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OFFICE OF COURT ADMINISTRATION

CASE NO. 1023944D

THE STATE OF TEXAS	§	IN THE 372ND DISTRICT
VS.	§	COURT OF
ROGER EUGENE FAIN AKA: ROGER EUGENE FAIN JR	§	TARRANT COUNTY, TEXAS

JUDGMENT ON JURY VERDICT OF GUILTY  
PUNISHMENT FIXED BY COURT OR JURY - NO PROBATION GRANTED

Judge Presiding	: HON. SCOTT WISCH	Date of Judgment	: DECEMBER 19, 2007
Attorney for State District Attorney	: TIM CURRY	Assistant District Attorney	: GREGORY T. MILLER ALANA MINTON
Attorney for Defendant	: J. WARREN ST. JOHN WES BALL	Charging Instrument:	INDICTMENT
<u>Offense Date</u>	<u>Convicted Offense</u>		
JUNE 1, 1987	CAPITAL MURDER		
<u>Degree</u>	<u>Count</u>	<u>Plea</u>	
CAPITAL	ONE	NOT GUILTY	
Findings on Deadly Weapon	: NONE		
Plea to Enhancement Paragraph(s)	: NONE		
Plea to Habitual Paragraph(s)	: NONE		
Findings on Enhancement/ Habitual Paragraph(s)	: NONE		
Jury Verdict	: GUILTY		
Punishment Assessed By	: COURT		
Date Sentence Imposed	: DECEMBER 19, 2007	Date to Commence	: DECEMBER 19, 2007
Punishment Place of Confinement	: COUNT ONE - LIFE : INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE		
Time Credited	: 560 DAYS	Court Costs	: \$122.00
Reparation	: NONE	Restitution	: NONE
	: APPOINTED ATTORNEY FEES/COSTS/EXPENSES (TO BE ASSESSED AT A LATER DATE) ARE ASSESSED AS COURT COSTS PER ART. 26.05(g) T.C.C.P AND TO BE PAID TO AND THROUGH THE DISTRICT CLERK OF TARRANT COUNTY, TEXAS AS REQUIRED BY LAW.		
Multiple Sentences	: TO BE SERVED CONSECUTIVELY		
	* SENTENCE IN THIS CAUSE SHALL BEGIN WHEN THE JUDGMENT AND SENTENCE RENDERED IN 277TH DISTRICT COURT, IN WILLIAMSON COUNTY, TEXAS IN CAUSE NUMBER 95-112-K277, SHALL HAVE CEASED TO OPERATE		

On this day, set forth above, this cause came for trial, and the State appeared by the above-named attorney, and the Defendant appeared in person in open court, the above-named counsel for Defendant also being present, or, where a Defendant is not represented by counsel, that the Defendant knowingly, intelligently, and voluntarily waived the right to representation by

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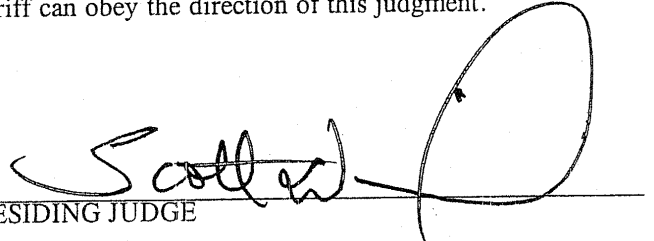
counsel; and the said Defendant having been duly arraigned and it appearing to the Court that Defendant was mentally competent, and having pleaded as shown above to the indictment herein, both parties announced ready for trial and thereupon a jury, to-wit, the above named foreman and eleven others, was duly selected, impaneled and sworn, who having heard the indictment read and the Defendant's plea thereto, and having heard the evidence submitted, and having been duly charged by the Court, retired in charge of the proper officer to consider the verdict, and afterward were brought into Court by the proper officer, the Defendant and Defendant's counsel being present, and returned into open court the verdict set forth above, which was received by the Court, and is here now entered upon the minutes of the Court as shown above.

Thereupon, the Defendant elected to have punishment assessed by the above shown assessor of punishment, and when shown above that the indictment contains enhancement paragraph(s), which were not waived, and alleges Defendant to have been convicted previously of any felony or offenses for the purpose of enhancement of punishment, then the Court asked Defendant if such allegations were true or false and Defendant answered as shown above. And when Defendant is shown above to have elected to have the jury assess punishment, such jury was called back into the box and heard evidence relative to the question of punishment and having been duly charged by the Court, they retired to consider such question, and after having deliberated, they returned into Court the verdict shown under punishment above; and when Defendant is shown above to have elected to have punishment fixed by the Court, in due form of law further evidence was heard by the Court relative to the question of punishment and the Court fixed the punishment of the Defendant as shown above.

IT IS THEREFORE CONSIDERED AND ORDERED by the Court, in the presence of the Defendant, that the said judgment be, and the same is hereby in all things approved and confirmed, and that the Defendant is adjudged guilty of the offense set forth above as found by the verdict of the jury, as set forth above, and said Defendant be punished in accordance with the Jury Verdict or the Court's Finding, as shown above and that the Defendant is sentenced to a term of imprisonment or fine or both, as set forth above, and that said Defendant be delivered by the Sheriff to the Director of the Institutional Division of the Texas Department of Criminal Justice, or other person legally authorized to receive such convicts for the punishment assessed herein, and the said Defendant shall be confined for the above named term in accordance with the provisions of law governing such punishments and execution may issue as necessary.

And, if shown above that the Defendant has been duly and legally convicted of a prior offense by showing the court, cause number, and offense, together with the punishment for such offense and date Defendant was sentenced for such offense in accordance with such conviction, then it is further ORDERED AND ADJUDGED that the punishment herein adjudged against said Defendant shall begin when the judgment in such prior offense, when shown above, shall have ceased to operate.

And the said Defendant is remanded to jail until said Sheriff can obey the direction of this judgment.

  
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PRESIDING JUDGE

Date Signed : DECEMBER 19, 2007

Notice of Appeal : DECEMBER 19, 2007  
Mandate Received : \_\_\_\_\_