

Cause No. 1931011

THE STATE OF TEXAS	§	IN THE 297TH
VS.	§	DISTRICT COURT
FREDERICK GARLAND SPEARS	§	TARRANT COUNTY, TEXAS

COURT'S CHARGE

MEMBERS OF THE JURY:

Frederick Garland Spears, hereinafter called "Defendant," stands charged by indictment with the offense of Capital Murder, alleged to have occurred in Tarrant County, Texas, on or about the 22nd day of September 2025. To this charge the Defendant has pleaded not guilty.

I. Applicable Offenses

A person commits the offense of "Murder" if the person intentionally or knowingly causes the death of an individual.

A person commits the offense of "Capital Murder" if the person intentionally commits murder in the course of committing or attempting to commit obstruction or retaliation.

A person commits "Obstruction or Retaliation" if the person intentionally or knowingly harms or threatens to harm another by an unlawful act

(1) in retaliation for or on account of the service or status of another as a:

(A) witness, prospective witness, or informant; or

(B) person who has reported or who the actor knows intends to report the occurrence of a crime; or

(2) to prevent or delay the service of another as a:

(A) witness, prospective witness, or informant; or

(B) person who has reported or who the actor knows intends to report the

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occurrence of a crime.

II. Definitions

“Actor” means a person whose criminal responsibility is in issue in a criminal action.

“Another” means a person other than the actor.

“Individual” means a human being who is alive, including an unborn child at every stage of gestation from fertilization until birth.

“Harm” means anything reasonably regarded as loss, disadvantage, or injury, including harm to another person whose welfare the person affected is interested.

“Unlawful” means criminal or tortious or both and includes what would be criminal and tortious but for a defense not amounting to justification or privilege.

A person acts “intentionally,” or with intent with respect to a result of his conduct when it is his conscious objective or desire to cause the result.

A person acts “knowingly,” or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause a result.

III: Application: Count One

Capital Murder

Now, if you find from the evidence beyond a reasonable doubt that Frederick Garland Spears, hereinafter called Defendant, on or about the 22nd day of September 2025, in the county of Tarrant, state of Texas, did intentionally cause the death of Mary Spears, by cutting or stabbing her with a knife or sharp object, and the Defendant was in the course of committing or attempting to commit the offense of obstruction or retaliation, then you will find the Defendant “Guilty” of Capital Murder as charged in the indictment.

If you do not believe that Defendant committed Capital Murder, or if you have a reasonable

doubt thereof, you will next consider the lesser-included offense of Murder.

Lesser-included offense of Murder

Now, if you find from the evidence beyond a reasonable doubt that the Defendant, on or about the 22nd day of September 2025, in the county of Tarrant, state of Texas, did intentionally or knowingly cause the death of Mary Spears, by cutting or stabbing her with a knife or sharp object, then you will find the Defendant “Guilty” of the lesser-included offense of Murder.

If you believe from the evidence, beyond a reasonable doubt, that the Defendant is guilty of either capital murder or murder, but you have a reasonable doubt about which offenses he is guilty of, you must resolve the doubt in the Defendant's favor. In that situation, you must find him guilty of the lesser-included offense of Murder.

If you do not believe that Defendant committed Murder, or if you have a reasonable doubt thereof, you will find the Defendant “Not Guilty.”

**IV: Evidence of Other Crimes, Wrongs or Other
Acts Possibly Committed by the Defendant**

Evidence of crimes, wrongs, or other acts is not admissible to prove that on a particular occasion the person acted in accordance with the character trait. However, the evidence may be admissible for another purpose. Admissible purposes include:

- 1) proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident;
 - 2) establishing the nature of the relationship between the Defendant and the alleged victim;
- or
- 3) showing the condition of the mind of the Defendant at the time of the offense.

If there is any testimony before you regarding the Defendant having committed crimes,

wrongs, or acts other than the offense alleged in the indictment in this case, you cannot consider said testimony for any purpose unless you find and believe beyond a reasonable doubt that the Defendant committed such other crimes, wrongs, or acts, if any were committed, and even then you may only consider those other crimes, wrongs, or acts for the permitted uses outlined above and for no other purpose.

If you do not believe the Defendant committed the crimes, wrongs, or other acts, or you have a reasonable doubt thereof, you shall not consider the evidence for any purpose at all.

V: Evidence Admitted for a Limited Purpose

Evidence of crimes, wrongs, or other acts is not admissible to prove that on a particular occasion the person acted in accordance with the character trait but may be admitted for another, limited purpose.

