



CASE NO. 18-05-06032
 COUNT
 INCIDENT NO./TRN: 9280632264

RECEIVED AND FILED
 FOR RECORD
 At 2 O'Clock P M

THE STATE OF TEXAS

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IN THE 221ST

SEP 13 2018

V.

BARBARA GLADDEN ADAMICK
 District Clerk
 DISTRICT COURT MONTGOMERY COUNTY, TEXAS
 By [Signature] Deputy

LAURA JANETH GARZA

MONTGOMERY COUNTY, TEXAS

STATE ID NO.: TX-10381353

JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL

Judge Presiding: **HON. Lisa Michalk** Date Judgment Entered: **September 13, 2018**
 Attorney for State: **Jonathan White** Attorney for Defendant: **John C. Cardenas**

Offense for which Defendant Convicted:

ILLEGAL VOTING

Charging Instrument: **Indictment** Statute for Offense: **64.012(a)(1) Election Code**

Date of Offense: **November 03, 2016**

Degree of Offense: **Second Degree Felony** Plea to Offense: **GUILTY** Findings on Deadly Weapon: **N/A**

Terms of Plea Bargain:
10 YEARS INSTITUTIONAL DIVISION, TDCJ, probated 10 YEARS; 180 DAYS MONTGOMERY COUNTY JAIL as a condition of probation, less credit for time already served; \$10,000 fine, probated; court costs.

Plea to Enhancement Paragraphs: **N/A**

Findings on Enhancement Paragraphs: **N/A**

Date Sentence Imposed: **September 13, 2018** Date Sentence to Commence: **September 13, 2018**

Punishment and Place of Confinement: **10 YEARS INSTITUTIONAL DIVISION, TDCJ**

THIS SENTENCE SHALL RUN CONCURRENTLY.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR **10 YEARS**.

Fine: **\$ 10,000, probated** Court Costs: **\$ 314⁰⁰** Attorney Fee: **\$ 0.00** Restitution: **\$ 0.00** Restitution Payable to: VICTIM (see below) AGENCY/AGENT (see below)

Attachment A, Order to Withdraw Funds, is incorporated into this judgment and made a part hereof.

Sex Offender Registration Requirements **do not apply** to the Defendant. TEX. CODE CRIM. PROC. chapter 62

The age of the victim at the time of the offense was **N/A**

Time Credited: **ALL DAYS** TOTAL DAYS: **126 DAYS**

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Montgomery County, Texas. The State appeared by her Assistant Attorney General.

Counsel / Waiver of Counsel (select one)

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

The Court FINDS Defendant committed the above offense and **ORDERS, ADJUDGES, AND DECREES** that Defendant is **GUILTY** of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court **ORDERS** Defendant punished as indicated above. The Court **ORDERS** Defendant to pay all fines, court costs, and restitution 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 Sheriff of this County to take, safely convey, and deliver Defendant to the Director of the TDCJ division named above in the judgment. The Court **ORDERS** Defendant to be confined for the period and in the manner indicated above. The Court **ORDERS** Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court **ORDERS** that upon release from confinement, Defendant proceed immediately to the **Montgomery County District Clerk's** office. Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

County Jail—Confinement / Confinement in Lieu of Payment. The Court **ORDERS** Defendant immediately committed to the custody of the Sheriff of Montgomery County, Texas on the date the sentence is to commence. Defendant shall be confined in the **Montgomery County Jail** for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall proceed immediately to the **Montgomery County District Clerk.** Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

Fine Only Payment. The punishment assessed against Defendant is for a **FINE ONLY.** The Court **ORDERS** Defendant to proceed immediately to the Office of the **Montgomery County District Clerk.** Once there, the Court **ORDERS** Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

The Court **ORDERS** Defendant's sentence **EXECUTED.**

The Court **ORDERS** Defendant's sentence of confinement **SUSPENDED.** The Court **ORDERS** Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court **ORDERS** that Defendant is given credit noted above on this sentence, for the time spent incarcerated.

Furthermore, the following special findings or orders apply:


Defendant shall serve a total of **180 days** in the Montgomery County Jail as a condition of community supervision beginning on the date and under the terms specified on the judgment and continuing until completion of said time. Defendant will receive credit for **126** days already served in jail for this cause.

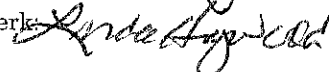
See Attached Conditions of Community Supervision.

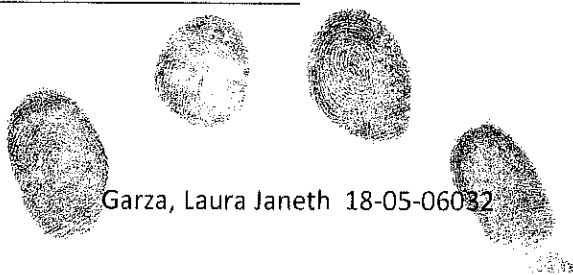
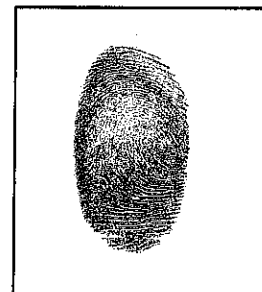
The Court FINDS that the Defendant if convicted of a state jail felony and is is not presumptively entitled to diligent participation credit in accordance with article 42.12, section 15(h), Code of Criminal Procedure.

Signed and entered ___ day of _____, 2018

X 
Lisa Michalk
JUDGE PRESIDING

X 
DEFENDANT SIGNATURE

Clerk: 



Garza, Laura Janeth 18-05-06032

Right Thumbprint

CASE NO. 18-05-06032
COUNT
INCIDENT NO./TRN: 9280632264

THE STATE OF TEXAS	§	IN THE 221ST
	§	
V.	§	DISTRICT COURT
	§	
LAURA JANETH GARZA	§	MONTGOMERY COUNTY, TEXAS
	§	
STATE ID No.: TX-10381353	§	

CONDITIONS OF COMMUNITY SUPERVISION

The defendant in the above entitled and numbers cause having being granted community supervision, is hereby ordered to abide by the following indicated conditions and terms of community supervision during the period of community supervision:

- a. Commit no offense against the laws of this State or any other State or the United States;
- b. Avoid injurious or vicious habits;
- c. Not use or consume alcohol or controlled substances;
- d. Avoid persons and places of disreputable or harmful character;
- e. Work faithfully at suitable employment as far as possible;
- f. Support his/her dependents;
- g. Remain within the limits of the State of Texas, unless given permission to leave therefrom;
- h. Report to his/her community supervision officer at the Montgomery County Community Supervision and Corrections Department at least monthly and at all other times as directed by his/her community supervision officer.
Should the community supervision of the Defendant be transferred to a supervising department of another county or state, IT IS ORDERED that the Defendant shall report in person to the supervising officer of that department at least monthly and at all other times as directed by the supervising officer of that department. In addition, the Defendant is ORDERED to report by mail to the Montgomery County Community Supervision and Corrections Department at least monthly, and at all other times as directed by his Montgomery County community supervision officer;
Should the community supervision of the Defendant be transferred to a supervising department of another county of this state, IT IS ORDERED that the Defendant shall report in person or by mail as directed by the Montgomery County supervising officer to the Montgomery County Community Supervision and Corrections Department at least monthly until such time as the Montgomery County Community Supervision and Corrections Department receives notification of acceptance by the county where the Defendant's community supervision is being transferred. If the Defendant's community supervision is accepted by another county, the Defendant is ORDERED to report in person to the supervising officer of that department at least monthly and at all other times as directed by the supervising officer of that department. Should the county not accept transfer of the Defendant's community supervision, the Defendant is ORDERED to report in person to the supervising officer of the Montgomery County Community Supervision and Corrections Department at least monthly, and at all other times as directed by the Defendant's Montgomery County community supervision officer. Should the Defendant be held in custody or deported by the United States Immigration and Customs Enforcement, Defendant shall be relieved of reporting and shall not be found in violation of conditions of community supervision or revoked as a result of any failure or inability to comply with requirements of community supervision that result from immigrations detainment or deportation;
- i. Permit the community supervision officer to visit him/her at his/her home or elsewhere;
- j. Submit to an alcohol/drug evaluation to determine the existence of a drug or alcohol dependence condition, to determine an appropriate course of conduct necessary for the rehabilitation of the Defendant's drug or alcohol dependence condition. The Defendant will attend the appropriate counseling prescribed by this evaluation at the Defendant's expense;
- k. Not use, sell, or possess "bath salts", synthetic cocaine, Blue Silk, Blast, Ivory Wave, Vanilla Snow, Stardust, Hurricane Charlie, Cloud 9, Red Dove, White Lightning, Scarface, Super Coke, PeeVee, Magic, Kush, Serenity, Serenity Now, Spice, Spice Gold, Spice Silver, Spice Diamond, Genie, Yucatan Fire, Mojo, Salvia, JWH-018, JWH-073, HU-210, K2, piperazine derivatives TFMPP, mCPP, pFPP, MeOpp, MBZP, MDPV (methylenedioxypyrovalerone), mephedrone, and/or any drug, psychoactive drug, herb, herbal blend, sage,

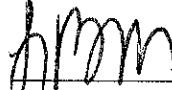
- inhalant, hallucinogen, stimulant, cannabinoid, synthetic or powder that creates or is intended to create a high, low, or mood altering effect or mental effect;
- l.** (1) Submit to medical, chemical, or any other test or examinations for the purpose of determining whether or not he/she is using or is under the influence of alcohol, narcotic drugs, marijuana or any other controlled substances and pay all costs associated with such tests and examinations. Detection of any controlled substance or alcohol shall be construed as a violation of his/her community supervision;
(2) Not use any products, devices, or liquids to adulterate, dilute, mask or any way alter a sample or give a false testing sample. Test results indicating diluted, masked or altered samples will be presumed to be a "positive" test result that may result in revocation of his/her community supervision;
 - m.** Pay the standard urinalysis fee in the amount of \$20.00 for each sample provided at the direction of Montgomery County Department of Community Supervision & Corrections. Any special examinations ordered by the Court shall be paid in full at the defendant's expense.
 - n.** Enroll in and complete the G.E.D. preparatory course as directed by his/her community supervision officer if defendant does not possess a minimum of a G.E.D. Said course shall be completed and G.E.D. obtained within one (1) year from date of community supervision;
 - o.** Not possess any firearm(s);
 - p.** Submit his/her person, property, place of residence, vehicle, and/or personal effects to search at any time, with or without a search warrant or warrant of arrest, by any community supervision officer or law enforcement officer;
 - q.** Pay a community supervision fee of **\$60.00** per month to the Community Supervision and Corrections Department of this County between the 1st and 15th day of each month hereafter during community supervision beginning December 2018;
 - r.** Pay **\$ 50.00** Crime Stoppers fee to the Community Supervision and Corrections Department on or before December 1, 2018;
 - s.** Pay **\$ 85.00** to the Community Supervision and Corrections Department for the Pre-Sentence/Post Sentence Investigation report on or before December 1, 2018;
 - t.** Pay for Court costs and **\$10,000** fine, probated. If defendant fails to comply with conditions of supervision and fine is imposed, defendant shall pay be assessed a monthly fee to be paid to the Montgomery County District Clerk, including \$2.00 fee for each payment made (pursuant to Article 102.072, T.C.C.P.) **<OR>** pay in installments, the total sum of the foregoing to the Montgomery County District Clerk, including \$2.00 fee for each payment made (pursuant to Article 102.072, T.C.C.P.), as set forth in the Collection Agreement which is incorporated herein and made part of this judgment as if copied verbatim;
 - u.** Pay outstanding bond supervision fees amounting to **\$ 0.00** before the completion of the first year of community supervision at the direction of MCD CSC.
 - v.** Serve a total of **180 days in the Montgomery County Jail** as a condition of community supervision beginning on the date and under the terms specified on the judgment and continuing until completion of said time. Defendant shall receive credit for **126** days already served in jail for this cause, which will be subtracted from the total number of days to be served.

Conditions below only apply if marked

- Submit to a polygraph examination if instructed to do so by the Montgomery County Department of Community Supervision and Corrections;
- Not possess any knives on his/her person;
- Report in person to the 221st District Court for a status hearing on the _____ day of _____, 20__ at 9:00 a.m. and at all other times as directed by his/her Community Supervision Officer;

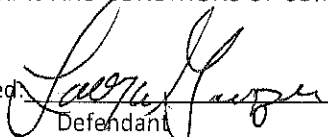
The Clerk of this Court will furnish the Defendant a Certified copy of this Order, and shall note on the Docket Sheet the date of delivery of such Order.

SIGNED AND ENTERED 13th day of Sept 2018



Judge Presiding

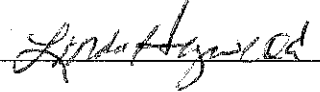
I HAVE RECEIVED A COPY, READ AND UNDERSTOOD THE ABOVE TERMS AND CONDITIONS OF COMMUNITY SUPERVISION AND AGREE TO ABIDE BY SAME.

Signed: 

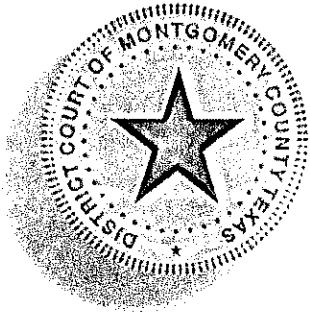
Defendant

District Clerk of
Montgomery County, Texas

RIGHT THUMB PRINT

By:  Deputy





Barbara Gladden Adamick
Montgomery County District Clerk
Proudly Serving the Citizens of Montgomery County

September 07, 2018

No. 18-05-06032

State of Texas	§		
Vs.	§		In the District Court
Garza, Laura Janeth	§		221st Judicial District Court
To costs accrued in the above entitled cause to adjournment of September 07, 2018 Term, of said Court.			Montgomery County, Texas

Fee Description	Charges
Clerk's Fee	\$40.00
Commitment or Release	\$5.00
Consolidated Court Costs Fee	\$133.00
Courthouse Security Fee	\$5.00
Electronic Fee	\$5.00
Indigent Defense Fund	\$2.00
Judicial Support Fee	\$6.00
Jury Reimbursement Fee	\$4.00
Records Management and Preservation Fee - County	\$22.50
Records Management and Preservation Fund - DC	\$2.50
Technology Fee	\$4.00
Warrant Fee	\$50.00
Writ	\$35.00
Total Fee Amount	\$314.00
Amount Collected	\$0.00
Balance Due	\$314.00

An additional \$2.00 transaction fee will be assessed on EACH payment towards fine, restitution, court cost and ordered attorney fees that are assessed. TCCP 102.072
 An additional \$12.00 fee may be assessed when the court requires the defendant to make restitution installments. TCCP 42.037 (g)(1).
 An additional \$25.00 will be assessed if any part of a fine, court cost, restitution or ordered attorney fees is paid on or after the 31st day after the date of judgment assessing the cost. LGC

133.103.

I, Barbara Gladden Adamick, District Clerk certify that the above costs are an accurate assessment of fees pursuant to the laws of the State of Texas, in the above styled and numbered cause in the District Court of Montgomery County, Texas.

Barbara Gladden Adamick, District Clerk
 Montgomery County, Texas

By: *Beth Gillett*

Beth Gillett, Deputy

Signed: 9/7/2018 10:08 AM

THE STATE OF TEXAS

§

IN THE 221ST

§

v.

§

DISTRICT COURT BARBARA GLADDEN ADAMICK
District Clerk

§

MONTGOMERY COUNTY, TEXAS
By Deputy

§

LAURA JANETH GARZA

MONTGOMERY COUNTY, TEXAS

§

STATE ID No.: TX-10381353

§

IMMIGRATION ADMONISHMENTS

NOW COMES the Defendant in the above captioned cause and makes the following statements and waivers prior the Court accepting my plea of guilty or plea of nolo contendere.

- LG (1) I am not a citizen of the United States;
- LG (2) I am freely and voluntarily pleading GUILTY to the offense of: Illegal Voting;
- LG (3) I understand that a conviction of certain crimes will trigger my removal from this country and/or result in my inability to re-enter this country should I choose to leave. These crimes include the offense I am pleading guilty or nolo contendere to, as well as:

A. Aggravated felonies

- i. Murder, rape, or sexual abuse of a minor
- ii. Illicit trafficking of controlled substances
- iii. Illicit trafficking in firearms or destructive devices
- iv. Offenses relating to "money laundering"
- v. Offenses relating to firearms and explosive devices
- vi. "crimes of violence" for which a term of imprisonment of one year or more has been imposed.
- vii. A theft offense (including receipt of stolen property) for which a term of imprisonment of one year or more has been imposed.
- viii. Offenses relating to ransom or demand for receipt of ransom
- ix. Offenses relating to child pornography
- x. Offenses relating to racketeer influenced corrupt organizations, or gambling for which a term of imprisonment of one year or more has been imposed.
- xi. Offenses relating to: (a) owning, controlling, managing, or supervising prostitution; (b) to transportation for the purpose of prostitution; (c) slavery, and/or involuntary servitude

- xii. Offenses relating to: (a) a gathering or transmitting national defense information; disclosure of classified information; sabotage; treason; (b) protecting identity of intelligence agents; (c) protecting identity of undercover agents
 - xiii. An offense that involves: (a) fraud or deceit in which loss to victim exceeds \$10,000; (b) a relation to Tax Evasion in which loss to government exceeds \$10,000
 - xiv. An offense relating to alien smuggling, unless committed for an immediate family member and no other individual
 - xv. An offense (a) which either is falsely making, forging, counterfeiting, mutilating or altering a passport or instrument or relating to document fraud; and (b) term of imprisonment is at least 12 months, except in first offense where offense committed to aid immediate relative
 - xvi. An offense relating to failure to appear for a defendant for service of sentence if the underlying offense is punishable by imprisonment for five or more
 - xvii. An offense relating to commercial bribery, counterfeiting, forgery, or trafficking in vehicles where the identification numbers have been altered for which the term of imprisonment is one year or more
 - xviii. An offense relating to obstruction of justice, perjury, subornation of perjury, bribery of a witness for which a term of imprisonment of one year or more has been imposed
 - xix. Offense relating to failure to appear before a court pursuant to a court order to answer to or dispose of a charge of a felony for which a sentence of two years may be imposed
 - xx. An attempt or conspiracy to commit any of the above offenses.
- B. Crimes of moral turpitude (if committed within five years of admission and may result in a sentence of one year or longer)
 - C. Multiple criminal convictions (two or more crimes of moral turpitude)
 - D. Failure to register as a sex offender
 - E. Crimes involving controlled substance
 - F. Firearms offenses
 - G. Crimes of domestic violence, stalking, or violation of protection order, or crimes against children
 - H. Human trafficking

LL (4) If the crime which I am pleading guilty is an aggravated felony under 8 U.S.C. 1227, I understand I am ineligible for most forms of discretionary relief from removal, including cancellation of removal and asylum. Additionally, I will not be eligible for a re-adjustment of status.

LL (5) I understand that federal immigration law is constantly changing. Even if the crime to which I am pleading is not covered above, I understand the likelihood of removal or inadmissibility for the offense to which I am pleading guilty, and that removal or inadmissibility are possible with a conviction for any misdemeanor or felony offense.

LG (6)

In understand that a sentence of community supervision (probation or deferred adjudication) is considered a "conviction" under federal law and could still result in my removal from inadmissibility to this country.

LG (7)

My attorney has explained the admonitions to me and advised me regarding the consequences of my plea as they relate to immigration consequences. My attorney has made no representation that my plea of guilty will NOT cause any change in immigration status. In fact, I understand that my conviction is likely or certain to have immigration consequences.

LG (8)

My attorney has explained the evidence the State will present against me. Understanding the immigration consequences associated with my plea and the risk of pursuing my case to trial, I am choosing to plead guilty to the offense of **Illegal Voting**.

LG (9)

I am entering my plea of guilty regardless of any removal or re-entry consequences that I any encounter as a result of my plea.

LG (10)

I have freely, knowingly, and voluntarily executed this statement.

Approved:

Laura Garza
DEFENDANT

9-13-18
DATE

I, John C. Cardero, defendant's attorney, have fully advised the above named defendant regarding the immigration consequences associated with his/her plea in accordance with Padilla v. Kentucky, 130 S. CT. 1473 (2010). I believe that this document was executed by him/her knowingly and voluntarily after I discussed it and its consequences with him/her.

Signed:

J. C. Cardero
ATTORNEY FOR DEFENDANT

9-13-18
DATE SIGNED



THE STATE OF TEXAS

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IN THE 221ST

SEP 13 2018

V.

DISTRICT COURT

BARBARA GLADDEN ADAMICK
District Clerk
MONTGOMERY COUNTY, TEXAS
By [Signature] Deputy

LAURA JANETH GARZA

MONTGOMERY COUNTY, TEXAS

STATE ID No.: TX-10381353

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF 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.
- is a plea-bargain case, but matters were raised by written motion filed and rule on before trial and not withdrawn or waived, and the defendant has the right of appeal.
- is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal
- is a plea-bargain case, and the defendant has **NO** right of appeal.
- the defendant has waived the right of appeal.

Signed and Entered 13th day of Sept, 2018

[Signature]
Judge Presiding

I have received a copy of this 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 the rule 68 of the Texas Rules of Appellate 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 appellate 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 appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a prose petition for discretionary review.

[Signature]
Defendant: Laura Janeth Garza
Mailing Address: _____
Telephone: _____
Fax Number: _____

Defense Counsel: [Signature]
State Bar of TX ID#: 03787900
Mailing Address: 16951 Feathercroft Ln Houston TX 77058
Telephone: 281 333-2884
Fax Number: 888-734-1236

CASE NO. 18-05-06032
COUNT
INCIDENT NO./TRN: 9280632264

RECEIVED AND FILED
FOR RECORD
At 2 O'Clock P M.

SEP 13 2018

THE STATE OF TEXAS

§ IN THE 221ST

§

V.

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LAURA JANETH GARZA

§

§

STATE ID NO.: TX-10381353

§

BARBARA GLADDEN ADAMICK
District Clerk
DISTRICT COURT MONTGOMERY COUNTY, TEXAS
By [Signature] Deputy

MONTGOMERY COUNTY, TEXAS

WAIVER OF PRESERVATION OF EVIDENCE

Joined by my counsel, I waive the preservation of any and all evidence in this case, including known biological and toxicological evidence. I understand that under Tex. Code Crim. Proc. Art 38.50, I have the right to have toxicological evidence that was collected in my case retained for the duration of my sentence, or term of community supervision. I further understand that under Tex. Code Crim. Proc. art. 38.43, evidence known to contain biological material must be preserved until I die, complete my sentence, or if I am sentenced to confinement, until I am released on parole or mandatory supervision; and that I, my counsel, and the court would have 90 days to object to the planned destruction of such evidence. I fully understand that scientific testing of evidence containing biological material could establish the identity of the person committing the offense in this cause or exclude me from the group of persons who could have committed the offense. I agree that testing of any such biological or toxicological evidence is unnecessary because I am criminally responsible for the offense charged. I hereby waive my right to notice of and objection to the planned destruction of any toxicological evidence collected under Article 38.50, or any evidence known to contain biological material under Article 38.43. If a weapon(s) was seized from me and under Tex. Code Crim. Proc. art. 18.19 I would be rightfully entitled to the return of the weapon; I hereby also waive the right to return of said weapon(s). I agree that all evidence collected in this case may be returned to the rightful owner other than myself, used for law enforcement purposes, sold by law enforcement pursuant to Article 18.19, or destroyed.

Approved: [Signature]
ATTORNEY FOR DEFENDANT

[Signature]
DEFENDANT

ORDER FOR DESTRUCTION OF EVIDENCE

The Court finds that Defendant has knowingly and voluntarily waived preservation of all evidence in this cause and THEREFORE ORDERS the law enforcement agency in possession of the evidence in this case to return the evidence to the rightful owner other than the Defendant, use the evidence for law enforcement purposes, sell pursuant to Article 18.19, or destroy the evidence at any date after 30 days from the date of this order. **This order also includes any firearms.**

Firearm (if applicable) : .

The Court further ORDERS the clerk of this Court to provide a copy of this order to defense counsel and the State.

Signed and entered 13th day of Sept, 2018

[Signature]
Lisa Michalk

THE STATE OF TEXAS

IN THE 221ST

SEP 13 2018

V.

DISTRICT COURT

BARBARA GLADDEN ADAMICK
District Clerk
MONTGOMERY COUNTY, TEXAS
By *[Signature]* Deputy

LAURA JANETH GARZA

MONTGOMERY COUNTY, TEXAS

STATE ID No.: TX-10381353

**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 terms 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 the 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 entered 13 day of Sept, 2018

[Signature]

JUDGE PRESIDING

DEFENDANTS CONVICTED OF: CERTAIN OFFENSES INVOLVING THE USE OF ALCOHOL, (SECTIONS 49.04-49.08, CCP) AN OFFENSE REQUIRING REGISTRATIONS 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 STANDARDIZED FORM FOR PROVIDING INFORMATION TO DEFENDANT'S PLACED ON COMMUNITY SUPERVISION (PROBATION), AS REQUIRED BY ARATICLE 42A.058, CCP



SE NO. 18-05-06033
 COUNT
 INCIDENT No./TRN: 9280632264

RECEIVED AND FILED
 FOR RECORD *P*
 At *2* O'Clock *P* M.

