

THE STATE OF TEXAS
VS.
JOE MEDRANO
AKA JOSE HERLINDO MEDRANO

IN THE 139TH DISTRICT COURT
OF
HIDALGO COUNTY, TEXAS

NO. CR-855-89-C

JUDGMENT ON PLEA OF GUILTY OR NOLO CONTENDERE BEFORE COURT
WAIVER OF JURY TRIAL-TDC

Judge Presiding: RAUL L. LONGORIA

Date of Judgment: MARCH 18, 1991

Attorney(s) RENE GUERRA, DIST. ATTY.,
for State : ALMA R. GARZA, ASSISTANT

and Attorney(s)
for Defendant: FELIX RAMOS

Offense Convicted of: AGGRAVATED ASSAULT
Degree : THIRD

Date Offense Committed: APRIL 23, 1989

Charging Instrument: INDICIMENT

Plea: GUILTY

Plea Bargain Terms (In Details): FIVE (5) YEARS IN THE INSTITUTIONAL DIVISION OF THE
TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Plea to Enhancement Paragraph(s): N/A

Findings on Enhancement: N/A

Findings on Use of Deadly Weapon : N/A

Date Sentence Imposed: MARCH 18, 1991

Costs:

Date to Commence: MARCH 18, 1991

Punishment and

Place of Confinement : FIVE (5) YEARS IN THE INSTITUTIONAL DIVISION OF THE TEXAS
DEPARTMENT OF CRIMINAL JUSTICE

Time Credited : 413 DAYS

Total Amount of Restitution/
Reparation: N/A

Concurrent Unless Otherwise Specified.

Restitution to Be Paid to
Name: N/A
Address:

The Defendant having been indicted in the above entitled and numbered cause for the felony offense(s) of AGGRAVATED ASSAULT, and this cause being this day called for trial, the State appeared by RENE GUERRA, Criminal District Attorney, and Assistant Criminal District Attorney, ALMA R. GARZA, and the Defendant, JOE MEDRANO AKA JOSE HERLINDO MEDRANO, appeared in person and by Counsel, FELIX RAMOS, and both parties announced ready for trial. The Defendant was arraigned, then in person, in writing, and in open court, waived the right of trial by jury with the consent and approval of the District Attorney and the Court. The Defendant pled GUILTY to the charge contained in the indictment. Thereupon the Defendant was admonished by the Court of the consequences of said plea, including the range of punishment, and that no punishment recommendation by the prosecuting attorney is binding on the Court, and that if the punishment assessed does not exceed the punishment

recommended by the State and agreed to by the Defendant and by Counsel, the Defendant may not prosecute an appeal without permission of the Court except for any pre-trial matters raised by written motion. The Defendant persisted in entering the plea and it appearing to the Court that the Defendant was mentally competent and that the plea was free and voluntary, accepted the plea. The Defendant, having in open court and in writing, waived the appearance, confrontation, and cross examination of witnesses, consented to the stipulation of evidence and to the introduction of testimony by affidavits, written statements of witnesses, and other documentary evidence; such waiver and consent, having been approved by the Court in writing, were filed in the papers of the cause. The plea of the Defendant was received and entered of record upon the minutes. The Court, having heard the indictment read, the Defendant's plea thereto, the evidence submitted, and the argument of counsel thereon, found the Defendant guilty of the offense of **AGGRAVATED ASSAULT**, committed on **APRIL 23, 1989**.

The Court, after hearing evidence on punishment and the Defendant having waived a pre-sentence investigation, inquired into the existence of any plea bargaining. Thereupon the Court, accepting the agreement of the parties, assessed the punishment at confinement in the Institutional Division of the Texas Department of Criminal Justice for **FIVE (5)** years.

IT IS THEREFORE CONSIDERED, ORDERED, AND ADJUDGED by the Court that the Defendant is guilty of the offense of **AGGRAVATED ASSAULT**, a **THIRD** degree felony, and that the Defendant be punished by confinement in the Institutional Division of the Texas Department of Criminal Justice for **FIVE (5)** years, and that the State of Texas do have and recover of the Defendant all costs of prosecution, for which execution will issue.

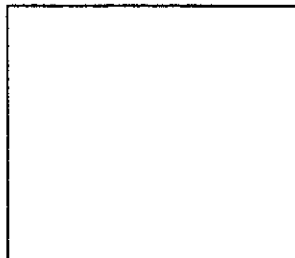
The Court then proceeded to pronounce the sentence of law according to the judgment rendered and the Defendant was asked by the Court whether the Defendant had anything to say why sentence should not be pronounced, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of said Defendant, to pronounce the sentence as follows, to-wit: "It is the order of the Court that the Defendant **JOE MEDRANO AKA JOSE HERLINDO MEDRANO** who has been adjudged to be guilty of the offense of **AGGRAVATED ASSAULT**, and whose punishment has been assessed at confinement in the Institutional Division of the Texas Department of Criminal Justice for **FIVE (5)** years, be delivered by the Sheriff of Hidalgo County, Texas immediately to the Director of the Institutional Division of the Texas Department of Criminal Justice or other person legally authorized to receive such convicts, and the Defendant shall be confined in said penitentiary for a term of not less than **TWO (2)** years nor more than **FIVE (5)** years in accordance with the provisions of the law governing the Institutional Division of the Texas Department of Criminal Justice."

It is the further finding of the court that the amount of restitution due and owing on the date of sentence is \$_____.

The Defendant is given jail credit for 413 days through the sentencing date and is remanded to jail in the custody of the Sheriff to await further orders of this Court.

Fingerprint from

finger of Defendant:



Raul L. Longoria

RAUL L. LONGORIA
JUDGE PRESIDING

Signed on the 18th day of
MARCH, 1991.

Notice of Appeal: _____

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