



CASE No. 2006-1686-C2 COUNT N/A
 INCIDENT No./TRN: 9120161751

THE STATE OF TEXAS

§ IN THE 54TH DISTRICT

v.

§ COURT

ALTON DEGRATE HAWKINS

§ MCLENNAN COUNTY, TEXAS

STATE ID No.: TX 4533501

§

JUDGMENT OF CONVICTION BY JURY

Judge Presiding:	HON. GEORGE ALLEN	Date Judgment Entered:	12/6/2007
Attorney for State:	CRAWFORD LONG & CHARISSA SLOAN	Attorney for Defendant:	RUSTY CARROLL & WALTER REAVES
Offense for which Defendant Convicted:		FILED 6 th Day of Dec. 2007 at 2:45 o'clock P M KAREN C. MATKIN DISTRICT CLERK McLennan County, Texas	
Charging Instrument:	INDICTMENT	Statute for Offense:	19.03 Penal Code
Date of Offense:	9/27/2006	Plea to Offense:	NOT GUILTY By <i>J. C. Williams</i> Deputy
Degree of Offense:	CAPITAL FELONY	Findings on Deadly Weapon:	YES, A FIREARM
Verdict of Jury:	GUILTY		
Plea to 1 st Enhancement Paragraph:	N/A	Plea to 2 nd Enhancement/Habitual Paragraph:	N/A
Findings on 1 st Enhancement Paragraph:	N/A	Findings on 2 nd Enhancement/Habitual Paragraph:	N/A
Punished Assessed by:	COURT	Date Sentence Imposed:	12/6/2007
		Date Sentence to Commence:	12/6/2007
Punishment and Place of Confinement:	UNDER 12.31(b) LIFE IN THE INSTITUTIONAL DIVISION, TDCJ WITHOUT PAROLE		

THIS SENTENCE SHALL RUN CONCURRENTLY.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .

Fine: \$ N/A Court Costs: \$9371.00 Restitution: \$ N/A Restitution Payable to: VICTIM (see below) AGENCY/AGENT (see below)

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62.

The age of the victim at the time of the offense was N/A .

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

From 10/3/2006 to 12/6/2007 From to From to

Time Credited: From to From to From to

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

N/A DAYS NOTES: N/A

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in McLennan County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)

- Defendant appeared in person with Counsel.
 - Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.
- It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for 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 the guilt or innocence of Defendant, 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, if any.

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

Punishment Assessed by Jury / Court / No election (select one)

- Jury.** Defendant entered a plea and filed a written election to have the jury assess punishment. The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the question of punishment. After due deliberation, the jury was brought into Court, and, in open court, it returned its verdict as indicated above.
- Court.** Defendant elected to have the Court assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.
- No Election.** Defendant did not file a written election as to whether the judge or jury should assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.

The Court **FINDS** Defendant committed the above offense and **ORDERS, ADJUDGES AND DECREES** that Defendant is **GUILTY** of the above offense. The Court **FINDS** the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court **ORDERS** Defendant punished as indicated above. The Court **ORDERS** Defendant to pay all fines, court costs, and restitution as indicated above.

Punishment Options (select one)

- Confinement in State Jail or Institutional Division.** 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, Institutional Division, TDCJ**. The Court **ORDERS** Defendant to be confined for the period and in the manner indicated above. The Court **ORDERS** Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.
- County Jail—Confinement / Confinement in Lieu of Payment.** The Court **ORDERS** Defendant immediately committed to the custody of the Sheriff of _____ County, Texas on the date the sentence is to commence. Defendant shall be confined in the _____ County Jail for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall proceed immediately to the _____. Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.
- Fine Only Payment.** The punishment assessed against Defendant is for a **FINE ONLY**. The Court **ORDERS** Defendant to proceed immediately to the Office of the _____ County. Once there, the Court **ORDERS** Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

