

AUG 10 2017

NO. 1411740D

TIME 10:34
BY J.A. DEPUTY

THE STATE OF TEXAS § IN THE CRIMINAL DISTRICT
VS. § COURT NUMBER ONE
CHRISTIAN MICHAEL TYRRELL § TARRANT COUNTY, TEXAS

COURT'S CHARGE

MEMBERS OF THE JURY:

The defendant, Christian Michael Tyrrell, stands charged by indictment with the offense of capital murder, murder and injury to a child, alleged to have been committed in Tarrant County, Texas, on or about the 17th day of March, 2015. To these charges, the defendant has pleaded not guilty.

A person commits the offense of murder if he intentionally or knowingly causes the death of an individual; intends to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual; or commits or attempts to commit a felony, other than manslaughter, and in the course of and in the furtherance of the commission or attempt, he commits or attempts to commit an act clearly dangerous to human life that causes the death of an individual.

A person commits the offense of capital murder if the person intentionally or knowingly causes the death of an individual under 10 years of age.

A person commits the offense of injury to a child with intent to cause bodily injury if he intentionally, knowingly, recklessly, or with criminal negligence, by act causes to a child bodily injury.

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

A person acts knowingly, or with knowledge, with respect to the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. 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.

A person acts recklessly, or is reckless, with respect to circumstances surrounding his conduct or the result of his conduct when he is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such

a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's standpoint.

A person acts with criminal negligence, or is criminally negligent, with respect to circumstances surrounding his conduct or the result of his conduct, when he ought to be aware of a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's standpoint.

"Bodily injury" means physical pain, illness, or any impairment of physical condition.

"Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

"Child" means a person 14 years of age or younger.

"Individual" means a human being who is alive.

A "deadly weapon" means anything manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury.

You are further instructed that the state is not bound by the specific date on which the offense, if any, is alleged in the indictment to have been committed, but conviction may be had upon proof that the offense, if any, was committed: 1) any time prior to the presentment of the indictment for the offenses of capital murder and murder; and, 2) 10 years from the 18th birthday of the victim for the offense of injury to a child and prior to the presentment of the indictment.

The jury is instructed that the Court has taken judicial notice that the date the indictment in this case was presented was July 17, 2015. The jury is further instructed that it may, but is not required to accept as conclusive, the fact judicially noticed.

You are instructed that a conviction cannot be had upon the testimony of an accomplice unless corroborated by other evidence tending to connect the defendant with the offense committed; and the corroboration, if any, is not sufficient if it merely shows the commission of the offense.

You are instructed that Jessica Langlais is an accomplice.

Now, if you believe from the evidence beyond a reasonable doubt that an offense was committed, then you cannot convict the defendant based upon the statements of Jessica Langlais unless you first believe that the statements of Jessica Langlais are true and that they show the defendant is guilty as charged in the indictment; even then you cannot convict the defendant unless you further believe that there is other evidence in the case, outside of the evidence of Jessica Langlais, tending to connect the defendant with the commission of the offense charged in the indictment, and then from all the evidence you must believe beyond a reasonable doubt that the defendant is guilty.

COUNT ONE

Now, if you find from the evidence beyond a reasonable doubt that Christian Michael Tyrrell, in the County of Tarrant, State of Texas, on or about the 17th day of March, 2015, did then and there intentionally or knowingly cause the death of an individual, Adrian Langlais, by striking Adrian Langlais with or against a hard surface, and the said Adrian Langlais was then and there an individual under ten years of age, then you will find the defendant guilty of capital murder as charged in count one of the indictment.

Unless you so find from the evidence beyond a reasonable doubt, or if you have a reasonable doubt thereof, or if you're unable to agree, you will next consider whether the defendant is guilty of murder as charged in count two of the indictment.

COUNT TWO.

Now, if you find from the evidence beyond a reasonable doubt that Christian Michael Tyrrell, in the County of Tarrant, State of Texas, on or about the 17th day of March, 2015, did then and there commit or attempt to commit an act clearly dangerous to human life, namely, by striking Adrian Langlais with or against a hard surface, which caused the death of Adrian Langlais, and the said defendant was then and there in the course of or immediate flight from the commission or attempted commission of a felony, to-wit: injury to a child, then you will find the defendant guilty of murder as charged in count two of the indictment.

Unless you so find from the evidence beyond a reasonable doubt, or if you have a reasonable doubt thereof, or if you're unable to agree, you will next consider whether the defendant is guilty of injury to a child as charged in count three of the indictment.

COUNT THREE

Now, if you find from the evidence beyond a reasonable doubt that Christian Michael

Tyrrell, in the County of Tarrant, State of Texas, on or about the 17th day of March, 2015, did knowingly cause serious bodily injury to Adrian Langlais, a child younger than 15 years of age by striking Adrian Langlais with or against a hard surface, then you will find the defendant guilty of injury to a child as charged in count three of the indictment.

Unless you so find from the evidence beyond a reasonable doubt, or if you have a reasonable doubt thereof, then you will acquit the defendant of injury to a child as charged in count three of the indictment and say by your verdict, "not guilty."

The state has introduced evidence of extraneous crimes or bad acts other than the ones charged in the indictment in this case. This evidence was admitted only for the purpose of assisting you, if it does, in determining the motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident of the defendant, if any, in connection with the offense alleged against him in the indictment in this case and for no other purpose. You cannot consider the testimony for any purpose unless you find and believe beyond a reasonable doubt that the defendant committed such other crimes or bad acts, if any were committed.

The state has introduced evidence of extraneous crimes or bad acts other than the ones charged in the indictment in this case. This evidence was admitted only for the purpose of assisting you, if it does, in determining all relevant facts and circumstances surrounding the killing and the previous relationship existing between the accused and the deceased, together with all relevant facts and circumstances going to show the condition of the mind of the accused at the time of the offense, if any. You cannot consider the testimony for any purpose unless you find and believe beyond a reasonable doubt that the defendant committed such other crimes or bad acts, if any were committed.

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.

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."


You are instructed that the indictment in this case is no evidence whatsoever of the guilt of the defendant. It is a mere pleading necessary in order to bring this case into court for trial, and you will consider it for no purpose.

You are the exclusive judges of the facts proved, of the credibility of the witnesses, and of the weight to be given their testimony, but you are bound to receive the law from the Court, which is herein given you, and be governed thereby.

After you retire to the jury room, you will 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 using the appropriate form attached and signing the same as presiding juror.

You are instructed that your verdict must be by a unanimous vote of all members of the jury. In deliberating on this case, you shall consider the charge as a whole and you must not refer to or discuss any matters not in evidence before you.

If the jury wishes to communicate with the Court, such communication must be in writing and signed by the presiding juror and handed to the bailiff.


JUDGE ELIZABETH BEACH
Criminal District Court Number One
Tarrant County, Texas

VERDICT FORMS

We, the jury, find the defendant, Christian Michael Tyrrell, guilty of the offense of capital murder as charged in count one of the indictment.


PRESIDING JUROR

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

AUG 10 2017

-OR-

TIME 1:40
BY DEPUTY

We, the jury find the defendant, Christian Michael Tyrrell, guilty of murder as charged in count two of the indictment.

PRESIDING JUROR

-OR-

We, the jury find the defendant, Christian Michael Tyrrell, guilty of injury to a child as charged in count three of the indictment.

PRESIDING JUROR

-OR-

We, the jury, find the defendant, Christian Michael Tyrrell, not guilty.

PRESIDING JUROR

SPECIAL ISSUE

"Deadly Weapon" means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury.

Do you find it "true" beyond a reasonable doubt that a deadly weapon, to wit: a hard surface, that in the manner of its use or intended use was capable of causing death or serious bodily injury, was used or exhibited during the commission of the felony offenses of capital murder, murder, or injury to a child, and that the defendant, Christian Michael Tyrrell, used or exhibited the deadly weapon?

Answer: "We do." or "We do not." We do.

FILED
THOMAS A WILDER, DIST. CLERK
TARRANT COUNTY, TEXAS

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TIME 1:40
BY JS DEPUTY