



P.6

CASE NO. 1257252
INCIDENT NO./TRN: 9165271467A001

THE STATE OF TEXAS

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IN THE 262ND DISTRICT

v.

COURT

HERNANDEZ, JUAN ENRIQUE

HARRIS COUNTY, TEXAS

STATE ID NO.: UNKNOWN

ORDER OF DEFERRED ADJUDICATION

Judge Presiding: HON. MIKE ANDERSON

Date Order Entered: 7/13/2010

Attorney for State: BELINDA SMITH

Attorney for Defendant: ENRIQUE GOMEZ

Offense:

CRUELTY TO ANIMALS

Charging Instrument:

INDICTMENT

Statute for Offense:

N/A

Date of Offense:

2/16/2010

Degree of Offense:

STATE JAIL FELONY

Plea to Offense:

GUILTY

Findings on Deadly Weapon:

N/A

Terms of Plea Bargain:

3 YEARS DADJ; \$100 FINE

Plea to 1st Enhancement

Paragraph: **N/A**

Plea to 2nd Enhancement/Habitual

Paragraph: **N/A**

Findings on 1st Enhancement

Paragraph: **N/A**

Findings on 2nd

Enhancement/Habitual Paragraph: **N/A**

ADJUDICATION OF GUILT DEFERRED; DEFENDANT PLACED ON COMMUNITY SUPERVISION.

PERIOD OF COMMUNITY SUPERVISION: 3 YEARS

Fine:

\$ 100

Court Costs:

\$ 207

Restitution:

\$ N/A

Restitution Payable to:

VICTIM (see below) AGENCY/AGENT (see below)

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: **N/A DAYS**

NOTES: **N/A**

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 Harris County, Texas. The State appeared by her District Attorney as named above.

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 a plea as indicated above. The Court admonished the 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 FINDS such evidence substantiates Defendant's guilt. The Court FINDS that, in this cause, it is in the best interest of society and Defendant to defer proceedings without entering an adjudication of guilt and to place Defendant on community supervision.

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 that Defendant is given credit noted above for the time spent incarcerated. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

The Court ORDERS that no judgment shall be entered at this time. The Court further ORDERS that Defendant be placed on community supervision for the adjudged period so long as Defendant abides by and does not violate the terms and conditions of community supervision. See TEX. CODE CRIM. PROC. art. 42.12 § 5(a).

Furthermore, the following special findings or orders apply:

DEFENDANT TO SERVE 5 DAYS HCJ AS A COP STB 7/19/10. SELF REPORT

Signed and entered on July 13, 2010

X
MIKE ANDERSON
JUDGE PRESIDING

Notice Appeal Filed: _____

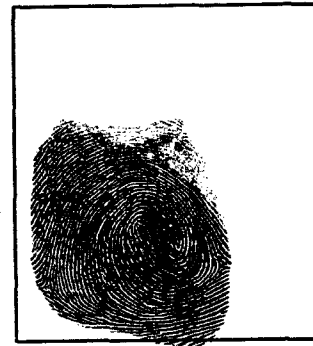
Mandate Received: _____

Def. Received on _____ at _____ AM / PM

By: _____, Deputy Sheriff of Harris County

Clerk: H MCGUIRE

FIN (CAS 20.10): _____ EN/KR13: 948 LCBT: A LCBU: A
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CONDITIONS OF COMMUNITY SUPERVISION

THE STATE OF TEXAS
VS.
JUAN ENRIQUE HERNANDEZ

IN THE 262nd DISTRICT COURT OF
HARRIS COUNTY, TEXAS
CAUSE NUMBER 125725201010

On this the 13th day of July, 2010, you are granted 3 Years community supervision for the State Jail felony offense of CRUELTY TO ANIMALS in accordance with section 5 of Article 42.12, Texas Code of Criminal Procedure, in the 262nd District Court of Harris County, Texas, by the Honorable MIKE ANDERSON Judge Presiding. It is the order of this Court that you abide by the following Conditions of Community Supervision:

- (1) **Commit no offense** against the laws of this or any other State or of the United States.
- (2) **Avoid injurious or vicious habits.** You are forbidden to use, possess, or consume any controlled substance, dangerous drug, marijuana, alcohol or prescription drug not specifically prescribed to you by lawful prescription. You are forbidden to use, consume, or possess alcoholic beverages.
- (3) **Avoid persons or places** of disreputable or harmful character.
- (4) Report immediately in person, to the Community Supervision Officer for the 262 District Court on the 13th day of July, 2010 and continue to report to the Community Supervision Officer on the 13th of each month thereafter or as directed by the Community Supervision Officer for the remainder of the supervision term unless so ordered differently by the Court.
- (5) Permit a Community Supervision Officer to visit you at your home, place of employment or elsewhere.
- (6) **Abide by the rules and regulations** of the Harris County Community Supervision and Corrections Department (hereinafter referred to as HCCS&CD). Refrain from disorderly conduct, abusive language or disturbing the peace while present at any HCCS&CD office or facility.
- (7) **Work faithfully** at suitable employment and present written verification of employment (including all attempts to secure employment) to your Community Supervision Officer on each reporting date. You must notify HCCS&CD within 48 hours of any change in your employment status.
- (8) **Remain within a specified place**, to wit: Harris County, Texas. You may not travel outside of Harris County, Texas unless you receive prior written permission from the Court through your Community Supervision Officer. You must notify HCCS&CD within 48 hours of any change of residence.
- (9) **Support your dependents** as required by law. Provide your Community Supervision Officer with a certified copy of all Court orders requiring payment of child support.
- (10) Submit to **RANDOM drug/alcohol analysis** by authorized personnel of HCCS&CD, including any department having courtesy supervision jurisdiction. Provide proof of any medication legally prescribed to you prior to submitting a specimen.
- (11) Participate in the HCCS&CD **Community Service Restitution Program (CSR)**. You shall perform a total of 120 hours, at the rate of 10 hours per MONTH beginning 08/13/2010.
- (12) Pay the following fees through HCCS&CD as specified herein. All payments **MUST** be in the form of a **MONEY ORDER** or Cashier 's Check. Write SPN and Cause # on Money Order or Cashier 's Check. Personal checks will not be accepted. **A \$2.00 transaction fee will be charged each time you make a payment.**
 - 12.1 Pay a **Supervision Fee** at the rate of \$60.00 per month for the duration of your community supervision beginning 10/13/2010 to HCCS&CD.
 - 12.2 Pay a **Fine** of \$100.00 and **Court Costs** at the rate of \$20.00 per month beginning 08/13/2010 to Harris County through HCCS&CD. You are given credit for 0 DAY.
 - 12.3 Pay **Laboratory Fees** of \$5.00 per MONTH for the duration of your community supervision beginning 08/13/2010 to HCCS&CD.
 - 12.4 Pay a \$12.50 fee for an **Offender Identification Card** by 08/13/2010 to HCCS&CD.

