

FILED
AT 3:23 O'CLOCK PM
FEB 12 2020

Case No. CR-0963-18-B
TRN 9127948749 A001

THE STATE OF TEXAS
v. FABIAN MARTINEZ
PAREDES,
DEFENDANT
SID: TX 7775965

§
§
§

IN THE 93RD DISTRICT COURT OF
HIDALGO COUNTY, TEXAS
Laura Hinojosa, Clerk
Deputy #4

JUDGMENT OF CONVICTION BY JURY
& SENTENCE TO THE INSTITUTIONAL DIVISION OF
THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE

DATE OF JUDGMENT: February 12, 2020
JUDGE PRESIDING: FERNANDO G. MANCIAS
COURT REPORTER: JACQUE INKS
ATTORNEY FOR THE STATE: ROXANNA SALINAS
ATTORNEY FOR THE DEFENDANT: TERRY CANALES
OFFENSE CODE: 09990021
OFFENSE: MURDER UNDER INFLUENCE OF
SUDDEN PASSION
DATE OF OFFENSE: OCTOBER 9, 2017
DEGREE OF OFFENSE: SECOND DEGREE FELONY
STATUTE FOR OFFENSE: 19.02(D) PC
APPLICABLE PUNISHMENT RANGE: 2-20 YEARS IN PRISON/MAX \$10,000.00
(Including enhancements if any): FINE
CHARGING INSTRUMENT: INDICTMENT or INFORMATION
PLEA TO OFFENSE: NOT GUILTY
JURY VERDICT FOR OFFENSE: GUILTY
PUNISHMENT IMPOSED BY COURT: TWENTY (20) YEARS IMPRISONMENT
PLACE OF IMPRISONMENT: INSTITUTIONAL DIVISION OF THE
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE
FINE: NONE
RESTITUTION: NONE
CREDIT FOR TIME SPENT IN JAIL: 125 DAYS
DISMISS: NONE
CONSIDER: NONE
PLEA TO ENHANCEMENT: NONE
PARAGRAPH(S):
FINDING TO ENHANCEMENT: NONE
FINDING ON DEADLY WEAPON: NONE
COURT COSTS: \$ -0- jm
DATE SENTENCE IMPOSED: FEBRUARY 12, 2020

On OCTOBER 24, 2019, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by ROXANNA SALINAS, and the Defendant and the Defendant's attorney, TERRY CANALES, were also present. Thereupon Judgment of Conviction by Court & Sentence, Case No. CR-0963-18-B

both sides announced ready for trial, and the Defendant pleaded **NOT GUILTY** to the offense charged in the indictment or information. A Jury was duly selected, impaneled and sworn. Having heard the evidence submitted and having been duly charged by the Court, the Jury retired to consider their verdict. Afterward, on **OCTOBER 29, 2019**, being brought into open court by the proper officer, the Defendant, the Defendant's Attorney and the State's Attorney being present, and being asked if the Jury had agreed upon a verdict, the Jury answered it had and returned to the Court a verdict, which was read aloud, received by the Court, and is now entered upon the minutes of the Court as follows:

WE, THE JURY, FIND THE DEFENDANT, FABIAN MARTINEZ PAREDES, GUILTY OF THE OFFENSE OF MURDER AS CHARGED IN THE INDICTMENT.

Thereupon, the Defendant having previously elected to have the punishment assessed by the Judge, the Court heard evidence related to the question of punishment. Thereafter, the Court made a finding of **NONE** on the enhancement paragraph(s), if any, and assessed punishment at **TWENTY (20) YEARS** in the **INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE** and a Fine of **NONE**.

A pre-sentence investigation report **WAS DONE** according to Article 42.12, Sec. 9, CCP.

And thereupon on **FEBRUARY 12, 2020**, the Court then asked the Defendant whether the Defendant had anything to say why the sentence should not be pronounced upon Defendant, and the Defendant having answered nothing in bar thereof, the Court proceeded to pronounce sentence upon Defendant.

It is therefore **ORDERED, ADJUDGED and DECREED** by the Court that the Defendant is guilty of the offense of **MURDER UNDER INFLUENCE OF SUDDEN PASSION, SECOND DEGREE FELONY**, committed on **OCTOBER 9, 2017**; that the punishment is fixed at **TWENTY (20) YEARS** in the **INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE** and a Fine of **NONE**; and that the State of Texas do have and recover of the Defendant all court costs in this prosecution expended, for which execution will issue.

It is further **ORDERED** by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of Hidalgo County, Texas, and be safely conveyed and delivered to the Director of the Institutional Division of the Texas Department of Criminal Justice, there to be confined in the manner and for the period aforesaid, and the Defendant is hereby remanded to the custody of the Sheriff of Hidalgo County, Texas, until such time as the Sheriff can obey the directions of this sentence.

Furthermore, the following special findings or orders apply:

The Court, upon the State's motion, **DISMISSED** the following count, case or complaint: **NONE**.

The Court, upon the Defendant's request and the State's consent, **CONSIDERED** as an admitted unadjudicated offense the following count, case or complaint: **NONE**.

The Court finds that the sentence imposed or suspended shall run concurrent unless otherwise specified.

The Court finds that the Defendant shall be credited with **125 DAYS** on his sentence for time spent in jail in this cause.

~~JM~~ The Court finds the Defendant owes **NONE** for the Fine, **NONE** in restitution, **NONE** in court costs. The Defendant shall make restitution, if any, within five (5) years after the end of the term of imprisonment imposed.

Signed on the 12th day of February, 2020

Terrence Marquis
Judge Presiding

Receipt is hereby acknowledged on the date shown above of one copy of this Judgment & Sentence.

[Signature]
Defendant

[Signature]
Community Supervision Officer

TJP

Defendant's right thumbprint

