

CAUSE NO. 06-1-7346

|                    |   |                                    |
|--------------------|---|------------------------------------|
| THE STATE OF TEXAS | § | IN THE DISTRICT COURT OF           |
| VS.                | § | JACKSON COUNTY, TEXAS              |
| LEJAMES NORMAN     | § | 24 <sup>TH</sup> JUDICIAL DISTRICT |

CHARGE OF THE COURT

**LADIES AND GENTLEMEN OF THE JURY:**

The Defendant, LEJAMES NORMAN, stands charged by Indictment with the offense of **Capital Murder** alleged to have been committed in Jackson County, Texas, on or about the 24<sup>th</sup> day of August, 2005.

To this charge the defendant has entered his plea of Guilty. He has persisted in entering his plea of guilty, notwithstanding that the Court, as required by law, has admonished him of the consequences. It plainly appearing to the court that the defendant is mentally competent, and that he makes this plea freely and voluntarily, his plea is by the court received. You are instructed to find the defendant Guilty as charged in the indictment.

A grand jury indictment is the means whereby a Defendant is brought to trial in a felony prosecution. It is not evidence of guilt nor can it be considered by you in passing upon the issue of guilt of the Defendant. The burden of proof in all criminal cases rests upon the State throughout the trial, and never shifts to the Defendant.

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 he 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

Filed November 24, 2008  
 At 2:15 AM PM  
Sharon Mathis  
 Clerk, District Court, Jackson County, Texas

Recorded in Volume 94,  
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 Jackson County, Texas

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 the defendant and say by your verdict Not Guilty.

Our law provides that a Defendant may testify in his own behalf if he elects to do so. This, however, is a privilege 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.

You are the exclusive judges of the facts proved, of the credibility of the witnesses and the weight to be given their testimony, but the law you shall receive in these written instructions and you must be governed thereby.

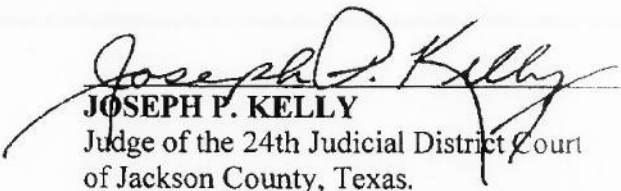
After you retire to the jury room, you should select one of your members as your foreperson. It is his/her duty to preside at your deliberations, vote with you, and when you have

unanimously agreed upon a verdict to certify to your verdict by using the appropriate form attached hereto, and signing the same as Foreperson.

No one has any authority to communicate with you except the officer who has you in charge. 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.

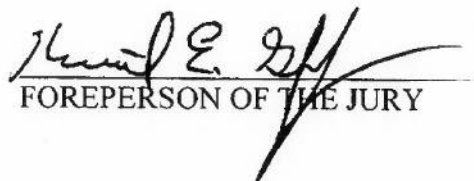
After you have retired, you may communicate with this court in writing through the officer who has you in charge. Do not attempt to talk to the officer who has you in charge, or the attorneys, or the court, or anyone else concerning any questions you may have. After you have reached a unanimous verdict, the Foreperson will certify thereto by filling in the appropriate form attached to this charge and signing his/her name as Foreperson. After closing arguments of the attorneys, you may retire to consider your verdict. You are instructed to find the Defendant Guilty.

DATED this the 24 day of NOVEMBER, 2008.

  
**JOSEPH P. KELLY**  
Judge of the 24th Judicial District Court  
of Jackson County, Texas.

**VERDICT FORM NO. 1**

We, the jury, find beyond a reasonable doubt, the Defendant, **LEJAMES NORMAN**, Guilty of the offense of **Capital Murder** as alleged in the indictment in Paragraphs 1, 2, 3 and 4.

  
FOREPERSON OF THE JURY

