CAUSE NO. _____

| | | |
|---|---|---|
| THE STATE OF TEXAS | § | IN THE DISTRICT COURT |
| | § | |
| VS. | § | 49TH JUDICIAL DISTRICT |
| | § | |
| _____ | § | WEBB COUNTY, TEXAS |

# AGREED PUNISHMENT RECOMMENDATION - STATE JAIL FELONY

(Place a check mark where applicable)

## Offense Level

( ) Prosecution will proceed only on Count(s): _____

( ) Prosecution will proceed for the Lesser Included Offense of:

_____

( ) Misdemeanor Punishment with State Jail Felony Conviction under §12.44 P.C.

## *Punishment*

( ) Deferred Adjudication granted and the defendant placed under community supervision

( ) A fine of $ _____ payable ( ) at sentencing, ( ) in _____days, ( ) during probation

( ) Confinement in State Jail for a term of _____ days/months/years.

( ) After conviction, sentence suspended and the defendant placed under community supervision.

( ) Confinement in the County Jail for a term of _____ days/months/years.

( ) Dismiss Cause(s) _____

( ) Run ( ) concurrently ( ) consecutively wit Cause (s)_____

The following *Non-Binding* recommendations are made to the Court:

( ) Length of Community Supervision Term: _____ years/months.

( ) "Up Front" confinement in the State Jail for _____days.

( ) Placement in ( ) boot camp ( ) restitution center ( ) Substance Abuse Facility.

( ) The Court Grants defendant's request for good time credit

( ) Under Article 42A.559 court finding that defendant is presumptively entitled to diligent participation Credit while confined in a State Jail Facility.

## UNAGREED PUNISHMENT RECOMMENDATION – STATE JAIL FELONY

***COMES NOW*** *the State and the Defendant and would show the Court that they disagree as to what the proper punishment should be in this case.*

The STATE recommends:

_____

_____

The DEFENDANT recommends:

_____

_____

| | |
|---|---|
| _____ | _____ |
| Prosecutor / Abogado de la Fiscalia | Counsel for Defendant / Abogado de Acusado |
| _____ | _____ |
| Defendant-*Acusado* | Date / Fecha |

# Written Pleas Admonishments-State Jail Felony
# 49TH Judicial Court Webb County

**No.** _____ **Offense:** _____ **Date:**_____

**TO:** _____, **Defendant (*Acusado*),**

## Range of Punishment

**Pursuant to Art. 26.13 C.C.P. and having been duly sworn, you are hereby admonished in writing that you are charged with the offense shown above which is a State Jail Felony. If convicted you face confinement in a State Jail for a term of not less than 180 days or more than 2 years. In addition, you may be assessed a fine not to exceed $10,000.00. It is *impossible* to earn either good conduct time credit or parole while serving a State Jail Sentence. The Court may but is not required to give you credit for pre-trial time spent in the county jail. You are entitled to receive credit for any time served in the State Jail as a condition for community supervision.**

## Margen del Castigo

*De acuerdo al artículo 26.13 del Código de Procedimientos Penales habiéndosele tomado a usted juramento y protesta de decir verdad se le hace apercibimiento judicial por escrito que se le acusa de un delito que se indica arriba y que consiste en una Felonía de Cárcel Estatal. Si resulta usted con una convicción contempla encarcelamiento en una Cárcel Estatal por un término que no exceda 180 días o sea mayor a 2 años. Además se le podrá imponer una multa que no exceda $10,000.00 Es imposible obtener el derecho a que se le considere buena conducta en la condena purgada o libertad condicional mientras de que cumpla la sentencia condenatoria de Cárcel Estatal. La Corte podrá, sin embargo, tomar a su favor sin que esto sea requerido de la misma, tiempo de condena por el tiempo pasado en la Cárcel del Condado antes del juicio penal. Tiene derecho a recibir tiempo de condena a su favor cualquier término que cumpla en la Cárcel Estatal que haya sido señalado como condición de la libertad condicional otorgada.*

