

THE STATE OF TEXAS § IN THE CRIMINAL
 §
VS § DISTRICT COURT NO. 4
 §
KWAME A. ROCKWELL AKA § TARRANT COUNTY, TEXAS
KWANE A. ROCKWELL
State ID. No.: TX05562120

CAPITAL JUDGMENT

On January 3, ²⁰¹²~~2011~~, this cause was called for trial and the State appeared by her Criminal District Attorney, Assistants SEAN COLSTON and KEVIN ROUSSEAU, and the attorneys for the Defendant, KWAME A. ROCKWELL, Honorable MARK G. DANIEL and TIM MOORE, and announced ready for trial; and the State having made known that it would seek the Death Penalty in this cause and the Defendant having been heretofore arraigned; and, it appearing to the Court that the Defendant was mentally competent and the Defendant having been charged in the indictment with Capital Murder; thereupon, a Jury of good and lawful men and women, to-wit: a Foreperson, and eleven others, was duly selected, impaneled and sworn as the law directs, and the said Criminal District Attorney read to the Jury, COUNT ONE of the indictment herein, and the Defendant entered his plea of not guilty to COUNT ONE of the indictment, hereto; and the Jury, after hearing the evidence, and being duly charged by the Court, retired to consider its verdict, and after deliberation, returned into open Court on the 17th day of JANUARY, 2012, the following verdict, to-wit:

VERDICT FORM

We the Jury, find the Defendant, KWAME A. ROCKWELL, guilty of the offense of Capital Murder, as alleged in the indictment.

Signed: *H L Harbaugh*
Foreperson of the Jury

All parties announced ready for the Punishment Phase. And the Jury, having heard all the evidence, and being duly charged by the Court, retired to consider its verdict, and after due deliberation, returned into open court, on the 27TH day of JANUARY, 2012, their answers to the following Special Issues, and their verdict:

SPECIAL ISSUE NO. 1

Do you find from the evidence beyond a reasonable doubt that there is a probability that the Defendant would commit criminal acts of violence that would constitute a continuing threat to society?

In your verdict you will answer "Yes" or "No"

Answer: YES

SPECIAL ISSUE NO. 2

Do you find from the evidence beyond a reasonable doubt that the Defendant actually caused the death of the deceased, or did not actually cause the death of the deceased but intended to kill the deceased or another or anticipated that a human life would be taken?

In your verdict you will answer "Yes" or "No"

Answer: YES

SPECIAL ISSUE NO. 3

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, do you find from the evidence that 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?

In your verdict you will answer "Yes" or "No"

Answer: NO

VERDICT FORM

We, the Jury, having unanimously agreed upon the answer to the foregoing issues do hereby return the same into court as our verdict.

Signed: *H. L. Harbaugh*
Foreperson of the Jury

After an individual poll of the Jurors, the Court duly accepted the verdicts and ORDERED the same to be filed.

The Jury having answered Special Issues One and Two "YES", and Special Issue Three, "NO", and it being mandatory that the punishment accordingly be set at death, the Court assessed the punishment at Death.

The Defendant, KWAME A. ROCKWELL, was asked by the Court, whether he had anything to say why sentence should not be pronounced against him, and the Defendant answered nothing in bar thereof;

The Court proceeded, in the presence of the said Defendant, KWAME A. ROCKWELL, and his counsel of record, to pronounce sentence against him as follows:

It is the order of this Court that you, Kwame A. Rockwell, after the Jury having found you guilty of the Capital Murder of Daniel Rojas, and having returned a unanimous verdict to Special Issue No. 1 "YES," Special Issue No. 2 "YES," and Special Issue No. 3 "NO," and it being mandatory that your punishment accordingly be set at Death.

It is therefore the ORDER, JUDGMENT, and DECREE of this Court that your punishment be assessed at DEATH, and that you be remanded to the custody of the Sheriff of this County to be delivered to the Institutional Division of the Texas Department of Criminal Justice where you shall be continuously confined until before the hour of sunrise on the date to be determined by this Court upon a mandate of affirmance issued by the Texas Court of Criminal Appeals at the State penitentiary at Huntsville, you shall be caused to die by intravenous injection of a substance or substances in a lethal quantity sufficient to cause your death and until you, Kwame A. Rockwell, are dead. Said execution procedure to be determined and supervised by the Director of the Institutional Division of the Texas Department of Criminal Justice.

The clerk of this Court is ordered to issue to the director of the Institutional Division of the Texas Department of Criminal Justice a death warrant in accordance with this sentence.



HON. ELIZABETH BERRY
PRESIDING JUDGE
CRIMINAL DISTRICT COURT NO. 4

January 27, 2012
Date Signed

CASE NO. 1195088D COUNT ONE
INCIDENT NO./TRN: 9133099480

THE STATE OF TEXAS

v.
KWAME A ROCKWELL AKA
KWANE A ROCKWELL

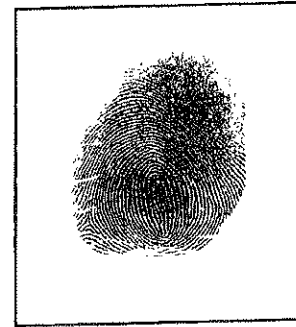
STATE ID No.: TX05562120

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IN THE CRIMINAL DISTRICT COURT
NUMBER FOUR

TARRANT COUNTY, TEXAS

Date: JAN 27 2012



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PERSON TAKING PRINT

JUDGMENT AND SENTENCE
FINGERPRINT PAGE

Clerk

MCC	KAB
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