State's exhibits 11 and 12 were admitted for the limited purpose of assisting the jury, if it does, in determining the nature of the relationship between the Defendant and the alleged victim. You may only consider the evidence for that limited purpose and for no other reason.

VI: Rights of the Accused

In all criminal cases, the burden of proof is on the State. The burden of proof rests upon the State throughout the trial and never shifts to the Defendant. The State has the burden of proving the Defendant guilty and it must do so by proving each and every element of the offense charged beyond a reasonable doubt. If the State fails to do so, you must acquit the Defendant and say by your verdict "not guilty."

All persons are presumed to be innocent. The fact that a Defendant has been arrested, confined, indicted for, or otherwise charged with an offense gives no rise to any inference of guilt at his trial.

The indictment in this case is no evidence whatsoever of the guilt of the Defendant. It is a mere pleading that is necessary in order to bring this case into court for trial and you will not consider it for any purpose.

The law does not require a Defendant to prove his innocence or produce any evidence at all. The presumption of innocence alone is sufficient to acquit the Defendant, unless the jurors are satisfied beyond a reasonable doubt of the Defendant's guilt after careful and impartial consideration of all the evidence in the case.

VII: Jury Deliberation

After you retire to the jury room, you should select one of your members as your presiding juror. It is his or her duty to preside at your deliberations, to vote with you, and when you have reached a unanimous verdict, to certify your verdict by using the attached form and signing the same as your presiding juror.

You are the exclusive judges of the facts proven, of the credibility of the witnesses, and of the weight to be given their testimony. As you determine the facts, you must consider only the evidence presented during the trial, including the sworn testimony of the witnesses and the exhibits. Remember that any statement, objection, or argument made by the lawyers is not evidence. The function of the lawyers is to point out those things that are most significant or most helpful to their side of the case, and in so doing to call your attention to certain facts or inferences that might otherwise escape your notice. In the final analysis, however, it is your own recollection and interpretation of the evidence that controls in the case. What the lawyers say is not binding upon you. Also, do not assume from anything I may have done or said during the trial that I have any opinion concerning any issue in this case. Except for the instructions to you on the law, you should disregard anything I may have said or done during the trial in arriving at

your own findings as to the facts.

While you should consider only the evidence, you are permitted to draw such reasonable inferences from the testimony and exhibits as you feel 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 facts which have been established by the evidence.

You are bound to receive the law from the Court, which is given in these written instructions, and be governed thereby. You must not disregard or give special attention to any one instruction, or to question the wisdom or correctness of any rule I may state to you. You must not substitute or follow your own notion or opinion as to what the law is or ought to be. It is your duty to apply the law as I explain it to you, regardless of the consequences. It is also your duty to base your verdict solely upon the evidence that has been presented to you in court.

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

Certain testimony will be read back to you by the court reporter if the jury is in dispute and a request is made in writing and signed by the presiding juror. The request must (1) state that it is requesting that testimony be read back, (2) certify that there is a disagreement, (3) state the specific statement or particular point that is in dispute, and (4) 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.

At this time, you will confine your deliberations solely to the issue of whether the Defendant is guilty or not guilty of the offense set forth in this charge.

Any further communication must be in writing signed by your presiding juror through the

bailiff to the Court. The presiding juror should sign any written jury note, ring the jury call button on the wall, and give the note to the bailiff. The Court will reply in writing or bring the jury back into the courtroom to answer your note. Do not attempt to talk to the bailiff, the attorneys, or the Court regarding any question you may have concerning the trial of the case.

Your verdict must be by a unanimous vote of all members of the jury. After you have reached a unanimous verdict, please use the jury call button on the wall and one of the bailiffs will respond.

A handwritten signature in cursive script, appearing to read "Amy Allin", is written over a horizontal line.

AMY ALLIN
Judge, 297TH District Court
Tarrant County, Texas

VERDICT FORM

We, the Jury, find the Defendant, Frederick Garland Spears, guilty of the offense of Capital Murder as charged in the indictment.

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TARRANT COUNTY, TEXAS

AUG 19 2026

TIME 10:40AM
BY [Signature] DEPUTY

Ethan Wilson
PRESIDING JUROR

-OR-

We, the Jury, find the Defendant, Frederick Garland Spears, guilty of the lesser-included offense of Murder.

PRESIDING JUROR

-OR-

We, the Jury, find the Defendant, Frederick Garland Spears, not guilty.

PRESIDING JUROR