## Community Supervisión

**If this offense was committed before January 1, 1996, the Court must suspend sentence and place you under community supervision even if you have previously been convicted of 1 or more felony offenses. If this offense was committed between January 1, 1996 and September 1,1997, the Court must suspend sentence and place you under community supervision unless you have previously been convicted of a felony offense and in that event the Court may either place you on community supervision or directly sentence you to the State Jail. If this offense was committed after September 1, 1997, the Court may either place you on community supervision or directly sentence you to the State Jail whether or not you have been previously convicted of a felony offense. The Court may also suspend all or part of any fine assessed.**

## Libertad Condicional

*Si la comisión de este delito fue antes del día 1 de Enero de 1996, la Corte deberá suspender la sentencia y ponerlo bajo libertad condicional aun si anteriormente usted haya sido condenado de uno (1) o mas felonías. Si la comisión de este delito fue entre las fechas del día 1 de Enero de 1996 y el 1 de Septiembre de 1997 la Corte deberá suspender la sentencia y ponerlo en libertad condicional a menos de que usted anteriormente haya sido condenado por un delito de felonía y en este caso la Corte podrá alternativamente ponerlo a usted en libertad condicional o imponerle directamente sentencia turnándolo a la Cárcel Estatal ya sea que usted anteriormente o no haya recibido condena por delito de felonía. La Corte también podrá suspender toda o parte de la multa impuesta.*

## Offense Date Before 1/1/96—"Up Front" Confinement Conditions

**If this offense was committed before January 1, 1996, you may be ordered confined as a condition of community supervision. If you have no prior felony convictions, you may be confined in the county jail up to 30 days or in the State Jail up to 60 days. If you have 1 prior felony conviction, you may be confined in the county jail for up to 60 days or in the State Jail up to 180 days. If you have 2 or more felony convictions *or* if you delivered a Penalty Croup 1 controlled substance, you may be confined in the county jail up to 60 days or in the State Jail up to 365 days.**

## Fecha de Comisión del Delito Antes del 1/1/96
## Condiciones Iniciales de la Reclusión

*Si la comisión de este delito fue antes del día 1 de Enero de 1996 puede ser que se le ordene judicialmente a ser encarcelado como una de las condiciones de la libertad condicional. Si usted no tiene condenas anteriores por felonías podrá estar encarcelado en la Cárcel del Condado hasta por 30 días o bien en la Cárcel Estatal hasta por 60 días. Si usted tiene 1 condena anterior por felonía, podrá ser encarcelado en la Cárcel del Condado hasta por 60 días o en la Cárcel Estatal hasta por 180 días. Si usted tiene Dos (2) o mas condenas por felonías o si tuvo comisión en substancias controladas dentro del Grupo 1 de Penalidades, podrá ser encarcelado en la Cárcel del Condado hasta por 60 días o en la Cárcel Estatal hasta por 365 días.*

## Offense Date After 1/1/96- -"Up Front" Confinement Conditions

**If this offense was committed after January 1, 1996, you may be ordered confined as a condition of community supervision for up to 90 days in the county jail or between 90 to 180 days in the State Jail. If you delivered or manufactured a Penalty Group 1, 1-A or 2 controlled substance or marijuana, you may be confined not less than 90 days or more than 365 days in State Jail.**

## Fecha de Comisión del Delito Después del 1/1/96

## Condiciones Iniciales de la Reclusión

*Si la comisión de este delito fue después del día 1 de Enero de 1996, se le podrá ordenar judicialmente a ser encarcelado como una de las condiciones de la libertad condicional hasta por 90 días en la Cárcel del Condado o un termino entere 90 y 180 días en la Cárcel Estatal. Si cometió un delito relacionado a substancias controladas del Grupo 1, 1-A o 2 de Penalidades o marihuana, podrá ser encarcelado por un término de 90 días o más de 365 días sen la Cárcel Estatal.*

