



THE STATE OF TEXAS

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IN THE 119TH DISTRICT

v.

COURT

ISIDRO MIGUEL DELACRUZ

TOM GREEN COUNTY, TEXAS

STATE ID NO.: TX07446889

**JUDGMENT OF CONVICTION BY JURY**

Judge Presiding: HON. Ben Woodward Date Judgment Entered: 4/17/2018

Attorney for State: Allison Palmer Attorney for Defendant: William Boyles  
 Meagan White Robert Roy Cowie

Offense for which Defendant Convicted:  
 Capital Murder

Charging Instrument: INDICTMENT Statute for Offense: 19.03(a)(8) Penal Code

Date of Offense: 9/2/2014

Degree of Offense: CAPITAL FELONY Plea to Offense: NOT GUILTY

Verdict of Jury: GUILTY Findings on Deadly Weapon: YES, NOT A FIREARM

Plea to 1<sup>st</sup> Enhancement Paragraph: Two (2) N/A Plea to 2<sup>nd</sup> Enhancement/Habitual Paragraph: N/A

Findings on 1<sup>st</sup> Enhancement Paragraph: Two (2) N/A Findings on 2<sup>nd</sup> Enhancement/Habitual Paragraph: N/A

Subject to mandatory Appeal as Provided by Statute

Punished Assessed by: JURY Date Sentence Imposed: 4/17/2018 Date Sentence to Commence: 4/17/2018

Punishment and Place of Confinement: Death Sentence – Defendant shall be held in the Texas Department of Corrections – Institutional Division until executed, pursuant to law and the Judgment and Sentence of the Court

DATE DEATH PENALTY TO BE IMPOSED: To be set after mandatory Appeal as provided by Statute.

Fine: \$ None. Court Costs: SEE ATTACHED BILL OF COST Restitution: \$ None. Restitution Payable to:  NONE  SEE ATTACHED WAIVER AND STIPULATION OF EVIDENCE

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62.

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.  
 Time Credited: From 9/2/2014 to 4/17/2018  
If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.  
 No DAYS

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Tom Green County, Texas. The State appeared by her District Attorney.

Defendant appeared in person with Counsel.

It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for trial. A jury was selected, impaneled, and sworn. The INDICTMENT was read to the jury, and Defendant entered a plea to the charged offense. The Court received the plea and entered it of record.

The jury heard the evidence submitted and argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defendant, and the jury retired to consider the evidence. Upon returning to open court, the jury delivered its verdict of "Guilty" in the presence of Defendant and defense counsel.

The Court received the verdict and ORDERED it entered upon the minutes of the Court.

Punishment Assessed by Jury:

Defendant entered a plea and the jury, as required by law, assessed punishment.

The Defendant having been found guilty of Capital Murder by the verdict of the jury and thereupon further evidence being heard by the jury on the special issues pertaining to punishment, the Court again charged the jury as provided by law on the following special issues:

SPECIAL ISSUE NO. 1

Is there a probability that the defendant, Isidro Miguel Delacruz, would commit criminal acts of violence that would constitute a continuing threat to society?

SPECIAL ISSUE NO. 2

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, is there sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment rather than a death sentence be imposed?

The jury, after hearing evidence and arguments of counsel, retired in charge of the proper officer to consider their verdict and afterwards were brought into open Court by the proper officer; the Defendant and his counsel being present and in due form of law returned into open Court the following verdict, which was received by the Court and is here and now entered upon the minutes of the Court, to wit:

ANSWER TO SPECIAL ISSUE NUMBER 1:

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

ANSWER TO SPECIAL ISSUE NUMBER 2:

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

**JURY CERTIFICATE**

We, the Jury, return in open Court the above answer or answers as our answer or answers to the special issue or special issues submitted to us, and the same is our verdict in this case.

IT IS THEREFORE considered and adjudged by the Court, that the said Defendant is guilty of the offense of Capital Murder, as charged in the Indictment, a Capital Felony; and that the said Defendant committed said offense on or about the 2<sup>nd</sup> day of September, 2014, as found by the jury, and that he be punished, as has been determined by the jury's answers to the special issues and in accordance with State law by imposition of the sentence of DEATH, according to law.

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

Punishment:

Confinement in the Institutional Division or Death. The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence.

Execution / Suspension of Sentence

The Court ORDERS Defendant's sentence EXECUTED.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

Except for the component of court costs that is attorney fees, Defendant is ordered to pay the fine, court costs and restitution in the amounts specified above.

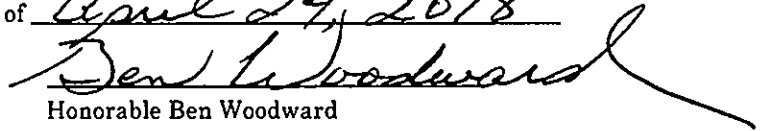
**Deadly Weapon:** Pursuant to article 42.12, section 3g, the court affirmatively finds that the Defendant used or exhibited a deadly weapon, namely, A KNIFE, during the commission of a felony offense or during immediate flight therefrom or was a party to the offense and knew that a deadly weapon would be used or exhibited.

The Defendant Shall submit a blood sample or other specimen, such as a Buccal swab, within one week of sentencing, to the Department of Public Safety under Subchapter G, Chapter 411, Government Code, for the purpose of creating a DNA record.

During the period of confinement or imprisonment, the Defendant is not to contact the victim's family, either directly or indirectly, or by any other means; pursuant to Tex. Code Crim. Proc. Art. 42.24

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Rendered on the 17<sup>th</sup> day of April, 2018 and signed this day of

April 24, 2018  
  
Honorable Ben Woodward  
JUDGE PRESIDING

Clerk: A.M.