

Case No. CR-2109-16-J  
TRN 922051768X A001

THE STATE OF TEXAS                   §           IN THE **430TH** JUDICIAL  
v. **ADALBERTO MOSQUEDA**           §           DISTRICT COURT OF  
**GUARDADO,**                           §           HIDALGO COUNTY, TEXAS  
DEFENDANT  
SID: TX 50439795

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

DATE OF JUDGMENT: June 23, 2017  
JUDGE PRESIDING: **ISRAEL RAMON, JR.**  
COURT REPORTER: **VELMA ARELLANO**  
ATTORNEY FOR THE STATE: **VICTORIA MUNIZ and DEBBIE CRUZ**  
ATTORNEY FOR THE DEFENDANT: **L.AARON PENA**  
OFFENSE CODE: **09990022**  
OFFENSE: **CAPITAL MURDER, AS CHARGED IN  
THE INDICTMENT**  
DATE OF OFFENSE: **APRIL 6, 2016**  
DEGREE OF OFFENSE: **CAPITAL FELONY**  
STATUTE FOR OFFENSE: **19.03 (a)(2) PENAL CODE**  
APPLICABLE PUNISHMENT RANGE: **LIFE OR DEATH**  
(Including enhancements if any):  
CHARGING INSTRUMENT: **INDICTMENT or INFORMATION**  
PLEA TO OFFENSE: **NOT GUILTY**  
JURY VERDICT FOR OFFENSE: **GUILTY**  
PUNISHMENT IMPOSED BY COURT: **LIFE IMPRISONMENT**  
PLACE OF IMPRISONMENT **INSTITUTIONAL DIVISION OF THE  
TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE**  
FINE: **NONE**  
RESTITUTION: **NONE**  
CREDIT FOR TIME SPENT IN JAIL: **425 DAYS**  
DISMISS: **NONE**  
CONSIDER: **NONE**  
PLEA TO ENHANCEMENT **NONE**  
PARAGRAPH(S):  
FINDING TO ENHANCEMENT: **NONE**  
FINDING ON DEADLY WEAPON: **NONE**  
COURT COSTS: **NONE**  
DATE SENTENCE IMPOSED: **JUNE 23, 2017**

On **JUNE 19, 2017**, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by **VICTORIA MUNIZ and DEBBIE CRUZ**, and the Defendant and the Defendant's attorney, **L.AARON PENA**, were also present.  
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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 **JUNE 23, 2017**, 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, ADALBERTO MOSQUEDA GUARDADO, GUILTY of the offense of CAPITAL 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 **LIFE** in the **INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE** and a Fine of **NONE**.

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

And thereupon on **JUNE 23, 2017**, 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 **CAPITAL MURDER, AS CHARGED IN THE INDICTMENT, CAPITAL FELONY**, committed on **APRIL 6, 2016**; that the punishment is fixed at **LIFE** 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**.

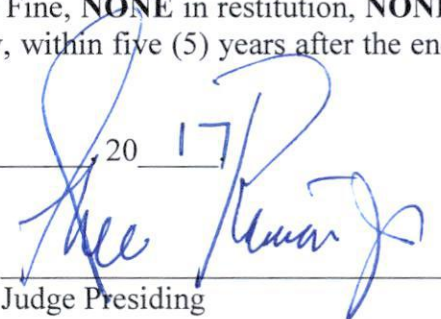
The Court finds that the sentence imposed or suspended shall run concurrent unless otherwise specified.

The Court finds that the Defendant shall be credited with **425 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, **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 27<sup>th</sup> day of June

2017

  
\_\_\_\_\_  
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