## Violation of Community Supervision

**If you violate one or more of the conditions imposed by the Court, you may be arrested (with or without a warrant) and detained. After a hearing, the Court may order your community supervision revoked.**

## Violación de la Libertad Condicional

*Si usted comete la violación de uno o mas de las condiciones impuestas por la corte, podrá ser arrestado judicialmente (existiendo o no existiendo una orden de aprehensión en su contra) y detenido. Después de una audiencia judicial la Corte podrá ordenas judicialmente que se revoque su libertad condicional.*

## Violation of Deferred Adjudication

**If you are granted deferred adjudication and accused of violating a condition of supervision, you may be arrested and detained. You are entitled to a hearing limited to a determination of whether to proceed with adjudication of guilty or the original charge. No appeal may be taken from this determination. After adjudication of guilty, all proceedings, including assessment of punishment, pronouncement of sentence, granting of community supervision and your right to appeal continues as if adjudication of guilty had not been deferred. If this offense was committed before January 1, 1996, after revocation of deferred adjudication the Court must suspend the imposition of sentence and place you on community supervision. If this offense was committed after January 1, 1996, the Court may suspend the imposition of sentence and place you on community supervision or may direct sentence you to the State Jail.**

## Violación de Sentencia Diferida

*Si se le impone una sentencia diferida y es acusado de haber violado una de las condiciones de la libertad condicional podrá ser detenido y arrestado. Tendrá derecho a tener una audiencia judicial que se limite a determinar si se procederá con la sentencia condenatoria por culpabilidad o con el delito inicial. No podrá apelarse esta resolución judicial. Después de la sentencia condenatoria por culpabilidad, todos los procedimientos judiciales incluyéndose la imposición del castigo, imposición de sentencia, otorgamiento de libertad condicional y su derecho de apelación continúa como si la sentencia condenatoria por culpabilidad no hubiera sido diferida. Si la comisión de este delito fue antes del día 1 de Enero de 1996, después de la imposición de Sentencia Diferida la Corte deberá suspender la imposición de la sentencia y ponerlo a usted en libertad condicional Si la comisión de este delito fue después del día 1 de Enero de 1996, la Corte podrá suspender la imposición de la sentencia y ponerlo en libertad condicional o podrá sentenciarlo directamente a la Cárcel Estatal.*

## Plea Bargain

**If no plea bargain exists, the Court is not bound to or limited by any punishment recommendation made by the State. If a plea bargain does exist, the Court must inform you in open court whether or not it will follow the agreement before any finding is made on your plea. *Should the Court reject your agreement, you are entitled to withdraw your plea.***

## Convenio Declaratorio

*Si no existe un convenio declaratorio la Corte no esta obligada o limitada por cualquier recomendación de castigo hecha por el Estado. Si por el contrario si existe un convenio declaratorio la corte deberá informarle a usted en juicio si es que seguirá o no el convenio antes de que emita una resolución sobre su convenio declaratorio. En el caso de que la corte rechace su convenio declaratorio tendrá el derecho de retirar su declaración judicial.*

## Permission to Appeal

**If the punishment assessed does not exceed the plea bargain agreement, the Court must give you permission before you can appeal on any matter in the case except matters raised by written motions before trial.**

## Permiso Para Apelación

*Si la pena impuesta no excede al convenio aceptado, la Corte deberá otorgarle permiso antes de que pueda apelar a cualquier cuestión en el case con la excepción de cuestiones referida por medio de moción por escrito antes de juicio.*

## Citizenship

**If you are not a U. S. Citizen, a plea o guilty or *nolo contender* may result in your deportation, exclusion from admission to the Country or denial of naturalization under federal law.**

## Ciudadania

*Si usted no es ciudadano de los Estados Unidos de Norteamérica, una declaración de culpabilidad o de nolo contenderé (sin oposición) podrá resultar en deportación, exclusión en la admisión al país o negación de naturalización bajo la ley federal.*

