocence or produce any evidence at all. The presumption of innocence alone is sufficient to acquit the defendant, unless the jurors are satisfied beyond a reasonable doubt of the defendant's guilt after careful and impartial consideration of all the evidence in the case. The prosecution has the burden of proving the defendant guilty and it must do so by proving each and every element of the offense charged beyond a reasonable doubt and if it fails to do so, you must acquit the defendant.

It is not required that the prosecution prove guilt beyond all possible doubt; it is required that the prosecution's proof excludes all "reasonable doubt" concerning the defendant's guilt.

As you determine the facts, you must consider only the evidence presented during the trial, including the sworn testimony of the witnesses and the exhibits. Remember that any statements, objections, or arguments made by the lawyers are not evidence.

Also, do not assume from anything I may have done or said during the trial that I have any opinion concerning any of the issues in this case. Except for the instructions to you on the law, you should disregard anything I may have said during the trial in arriving at your own findings as to the facts.

While you should consider only the evidence, you are permitted to draw such reasonable inferences from the testimony and exhibits as you feel are justified in the light of common experience. In other words, you may make deductions and reach conclusions that reason and common sense lead you to draw from the facts which have been established by the evidence.

You are to decide whether the state has proved beyond a reasonable doubt that the defendant is guilty of the crime charged. The defendant is not on trial for any act, conduct, or offense not alleged in the indictment. Neither are you concerned with the guilt of any person or persons not on trial as a defendant in this case.

Our law provides a defendant may testify in his own behalf if he elects to do so. This, however, is a privilege accorded to the defendant, and in the event he does not testify, that fact cannot be taken as a circumstance against him. In this case the defendant has not testified, and you are instructed that you cannot and must not refer or allude to this fact throughout your deliberations or take it into consideration for any purpose whatsoever as a circumstance against the defendant.

Now, bearing in mind these instructions, the defendant, Lamont Cousins, stands charged by indictment in Count One with the offense of capital murder, alleged to have been committed in Tarrant County, Texas, on or about the 14th day of December 2020. To this charge the defendant has pleaded not guilty.

A person commits the offense of murder if he intentionally or knowingly causes the death of an individual.

A person commits capital murder when such person murders more than one person during the same criminal transaction or pursuant to the same scheme or course of conduct but during different criminal transactions.

“Individual” means a human being who is alive.

A person acts intentionally, or with intent, with respect to a result of his conduct when it is his conscious objective or desire to cause the result.

A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.

“Firearm” means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

You are instructed as the law in this case that the State is not required to prove the exact date alleged in the indictment, but may prove the offense, if any, to have been committed at any time prior to the presentment of the indictment, and before the expiration of the statute of limitations. There is no statute of limitations for the offense of capital murder. The court has taken judicial notice of June 3, 2024 as the date of the return of the indictment in this case.

You are instructed that the indictment or information, or any pleading in the case, may allege that the offense was committed in the county where the prosecution is carried on. To sustain the allegation of venue, it shall only be necessary to prove by the preponderance of the evidence that by reason of the facts in the case, the county

where such prosecution is carried on has venue. Proof of venue must be demonstrated by either direct or circumstantial evidence.

“Venue,” as applied to criminal cases, means the place in which the prosecution is to begin.

When conduct constituting a single offense is committed in more than one county, venue is proper in any of those counties.

Preponderance of the evidence means the greater weight and degree of credible evidence.

You are instructed that if there is any testimony before you in this case regarding the defendant's having committed crimes, wrongs or acts other than the crimes alleged in the indictment in this case, you cannot consider said testimony for any purpose unless you find and believe beyond a reasonable doubt that the defendant committed such other crimes, wrongs or acts, if any were committed, and even then you may only consider those other crimes, wrongs or acts in determining the proof of motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident, if any, in connection with the crime alleged in the indictment in this case, and for no other purpose.

Upon the law of accomplice witness testimony, you are instructed that you cannot convict the defendant upon accomplice testimony, unless you first believe that the testimony is true and shows the guilt of the defendant as charged in the indictment, and then you cannot convict the defendant unless such testimony is corroborated by other evidence tending to connect the defendant with the offense

charged. The corroboration is not sufficient if it merely shows the commission of an offense, but it must tend to connect the defendant with its commission, and then from all the evidence, you must believe beyond a reasonable doubt that the defendant is guilty of the offense charged against him. You are instructed that Andrew Vandermeer is an accomplice as a matter of law, if any offense was committed, as alleged in the indictment.

A person is criminally responsible as a party to an offense if the offense is committed by his own conduct, by the conduct of another for which he is criminally responsible, or by both.

Each party to an offense may be charged with commission of the offense.

A person is criminally responsible for an offense committed by the conduct of another if, acting with intent to promote or assist the commission of the offense, he solicits, encourages, directs, aids, or attempts to aid the other person to commit the offense. Mere presence alone will not constitute one a party to an offense.

Now, if you find from the evidence beyond a reasonable doubt that on or about the 14th day of December 2020, in Tarrant County, Texas, the defendant, Lamont Cousins, acting either alone or as a party, did intentionally or knowingly cause the death of an individual, Virginia Lewis, by shooting her with a firearm, and did intentionally or knowingly cause the death of an individual, Clayton Turrentine, by shooting him with a firearm, and both murders were committed during the same criminal transaction, or pursuant to the same scheme or course of conduct, but during

different criminal transactions, then you will find the defendant guilty of capital murder as charged in the indictment.

If you have a reasonable doubt thereof, then you will acquit the defendant and say by your verdict not guilty.

It is your duty to consult with one another and to deliberate in an effort to reach agreement if you can do so. Each of you must decide the case for yourself, but only after an impartial consideration of the evidence with your fellow jurors. During your deliberations, do not hesitate to reexamine your own opinions and change your mind if convinced that you were wrong. But do not give up your honest beliefs as to the weight or effect of the evidence solely because of the opinion of your fellow jurors, or for the mere purpose of returning a verdict.

Remember at all times, you are judges of the facts. Your sole duty is to decide whether the state has proved the defendant guilty beyond a reasonable doubt.

When you go to the jury room, the first thing that you should do is select one of your number as your presiding juror, who will help to guide your deliberations and will speak for you here in the courtroom.


During your deliberations, you must not communicate with or provide any information to anyone by any means about this case. You may not use any electronic device or media, such as a telephone, cell phone, smart phone, iPhone, or computer; the internet, any internet or social media service to communicate to anyone any information about this case or to conduct any research about this case until I accept your verdict, if any.

Any verdict you render must be unanimous.

At the conclusion of your deliberations, the presiding juror should sign the appropriate verdict form, if any.

If you need to communicate with me during your deliberations, the presiding juror should write the message, ring the jury call button on the wall, and give it to the bailiff. I will either reply in writing or bring you back into the court to answer your message.

You are the exclusive judges of the facts proved, of the credibility of the witnesses and of the weight to be given to their testimony, but you are bound to receive the law from the Court, which is herein given, and be governed thereby.



DOUGLAS A. ALLEN, Judge
Criminal District Court No. 3
Tarrant County, Texas

VERDICT FORMS

We, the jury, find the defendant, Lamont Cousins, guilty of the offense of capital murder, as charged in the indictment.

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

APR 22 2025

TIME 11:58am
BY KP DEPUTY

Christine Balthrop
PRESIDING JUROR

-OR-

We, the jury, find the defendant, Lamont Cousins, not guilty.

PRESIDING JUROR