SEP 13 2018

THE STATE OF TEXAS

IN THE 221ST

V.

DISTRICT COURT

BARBARA GLADDEN ADAMICK
 District Clerk
 MONTGOMERY COUNTY, TEXAS
 Deputy

LAURA JANETH GARZA

MONTGOMERY COUNTY, TEXAS

STATE ID No.: TX-10381353

JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL

Judge Presiding: HON. Lisa Michalk

Date Judgment Entered: September 13, 2018

Attorney for State: Jonathan White

Attorney for Defendant: John C. Cardenas

Offense for which Defendant Convicted:

ILLEGAL VOTING

Charging Instrument:

Statute for Offense:

Indictment

64.012(a)(1) Election Code

Date of Offense:

November 03, 2016

Degree of Offense:

Plea to Offense:

Findings on Deadly Weapon:

Second Degree Felony

GUILTY

N/A

Terms of Plea Bargain:

10 YEARS INSTITUTIONAL DIVISION, TDCJ, probated 10 YEARS; 180 DAYS MONTGOMERY COUNTY JAIL as a condition of probation, less credit for time already served; \$10,000 fine, probated; court costs.

Plea to Enhancement Paragraphs: N/A

Findings on Enhancement Paragraphs: N/A

Date Sentence Imposed: September 13, 2018

Date Sentence to Commence: September 13, 2018

Punishment and Place of Confinement: 10 YEARS INSTITUTIONAL DIVISION, TDCJ

THIS SENTENCE SHALL RUN CONCURRENTLY.

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR 10 YEARS.

Fine:	Court Costs:	Attorney Fee:	Restitution:	Restitution Payable to:
\$ 10,000, probated	\$ 314 ⁰⁰	\$ 0.00	\$ 0.00	<input type="checkbox"/> VICTIM (see below) <input type="checkbox"/> AGENCY/AGENT (see below)

Attachment A, Order to Withdraw Funds, is incorporated into this judgment and made a part hereof.

Sex Offender Registration Requirements **do not apply** to the Defendant. TEX. CODE CRIM. PROC. chapter 62

The age of the victim at the time of the offense was N/A

Time Credited: ALL DAYS

TOTAL DAYS: 126 DAYS

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Montgomery County, Texas. The State appeared by her Assistant Attorney General.

Counsel / Waiver of Counsel (select one)

- Defendant appeared in person with Counsel.
- Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

The Court FINDS Defendant committed the above offense and **ORDERS, ADJUDGES AND DECREES** that Defendant is **GUILTY** of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court **ORDERS** Defendant punished as indicated above. The Court **ORDERS** Defendant to pay all fines, court costs, and restitution 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 Sheriff of this County to take, safely convey, and deliver Defendant to the Director of the TDCJ division named above in the judgment. The Court **ORDERS** Defendant to be confined for the period and in the manner indicated above. The Court **ORDERS** Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court **ORDERS** that upon release from confinement, Defendant proceed immediately to the **Montgomery County District Clerk's** office. Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

County Jail—Confinement / Confinement in Lieu of Payment. The Court **ORDERS** Defendant immediately committed to the custody of the Sheriff of Montgomery County, Texas on the date the sentence is to commence. Defendant shall be confined in the **Montgomery County Jail** for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall proceed immediately to the **Montgomery County District Clerk.** Once there, the Court **ORDERS** Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

Fine Only Payment. The punishment assessed against Defendant is for a **FINE ONLY.** The Court **ORDERS** Defendant to proceed immediately to the Office of the **Montgomery County District Clerk.** Once there, the Court **ORDERS** Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

- The Court **ORDERS** Defendant's sentence **EXECUTED.**
- The Court **ORDERS** Defendant's sentence of confinement **SUSPENDED.** The Court **ORDERS** Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court **ORDERS** that Defendant is given credit noted above on this sentence, for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

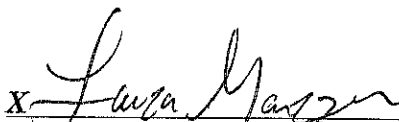
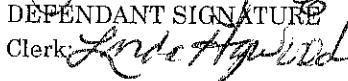
Defendant shall serve a total of **180 days** in the Montgomery County Jail as a condition of community supervision beginning on the date and under the terms specified on the judgment and continuing until completion of said time. Defendant will receive credit for **126** days already served in jail for this cause.

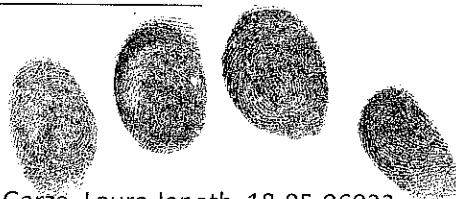
See Attached Conditions of Community Supervision.

The Court FINDS that the Defendant if convicted of a state jail felony and is is not presumptively entitled to diligent participation credit in accordance with article 42.12, section 15(h), Code of Criminal Procedure.

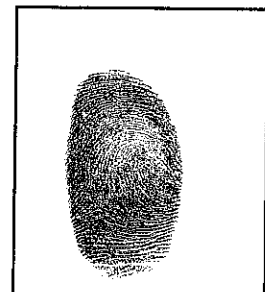
Signed and entered Bth day of Sept, 2018

X 
Lisa Michalk
JUDGE PRESIDING

X 
DEFENDANT SIGNATURE
Clerk: 



Garza, Laura Janeth 18-05-06033



Right Thumbprint

CASE NO. 18-05-06033
COUNT
INCIDENT NO./TRN: 9280632264

THE STATE OF TEXAS	§	IN THE 221ST
	§	
V.	§	DISTRICT COURT
	§	
LAURA JANETH GARZA	§	MONTGOMERY COUNTY, TEXAS
	§	
STATE ID No.: TX-10381353	§	

CONDITIONS OF COMMUNITY SUPERVISION

The defendant in the above entitled and numbers cause having being granted community supervision, is hereby ordered to abide by the following indicated conditions and terms of community supervision during the period of community supervision:

- a. Commit no offense against the laws of this State or any other State or the United States;
- b. Avoid injurious or vicious habits;
- c. Not use or consume alcohol or controlled substances;
- d. Avoid persons and places of disreputable or harmful character;
- e. Work faithfully at suitable employment as far as possible;
- f. Support his/her dependents;
- g. Remain within the limits of the State of Texas, unless given permission to leave therefrom;
- h. Report to his/her community supervision officer at the Montgomery County Community Supervision and Corrections Department at least monthly and at all other times as directed by his/her community supervision officer.