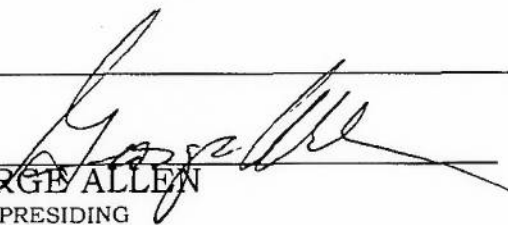
- The Court **ORDERS** Defendant's sentence **EXECUTED**.
- The Court **ORDERS** Defendant's sentence of confinement **SUSPENDED**. The Court **ORDERS** Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

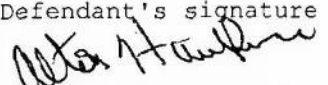

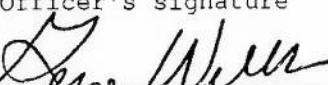
The Court **ORDERS** that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

The Court assesses all court appointed attorney's fees, investigator's fees, and interpreter's fees as costs in this cause and Orders the defendant to pay the same.

Signed and entered on December 6, 2007


 GEORGE ALLEN
 JUDGE PRESIDING

RIGHT THUMBPRINT	Defendant's signature 
	Officer's signature 
	Date: 12-07-07

DATE: 12/13/2007
TIME: 11:16:19

DISTRICT COURT FEE SYSTEM
BILL OF COST

PAGE: 1

HAWKINS,ALTON DEGRATE

CAUSE NO: 20061686C2

ACTION NO: 0 CASE TYPE: CRIMINAL

L I S T O F F E E S

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT COST
FEE NO: 1 BILLED 12/13/2006 TO HAWKINS,ALTON DEGRATE					
FCRM	CRIMINAL FILING FEE	001	206.00		C
CRRM	CRIM RECORD MGMT FEE	001	5.00		C
TOTAL FEE:	211.00	COURT COST:	211.00	OTHER:	0.00
TOTAL PAID:	0.00	LAST PAID:		AMOUNT DUE:	211.00

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT COST
FEE NO: 2 BILLED 12/07/2007 TO HAWKINS,ALTON DEGRATE					
INVS	CT APPT INVESTIGATOR	001	1,980.00		C
ATTY	CT APPOINT ATTORNEY	001	7,135.00		C
TOTAL FEE:	9,115.00	COURT COST:	9,115.00	OTHER:	0.00
TOTAL PAID:	0.00	LAST PAID:		AMOUNT DUE:	9,115.00

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT COST
FEE NO: 3 BILLED 12/13/2007 TO HAWKINS,ALTON DEGRATE					
JURC	JURY FEE - CRIMINAL	001	20.00		C
TOTAL FEE:	20.00	COURT COST:	20.00	OTHER:	0.00
TOTAL PAID:	0.00	LAST PAID:		AMOUNT DUE:	20.00

CODE	FEE DESCRIPTION	QTY	FEE AMOUNT	REMARKS	CT COST
FEE NO: 4 BILLED 12/13/2007 TO HAWKINS,ALTON DEGRATE					
TPMT	TIME PMT (>31 DAYS)	001	25.00		C
TOTAL FEE:	25.00	COURT COST:	25.00	OTHER:	0.00
TOTAL PAID:	0.00	LAST PAID:		AMOUNT DUE:	25.00

RECAPITULATION BY FEE CODE

CODE DESCRIPTION	COURT COST	OTHER
ATTY CT APPOINT ATTORNEY	7,135.00	0.00
CRRM CRIM RECORD MGMT FEE	5.00	0.00
FCRM CRIMINAL FILING FEE	206.00	0.00
INVS CT APPT INVESTIGATOR	1,980.00	0.00

