

FILED

AT 10:28 O'CLOCK aM

OCT 06 2023

Case No. CR-2091-21-B (COUNT ONE)
TRN 9231840967 A002

LAURA HINOJOSA, CLERK
District Courts, Hidalgo County
By *[Signature]* Deputy#26

THE STATE OF TEXAS § IN THE 93RD DISTRICT COURT
V. § OF
DAVID DAVILA SANDOVAL, § HIDALGO COUNTY, TEXAS
DEFENDANT
SID:TX-02558996

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

DATE OF JUDGMENT: October 05, 2023
JUDGE PRESIDING: FERNANDO MANCIAS
COURT REPORTER: REENA BRIONES
ATTORNEY FOR THE STATE: AMANDA MCCOLGAN
ATTORNEY FOR THE DEFENDANT: OSCAR RENE FLORES
OFFENSE CODE: 09990030
OFFENSE: MURDER, A LESSER INCLUDED
OFFENSE
DATE OF OFFENSE: APRIL 20, 2021
DEGREE OF OFFENSE: FELONY 1ST DEGREE
STATUTE FOR OFFENSE: 19.02 (c) PC
APPLICABLE PUNISHMENT RANGE: LIFE/ 5-99 YEARS IN PRISON/ MAX
(Including enhancements if any): \$10,000 FINE
CHARGING INSTRUMENT: INDICTMENT or INFORMATION
PLEA TO OFFENSE: NOT GUILTY
JURY VERDICT FOR OFFENSE: GUILTY
PUNISHMENT IMPOSED BY COURT: 45 YEARS IMPRISONMENT
PLACE OF IMPRISONMENT INSTITUTIONAL DIVISION OF THE
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE
FINE: NONE
RESTITUTION: NONE
CREDIT FOR TIME SPENT IN JAIL: 895 DAYS
DISMISS: NONE
CONSIDER: NONE
PLEA TO ENHANCEMENT NONE
PARAGRAPH(S):
FINDING TO ENHANCEMENT: TRUE TO 1; TRUE TO 2
FINDING ON DEADLY WEAPON: NONE
COURT COSTS: NONE
DATE SENTENCE IMPOSED: OCTOBER 05, 2023

On **AUGUST 25, 2023** the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by **AMANDA MCCOLGAN**, and the Defendant and the Defendant's attorney, **OSCAR RENE FLORES** were also present. Thereupon 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 05, 2023**, 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 beyond a reasonable doubt the Defendant, **DAVID SANDOVAL**, Guilty 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 **45 YEARS** in the **INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE** and a Fine of **NONE**.

Was the victim impact statement returned to the attorney representing the State? **YES**.

A pre-sentence investigation report **WAS NOT DONE** according to Article 42.12, Sec. 9, CCP.

And thereupon on **OCTOBER 05, 2023**, 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, A LESSER INCLUDED OFFENSE, FELONY 1ST DEGREE**, committed on **APRIL 20, 2021**; that the punishment is fixed at **45 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 finds that the Defendant was prosecuted for an offense under Title 5 of the Penal code that involved family violence as defined by Section 71.004 of the Family Code.

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 **895 DAYS** on his sentence for time spent in jail in this cause.

The Court finds the Defendant owes for the Fine, 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 06 day of October, 2023

J. Mark Niles
Judge Presiding

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

David Sandford
Defendant

[Signature]
Community Supervision Officer

AA

Defendant's right thumbprint