Should the community supervision of the Defendant be transferred to a supervising department of another county or state, IT IS ORDERED that the Defendant shall report in person to the supervising officer of that department at least monthly and at all other times as directed by the supervising officer of that department. In addition, the Defendant is ORDERED to report by mail to the Montgomery County Community Supervision and Corrections Department at least monthly, and at all other times as directed by his Montgomery County community supervision officer;

Should the community supervision of the Defendant be transferred to a supervising department of another county of this state, IT IS ORDERED that the Defendant shall report in person or by mail as directed by the Montgomery County supervising officer to the Montgomery County Community Supervision and Corrections Department at least monthly until such time as the Montgomery County Community Supervision and Corrections Department receives notification of acceptance by the county where the Defendant's community supervision is being transferred. If the Defendant's community supervision is accepted by another county, the Defendant is ORDERED to report in person to the supervising officer of that department at least monthly and at all other times as directed by the supervising officer of that department. Should the county not accept transfer of the Defendant's community supervision, the Defendant is ORDERED to report in person to the supervising officer of the Montgomery County Community Supervision and Corrections Department at least monthly, and at all other times as directed by the Defendant's Montgomery County community supervision officer. Should the Defendant be held in custody or deported by the United States Immigration and Customs Enforcement, Defendant shall be relieved of reporting and shall not be found in violation of conditions of community supervision or revoked as a result of any failure or inability to comply with requirements of community supervision that result from immigrations detainment or deportation;

- i. Permit the community supervision officer to visit him/her at his/her home or elsewhere;
- j. Submit to an alcohol/drug evaluation to determine the existence of a drug or alcohol dependence condition, to determine an appropriate course of conduct necessary for the rehabilitation of the Defendant's drug or alcohol dependence condition. The Defendant will attend the appropriate counseling prescribed by this evaluation at the Defendant's expense;
- k. Not use, sell, or possess "bath salts", synthetic cocaine, Blue Silk, Blast, Ivory Wave, Vanilla Snow, Stardust, Hurricane Charlie, Cloud 9, Red Dove, White Lightning, Scarface, Super Coke, PeeVee, Magic, Kush, Serenity, Serenity Now, Spice, Spice Gold, Spice Silver, Spice Diamond, Genie, Yucatan Fire, Mojo, Salvia, JWH-018, JWH-073, HU-210, K2, piperazine derivatives TFMPP, mCPP, pFPP, MeOpp, MBZP, MDPV (methylenedioxyprovalerone), mephedrone, and/or any drug, psychoactive drug, herb, herbal blend, sage,

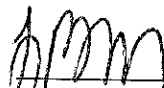
- inhalant, hallucinogen, stimulant, cannabinoid, synthetic or powder that creates or is intended to create a high, low, or mood altering effect or mental effect;
- l. (1) Submit to medical, chemical, or any other test or examinations for the purpose of determining whether or not he/she is using or is under the influence of alcohol, narcotic drugs, marijuana or any other controlled substances and pay all costs associated with such tests and examinations. Detection of any controlled substance or alcohol shall be construed as a violation of his/her community supervision;
(2) Not use any products, devices, or liquids to adulterate, dilute, mask or any way alter a sample or give a false testing sample. Test results indicating diluted, masked or altered samples will be presumed to be a "positive" test result that may result in revocation of his/her community supervision;
 - m. Pay the standard urinalysis fee in the amount of \$20.00 for each sample provided at the direction of Montgomery County Department of Community Supervision & Corrections. Any special examinations ordered by the Court shall be paid in full at the defendant's expense.
 - n. Enroll in and complete the G.E.D. preparatory course as directed by his/her community supervision officer if Defendant does not possess a minimum of a G.E.D. Said course shall be completed and G.E.D. obtained within one (1) year from date of community supervision;
 - o. Not possess any firearm(s);
 - p. Submit his/her person, property, place of residence, vehicle, and/or personal effects to search at any time, with or without a search warrant or warrant of arrest, by any community supervision officer or law enforcement officer;
 - q. Pay a community supervision fee of **\$60.00** per month to the Community Supervision and Corrections Department of this County between the 1st and 15th day of each month hereafter during community supervision beginning December 2018;
 - r. Pay **\$ 50.00** Crime Stoppers fee to the Community Supervision and Corrections Department on or before December 1, 2018;
 - s. Pay **\$ 85.00** to the Community Supervision and Corrections Department for the Pre-Sentence/Post Sentence Investigation report on or before December 1, 2018;
 - t. Pay for Court costs and **\$10,000** fine, probated. If defendant fails to comply with conditions of supervision and fine is imposed, defendant shall pay be assessed a monthly fee to be paid to the Montgomery County District Clerk, including \$2.00 fee for each payment made (pursuant to Article 102.072, T.C.C.P.) <OR> pay in installments, the total sum of the foregoing to the Montgomery County District Clerk, including \$2.00 fee for each payment made (pursuant to Article 102.072, T.C.C.P.), as set forth in the Collection Agreement which is incorporated herein and made part of this judgment as if copied verbatim;
 - u. Pay outstanding bond supervision fees amounting to **\$ 0.00** before the completion of the first year of community supervision at the direction of MDCDCSC.
 - v. Serve a total of **180 days in the Montgomery County Jail** as a condition of community supervision beginning on the date and under the terms specified on the judgment and continuing until completion of said time. Defendant shall receive credit for **126** days already served in jail for this cause, which will be subtracted from the total number of days to be served.

Conditions below only apply if marked

- Submit to a polygraph examination if instructed to do so by the Montgomery County Department of Community Supervision and Corrections;
- Not possess any knives on his/her person;
- Report in person to the 221st District Court for a status hearing on the _____ day of _____, 20__ at 9:00 a.m. and at all other times as directed by his/her Community Supervision Officer;

The Clerk of this Court will furnish the Defendant a Certified copy of this Order, and shall note on the Docket Sheet the date of delivery of such Order.

