



THE STATE OF TEXAS

IN THE 213TH DISTRICT COURT

v.

KEVIN WAYNE POWELL

TARRANT COUNTY, TEXAS

STATE ID No.: TX03747714

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**JUDGMENT OF CONVICTION BY JURY – CAPITAL MURDER**

Judge Presiding:	HON. CHRIS WOLFE	Date Sentence Imposed:	5/21/2019
Attorney for State:	SHAREN WILSON ALLENNA BANGS CATHERINE SIMPSON	Attorney for Defendant:	BRIAN D POE JOETTA KEENE

Offense for which Defendant Convicted:  
**CAPITAL MURDER BY TERROR THREAT/OTHER FELONY**

<u>Charging Instrument:</u> Indictment	<u>Statute for Offense:</u> 19.03(A)(2) PC
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<u>Date of Offense:</u> 12/15/2015	<u>Plea to Offense:</u> NOT GUILTY
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Degree of Offense:  
HYBRID FELONY

<u>Verdict of Jury:</u> Guilty	<u>Findings on Deadly Weapon:</u> N/A
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1 <sup>st</sup> Enhancement Paragraph: N/A	Finding on 1 <sup>st</sup> Enhancement Paragraph: N/A
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2 <sup>nd</sup> Enhancement Paragraph: N/A	Finding on 2 <sup>nd</sup> Enhancement Paragraph: N/A
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<u>Punishment Assessed by:</u> Jury	<u>Date Sentence Commences:</u> (Date does not apply to confinement served as a condition of community supervision.) 5/21/2019
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Punishment and Place of Confinement:      **LIFE WITHOUT PAROLE Institutional Division, TDCJ**

THIS SENTENCE SHALL RUN N/A.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A.  
(The document setting forth the conditions of community supervision is incorporated herein by this reference.)

Defendant is required to register as sex offender in accordance with Chapter 62, CCP.

(For sex offender registration purposes only) The age of the victim at the time of the offense was N/A

<u>Fine:</u> N/A	<u>Court Costs:</u> \$319.00	<u>Restitution:</u> N/A	<u>Restitution Payable to:</u> (See special finding or order of restitution which is incorporated herein by this reference.)
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Was the victim impact statement returned to the attorney representing the State? N/A

(FOR STATE JAIL FELONY OFFENSES ONLY) Is Defendant presumptively entitled to diligent participation credit in accordance with Article 42A.559, Tex. Code Crim. Proc.? N/A

Total Jail      If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.  
Time Credit:  
1112 Days      N/A Days      Notes: N/A

This cause was called for trial by jury and the parties appeared. The State appeared by her District Attorney as named above.

Counsel / Waiver of Counsel (select one)

- Defendant appeared with counsel.
- Defendant appeared without counsel and knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.
- Defendant was tried in absentia.

Both parties announced ready for trial. It appeared to the Court that Defendant was mentally competent to stand trial. A jury was selected, impaneled, and sworn, 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.

In accordance with the jury's verdict, the Court ADJUDGES Defendant GUILTY of the above offense. The Court FINDS that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc..

The Court ORDERS Defendant punished in accordance with the jury's verdict or Court's findings as to the proper punishment as indicated above. After having conducted an inquiry into Defendant's ability to pay, the Court ORDERS Defendant to pay the fine, court costs, and restitution, if any, 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 County Sheriff to take and deliver Defendant to the Director of the Correctional Institutions Division, TDCJ, for placement in confinement in accordance with this judgment. The Court ORDERS Defendant remanded to the custody of the County Sheriff until the Sheriff can obey the directions of this paragraph. Upon release from confinement, the Court ORDERS Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fine, court costs, and restitution due.
- County Jail Confinement / Confinement in Lieu of Payment.** The Court ORDERS Defendant committed to the custody of the County Sheriff immediately or on the date the sentence commences. Defendant shall be confined in the county jail for the period indicated above. Upon release from confinement, the Court ORDERS Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fine, court costs, and restitution due.
- Fine Only Payment.** The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay the fine, court costs, and restitution ordered by the Court in this cause.
- Confinement as a Condition of Community Supervision.** The Court ORDERS Defendant confined N/A Days in N/A as a condition of community supervision. The period of confinement as a condition of community supervision starts when Defendant arrives at the designated facility, absent a special order to the contrary.

Execution / Suspension of Sentence

- The Court ORDERS Defendant's sentence EXECUTED. The Court FINDS that Defendant is entitled to the jail time credit indicated above. The attorney for the state, attorney for the defendant, the County Sheriff, and any other person having or who had custody of Defendant shall assist the clerk, or person responsible for completing this judgment, in calculating Defendant's credit for time served. All supporting documentation, if any, concerning Defendant's credit for time served is incorporated herein by this reference.

Furthermore, the following special findings or orders apply:

COURT COSTS IN THE AMOUNT OF \$319.00 CREDITED FOR TIME SERVED  
HABITUAL OFFENDER NOTICE - NOT APPLICABLE

Date Judgment Entered: 5/21/2019

X   
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JUDGE PRESIDING

NOTICE OF APPEAL FILED: MAY 21, 2019

CASE No. 1563875R  
INCIDENT No./TRN: 9047887611

COUNT *One*

THE STATE OF TEXAS

v.

KEVIN WAYNE POWELL

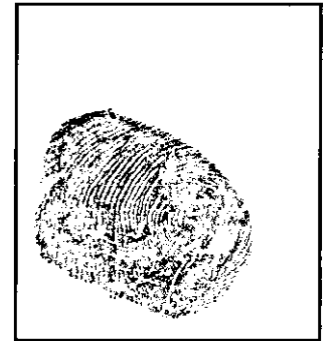
STATE ID No.: TX03747714

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IN THE 213TH DISTRICT COURT

TARRANT COUNTY, TEXAS

Date: *5.21.19*



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PERSON TAKING PRINT

JUDGMENT AND SENTENCE  
FINGERPRINT PAGE

Clerk

*AJB DRP*

**BILL OF COST**

**CAUSE NO. 1563875R**

**THE STATE OF TEXAS**

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**IN THE 213TH DISTRICT COURT**

**V.**

**KEVIN WAYNE POWELL**

**TARRANT COUNTY, TEXAS**

The total cost assessed in this case for court costs:

**COURT COST BREAKDOWN**

Clerk Fees-R	\$40.00
DC Recs Tech	\$4.00
DC Rec Pre&A-R	\$2.50
Security Fees-R	\$5.00
Crim. Records	\$22.50
Jury Service FD	\$4.00
Jury Fees-R	\$40.00
PO Arrest Fee	\$50.00
PO Commit/Rel	\$5.00
Ind DefenseFund	\$2.00
Jud Support-CRM	\$6.00
E-File Crim	\$5.00
CCC-Felony	\$133.00
<b>Total Court Cost Breakdown:</b>	<b>\$319.00</b>

**DISTRICT COURT OF TARRANT COUNTY, TEXAS**

I hereby certify that the foregoing is a correct account of the Court Costs adjudged against the Defendant in the above entitled and numbered cause, up to 5/21/2019.

Deputy, Marsha J. Bloxom  
Thomas A. Wilder, District Clerk  
Tarrant County, Texas

