

CAUSE NO. 23-067-DCCR-26917

THE STATE OF TEXAS

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IN THE 91ST JUDICIAL

VS.

DISTRICT COURT OF

CODY DOUGLAS PRITCHARD

EASTLAND COUNTY, TEXAS

VERDICT—GUILTY

We, the jury, find the defendant, Cody Douglas Pritchard, guilty of capital murder, as charged in the indictment.



Foreperson of the Jury



Printed Name of Foreperson

9:43 FILED
O'CLOCK A M

JAN 14 2026

Wendy M. McDade, DISTRICT CLERK
By  Deputy

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THE STATE OF TEXAS	§	IN THE 91ST JUDICIAL
	§	
VS.	§	DISTRICT COURT OF
	§	
CODY DOUGLAS PRITCHARD	§	EASTLAND COUNTY, TEXAS

VERDICT—NOT GUILTY

We, the jury, find the defendant, Cody Douglas Pritchard, not guilty of capital murder, as charged in the indictment.

Foreperson of the Jury

Printed Name of Foreperson

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IN THE 91ST JUDICIAL

VS.

DISTRICT COURT OF

CODY DOUGLAS PRITCHARD

EASTLAND COUNTY, TEXAS

CHARGE OF THE COURT

Members of the jury,

You have found the defendant, Cody Douglas Pritchard, guilty of the offense of capital murder. The offense is punishable by death or imprisonment in the Texas Department of Criminal Justice for a term of life without parole. It is now necessary for you to determine, from all the evidence in the case, the answers to certain questions called "Special Issues."

The parties will soon present final arguments on sentencing. Before they do, I will give you instructions that you must follow in determining the Special Issues, and you will have a written copy of these instructions to take with you during your deliberations.

I will first tell you about some general principles that must govern your decision of the case. Then I will tell you about the specific law applicable to this case. Finally, I will instruct you on the rules that must control your deliberations.

GENERAL PRINCIPLES

Jury as Fact Finder

As the jurors, you review the evidence and determine the facts and what they prove. You judge the believability of the witnesses and what weight to give their testimony. In judging the facts and the believability of the witnesses, you must apply the law provided in these instructions.

Evidence

In determining your answers to the Special Issues, you shall consider all the evidence submitted to you in the entire trial. The evidence consists of the testimony and exhibits admitted,

including the evidence admitted during the first stage of the trial concerning the defendant's guilt, as well as any evidence admitted during the punishment stage, in order to determine your answers to the Special Issues.

You shall consider all evidence submitted to you during the whole trial as to the defendant's background or character or the circumstances of the offense that militates for or mitigates against the imposition of the death penalty.

You must consider only evidence to reach your decision. You must not consider, discuss, or mention any other thing that is not evidence in the trial. You must not consider or mention any personal knowledge or information you may have about any fact or person connected with this case that is not evidence in the trial.

Statements made by the lawyers are not evidence. The questions asked by the attorneys are not evidence. Nothing I have said or done in this case should be considered by you as my opinion about the facts of this case or influence you to vote one way or the other.

You should give terms their common meanings, unless you have been told in these instructions that the terms are given special meanings. In that case, of course, you should give those terms the meanings provided in the instructions.

While you should consider only evidence, you are permitted to draw reasonable inferences from the testimony and exhibits if those inferences 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 evidence.

You are to render a fair and impartial verdict based on the evidence admitted in the case under the law that is in these instructions. Do not allow your verdict to be determined by bias or prejudice.

Admitted Exhibits

You may, if you wish, examine exhibits. If you wish to examine an exhibit, the foreperson will inform the court and specifically identify the exhibit you wish to examine. Only exhibits that were admitted into evidence may be given to you for examination.

Testimony

Certain testimony will be read back to you by the court reporter if you request. To request that testimony be read back to you, you must follow these rules. The foreperson must make the request in writing and sign it. That request must (1) state that it is requesting that testimony be read back, (2) state that you have a disagreement about a specific statement of a witness or a particular point in dispute, and (3) identify the name of the witness who made the statement. The Court will then have the court reporter read back only that part of the statement that is in dispute.

Defendant's Right to Remain Silent

The defendant has a constitutional right to remain silent. The defendant may testify on his own behalf. The defendant may also choose not to testify. The defendant's decision not to testify cannot be held against him, and it is not evidence you may consider in determining your answers to the Special Issues. You must not speculate, guess, or even talk about what the defendant might have said if he had taken the witness stand or why he did not. The foreperson of the jury must immediately stop any juror from mentioning the defendant's decision not to testify.

Burden of Proof for Wrongful Acts

During the trial, you may have heard evidence that the defendant may have committed wrongful acts that did not result in any criminal charges or that did not result in criminal convictions. You are not to consider any evidence of any particular wrongful act unless you find beyond a reasonable doubt that the defendant did, in fact, commit the wrongful act. Those of you who believe the defendant did the wrongful act may consider it.

Answering the Special Issues

In arriving at the answers to the Special Issues, you must decide your answers by a full, fair, and free expression of the individual jurors. You must not decide your answers by lot or chance. Deciding a case by lot, or by a method of chance, is not permissible, and you are instructed that you must not consider any proposition of this character. Instead, the answers to the Special Issues must be determined and agreed upon by each juror on the facts of the case, found from the evidence admitted at the entire trial, and the law as given to you by this Court.

SPECIAL ISSUES

Special Issue No. 1

Special Issue No. 1: Whether there is a probability that the defendant, Cody Douglas Pritchard, would commit criminal acts of violence that would constitute a continuing threat to society?

You must answer Special Issue No. 1 "YES or "NO."

The State must prove, beyond a reasonable doubt, that the answer to Special Issue No. 1 is "YES," and if it fails to do so, you must answer Special Issue No. 1 "NO."

In deliberating Special Issue No. 1, you shall consider all the evidence admitted at the guilt or innocence stage of trial and the punishment stage of trial, 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.

You may not answer Special Issue No. 1 "YES" unless you agree unanimously.

You may not answer Special Issue No. 1 "NO" unless ten (10) or more jurors agree.

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

If you unanimously answer “YES” to Special Issue No. 1, then you must answer Special Issue No. 2. Otherwise, do not answer Special Issue No. 2.

Special Issue No. 2

Special Issue No. 2: Whether, 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, Cody Douglas Pritchard, 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 must answer Special Issue No. 2 “YES” or “NO.”

You may not answer Special Issue No. 2 “NO” unless you agree unanimously.

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

In deliberating Special Issue No. 2, you shall consider all the evidence admitted at both the guilt or innocence stage of trial and the punishment stage of trial.

Members of the jury need not agree on what particular evidence supports an affirmative finding to Special Issue No. 2.

You are instructed that neither the State nor the defendant has any burden of proof regarding Special Issue No. 2.

Members of the jury shall consider mitigation evidence to be evidence that a juror might regard as reducing the defendant’s moral blameworthiness.

You are instructed that if the 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 to this case, if the defendant is sentenced to imprisonment in the Texas Department of Criminal Justice for life without parole, the defendant will be ineligible for release on parole.

RULES THAT CONTROL DELIBERATIONS

You must follow these rules while you are deliberating and until you reach a verdict. After the closing arguments by the attorneys, you will go into the jury room.

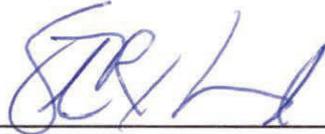
The foreperson should conduct the deliberations in an orderly way. Each juror has one vote, including the foreperson. The foreperson must supervise the voting, vote with other jurors on the verdict, and sign the verdict sheet.

While you are deliberating and until you are excused by the Court, all jurors must follow these rules:

1. You must not discuss this case with any court officer, or the attorneys, or anyone not on the jury.
2. You must not discuss this case unless all of you are present in the jury room. If anyone leaves the room, then you must stop your discussions about the case until all of you are present again.
3. You must communicate with the judge only in writing, signed by the foreperson and given to the judge through the officer assigned to you.
4. You must not conduct any independent investigations, research, or experiments.
5. You must tell the judge if anyone attempts to contact you about the case before you reach your verdict.

After you have arrived at your verdict, you are to use the form attached to these instructions. The foreperson should sign the line that corresponds to your verdict.

After the closing arguments by the attorneys, you will begin your deliberations to decide your verdict.



Steven R. Herod
Judge, 91st District Court
Eastland County, Texas

5:40 FILED
O'CLOCK P M

JAN 22 2026

Wendy M. McDade, DISTRICT CLERK
By wm, Deputy

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VS.

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CODY DOUGLAS PRITCHARD

EASTLAND COUNTY, TEXAS

SPECIAL ISSUE NO. 1

Is there a probability that the defendant, Cody Douglass Pritchard, would commit criminal acts of violence that would constitute a continuing threat to society?

ANSWER

We, the jury, unanimously find and determine beyond a reasonable doubt that the answer to Special Issue No. 1 is "YES."



Foreperson of the Jury

Robert D. Whitefield

Printed Name of Foreperson

OR

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

Foreperson of the Jury

Printed Name of Foreperson

NOTE: If you have answered Special Issue No. 1 "Yes," then proceed to answer Special Issue No. 2 on the next page. If you have answered Special Issue No. 1 "No," then do not answer Special Issue No. 2.

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CODY DOUGLAS PRITCHARD

EASTLAND COUNTY, TEXAS

SPECIAL ISSUE NO. 2

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

ANSWER

We, the jury, because at least ten (10) jurors agree, find that the answer to Special Issue No. 2 is "YES."

Foreperson of the Jury

Printed Name of Foreperson

OR

We, the jury, unanimously find that the answer to Special Issue No. 2 is "NO."



Foreperson of the Jury

Robert A. Whitefield

Printed Name of Foreperson