SIGNED AND ENTERED 13 day of Sept, 2018



Judge Presiding

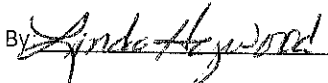
I HAVE RECEIVED A COPY, READ AND UNDERSTOOD THE ABOVE TERMS AND CONDITIONS OF COMMUNITY SUPERVISION AND AGREE TO ABIDE BY SAME.

Signed: 

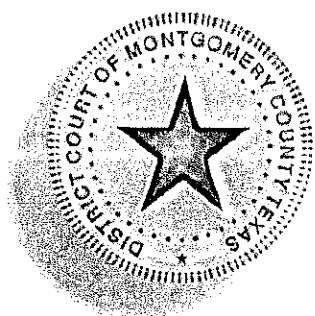
Defendant

District Clerk of
Montgomery County, Texas

RIGHT THUMB PRINT

By  Deputy





Barbara Gladden Adamick
Montgomery County District Clerk
Proudly Serving the Citizens of Montgomery County

September 07, 2018

No. 18-05-06033

State of Texas

§

In the District Court

Vs.

§

221st Judicial District Court

Garza, Laura Janeth

§

Montgomery County, Texas

To costs accrued in the above entitled cause to adjournment of September 07, 2018 Term, of said Court.

Fee Description	Charges
Clerk's Fee	\$40.00
Commitment or Release	\$5.00
Consolidated Court Costs Fee	\$133.00
Courthouse Security Fee	\$5.00
Electronic Fee	\$5.00
Indigent Defense Fund	\$2.00
Judicial Support Fee	\$6.00
Jury Reimbursement Fee	\$4.00
Records Management and Preservation Fee - County	\$22.50
Records Management and Preservation Fund - DC	\$2.50
Technology Fee	\$4.00
Warrant Fee	\$50.00
Writ	\$35.00
Total Fee Amount	\$314.00
Amount Collected	\$0.00
Balance Due	\$314.00

An additional \$2.00 transaction fee will be assessed on EACH payment towards fine, restitution, court cost and ordered attorney fees that are assessed. TCCP 102.072

An additional \$12.00 fee may be assessed when the court requires the defendant to make restitution installments. TCCP 42.037 (g)(1).

An additional \$25.00 will be assessed if any part of a fine, court cost, restitution or ordered attorney fees is paid on or after the 31st day after the date of judgment assessing the cost. LGC 1.33 103

I, Barbara Gladden Adamick, District Clerk certify that the above costs are an accurate assessment of fees pursuant to the laws of the State of Texas, in the above styled and numbered cause in the District Court of Montgomery County, Texas.

Barbara Gladden Adamick, District Clerk
 Montgomery County, Texas

By: _____

Signed: 9/7/2018 10:01 AM

Beth Gillett, Deputy

THE STATE OF TEXAS

V.

LAURA JANETH GARZA

STATE ID No.: TX-10381353

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§

IN THE 221ST
DISTRICT COURT

RECEIVED AND FILED
FOR RECORD
At 2 O'Clock P M.

SEP 13 2018

MONTGOMERY COUNTY, TEXAS
District Clerk
By [Signature] Deputy

IMMIGRATION ADMONISHMENTS

NOW COMES the Defendant in the above captioned cause and makes the following statements and waivers prior the Court accepting my plea of guilty or plea of nolo contendere.

- LG (1) I am not a citizen of the United States;
- LG (2) I am freely and voluntarily pleading GUILTY to the offense of: **Illegal Voting**;
- LG (3) I understand that a conviction of certain crimes will trigger my removal from this country and/or result in my inability to re-enter this country should I choose to leave. These crimes include the offense I am pleading guilty or nolo contendere to, as well as:

A. Aggravated felonies

- i. Murder, rape, or sexual abuse of a minor
- ii. Illicit trafficking of controlled substances
- iii. Illicit trafficking in firearms or destructive devices
- iv. Offenses relating to "money laundering"
- v. Offenses relating to firearms and explosive devices
- vi. "crimes of violence" for which a term of imprisonment of one year or more has been imposed.
- vii. A theft offense (including receipt of stolen property) for which a term of imprisonment of one year or more has been imposed.
- viii. Offenses relating to ransom or demand for receipt of ransom
- ix. Offenses relating to child pornography
- x. Offenses relating to racketeer influenced corrupt organizations, or gambling for which a term of imprisonment of one year or more has been imposed.
- xi. Offenses relating to: (a) owning, controlling, managing, or supervising prostitution; (b) transportation for the purpose of prostitution; (c) slavery, and/or involuntary servitude

- xii. Offenses relating to: (a) a gathering or transmitting national defense information; disclosure of classified information; sabotage; treason; (b) protecting identity of intelligence agents; (c) protecting identity of undercover agents
 - xiii. An offense that involves: (a) fraud or deceit in which loss to victim exceeds \$10,000; (b) a relation to Tax Evasion in which loss to government exceeds \$10,000
 - xiv. An offense relating to alien smuggling, unless committed for an immediate family member and no other individual
 - xv. An offense (a) which either is falsely making, forging, counterfeiting, mutilating or altering a passport or instrument or relating to document fraud; and (b) term of imprisonment is at least 12 months, except in first offense where offense committed to aid immediate relative
 - xvi. An offense relating to failure to appear for a defendant for service of sentence if the underlying offense is punishable by imprisonment for five or more
 - xvii. An offense relating to commercial bribery, counterfeiting, forgery, or trafficking in vehicles where the identification numbers have been altered for which the term of imprisonment is one year or more
 - xviii. An offense relating to obstruction of justice, perjury, subornation of perjury, bribery of a witness for which a term of imprisonment of one year or more has been imposed
 - xix. Offense relating to failure to appear before a court pursuant to a court order to answer to or dispose of a charge of a felony for which a sentence of two years may be imposed
 - xx. An attempt or conspiracy to commit any of the above offenses.
- B. Crimes of moral turpitude (if committed within five years of admission and may result in a sentence of one year or longer)
 - C. Multiple criminal convictions (two or more crimes of moral turpitude)
 - D. Failure to register as a sex offender
 - E. Crimes involving controlled substance
 - F. Firearms offenses
 - G. Crimes of domestic violence, stalking, or violation of protection order, or crimes against children
 - H. Human trafficking

LG (4) If the crime which I am pleading guilty is an aggravated felony under 8 U.S.C. 1227, I understand I am ineligible for most forms of discretionary relief from removal, including cancellation of removal and asylum. Additionally, I will not be eligible for a re-adjustment of status.

