

THE STATE OF TEXAS

V.

DAVID SANTIAGO RENTERIA

STATE ID No.: 05012298

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IN THE 41<sup>ST</sup> DISTRICT COURT

EL PASO COUNTY, TEXAS

TX05012298

**JUDGMENT OF CONVICTION AND RE-SENTENCING BY JURY**

Judge Presiding:	<b>HON. Mary Anne Bramblett</b>	Date Judgment Entered:	<b>5-14-08</b>
Attorney for State:	<b>Jaime Esparza Lori Hughes Diana Meraz</b>	Attorney for Defendant:	<b>Jaime Gandara Edy Payan Greg Velasquez</b>
<u>Offense for which Defendant Convicted:</u>	<b>CAPITAL MURDER</b>		
<u>Charging Instrument:</u>	<b>INDICTMENT</b>		<u>Statute for Offense:</u> <b>Texas Penal Code § 19.03 (a) (8)</b>
<u>Date of Offense:</u>	<b>11-18-01</b>		
<u>Degree of Offense:</u>	<b>CAPITAL</b>		<u>Plea to Offense:</u> <b>NOT GUILTY</b>
<u>Verdict of Jury:</u>	<b>GUILTY</b>		
<u>Punished Assessed by:</u>	<b>JURY</b>	<u>Date Sentence Imposed:</u>	<b>5-14-08</b>
		<u>Date Sentence to Commence:</u>	<b>5-14-08</b>
<u>Punishment and Place of Confinement:</u>	<b>DEATH PENALTY</b>		

On SEPTEMBER 8, 2003, this cause was initially called for trial, and the State appeared by her District Attorney, and the defendant, DAVID SANTIAGO RENTERIA, appeared in person in open court with his counsel. It appeared to the Court that the defendant was mentally competent. The defendant entered a plea of NOT GUILTY to the charge of CAPITAL MURDER contained in the indictment, both parties announced ready for trial, and a jury was selected and seated consisting of STEVEN DARLING and eleven others who were duly sworn. The indictment was read and the defendant entered his plea of NOT GUILTY to the charge of CAPITAL MURDER contained in the indictment and read to the jury by the State.

All of the evidence was presented by both the State and the defendant and the charge was read to the jury by the Court. The jury heard the arguments of both sides and retired in charge of the proper officer to consider their verdict. Afterward, the jury was brought into open court by the proper officer, the defendant and his counsel being present, and returned the following verdict which was received by the Court and entered upon the minutes of the Court, to wit:

SEPTEMBER 17, 2003

**VERDICT FORM A**

*We, the jury, find the Defendant, DAVID RENTERIA, guilty of the offense of Capital Murder as charged in the indictment.*

Signed: **STEVEN DARLING**  
**PRESIDING JUROR**

On APRIL 22, 2008, this cause being called for the re-trial of the sentencing phase, the State appeared by her District Attorney and the defendant, DAVID SANTIAGO RENTERIA, appeared in person in open court with his counsel. It appeared to the Court that the defendant was mentally competent. Both parties announced ready for trial and a jury was selected and seated consisting of ROXANNE CASTRICONE and eleven others who were duly sworn.

All of the evidence was presented by both the State and the defendant and the charge was read to the jury by the Court. The jury heard the arguments of both sides and retired in charge of the proper officer to consider their verdict. Afterward, the jury was brought into open court by the proper officer, the defendant and his counsel being present, and returned the following verdict which was received by the Court and entered upon the minutes of the Court, to wit:

MAY 7, 2008

**SPECIAL ISSUE NO. 1**

*Do you find from the evidence beyond a reasonable doubt that there is a probability that the Defendant, DAVID RENTERIA, would commit criminal acts of violence that would constitute a continuing threat to society?*

**ANSWER**

*We, the Jury, unanimously find and determine beyond a reasonable doubt that the answer to this Special Issue is "YES".*

Signed: **ROXANNE CASTRICONE**  
**PRESIDING JUROR**

**SPECIAL ISSUE NO. 2**

*Taking into consideration all of the evidence, including the circumstances of the offense, the Defendant's character and background, and the personal moral culpability of the Defendant, do you find that there is a sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment rather than a death sentence be imposed?*

**ANSWER**

*We, the Jury, unanimously find that the answer to this Special Issue is "NO".*

Signed: **ROXANNE CASTRICONE**  
**PRESIDING JUROR**

**VERDICT**

*We, the Jury, return in open court the above answers to the Special Issues submitted to us, and the same is our verdict in this case.*

Signed: **ROXANNE CASTRICONE**  
**PRESIDING JUROR**

It is therefore considered and adjudged by the Court that the defendant, DAVID SANTIAGO RENTERIA, is guilty of the offense of Capital Murder as found by the jury.

Furthermore, a separate jury having answered that beyond a reasonable doubt there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society and that there was not a sufficient mitigating circumstance or circumstances to warrant that a sentence of life imprisonment rather than a death sentence be imposed, the Court, as required by law, shall sentence the defendant to the DEATH PENALTY.

Thereupon on MAY 14, 2008, the Defendant, DAVID SANTIAGO RENTERIA, was asked by the Court whether he had anything to say why said sentence should not be pronounced against him and the Defendant answered nothing in bar thereof, whereupon the Court proceeded, in the presence of said Defendant, DAVID SANTIAGO RENTERIA, to pronounce sentence against him as follows:

It is the ORDER of the Court that the Defendant is sentenced to DEATH; but the law further providing for an automatic appeal to the Court of Criminal Appeals of the State of Texas, no execution date shall be set until the decision of the Court of Criminal Appeals has been received by this Court.

The Defendant is now remanded to the custody of the Sheriff of El Paso County, Texas, to be transported to the Institutional Division of the Texas Department of Criminal Justice at Huntsville, Texas, there to await the action of the Court of Criminal Appeals and the further Orders of this Court.

Signed and entered on 5 128 2008

  
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ATTORNEY FOR THE STATE

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ATTORNEY FOR THE DEFENDANT

  
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MARY ANNE BRAMBLETT  
JUDGE 41<sup>ST</sup> DISTRICT COURT

Right Thumbprint of David Santiago Renteria: