

Case No. CR-4362-11-D
TRN 920 434 2544 A001

THE STATE OF TEXAS
vs LEROY KILLIAN
ARISTA,
DEFENDANT
SID TX 08582775

§ IN THE 206TH JUDICIAL
§ DISTRICT COURT OF
§ HIDALGO COUNTY, TEXAS

JUDGMENT OF CONVICTION BY JURY &
LIFE SENTENCE TO THE INSTITUTIONAL DIVISION
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE

SEPTEMBER 11, 2013

DATE OF JUDGMENT	G JAIME GARZA
VISITING JUDGE PRESIDING	VICTORIA D MUNIZ
ATTORNEY FOR THE STATE	09990022
OFFENSE CODE	CARLOS A GARCIA
ATTORNEY FOR THE DEFENDANT	CAPITAL MURDER BY TERROR
OFFENSE	THREAT/OTHER FELONY, AS
	CHARGED IN THE INDICTMENT
DATE OF OFFENSE	JULY 12, 2011
DEGREE OF OFFENSE	CAPITAL FELONY
STATUTE FOR OFFENSE	19.03 (a)(2) PENAL CODE
APPLICABLE PUNISHMENT RANGE	LIFE OR DEATH
(Including enhancements if any)	
CHARGING INSTRUMENT	INDICTMENT
PLEA TO OFFENSE	NOT GUILTY
JURY VERDICT FOR OFFENSE	GUILTY
PUNISHMENT IMPOSED BY COURT	LIFE IMPRISONMENT WITHOUT
	PAROLE
PLACE OF IMPRISONMENT	INSTITUTIONAL DIVISION OF THE
	TEXAS DEPARTMENT OF CRIMINAL
	JUSTICE
LINE	NONE
RESTITUTION	NONE
CREDIT FOR TIME SPENT IN JAIL	790 DAYS
DISMISS	NONE
CONSIDER	NONE
PIFA TO ENHANCEMENT	NONE
PARAGRAPH(S)	
FINDING TO ENHANCEMENT	NONE
FINDING ON DEADLY WEAPON	NONE
COURT COSTS	\$ 279 ⁰⁰
DATE SENTENCE IMPOSED	SEPTEMBER 11, 2013

On **AUGUST 27, 2013**, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by **VICTORIA D MUNIZ**, and the Defendant and the Defendant's attorney, **CARLOS A GARCIA**, were also present. Thereupon both sides announced ready for trial, and the Defendant pleaded **NOT GUILTY** to the offense charged in the indictment or information. A Jury was duly selected, impaneled and sworn. Having heard the evidence submitted and having been duly charged by the Court, the Jury retired to consider their verdict. Afterward, on **AUGUST 30, 2013**, being brought into open court by the proper officer, the Defendant, the Defendant's Attorney and the State's Attorney being present, and being asked if the Jury had agreed upon a verdict, the Jury answered it had and returned to the Court a verdict which was read aloud, received by the Court, and is now entered upon the minutes of the Court as follows:

We, the Jury, find the Defendant, LFROY KILLIAN ARISTA, GUILTY of the offense of Capital Murder as charged in the indictment.

Thereupon, the State having elected not to seek the death penalty as allowed under Article 37.071 Section 1 of the Texas Code of Criminal Procedure, the Court then asked the Defendant whether the Defendant had anything to say why the sentence should not be pronounced upon Defendant, and the Defendant having answered nothing in bar thereof, the Court proceeded to pronounce sentence upon Defendant.

It is therefore **ORDERED, ADJUDGED and DECREED** by the Court that the Defendant is guilty of the offense of **CAPITAL MURDER BY TERROR THREAT/OTHER FELONY, AS CHARGED IN THE INDICTMENT, CAPITAL FELONY**, committed on **JULY 12, 2011**, that the punishment is fixed at **LIFE imprisonment in the INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE** without parole, and a Fine of **NONE**, and that the State of Texas do have and recover of the Defendant all court costs in this prosecution expended, for which execution will issue.

A pre-sentence investigation report **WAS NOT DONE** according to Article 42.12, Sec 9 CCP.

It is further **ORDERED** by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of Hidalgo County, Texas, and be safely conveyed and delivered to the Director of the Institutional Division of the Texas Department of Criminal Justice, there to be confined in the manner and for the period aforesaid, and the Defendant is hereby remanded to the custody of the Sheriff of Hidalgo County, Texas, until such time as the Sheriff can obey the directions of this sentence.

Furthermore, the following special findings or orders apply:

The Court, upon the State's motion **DISMISSED** the following count, case or complaint **NONE**.

The Court, upon the Defendant's request and the State's consent, **CONSIDERED** as an admitted unadjudicated offense the following count, case or complaint **NONE**.

The Court finds that the sentence imposed or suspended shall run **CONCURRENT** unless otherwise specified.

The Court finds that the Defendant shall be credited with 790 DAYS on his sentence for time spent in jail in this cause

The Court finds the Defendant owes NONE for the Fine, NONE in restitution,
\$ in court costs

Signed on the 11 day of September, 2013

[Signature]
Judge Presiding

Receipt is hereby acknowledged on the date shown above of one copy of this Judgment & Sentence

[Signature]
Defendant

[Signature]
Community Supervision Officer

SF

Defendant's right thumbprint