CONDITIONS OF COMMUNITY SUPERVISION

For: JUAN ENRIQUE HERNANDEZ

Cause: 125725201010

- 12.5 Pay \$50.00 to Crime Stoppers of Houston by 08/13/2010 through HCCS&CD.
- 12.6 Pay \$50.00 to Texas Children 's Hospital Radio Lollipop by 09/13/2010 through HCCS&CD.
- (13) Report in person to HCCS&CD by 08/13/2010 for the purpose of creating and obtaining your Offender Identification Card. You are to carry this identification card on your person at all times.
- (14) Submit to an alcohol/drug evaluation by 11/13/2010 and at anytime thereafter as directed by your Community Supervision Officer. Attend treatment and aftercare as recommended or as designated by the Court, including but not limited to the STAR Drug Court Program. Comply with all program rules, regulations and guidelines until successfully discharged or released by further order of the Court. On each reporting date, submit written verification of your enrollment, attendance and/or successful completion of the program to your Community Supervision Officer, to be retained in HCCS&CD's file.
- (15) Participate in the HCCS&CD Maximum Supervision Program any time that you are assessed by HCCS&CD to require maximum supervision. Comply with all program rules, regulations and guidelines until successfully discharged or released by further order of the Court.
- (16) Provide proof of your High School Diploma/G.E.D. or participate in a General Educational Development (G.E.D.) program beginning 10/13/2010. Comply with all program rules, regulations and guidelines until successfully discharged or released by further order of the Court. On each reporting date, submit written verification of your enrollment, attendance and/or successful completion of the program to your Community Supervision Officer, to be retained in HCCS&CD's file.
- (17) No mail-in reporting permitted except with the permission of the Court.
- (18) Participate in the HCCSCD Change Though Intervention (CTI) Program, anytime you are assessed and deemed appropriate. Comply with all program rules, regulations, and guidelines until successfully completed or released by further order of the Court. You will be subject to a system of graduated sanctions and incentives. You may be placed on a special caseload, which includes periodic appearances in Court.
- (19) During term of supervision, client is strictly prohibited from shipping, transporting, possessing, receiving, or purchasing a firearm, altered firearm, or ammunition, or attempting to ship, transport, possess, receive, or purchase a firearm, altered firearm, or ammunition.
- (20) You are not to lie or make false statements to any employee of HCCS&CD beginning 07/13/2010.
- (21) You will not use, ingest, or consume any substance that will alter or adulterate any urinalysis results.
- (22) You must include HCCSCD as a creditor if at any time during the term of your supervision you file for bankruptcy. You must provide verbal notification to HCCSCD of any bankruptcy filing during the term of your supervision, within 72 hours of filing for bankruptcy by contacting your Community Supervision Officer by telephone and providing written notification and documentation, including the "Notice of Bankruptcy Filing", to: Harris County Community Supervision Attention: General Counsel 49 San Jacinto, Suite 600 Houston, Texas 77002.
- (23) Submit yourself to a psychological/psychiatric evaluation by 08/13/2010. Attend treatment and aftercare as recommended. Comply with all program rules, regulations and guidelines until successfully discharged or released by further order of the Court. On each reporting date, submit written verification of your enrollment, attendance and/or successful completion of the program to your Community Supervision Officer, to be retained in HCCS&CD's file.
- (24) You are ordered to serve not less than and no more than 5 DAYS in the Harris County Jail beginning 07/19/2010. You must report to 49 San Jacinto, 1st Floor Sheriff 's Department no later than 05:00 PM. Failure to report as directed will result in a warrant being issued for your arrest.
- (25) You are not to maintain, possess or care for any animals or obtain employment where you will have direct contact with any animals during the term of supervision unless approved by the Court beginning July 13, 2010.

CONDITIONS OF COMMUNITY SUPERVISION

For: JUAN ENRIQUE HERNANDEZ

Cause: 125725201010

- (26) Write a letter of apology to the complainant, Mayte Guerrero and submit it to your Community Supervision Officer in a stamped unsealed envelope for review by the Court and mailing to the complainant by 08/13/2010. The letter of apology will be submitted to the Court for review through your Community Supervision Officer prior to HCCS&CD mailing the letter to the complainant.

Unofficial Copy Office of Chris Daniel District Clerk

CONDITIONS OF COMMUNITY SUPERVISION

For: JUAN ENRIQUE HERNANDEZ

Cause: 125725201010

I understand that under the laws of this State, the Court shall determine the terms and conditions of Community Supervision, and may alter or modify said conditions during the period of Community Supervision. I further understand that failure to abide by these Conditions of Community Supervision may result in the revocation of Community Supervision or an adjudication of guilt.

Community Supervision expires the 12th day of July A.D. 2013

Juan E. Hernandez
JUAN ENRIQUE HERNANDEZ, DEFENDANT

July 13, 2010
DATE

Signed this 13th day of July A.D. 2010

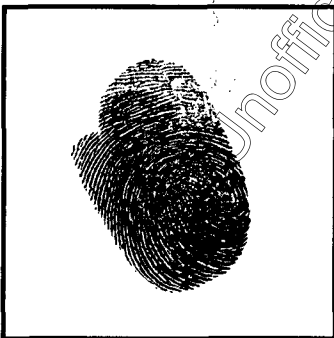
MIKE ANDERSON, PRESIDING JUDGE

Janie J. Hernandez
JANIE J. HERNANDEZ, CLO/CSO OFFICER

July 13, 2010
DATE

SPN: 02486613

PLEA: GUILTY



Defendant's Right Thumbprint

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