DATE: 12/13/2007
TIME: 11:16:19

DISTRICT COURT FEE SYSTEM
BILL OF COST

PAGE: 2

HAWKINS,ALTON DEGRATE

CAUSE NO: 20061686C2 ACTION NO: 0 CASE TYPE: CRIMINAL

L I S T O F F E E S

RECAPITULATION BY FEE CODE

CODE DESCRIPTION	COURT COST	OTHER			
JURC JURY FEE - CRIMINAL	20.00	0.00			
TPMT TIME PMT (>31 DAYS)	25.00	0.00			
TOTAL	9,371.00	0.00			
TOTAL COST: DUE -	9,371.00	PAID -	0.00	BAL -	9,371.00
TOTAL FINE: DUE -	0.00	PAID -	0.00	BAL -	0.00
TOTAL REST: DUE -	0.00	PAID -	0.00	BAL -	0.00

Cause No. 2006-1686-C2

STATE OF TEXAS, GARNISHOR

IN THE DISTRICT COURT OF

V.

MCLENNAN COUNTY, TEXAS

Alton Degrate Hawkins

54TH JUDICIAL DISTRICT

TO: INMATE TRUST ACCOUNT, TEXAS DEPARTMENT OF CRIMINAL JUSTICE

COPY TO: Alton Degrate Hawkins and
OFFICE OF GENERAL COUNSEL INMATE LITIGATION MANAGEMENT

GREETINGS:

The above named Texas Department of Criminal Justice Institutional Division offender has of this date been assessed court costs, fees and/or fines in the District Court of McLennan County, Texas, in the above entitled cause in accordance with the sentence imposed and to which this Order is attached. The Court finds that the Defendant is unable to pay the costs, fees and fines on this date and that the funds should be withdrawn from the inmate trust account. Thereby, court costs, fees and/or fines have been incurred as represented in the certified Bill of Costs attached to the judgment in the amount of \$ 9371.00.

THE COURT ORDERS that payment be made out of the offender's Inmate Trust Account as follows:

Pay an initial amount equal to the lesser of:

- (1) 20% of the month's deposit for the first month that the offender has a deposit into the inmate's trust account; or
- (2) The total amount of fees and costs.

In each month following in which the initial payment is made above, the inmate shall pay an amount equal to the lesser of:

- (1) 10% of that month's balance in the inmate Trust Account; or
- (2) the total amount of fees that remain unpaid

Payments are to continue until the total amount of the costs, fines and fees are paid, or the inmate is released from confinement.

On receipt of a copy of this Judgment, the department (Inmate Trust Account) shall withdraw money from the trust account of the inmate, hold same in a separate account, and shall forward said

money to the District Clerk of McLennan County, Texas P.O. Box 2451 Waco, Texas 76701 on the earlier of the following dates:

- (1) Monthly
- (2) The date the total amount to be forwarded equals the total amount which remains unpaid; or
- (3) The date the inmate is released.

THE COURT ENTERS THIS ORDER as a part of the Judgment and Sentence of this Court and pursuant to Government Code, Section 501.014, on this the 6 day of Dec., 2007.



JUDGE PRESIDING

NO. 2006-1686-CZ

THE STATE OF TEXAS

IN THE 54TH DISTRICT COURT

VS.

OF

Alton Hawkins

MCLENNAN COUNTY, TEXAS

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL*

I, Judge of the trial court, certify this criminal case:

- is not a plea-bargain case, and the defendant has the right of appeal. [OR]
- is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal. [OR]
- is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal. [OR]
- is a plea-bargain case, and the defendant has NO right of appeal. [OR]
- the defendant has waived the right of appeal.

George Oll
Judge

12/6/07
Date Signed

I, the defendant, have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals's judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the court of appeals. Tex. R. App. P. 68.2. I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

Alton Hawkins
Defendant

[Signature]
Defense Attorney
SBOT # 16644200

Mailing address:

FILED
6th Day of Dec, 2007
at _____ o'clock M
KAREN C. MATKIN
DISTRICT CLERK

McLennan County, Texas
By Jack Williams
Deputy

Mailing Address:

504 Austin Ave

Telephone #:

254-296-0020

Telephone #:
254-296-0023

Fax #:

*A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case—that is, a case in which a defendant's plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant—a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal." TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).

