

CAUSE NO. 16509

STATE OF TEXAS	§	IN THE DISTRICT COURT OF
	§	
VS.	§	HOWARD COUNTY, TEXAS
	§	
QUINCY LAMAR HENRY	§	118 <sup>TH</sup> JUDICIAL DISTRICT

**JURY VERDICT - CAPITAL MURDER**

**VERDICT OF NOT GUILTY - CAPITAL MURDER**

We, the jury, unanimously find the Defendant, Quincy Lamar Henry, **not guilty** of the offense of **Capital Murder** as set out in the Indictment in Cause No. 16509.

FILED  
 24 AUG 23 PM 4:07  
 JOHNNY L. THOMAS  
 DIST. CLERK, HOWARD COUNTY  
 BY DEPUTY

\_\_\_\_\_  
Presiding Juror

\_\_\_\_\_  
Printed Name of Presiding Juror

**VERDICT OF GUILTY - CAPITAL MURDER**

We, the jury, unanimously find the Defendant, Quincy Lamar Henry, **guilty** of the offense of **Capital Murder** as set out in the Indictment in Cause No. 16509.

*Lori Millican*  
\_\_\_\_\_  
Presiding Juror

*Lori Millican*  
\_\_\_\_\_  
Printed Name of Presiding Juror

**CAUSE NOS. 16509 & 16544**

<b>STATE OF TEXAS</b>	§	<b>IN THE DISTRICT COURT OF</b>
	§	
<b>VS.</b>	§	<b>HOWARD COUNTY, TEXAS</b>
	§	
<b>QUINCY LAMAR HENRY</b>	§	<b>118<sup>TH</sup> JUDICIAL DISTRICT</b>

**JURY INSTRUCTIONS - PUNISHMENT**

Members of the jury,

You have found the Defendant, Quincy Lamar Henry, guilty of the offenses of Capital Murder in Cause Number 16509 and Aggravated Assault in Cause Number 16544. Now you must determine the punishment to be imposed on the Defendant in Cause Number 16544.

The parties will soon present final arguments on punishment. Before they do so, I must now give you the instructions you must follow in determining the Defendant's punishment.

You will have a written copy of these instructions to take with you and to use during your deliberations.

I will first tell you about some general principles that apply in all criminal cases. Then I will tell you about the specific law applicable to this case. Finally, I will instruct you on the rules that must control your deliberations.

**GENERAL PRINCIPLES**

**Jury as Fact Finder**

As the jurors, you review the evidence and determine the facts and what they prove. You judge the believability of the witnesses and what weight to give their testimony.

In judging the facts and the believability of the witnesses, you must apply the law provided in these instructions.

## **Evidence**

In determining the sentence to be imposed on the Defendant, you may take into consideration all the evidence admitted before you. This includes the evidence admitted during the first stage of the trial concerning the Defendant's guilt as well as any evidence admitted during this punishment stage.

The evidence consists of the testimony and exhibits admitted in the trial. You must consider only evidence to reach your decision. You must not consider, discuss, or mention any other thing that is not evidence in the trial. You must not consider or mention any personal knowledge or information you may have about any fact or person connected with this case that is not evidence in the trial.

Statements made by the lawyers are not evidence. The questions asked by the lawyers are not evidence.

Nothing I have said or done in this case should be considered by you as my opinion about the facts of this case or influence you to vote one way or the other.

You should give terms their common meanings, unless you have been told in these instructions that the terms are given special meanings. In that case, of course, you should give those terms the meanings provided in the instructions.

While you should consider only the evidence, you are permitted to draw reasonable inferences from the testimony and exhibits if those inferences are justified in the light of common experience. In other words, you may make deductions and reach conclusions that reason and common sense lead you to draw from the evidence.

You are to render a fair and impartial verdict based on the evidence admitted in the case under the law that is in these instructions. Do not allow your verdict to be determined by bias or prejudice.

## **Admitted Exhibits**

You may, if you wish, examine exhibits. If you wish to examine an exhibit, the Presiding Juror should inform the Court, through the bailiff, and specifically identify the exhibits you wish to examine. Only exhibits that were admitted into evidence will be given to you for examination.

## **Testimony**

Certain testimony will be read back to you by the Court Reporter if you request. To request that testimony be read back to you, you must follow these rules. The Presiding Juror must make the request in writing and sign it. That request must (1) state that the jury is requesting that testimony be read back, (2) state that you have a disagreement about a specific statement of a witness or a particular point in dispute, and (3) identify the name of the witness who made the statement. The Court will then have the Court Reporter read back only that part of the statement that is in dispute.

## **Defendant's Right to Remain Silent**

The Defendant has a constitutional right to remain silent. The Defendant may testify on their own behalf. The Defendant may also choose not to testify. The Defendant's decision not to testify cannot be held against them, and it is not evidence of guilt. You must not speculate, guess, or even talk about what the Defendant might have said if they had taken the witness stand or why they did not. The Presiding Juror must immediately stop any juror from mentioning the Defendant's decision not to testify.

