

THE STATE OF TEXAS

IN THE DISTRICT COURT

VS.

OF LIBERTY COUNTY, TEXAS

EDWIN THOMAS BATY

253RD JUDICIAL DISTRICT

LADIES AND GENTLEMEN OF THE JURY:

You have found the Defendant, EDWIN THOMAS BATY, guilty of the felony offense of Capital Murder as charged in the indictment. It now becomes your responsibility to assess the proper punishment.

1. **CAPITAL MURDER**

An individual that is found guilty of a capital felony shall be punished by death or imprisonment in the Texas Department of Criminal Justice for Life without parole.

2. **LIFE WITHOUT PAROLE**

You are instructed that the State is not seeking the death penalty and you must now assess the punishment of the defendant at confinement in the Institutional Division of the Texas Department of Criminal Justice for Life without parole.

3. **INSTRUCTIONS ON COMMUNITY SUPERVISION**

Under the law applicable in this case, the defendant is not eligible for community supervision.

4. **INSTRUCTIONS ON PAROLE**

Under the law applicable in this case, the defendant is not eligible for parole.

5. **THE 5TH AMENDMENT**

Our law provides that a defendant may testify in his own behalf if he elects to do so. This, however, is a privilege accorded a defendant, and in the event he elects not to testify, that fact cannot be taken as a circumstance against him. In this case, the defendant has elected not to testify, and you are instructed that you cannot and must not refer or allude to that fact throughout your deliberations or take it into consideration for any purpose whatsoever as a circumstance against the defendant.

6. **AFTER YOU RETIRE TO DELIBERATE YOUR VERDICT**

You are instructed that in fixing the defendant's punishment, which you will show in your verdict, you may take into consideration all the facts shown by the evidence admitted before you in the full trial of this case and the law as submitted to you in this charge. If any evidence was presented to raise an issue, the law on that issue must be and is provided.

Your verdict must be a unanimous vote of all members of the jury. In arriving at your verdict, it will not be proper to fix the same by lot, chance, or any other method than by a full, fair and free exercise of the opinion of the individual jurors under the evidence admitted before you.

Occasionally, during jury deliberations, a dispute arises as to the testimony presented. If this should occur in this case, you shall inform the Court and request that the Court read the portion of disputed testimony to you from the official transcript. If you did take notes, you shall not rely on your notes to resolve the dispute because those notes, if any, are not official transcripts. The dispute must be settled by the official transcript, for it is the official transcript, rather than any juror's notes, upon which you must base your determination of the facts and, ultimately, your verdict in this case.

While deliberating and until excused by the court, all jurors must follow these rules:

1. You must not discuss this case with any court officer, or the attorneys, or anyone not on the jury.
2. You must not discuss this case unless all of you are present in the jury room. If anyone leaves the jury room, then you must stop your discussions about the case until all of you are present again.
3. You must communicate with the Court only in writing, signed by the foreperson and given to the Court through the officer assigned to you.
4. You must not conduct any independent investigation, research, or experiments by cellular phone, electronic device, or any other method.

5. You must advise the Court if anyone attempts to contact you about the case before you reach your verdict.

After you have reached a unanimous verdict, the Foreperson will certify thereto by filling in your verdict on the form attached to this charge and dating and signing his or her name as Foreperson. You may retire to consider your verdict after the argument of counsel.

7. **ALTERNATE JUROR**

The alternate juror shall not participate in any way with the deliberations. Only at such time as one of your number becomes disqualified to continue will I seat an alternate juror who may then participate in deliberations.

After the closing arguments by the attorneys, you will begin your deliberations to decide your verdict.

SIGNED this 18th day of July, 2024.



CHAP CAIN III
JUDGE PRESIDING

FILED
at 11:14 o'clock A M
418
JUL 18 2024
DELIA SELIERS
Clerk, District Court, Liberty, TX
BY Delia Seliers DEPUTY

NO. 22DC-CR-00562

THE STATE OF TEXAS

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EDWIN THOMAS BATY

253RD JUDICIAL DISTRICT

WE, THE JURY, having found the defendant, EDWIN THOMAS BATY, guilty of the offense of Capital Murder, and further find that the State does not intend to seek the death penalty, assess the defendant's punishment at imprisonment in the Institutional Division of the Texas Department of Criminal Justice for a term of Life without parole.

Date: 07-⁰⁶18-2024

Darren Canova
FOREPERSON OF THE JURY

Darren Canova
PRINT NAME

FILED
at 11:38 o'clock A M
JUL 18 2024
DELIA SELLERS
Clerk, District Court, Liberty, TX
BY Rachy Rey DEPUTY