

NO. 2008-CR-8084

THE STATE OF TEXAS § IN THE DISTRICT COURT
VS. § 227TH JUDICIAL DISTRICT
GLEN DENSON § BEXAR COUNTY, TEXAS

CHARGE OF THE COURT

MEMBERS OF THE JURY:

The defendant, Glen Denson, stands charged by indictment with the offense of capital murder, alleged to have been committed on or about the 23rd Day of June, 2008, in Bexar County, Texas. To this charge the defendant has entered a plea of Not Guilty.

I.

Our law provides that a person commits the offense of murder if he intentionally or knowingly causes the death of an individual.

A person commits capital murder when such person murders more than one person during the same criminal transaction.

II.

"Individual" means a human being who has been born and is alive.

"Same criminal transaction" means a continuous and uninterrupted chain of conduct occurring over a very short period of time in a rapid sequence of unbroken events.

"Deadly weapon" means a firearm.

"Firearm" means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

III.

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 the result.

IV.

Now, if you find from the evidence beyond a reasonable doubt that on or about the 23rd Day of June, 2008, in Bexar County, Texas, the defendant, Glen Denson, did intentionally or knowingly cause the death of an individual, namely, Sidney Dees, by shooting Sidney Dees with a deadly weapon, namely, a firearm, and did intentionally or knowingly cause the death of another individual, namely, Sharon Denson, by shooting Sharon Denson with a deadly weapon, namely, a firearm, and/or burning Sharon Denson, and both murders were committed during the same criminal transaction, then you will find the defendant guilty of capital murder as charged in the indictment.

If you do not so find beyond a reasonable doubt, or if you have a reasonable doubt thereof, you will find the defendant not guilty.

Our law provides a defendant may testify in his own behalf if he elects to do so. This, however, is a right accorded a defendant; and, in the event he elects not to testify, that fact cannot be taken as a circumstance against him.

In this case, the defendant has elected not to testify; and you are instructed that you cannot and must not refer or allude to that fact throughout your deliberations or take it into consideration for any purpose whatsoever as a circumstance against him.

Written statements made by a witness to investigators or other officers or police reports made by officers and tendered by the prosecution to the defense for purposes of cross-examination are not part of the evidence unless introduced in evidence. Many times statements and reports may be marked with an exhibit number but are neither offered nor received in evidence. I can send only statements and reports received in evidence to the jury room.

You are instructed that the Grand Jury indictment is not evidence of guilt. It is the means whereby a defendant is brought to trial in a felony prosecution. It is not evidence, nor can it be considered by you in determining whether the defendant is guilty or not guilty.

During your deliberations in this case, you must not consider, discuss, nor relate any matters not in evidence before you. You should not consider nor mention any personal knowledge or information you may have about any fact or person connected with this case which is not shown by the evidence.

After you have retired to your jury room, you should select one of your members as your "presiding juror." It is his or her duty to preside at your deliberations, vote with you and, when you have unanimously agreed upon a verdict, to certify to your verdict by signing the same as "presiding juror."

You are the exclusive judges of the facts proved, of the credibility of the witnesses and of the weight to be given to

the testimony, but you are bound to receive the law from the Court which is herein given to you and be governed thereby.

You are instructed that you are not to allow yourselves to be influenced in any degree whatsoever by what you may think or surmise the opinion of the Court to be. The Court has no right by any word or any act to indicate any opinion respecting any matter of fact involved in this case, nor whether the Defendant is guilty or not guilty. The Court has not intended to express any such opinion, and if you have observed anything which you have interpreted or may interpret as the Court's opinion upon any matter of fact in this case or of whether the Defendant is guilty or not guilty, you must wholly disregard it.

You are instructed that the statements of counsel made during the course of the trial or during the argument, if not supported by evidence, or statements of law made by counsel, if not in harmony with the law as stated to you by the Court in these instructions, are to be wholly disregarded.

All persons are presumed to be innocent and no person may be convicted of an offense unless each element of the offense is proved beyond a reasonable doubt. The fact that a person has been arrested, confined, or indicted for, or otherwise charged with the offense gives rise to no inference of guilt at his trial. 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.

The prosecution 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 and if it fails to do so, you must acquit the defendant.


It is not required that the prosecution prove guilt beyond all possible doubt; it is required that the prosecution's proof excludes all "reasonable doubt" concerning the defendant's guilt.

In the event you have a reasonable doubt as to the defendant's guilt after considering all the evidence before you, and these instructions, you will acquit him and say by your verdict "Not Guilty."

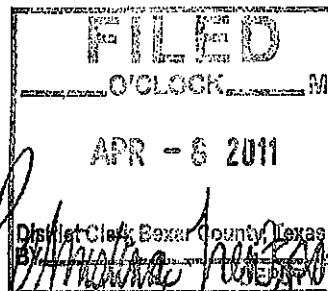
Suitable forms for your verdict are hereto attached for your convenience if you desire to use the same, but such forms are not intended to suggest to you in any way what your verdict should be, and you may or may not, as you see fit, make use of the same. However, your verdict must be unanimous, in writing, and signed by your presiding juror. Your sole duty at this time is to determine whether the defendant is guilty or not guilty under the indictment in this cause and you must restrict your deliberations to the issue of whether the defendant is guilty or not guilty, and nothing else. After you have retired, no one

has any authority to communicate with you except the officer who has you in charge. Do not attempt to talk to the officer, or anyone else concerning any question you may have; instead address your inquiry to the Court in writing. If the jury wishes to communicate with the Court, they shall notify the bailiff; any communication relative to the case must be written, prepared by the presiding juror, and shall be submitted to the Court through the bailiff.

Respectfully submitted,



Judge PHILIP A. KAZEN, Jr.
227TH Judicial District
Bexar County, Texas



NO. 2008-CR-8084

THE STATE OF TEXAS

§

IN THE DISTRICT COURT

VS.

§

227TH JUDICIAL DISTRICT

GLEN DENSON

§

BEXAR COUNTY, TEXAS

VERDICT FORM

~~We, the Jury, find the defendant, Glen Denson, not guilty.~~

~~_____
PRESIDING JUROR~~

VERDICT FORM

We, the Jury, find the defendant, Glen Denson, guilty of capital murder as charged in the indictment.

Jose Luis
PRESIDING JUROR