_____

**Presiding Judge**

**I understand all these admonishments and I am aware of the consequences of my plea. I am mentally competent to stand trial and my plea is freely and voluntarily made. I counsel was appointed, I give any time provided by law to prepare for trial. I am totally satisfied with my counsel and I received effective and competent representation. Under Art. 1.14 C.C.P. I give up all rights given me by law, whether of form, substance or procedure. Joined by my counsel, I give up my right to a jury and my right to require the appearance, confrontation and cross-examination of the witnesses. I agree that oral or written**

**stipulations and the pre-sentence report may be considered as evidence. I have read the indictment or information and I committed each and every element alleged. I give up my right to confidentiality of the pre-sentence or post-sentence report prepared in this case and agree that the report may be made public. I am guilty of this offense and under oath, I swear that all of the foregoing and all of my testimony to the Court is true, so help me God.**

*Manifiesto que entiendo completamente los apercibimientos [los avisos judiciales explicando los derechos a que renuncio] que anteceden y entiendo las consecuencias de mi declaración judicial. En el caso de que se me haya designado abogado defensor, renuncio expresamente y cedo cualquier término previsto por ley para la preparación para juicio. Estoy en absoluta conformidad con la representación legal provista por mi abogado y obtuve representación eficaz y competente. De acuerdo con el Art. 1.14 del Código de Procedimientos Penales renuncio expresamente a todos los derechos a mi otorgados por la ley, sean de forma, sustancia legal o procesales. En compañía de mi abogado cedo y renuncio expresamente a mi derecho para tener un jurado en éste caso y mí derecho para requerir la presencia física, careo e interrogatorios de testigos. Doy mí consentimiento para las estipulaciones orales y escritas o pruebas en éste caso. He leído la acusación formal y manifiesto haber realizado físicamente todos y cada uno de los elementos del delito alegados. Renuncio y cedo al derecho que tengo de información confidencial del informe de antecedentes penales presentado públicamente. Manifiesto ser culpable de este delito y bajo juramento judicial, por este conducto juro que todo el testimonio rendido anteriormente y por mi persona en éste caso, es verdadero, con la ayuda de Dios.*

_____

***Defendant-Acusado***

***Sworn to and subscribed to before me by the defendant on this date. I hereby certify that the fingerprint shown below and on the judgment, docket sheet and supervision order is that of the defendant in this case.***
*Habiendo sido suscrito y dado bajo juramento judicial ante me persona por el (la) acusado(a) en esta fecha. Por la presente certifico que las huellas dactilares que aparecen en la parte inferior en la sentencia, la hoja de actualciones judiciales y la orden para la libertad condicional son las mismas que las del acusado en este caso.*

_____

*Deputy District Clerk, Webb County, Texas*

RIGHT HAND – ***MANO DERECHA***

| | | | | |
|---|---|---|---|---|
| | | | | |
| **THUMB** | **INDEX** | **MIDDLE** | **RING** | **LITTLE** |

LEFT HAND – ***MANO IZQUIERDA***

| | | | | |
|---|---|---|---|---|
| | | | | |
| **THUMB** | **INDEX** | **MIDDLE** | **RING** | **LITTLE** |

*We join in and approve the waivers and stipulations made by the defendant and certify that the defendant appears legally competent to stand trial; that all the defendant's statements were freely and voluntarily made; and that the defendant's plea in this case was freely and voluntarily entered.*
*En forma conjunta autorizamos la cesión y renumcia de derecho y las estipulaciones hechas por el acusado certificamos que el acusado representa tener capacidad física y mental para someterse a juicio; que todas las declaraciones del acusado fueron hechas libre y voluntariamente; y que la declaración jucicial del acusado en este caso fué realizada y tomada libre y voluntariamente.*

