

THE STATE OF TEXAS § IN THE 139TH JUDICIAL
v. SANDY PEREZ § DISTRICT COURT OF
HERNANDEZ, § HIDALGO COUNTY, TEXAS
DEFENDANT
SID: TX 50587459

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

DATE OF JUDGMENT: September 28th, 2016
JUDGE PRESIDING: J.R. BOBBY FLORES
COURT REPORTER: JESSE SALAZAR
ATTORNEY FOR THE STATE: ORLANDO J. ESQUIVEL and
CASSANDRA HERNANDEZ
ATTORNEY FOR THE DEFENDANT: FERNANDO MANCIAS and MICHAEL
TUTTLE
OFFENSE CODE: 09990017
OFFENSE: MANSLAUGHTER, A LESSER
INCLUDED OFFENSE
DATE OF OFFENSE: OCTOBER 17, 2014
DEGREE OF OFFENSE: SECOND DEGREE FELONY
STATUTE FOR OFFENSE: 19.04 PENAL CODE
APPLICABLE PUNISHMENT RANGE: 2-20 YEARS IN PRISON /MAX \$10,000
(Including enhancements if any): FINE
CHARGING INSTRUMENT: INDICTMENT or INFORMATION
PLEA TO OFFENSE: NOT GUILTY
JURY VERDICT FOR OFFENSE: GUILTY
PUNISHMENT IMPOSED BY JURY: 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: 13 DAYS
DISMISS: NONE
CONSIDER: NONE
PLEA TO ENHANCEMENT NONE
PARAGRAPH(S):
FINDING TO ENHANCEMENT: NONE
FINDING ON DEADLY WEAPON: NONE
COURT COSTS: \$ 269.00
DATE SENTENCE IMPOSED: SEPTEMBER 28, 2016

On **SEPTEMBER 13, 2016**, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by **ORLANDO J. ESQUIVEL and CASSANDRA HERNANDEZ**, and the Defendant and the Defendant's attorney, **FERNANDO MANCIAS and MICHAEL TUTTLE**, 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 **SEPTEMBER 16, 2016**, 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, SANDY PEREZ HERNANDEZ, GUILTY of the lesser included offense of MANSLAUGHTER.

Thereupon, the Defendant having previously elected to have the punishment assessed by the Jury, pleaded to the enhancement paragraphs, if any, as stated above, and the jury was called back into the box and heard evidence related to the question of punishment. Thereafter, the jury retired to consider such question and, after having deliberated, the jury was brought back 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, having found the Defendant, SANDY PEREZ HERNANDEZ, guilty of the offense of Manslaughter, assess punishment at imprisonment in the Institutional Division of the Texas Department of Criminal Justice for term of 20 years.

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

And thereupon on **SEPTEMBER 28, 2016**, 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 **MANSLAUGHTER, A LESSER INCLUDED OFFENSE, SECOND DEGREE FELONY**, committed on **OCTOBER 17, 2014**; that the punishment is fixed at **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 **13 DAYS** on his sentence for time spent in jail in this cause.

The Court finds the Defendant owes **NONE** for the Fine, **NONE** in restitution, \$ 269.00 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 28th day of September, 2016.

[Signature]
Judge Presiding

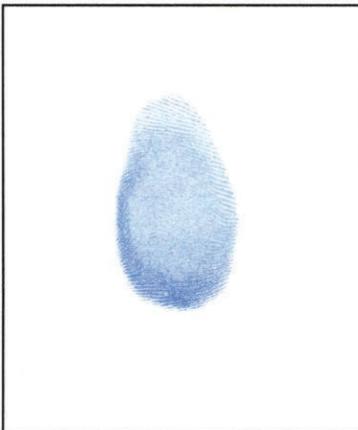
Receipt is hereby acknowledged on the date shown above of one copy of this Judgment & Sentence.

[Signature]
Defendant

[Signature]
Community Supervision Officer

JM

Defendant's right thumbprint



Case No. CR-0064-15-C (COUNT TWO)
TRN 9220296551 D001

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CASSANDRA HERNANDEZ
ATTORNEY FOR THE DEFENDANT: FERNANDO MANCIAS and MICHAEL
TUTTLE
OFFENSE CODE: 13990041
OFFENSE: INJURY TO A CHILD CAUSING
SERIOUS BODILY INJURY, AS
CHARGED IN THE INDICTMENT
DATE OF OFFENSE: OCTOBER 17, 2014
DEGREE OF OFFENSE: FIRST DEGREE FELONY
STATUTE FOR OFFENSE: 22.04 (e) PENAL CODE
APPLICABLE PUNISHMENT RANGE: LIFE OR 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 JURY: 32 YEARS IMPRISONMENT
PLACE OF IMPRISONMENT INSTITUTIONAL DIVISION OF THE
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE
FINE: NONE
RESTITUTION: NONE
CREDIT FOR TIME SPENT IN JAIL: 13 DAYS
DISMISS: NONE
CONSIDER: NONE
PLEA TO ENHANCEMENT NONE
PARAGRAPH(S):
FINDING TO ENHANCEMENT: NONE
FINDING ON DEADLY WEAPON: NONE
COURT COSTS: NONE
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We, the Jury, find the Defendant, SANDY PEREZ HERNANDEZ, GUILTY of the offense of INJURY TO A CHILD as charged in the indictment.

Thereupon, the Defendant having previously elected to have the punishment assessed by the Jury, pleaded to the enhancement paragraphs, if any, as stated above, and the jury was called back into the box and heard evidence related to the question of punishment. Thereafter, the jury retired to consider such question and, after having deliberated, the jury was brought back 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, having found the Defendant, SANDY PEREZ HERNANDEZ, guilty of the offense of Injury to a Child Causing Serious Bodily Injury, assess punishment at imprisonment in the Institutional Division of the Texas Department of Criminal Justice for a term of 32 years.

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

And thereupon on **SEPTEMBER 28, 2016**, 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 **INJURY TO A CHILD CAUSING SERIOUS BODILY INJURY, AS CHARGED IN THE INDICTMENT, FIRST DEGREE FELONY**, committed on **OCTOBER 17, 2014**; that the punishment is fixed at **32 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.

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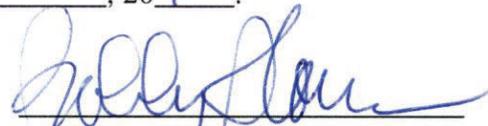
The Court, upon the Defendant's request and the State's consent, **CONSIDERED** as an admitted unadjudicated offense the following count, case or complaint: **NONE**.

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

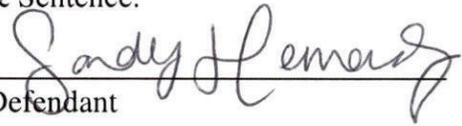
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Signed on the 28th day of September, 2016.

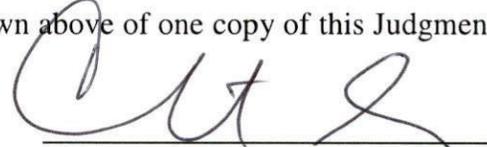


Judge Presiding

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



Defendant



Community Supervision Officer

JM

Defendant's right thumbprint

