



CASE No. 2012-4-5401 COUNT  
INCIDENT NO./TRN: 9131576559

THE STATE OF TEXAS

V.

JOHN BUSTOS A/K/A "KILO"

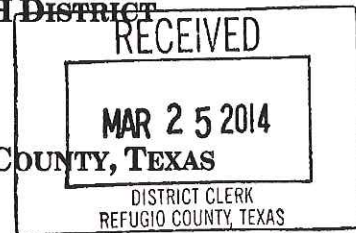
STATE ID No.: TX08052226

§  
§  
§  
§  
§  
§

IN THE 24TH DISTRICT

COURT

REFUGIO COUNTY, TEXAS



## JUDGMENT OF CONVICTION BY COURT — WAIVER OF JURY TRIAL

Judge Presiding: HON. JACK MARR

Date Judgment Entered: 3/20/2014

Attorney for State: RAYMOND J. HARDY, JR.

Attorney for Defendant: TIMOTHY J. MCCOY

Offense for which Defendant Convicted:

AGGRAVATED ASSAULT CAUSING SERIOUS BODILY INJURY

Charging Instrument:

INDICTMENT

Statute for Offense:

§22.02(a)(1) Penal Code

Date of Offense:

5/1/2011

Degree of Offense:

2ND DEGREE FELONY

Plea to Offense:

GUILTY

Findings on Deadly Weapon:

N/A

Terms of Plea Bargain:

SEVEN (7) YEARS CONFINEMENT TDCJ, COURT-COSTS, COURT-APPOINTED ATTORNEY'S FEES, WITHDRAW ALL PRE-TRIAL MOTIONS, AND WAIVE ALL RIGHTS TO APPEAL, INCLUDING NOTICE OF APPEAL AND MOTION FOR NEW TRIAL

Plea to 1<sup>st</sup> Enhancement

Paragraph: N/A

Plea to 2<sup>nd</sup> Enhancement/Habitual

Paragraph: N/A

Findings on 1<sup>st</sup> Enhancement

Paragraph: N/A

Findings on 2<sup>nd</sup>

Enhancement/Habitual Paragraph: N/A

Date Sentence Imposed: 3/20/2014

Date Sentence to Commence: 3/20/2014

Punishment and Place of Confinement:

7 YEARS INSTITUTIONAL DIVISION, TDCJ

THIS SENTENCE SHALL RUN CONCURRENTLY.

☐ SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .

Fine:

\$ N/A

Court Costs:

\$ 249.00

Restitution:

\$ N/A

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 .

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

Time Credited:	From	to	From	to	From	to
	From	to	From	to	From	to

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

906 DAYS NOTES: TOWARD INCARCERATION

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 Refugio County, Texas. The State appeared by her District Attorney.

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, Institutional Division, TDCJ**. 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 **DISTRICT CLERK OF REFUGIO COUNTY, TEXAS**. 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 **Refugio County, Texas** on the date the sentence is to commence. Defendant shall be confined in the **Refugio County Jail** for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall proceed immediately to the **DISTRICT CLERK OF REFUGIO COUNTY, TEXAS**. 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 **Refugio 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)**

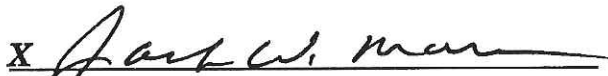
☒ The Court **ORDERS** Defendant's sentence **EXECUTED**.



☐ 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.

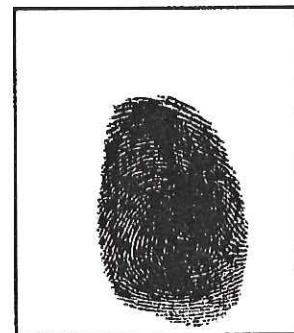
The Court **ORDERS** that Defendant is given credit noted above on this sentence for the time spent incarcerated.

**Furthermore, the following special findings or orders apply:**

Signed and entered on March 20, 2014

X   
**JACK MARR**  
JUDGE PRESIDING

  
Clerk: RUBY GARCIA 



Right Thumbprint



John Ray Bustos

Cause#2012-4-5401

TXDPS: 08052226

09/27/2011 Arrested on original charge

03/20/2014 Rec'd TDCJ sentence

906 Days

Total 906 Days

Cause No. 2012-4-5401

STATE OF TEXAS

V.

JOHN BUSTOS A/K/A "KILO"

§  
§  
§  
§  
§  
§

IN THE 24TH DISTRICT COURT

REFUGIO COUNTY, TEXAS

**ATTACHMENT A**  
**ORDER TO WITHDRAW FUNDS**

TO: INMATE TRUST ACCOUNT, TEXAS DEPARTMENT OF CRIMINAL JUSTICE  
COPY TO: JOHN BUSTOS A/K/A "KILO" TDCJ #: SID #: 08052226

**GREETINGS:**

THE ABOVE named Texas Department of Criminal Justice offender has of this date been assessed court costs, fees and/or fines and/or restitution in the 24th District Court of Refugio County, Texas, in the above entitled cause in accordance with the sentence imposed as reflected in the judgment to which this Order is attached. The Court finds that the offender is unable to pay the court costs, fees and/or fines and/or restitution on this date and that the funds should be withdrawn from the offender's Inmate Trust Account. Court costs, fees and/or fines and/or restitution have been incurred in the amount of \$7874.00.

THE COURT ORDERS that payment be made out of the offender's Inmate Trust Account as follows:  
Pay an initial amount equal to the lesser of:

- (1) 15% of the account balance up to and including \$100, plus 25% of any portion of the account balance that is between \$100.01 and \$500 inclusive, plus 50% of any portion of the account balance that is more than \$500; or
- (2) The total amount of court costs, fees and/or fines and/or restitution that remains unpaid.

After the payment of the initial amount, the offender shall pay an amount equal to the lesser of:

- (1) 10% of each deposit in the offender's Inmate Trust Account; or
- (2) The total amount of court costs, fees and/or fines and/or restitution that remains unpaid.

Payments are to continue until the total amount of the court costs, fees and/or fines and/or restitution are paid, or the offender is released from confinement.

On receipt of a copy of this Judgment, the department (Inmate Trust Account) shall withdraw money from the trust account of the offender, hold same in a separate account, and shall forward said money to the Refugio County District Clerk, P.O. Box 736, Refugio, Texas 78377 on the earlier of the following dates:

- (1) Monthly
- (2) The date the total amount to be forwarded equals the total amount which remains unpaid; or
- (3) The date the offender is released.

THIS ORDER is entered and incorporated into the Judgment and Sentence of this Court and pursuant to Government Code, Section 501.014, on this 20th day of March, 2014.