LG (5) I understand that federal immigration law is constantly changing. Even if the crime to which I am pleading is not covered above, I understand the likelihood of removal or inadmissibility for the offense to which I am pleading guilty, and that removal or inadmissibility are possible with a conviction for any misdemeanor or felony offense.

LY (6)

In understand that a sentence of community supervision (probation or deferred adjudication) is considered a "conviction" under federal law and could still result in my removal from inadmissibility to this country.

LY (7)

My attorney has explained the admonitions to me and advised me regarding the consequences of my plea as they relate to immigration consequences. My attorney has made no representation that my plea of guilty will NOT cause any change in immigration status. In fact, I understand that my conviction is likely or certain to have immigration consequences.

LY (8)

My attorney has explained the evidence the State will present against me. Understanding the immigration consequences associated with my plea and the risk of pursuing my case to trial, I am choosing to plead guilty to the offense of **Illegal Voting**.

LY (9)

I am entering my plea of guilty regardless of any removal or re-entry consequences that I any encounter as a result of my plea.

LY (10)

I have freely, knowingly, and voluntarily executed this statement.

Approved:

Laura Garza
DEFENDANT

9-13-18
DATE

I, John C. Cardenas, defendant's attorney, have fully advised the above named defendant regarding the immigration consequences associated with his/her plea in accordance with Padilla v. Kentucky, 130 S. CT. 1473 (2010). I believe that this document was executed by him/her knowingly and voluntarily after I discussed it and its consequences with him/her.

Signed:

J.C. Cardenas
ATTORNEY FOR DEFENDANT

9-13-18
DATE SIGNED



SEP 13 2018

THE STATE OF TEXAS

§

IN THE 221ST

§

V.

§

DISTRICT COURT, MONTGOMERY COUNTY, TEXAS
By [Signature] Deputy

BARBARA GLADDEN ADAMICK
District Clerk

§

LAURA JANETH GARZA

§

MONTGOMERY COUNTY, TEXAS

§

STATE ID No.: TX-10381353

§

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF 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.

is a plea-bargain case, but matters were raised by written motion filed and rule on before trial and not withdrawn or waived, and the defendant has the right of appeal.

is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal

is a plea-bargain case, and the defendant has **NO** right of appeal.

the defendant has waived the right of appeal.

Signed and Entered ____ day of _____, 2018

[Signature]

Judge Presiding

I have received a copy of this 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 the rule 68 of the Texas Rules of Appellate 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 appellate 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 appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a prose petition for discretionary review.

[Signature]
Defendant: LAURA GARZA
Mailing Address: _____
Telephone: _____
Fax Number: _____

Defense Counsel: [Signature]
State Bar of TX ID#: 03787900
Mailing Address: 16951 Feather Craft Ln, Hum TX 77007
Telephone: 281 337-2884
Fax Number: 888-734-1236

CASE NO. 18-05-06033
COUNT
INCIDENT No./TRN: 9280632264

RECEIVED AND FILED
FOR RECORD
At 2 O'Clock P.M.

SEP 13 2018

THE STATE OF TEXAS

§

IN THE 221ST

§

V.

§

DISTRICT COURT

§

LAURA JANETH GARZA

§

MONTGOMERY COUNTY, TEXAS

§

STATE ID No.: TX-10381353

§

BARBARA GLADDEN ADAMICK
District Clerk
MONTGOMERY COUNTY, TEXAS
Deputy

WAIVER OF PRESERVATION OF EVIDENCE

Joined by my counsel, I waive the preservation of any and all evidence in this case, including known biological and toxicological evidence. I understand that under Tex. Code Crim. Proc. Art 38.50, I have the right to have toxicological evidence that was collected in my case retained for the duration of my sentence, or term of community supervision. I further understand that under Tex. Code Crim. Proc. art. 38.43, evidence known to contain biological material must be preserved until I die, complete my sentence, or if I am sentenced to confinement, until I am released on parole or mandatory supervision; and that I, my counsel, and the court would have 90 days to object to the planned destruction of such evidence. I fully understand that scientific testing of evidence containing biological material could establish the identity of the person committing the offense in this cause or exclude me from the group of persons who could have committed the offense. I agree that testing of any such biological or toxicological evidence is unnecessary because I am criminally responsible for the offense charged. I hereby waive my right to notice of and objection to the planned destruction of any toxicological evidence collected under Article 38.50, or any evidence known to contain biological material under Article 38.43. If a weapon(s) was seized from me and under Tex. Code Crim. Proc. art. 18.19 I would be rightfully entitled to the return of the weapon; I hereby also waive the right to return of said weapon(s). I agree that all evidence collected in this case may be returned to the rightful owner other than myself, used for law enforcement purposes, sold by law enforcement pursuant to Article 18.19, or destroyed.

Approved:


ATTORNEY FOR DEFENDANT


DEFENDANT

ORDER FOR DESTRUCTION OF EVIDENCE

The Court finds that Defendant has knowingly and voluntarily waived preservation of all evidence in this cause and THEREFORE ORDERS the law enforcement agency in possession of the evidence in this case to return the evidence to the rightful owner other than the Defendant, use the evidence for law enforcement purposes, sell pursuant to Article 18.19, or destroy the evidence at any date after 30 days from the date of this order. **This order also includes any firearms.**

Firearm (if applicable) :

The Court further ORDERS the clerk of this Court to provide a copy of this order to defense counsel and the State.

Signed and entered 13th day of Sept, 2018


Lisa Michalk

THE STATE OF TEXAS

§

IN THE 221ST

SEP 13 2018

V.

§

DISTRICT COURT

BARBARA GLADDEN ADAMICK
District Clerk
MONTGOMERY COUNTY, TEXAS
By [Signature] Deputy

LAURA JANETH GARZA

§

MONTGOMERY COUNTY, TEXAS

§

STATE ID No.: TX-10381353

§

**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 terms 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 the 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 entered 13th day of Sept, 2018

[Signature]
JUDGE PRESIDING

DEFENDANTS CONVICTED OF: CERTAIN OFFENSES INVOLVING THE USE OF ALCOHOL, (SECTIONS 49.04-49.08, CCP) AN OFFENSE REQUIRING REGISTRATIONS 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 STANDARDIZED FORM FOR PROVIDING INFORMATION TO DEFENDANT'S PLACED ON COMMUNITY SUPERVISION (PROBATION), AS REQUIRED BY ARARTICLE 42A.058, CCP