_____

***Counsel for Defendant***

_____

***Prosecutor***

_____

***Presiding Judge***

Defendant's Post Conviction Waivers

*COMES NOW the defendant, joined by counsel, and in writing and in open Court waives and gives up the time provided by law in which to file as well as his right to file a motion for New Trial, Motion For Arrest of Judgment or Notice of Appeal.*

Renuncias Posteriores a la Condena Realizadas Por el Acusado

*Por este medio el (la) acusado(a) conjuntamente con su abogado defensor por escrito y en audiencia ante la Corte cede y renuncia al término prescrito por la ley para presentar una Moción Para Nuevo Juicio, Moción para la Suspension de la Imposición de la Sentencia y Notificacion para interponer Apelación.*

_____

***Defendant – Acusado***

_____

***Counsel for Defendant***

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## APPLICATION FOR COMMUNITY SUPERVISION

**NOW COMES,** _____, the defendant prior to announcement in the above and styled and numbered cause, wherein *he/she* is charged by indictment with the offense _____ And praying that in the event *he/she* is adjudged guilty to be placed on community supervision by the jury[or the court] would show the following:

That *he/she* has never been convicted of a felony in this or any other state. Wherefore, the defendant prays that in the event *he/she* is found guilty and *his/her* punishment is assessed at not more than 10 years confinement in the Institutional Division of the Texas Department of Criminal Justice and that the imposition of *his/her* sentence be suspended and that *he/she* be placed on community supervision.

_____
DEFENDANT - *ACUSADO*

**SWORN TO AND SUBSCRIBED** before me by _____,

the defendant, on this the _____ day of _____, 20____.

By: _____
Deputy District Clerk
**ESTHER DEGOLLADO**
Clerk of the District Courts of Webb County, Texas

## CERTIFICATION OF DEFENDANT'S RIGHT TO APPEAL

**CAUSE NO. _____**

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## TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT TO APPEAL*

**I, Judge of the trial court, certify this criminal case:**

- ☐ Is not a plea-bargain case, and the defendant has the right of appeal. (or) *No existe un arreglo-obligatorio, tendra así el acusado el derecho de apelar. (o bien)*
- ☐ Is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal. (or) *Existe un arreglo- obligatorio, pero en virtud de que se presente una promocíon por escrito obteniendo un fallo judicial con fecha anterior al juicio y no habiendose desistido o realizado la cessíon de los derechos correspondiente, el acusado tendra el derecho a la apelacíon.(o bien)*
- ☐ Is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal. (or) *Existe un arreglo- obligatorio, sin embargo la Corte ha autorizado a efecto de que pueda presentarse una apelacion, teniendo el acusado el dececho en apelar. (o bien)*
- ☐ Is a plea-bargain case, and the defendant has NO right of appeal. (or) *Es un caso en que existe un arreglo obligatorio y en el cual el acusado NO tiene derecho en presenter ninguna apelacion. (o bien)*
- ☐ The defendant has waived the right of appeal. *El acusado ha renunciado por esta via al derecho de presenter una apelacion.*

_____ _____

**JUDGE** Date Signed

I have received a copy of certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellant Procedure. I have been admonished that my attorney must mail a copy of the court of appeals' judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the court of appeals. TEX. R. APP. P. 68.2 I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellant attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellant deadlines, if I fail to timely inform my appellant attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review. *He recibido copia de ésta certificación. También he sido informado acerca de mis derechos en relación con cualquier apelación de éste caso criminal, incluyendo cualquier derecho a archivar una petición por mí cuenta (pro se) para una revisión discrecional de acuerdo con la Regla 68 de los Reglamentos de Procedimeintos de Apelación de Texas. He sido informado que mí abogado deberá enviar por correo una copia del fallo de la corte de apelaciones y una opinión a mí último domicilio conocido y que yo tengo solamente 30 dias para archivar una petición por mi cuenta (pro se) para una revisión discrecional en la corte de apelaciones. Tex. R. App. P. 68.2, Yo reconozco que, si yo deseo apelar éste caso y que si yo tengo derecho a hacerlo, es mí obligación informar a mí abogado de apelación, por comunicación escrita, de cualquier cambio en la dirección en la cual estoy residiendo al presente o cualquier cambio en mí presente unidad en prision. Yo entiendo que por causa de las fechas límites, si yo no informo a mí abogado de apelación en un tiempo oportuno de cualquier cambio en mí dirección, yo puedo perder la oportunidad de archivar una petición por mí cuenta (pro se) para una revisión discrecional.*

