

**JUDGMENT OF CONVICTION - CAPITAL MURDER  
SENTENCED TO DEATH - INSTITUTIONAL DIVISION**

THE STATE OF TEXAS

NO. 2007-CR-4563A

IN THE 187TH DISTRICT COURT

VS

OF

ARMANDO LEZA

BEXAR COUNTY, TEXAS

JUDGE PRESIDING: RAYMOND ANGELINI

DATE OF JUDGMENT: 05-21-2009

APPEARANCES LORINA RUMMEL

APPEARANCES TERRANCE MCDONALD

FOR STATE: JAN CAROL ISCHY

FOR DEFENSE: BARBARA HUGHES

OFFENSE CONVICTED OF: CAPITAL MURDER - OTHER FELONY

19.03 (A)(2) PC

DATE OF CONVICTION: 05-21-2009

DEGREE OF OFFENSE: CAPITAL FELONY

DATE OFFENSE COMMITTED: 04-04-07

CHARGING INSTRUMENT: INDICTMENT

PLEA TO JURY: NOT GUILTY

VERDICT OF JURY:

FOREPERSON : CRYSTAL WATERS

We, the jury, find the defendant, ARMANDO LEZA, guilty of Capital Murder as charged in the indictment."

VERDICT OF JURY:(PUNISHMENT)

ISSUE NO. 1: Is there a probability that the defendant, ARMANDO LEZA, 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 Issue No. 1 is "Yes".

ISSUE NO. 2: Do you find from the evidence beyond a reasonable doubt that the defendant, ARMANDO LEZA, actually caused the death of CARYL JEAN ALLEN or did not actually cause death CARYL JEAN ALLEN but intended to kill CARYL JEAN ALLEN or anticipated that human life would be taken? Answer: We, the jury, unanimously find and determine beyond reasonable doubt that the Answer Issue No. 2 is "Yes".

ISSUE NO. 3: Taking into consideration all the evidence, including the circumstances of the offense, ARMANDO LEZA'S character and background, and the personal moral culpability of ARMANDO LEZA, is there a sufficient mitigating circumstance or circumstances to warrant that sentence of life imprisonment without parole rather than a death sentence be imposed? Answer: We, the jury, unanimously find and determine that the answer to Issue No. 3 is "No".

"We, the jury, return in open court the above answers as our answers to the Issues submitted to us, and the same is our verdict in this case.

DATE SENTENCE IMPOSED: 05-21-2009

SENTENCE OF DEATH

(INSTITUTIONAL DIVISION): DEATH TDCJ-ID

TIME CREDITED: N/A

COSTS: \$326.00

PLUS ATTY FEES

TOTAL AMOUNT OF  
RESTITUTION/REPARATION: \$ 0.00

RESTITUTION TO BE PAID TO:  
NAME:  
ADDRESS:

On the 11<sup>TH</sup> Day of MAY, 2009 the above numbered and entitled cause was reached and called for trial, and the State appeared by the attorney stated above, and the Defendant and the Defendant's attorney were also present. Thereupon, both sides announced ready for trial, and the Defendant, having been duly arraigned, entered a plea of NOT GUILTY to CAPITAL MURDER - OTHER FELONY. The trial was before a Jury who, after hearing the evidence, the Charge of the Court and the argument of Counsel thereon, rendered a verdict as shown above.

Thereupon, in accordance with the law, a separate sentencing proceeding was conducted. Evidence was submitted, the Jury was charged by the Court as to certain special issues and rendered a verdict as shown above.

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It is, therefore, ORDERED, ADJUDGED AND DECREED by the court that the defendant is guilty of the offense stated above, as found by the verdict of the jury, and, the punishment is fixed in accordance with the Jury's verdict and the State of Texas do have and recover of said defendant all court costs in the prosecution expended for which execution will issue.

The jury having been discharged and thereupon on the 21<sup>ST</sup> Day of May, 2009 the Court asked the Defendant whether the Defendant had anything to say why said sentence should not be pronounced upon said Defendant, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of said Defendant and the Defendant's attorney, to pronounce sentence upon said Defendant as follows:

It is ORDERED by the Court that the Defendant, who has been adjudged guilty of the offense stated above, be and is hereby sentenced to DEATH. The Defendant shall be taken by the authorized agent of the State of Texas or by the Sheriff of Bexar County, Texas, and by him safely conveyed and delivered to the Director of the Institutional Division of the Texas Department of Criminal Justice pending receipt of the Mandate from the Court of Criminal Appeals Sitting in Austin, Texas. The Defendant is hereby remanded to the custody of the Sheriff, until such time as the Sheriff can obey the directions of this sentence.

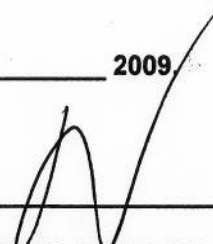
The Court finds that as of the date of sentencing, the defendant has been in custody on this charge for a period of N/A.

The Court thereupon fully advised the defendant that the Judgment of Conviction and Sentence of DEATH, is subject to Automatic Review.

The jury finds affirmatively that the defendant used or exhibited a deadly weapon as defined in Sec 1.07(A) 17(A) Penal code, during the commission of the offense as charged in the indictment. Article 42.12 sec.3G (a) (2), C.C.P.

SIGNED and ENTERED of Record this \_\_\_\_\_ day of MAY 21 2009 2009

Notice of Appeal: Automatic

  
\_\_\_\_\_  
RAYMOND ANGELINI  
187<sup>TH</sup> DISTRICT COURT  
BEXAR COUNTY, TEXAS

Prepared by EG