## **Evidence of Wrongful Acts Possibly Committed by Defendant**

During the trial, you heard evidence that the Defendant may have committed wrongful acts that did not result in any criminal charges or that did not result in criminal convictions. You are not to consider any evidence of any particular wrongful act unless you find, beyond a reasonable doubt, that the Defendant did, in fact, commit that wrongful act. Those of you who believe the Defendant did the wrongful act may consider it.

## **Assessing the Punishment**

You must arrive at the amount of punishment by a full, fair, and free expression of the opinion of the individual jurors. You must not decide the punishment by lot or by chance. For example, you may not agree beforehand to be bound by the result of a procedure by which each juror gives the number of years the juror thinks should be served, these are then added, and the result is divided by twelve.

To reach a verdict, all twelve of you must agree.

**LAW SPECIFIC TO THE OFFENSE OF CAPITAL MURDER IN CAUSE NO. 16509**

Again, you have found the Defendant, Quincy Lamar Henry, guilty of Capital Murder.

If a defendant is found guilty in a capital felony case in which the State does not seek the death penalty, the Judge shall sentence the defendant to life imprisonment without parole, in the Texas Department of Criminal Justice – Institutional Division.

Accordingly, in Cause No. 16509, because you have found the Defendant guilty of Capital Murder, and because the State has waived the punishment of death, and therefore does not seek the death penalty, this Court shall sentence the Defendant to life imprisonment without parole, in the Texas Department of Criminal Justice – Institutional Division.

**Parole and Good Conduct Time applicable to Cause No. 16509 only**

Upon Defendant being sentenced to a term of confinement in the Texas Department of Criminal Justice – Institutional Division for life imprisonment without parole, he will not be subject to release on parole. Further, the term of confinement cannot be reduced by good conduct time earned during that period of confinement.

## **LAW SPECIFIC TO THE OFFENSE OF AGGRAVATED ASSAULT IN CAUSE NO. 16544**

Again, you have also found the Defendant, Quincy Lamar Henry, guilty of Aggravated Assault.

The State has also accused the Defendant of having been convicted of a prior felony once before.

The Defendant has pleaded that this accusation is "true."

Therefore, this offense is punishable by—

1. any term of imprisonment for no less than five (5) years and no more than ninety-nine (99) years or for life, or
2. any term of imprisonment for no less than five (5) years and no more than ninety-nine (99) years or for life and a fine of no more than \$10,000.

### **Parole and Good Conduct Time applicable to Cause No. 16544 only**

The length of time for which a defendant is imprisoned may be reduced by the award of parole.

Under the law applicable in this case as to Cause No. 16544, a Defendant sentenced to a term of imprisonment, may earn early parole eligibility through the award of good conduct time. Prison authorities may award good conduct time to a prisoner who exhibits good behavior, diligence in carrying out prison work assignments, and attempts at rehabilitation. If a prisoner engages in misconduct, prison authorities may also take away all or part of any good conduct time earned by the prisoner.

Under the law applicable in this Cause No. 16544, if the Defendant is sentenced to a term of imprisonment, the Defendant will not become eligible for parole until the actual time served plus any good conduct time earned equals one-fourth of the sentence imposed. Eligibility for parole does not guarantee that parole will be granted.

It cannot accurately be predicted how the parole law time might be applied to this Defendant if they are sentenced to a term of imprisonment, because the

application of these laws will depend on decisions made by prison and parole authorities.

You may consider the existence of the parole law. However, you are not to consider the manner in which the parole law may be applied to this particular defendant.

## **RULES THAT CONTROL DELIBERATIONS**

You must follow these rules while you are deliberating and until you reach a verdict.

After the closing arguments by the attorneys, you will go into the jury room.

The Presiding Juror should conduct the deliberations in an orderly way. Each juror has one vote, including the Presiding Juror. The Presiding Juror must supervise the voting, vote with other jurors on the verdict, and sign the verdict sheet.

While deliberating and until excused by the trial court, all jurors must follow these rules:

1. You must not discuss this case with any court officer, or the attorneys, or anyone not on the jury.
2. You must not discuss this case unless all of you are present in the jury room. If anyone leaves the room, you must stop your discussions about the case until all of you are present again.
3. You must communicate with the judge only in writing, signed by the foreperson and given to the judge through the officer assigned to you.
4. You must not conduct any independent investigations, research, or experiments.
5. You must tell the judge if anyone attempts to contact you about the case before you reach your verdict.

After you have arrived at your verdict, you are to use the form attached to these instructions. You should have your Presiding Juror select the option, fill in the blank or blanks, and sign their name to the language that conforms to your verdict.

After the closing arguments by the attorneys, you will begin your deliberations to decide your verdict.

Signed this the 23<sup>rd</sup> day of August, 2024.



R. Shane Seaton  
Presiding Judge

FILED  
24 AUG 23 PM 1:07  
JOHN  
DIST. CLERK  
BY DEPUTY