| | |
|---|---|
| _____ | _____ |
| **Defendant** | **Attorney for Defendant** |
| Defendant ***(if not represented by counsel)*** | Bar No.:_____ |
| Mailing Address:_____ | Mailing Address:_____ |
| City / State: _____ | City / State: _____ |
| Telephone No.: _____ | Telephone No.: _____ |
| Fax No.(*if any*):_____ | Fax No. (*if any*): _____ |

*"A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case -- that is, a case in which the defendant's plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant -- a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal." TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2). *En un caso penal el acusado tiene el derecho a presentar una apelacion bajo éstas reglas judiciales. La corte judicial deberá realizar una certificación por escrito del derecho que le asiste al acusado para presenter una apelación en cada caso penal en el cual se dicte una sentencia condenatoria o de culpabilidad o algun fallo judicial que amerite dicha apelación. En cualquier caso en el que exista algun arreglo judicial, esto es, un caso en que el acusado se haya declarado culpable o bien existe una declaración que no se oponga a los hechos y que el margen de castigo no haya excedido la penalidad que haya sido recomendada por el fiscal de distrito y que se haya dado en común acuerdo con el acusado – el acusado podrá presentar una apelación unicamente cuando: (A) aquellos asuntos señalados por virtud de una promoción por escrito y que hayan sido acordados o que haya obtenido un fallo judicial antes de la fecha del juicio penal o (B) despues de haber obtenido la autorización por parte de la corte para presentar dicha apelación. Reglamentación aplicable en el PROCEDIMIENTO DE APELACIÓN EN TEXAS ARTICULO 25.2 (A)(2).*

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| _____ | X | **WEBB COUNTY, TEXAS** |

**ARTICLE 422A.301 PLEA ADDENDUM**

On this _____ day of _____, 20 _____, you are entering into a plea agreement in the above styled and numbered case. As part of that plea agreement you are requesting that you be placed on community supervisión. Accordingly, you acknowledge and agree to follow all terms and conditions of community supervision imposed by this Court.

You hereby acknowledge and agree that, pursuant to Article 42 a.301 of the Texas Code of Criminal Procedure, a risk and needs assessment being conducted.

Today you are agreeing to certain standard conditions of community supervisión which are hereby imposed prior to the risk and needs assessment being conducted.

Additionally, you agree that a risk and needs assessment will be conducted following the Court's acceptance.

You agree that based upon the results of the risk and needs assessment, the Court may order one or more of the following additional conditions of community supervisión:

-Electronic monitoring/GPS
-Curfew
-Parenting classes
-Random drug testing
-Comply with CPS conditions
-No Harmful or Injurious Contact with Injured Party
-Do Not go within _____ feet of said location
-Psychological/Sexual Evaluation
-Driver Safety Course
-Alternative Alcohol Monitoring device
-Education
-Cognitive classes
-No alcohol
-No contact with injured Party
-No contact with co-defendants
-Mental Health Evaluation
-No contact/No unsupervised contact with children under the age of 17
-Gun Safety Course
-Substance Abuse Evaluation which could result in recommendation for:
Outpatient treatment
AA/NA or specified support group
Education classes
Counseling
Residential treatment
-Specialized Caseload/Specialized Conditions of Probation (for example, economic crime amendment, prescription drug amendment, mental health conditions or high risk conditions)

I have fully reviewed, understand and agree to the above which is hereby incorporated as part of my plea agreement.

