



CASE NO. 296-81183-2018
INCIDENT NO./TRN: 9276372415/A001

THE STATE OF TEXAS

vs.

BRANDON DE MCCALL

SID: TX08346839

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IN THE 296TH DISTRICT

COURT

COLLIN COUNTY, TEXAS

JUDGMENT OF CONVICTION BY JURY – CAPITAL MURDER

Judge Presiding:	JOHN R. ROACH, JR.	Date Sentence Imposed:	2/27/2020
Attorney for State:	BILL WIRSKYE	Attorney for Defendant:	EDWIN V. KING

Offense for Which Defendant Convicted:**CAPITAL MURDER OF A PEACE OFFICER OR FIREMAN**Charging Instrument:**INDICTMENT**Statute for Offense:**19.03(a)(1) Penal Code**Date of Offense:**2/7/2018**Plea to Offense:**NOT GUILTY**Degree of Offense:**CAPITAL FELONY**Verdict of Jury:**GUILTY**Findings on Deadly Weapon:**YES**Punished Assessed by:**JURY**Date Sentence to Commences:**2/27/2020**Punishment and Place of Confinement:**DEATH**Court Costs:**\$ 309.00**Restitution:**\$**Restitution Payable to:

(See special finding or order of restitution which is incorporated herein by this reference.)

Was the victim impact statement returned to the attorney representing the State? **YES**

This cause was called for trial by jury and the parties appeared. The State appeared by her District Attorney as named above.

Counsel / Waiver of Counsel (select one) Defendant appeared with counsel. Defendant appeared without counsel and knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. It appeared to the Court that Defendant was mentally competent to stand 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 Defendant's guilt or innocence, and the jury retired to consider the evidence. Upon returning to open court, the jury delivered its verdict in the presence of Defendant and Defense Counsel.

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

The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the special issues set out in the jury charge. After due deliberation, the jury was brought into open court, where it returned its answers to the special issues as indicated below:

(1) The jury found beyond a REASONABLE DOUBT that there is a probability that defendant would commit criminal acts of violence that would constitute a continuing threat to society.

 Yes (unanimous) No (by at least 10 jurors)

(2) The jury found that 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, 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?



- Yes (by at least 10 jurors)
- No (unanimous)

The Court FINDS Defendant committed the above offense and ADJUDGES Defendant GUILTY of the above offense.

The Court ORDERS Defendant punished as indicated above. The Court FINDS that the State of Texas is entitled to recover all costs of the prosecution from Defendant and may issue execution.

Punishment Options

Confinement in Institutional Division. The Court ORDERS the authorized agent of the State of Texas or the County Sheriff to take, safely convey, and deliver Defendant to the DIRECTOR OF THE CORRECTIONAL INSTITUTIONS DIVISION, TDCJ, for placement in confinement in accordance with this judgment. The Court ORDERS Defendant remanded to the custody of the Sheriff until the Sheriff can obey the directions of this judgment. The Court ORDERS TDCJ to make withdrawals from Defendant's inmate account as such funds become available. The Court Orders TDCJ to pay such funds to the individual/agency cited above until the ordered restitution and court costs are paid in full. The withdrawals and payments shall be made in accordance with Section 501.014, Tex. Gov't Code.

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 OF THE CORRECTIONAL INSTITUTIONS DIVISION, TDCJ. Defendant shall be confined in said Institutions Division in accordance with the provisions of the law governing TDCJ until a date of execution of the said Defendant is imposed by this Court after receiving the mandate of affirmance from the Court of Criminal Appeals of the State of Texas. The Court Orders Defendant remanded to the custody of the Sheriff of this County until the Sheriff can obey the directions of this judgment.

Execution

The Court ORDERS Defendant's sentence EXECUTED.

After having conducted an inquiry into Defendant's ability to pay, the Court ORDERS Defendant to pay the court costs and restitution, if any, as indicated above.

Furthermore, the following special findings or orders apply:

The Court finds that the deadly weapon was a firearm.

Date Judgment Entered: 3-2-20

X
JUDGE PRESIDING

FILED

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LYNNE FINLEY
DISTRICT CLERK
COLLIN COUNTY, TX
BY: [Signature] DEPUTY



Defendant's Right Thumbprint