_____
DEFENDANT

I have fully reviewed and explained the above to the Defendant:

_____
ATTORNEY FOR DEFENDANT

State Bar ID # _____
Printed Name: _____

State's acknowledgment:

_____
ATTORNEY FOR STATE

State Bar ID # _____
Printed Name: _____

_____
**Jose A. Lopez, Judge**
49th District Court

CAUSE NO. _____

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## NOTICE OF JUDICIAL CLEMENCY FOR DEFENDANTS PLACED ON COMMUNITY SUPERVISION (PROBATION)

You are hereby notified that if the Court determines that you have satisfactorily fulfilled the conditions of your community supervision (hereinafter "Probation"), upon expiration of your probation, if certain requirements are met, you may be able to receive judicial clemency from the Court.

Under Article 42A.701, Code of Criminal Procedure, the Court may use its discretion to exercise judicial clemency in terminating your probation **if**:

1. The Court determines that you have satisfactorily fulfilled the conditions of your probation;
2. The term of your probation has expired, including any amended or modified term of your probation;
3. The Court discharges you from probation; and,
4. The Court sets aside the verdict in your case or permits you to withdraw your plea.

If the above requirements are met, the Court is authorized to dismiss the accusation, complaint, information,

or indictment against you and to release you from all penalties and disabilities resulting from your conviction or plea. However, if the Court releases you from the consequences of your conviction or plea, if you are subsequently convicted of another offense, your conviction or plea will be made known to the Judge, and if you are an applicant for or holder of a license issued by the Department of Family and Protective Services (hereinafter "Department"), the Department may consider that you previously received probation as a factor in issuing, renewing, denying, or revoking a license.

**Signed** and **Dated** on: _____ day of _____, 20_____.

_____

**JUDGE PRESIDING**
49th JUDICIAL DISTRICT COURT
WEBB COUNTY, TEXAS

**DEFENDANTS CONVICTED OF: CERTAIN OFFENSES INVOLVING THE USE OF ALCOHOL (SECTIONS 49.04-49.08,CCP), AN OFFENSE REQUIRING REGISTRATION AS A SEX OFFENDER, OR A FELONY DESCRIBED BY ARTICLE 42A.054,CCP, ARE NOT ENTITLED TO THIS ADMONISHMENT AND ARE INELIGIBLE FOR JUDICIAL CLEMENCY FROM A JUDGE. OCA STANDARIZED FORM FOR PROVIDING INFORMATION TO DEFENDANTS PLACED ON COMMUNITY SUPERVISION (PROBATION), AS REQUIRED BY ARTICLE 42A.058,CCP**
**NOVEMBER 2017**

CAUSE NO. _____

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| THE STATE OF TEXAS | § | THE 49TH DISTRICT COURT |
| VS. | § | OF WEBB COUNTY, TEXAS |
| _____ | § | _____ TERM, 20____ |

**EXHIBIT "A"**

I am the defendant in the above and described cause. My fingerprints are taken by the Bailiff and/or Sergeant at Arms in the presence of the Deputy District Clerk.

_____
**Defendant**

I hereby certify that in accordance with Article 42.01 of the Texas Code of Criminal Procedure that I caused the Defendant, _____, place his fingerprints in the space provided below.

_____
**Bailiff and/or Sergeant at Arms**

Sworn to and subscribed before me this _____ day of _____, 20___, the defendant, _____, in this cause. I further certify that the fingerprints were taken by the Bailiff and/or Sergeant at Arms in my presence.

_____
**Deputy District Clerk**
**ESTHER DEGOLLADO**
Clerk of the District Courts of Webb County, Texas

**Right Hand-** *Mano Derecha*

| | | | | |
|---|---|---|---|---|
| | | | | |
| **Thumb** | **Index** | **Middle** | **Ring** | **Little** |

**Left Hand-** *Mano Izquierda*

| | | | | |
|---|---|---|---|---|
| | | | | |
| **Thumb** | **Index** | **Middle** | **Ring** | **Little** |