

JUDGMENT ON PLEA OF GUILTY/NOLC/CONTENDERE/NOT GUILTY
BEFORE COURT-WAIVER OF JURY TRIAL

RECORDER'S MEMORANDUM
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CAUSE NO

(P-3)
814596

THE STATE OF TEXAS
VS

IN THE 228th DISTRICT COURT

COUNTY CRIMINAL COURT
AT LAW NO

OF HARRIS COUNTY, TEXAS

Cary S. Ogilvie
(Name of Defendant)

AKA

Judge
Presiding

Ed Poe

Date of
Judgment

Sept. 3, 1999

Attorney
for
State

Warren Reppasam

Date
Sentence
Imposed

Sept 3, 1999

Attorney
for
Defendant

Joseph Salhalu

Defendant
Waived
Counsel

Sentence
to Begin
Date

Sept 3, 1999

Offense Convicted of

Insurance Fraud

Date of
Offense

Dec 2, 1996

A MISDEMEANOR, CLASS A | B | C A FELONY, DEGREE SJ 3rd | 2nd | 1st | CAPITAL

Terms of Plea Bargain (In Detail)

180 day ACT Felony Conviction

State must exercise punishment as a felony under 12.44A
(Circle appropriate selection - N/A = not available or not applicable)

Plea to Enhancement
Paragraph(s)

1st Paragraph
True | Not True | N/A

2nd Paragraph
True | Not True | N/A

Charging
Instrument

Complaint | Indictment | Information

Findings on
Enhancement(s)

1st Paragraph
True | Not True | N/A

2nd Paragraph
True | Not True | N/A

Plea

Guilty | Nolo Contendere | Not Guilty

Affirmative Findings

Deadly
Weapon

Yes | No | N/A

Family
Violence

Yes | No | N/A

Hate
Crime

Yes | No | N/A

Victim Younger
Than 17 years

Yes | No | N/A

Controlled Substance
Used to Commit Crime

Yes | No | N/A

Punishment Imposed and
Place of Confinement

(Mark all that apply)

Institutional Division, TDCJ

Sentence suspended, Defendant

placed on community supervision for

State Jail Division, TDCJ

Harris County Jail

SEE SPECIAL INSTRUCTIONS, incorporated herein by
reference

Fine in the Amount of \$

Fine Only

Time
Credited

11

days toward
incarceration

days toward
fine and costs

days toward incarceration,
fine and costs

COURT COSTS \$ 16250

(Mark appropriate selections below, if applicable)

Name changed from

V2839 P0652

O. Brown
814596

- Judgment Addendum incorporated herein by reference
- Driver's license is suspended for a period of _____ days/months/years
- The Defendant is entitled to _____ days credit toward suspension of driver's license
- It is ordered by the Court, that any weapon(s) seized in this case is/are hereby forfeited
- Educational program waived in accordance with Article 42 12 Sec 13 (h), upon a finding of good cause by the Court
- In accordance with Section 12 44(a), Penal Laws of Texas, the Court finds that the ends of justice would best be served by punishment as a Class A misdemeanor The Defendant is adjudged to be guilty of a state jail felony and is assessed the punishment indicated above
- In accordance with Section 12 44(b), Penal Laws of Texas, the Court authorizes the prosecuting attorney to prosecute this cause as a Class A misdemeanor The Defendant is adjudged to be guilty of a Class A misdemeanor and is assessed the punishment indicated above

This cause being called for trial, the State appeared by her District Attorney as named above and the Defendant named above appeared in person with Counsel as named above, or the Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel as indicated above, and both parties announced ready for trial The Defendant waived his right of trial by jury, and pleaded as indicated above Thereupon, the Defendant was admonished by the Court as required by law It appearing to the Court that the Defendant is mentally competent to stand trial, that the plea is freely and voluntarily made, and that the Defendant is aware of the consequences of his plea, the plea is hereby received by the Court and entered of record The Court having heard the evidence submitted, found the Defendant guilty of the offense indicated above The Defendant was granted the right of allocution and answered nothing in bar thereof The Court proceeded in the presence of the Defendant to pronounce sentence against the Defendant

IT IS CONSIDERED, ORDERED AND ADJUDGED by the Court that the Defendant is guilty of the offense indicated above, and that the Defendant committed the offense on the date indicated above, and that the Defendant be punished as indicated above for the period indicated above, and that the State of Texas do have and recover of the Defendant all costs of the prosecution for which execution will issue Further, the Court finds the Presentence Investigation, if so ordered, was done according to the applicable provisions of Art 42 12, Sec 9, Code of Criminal Procedure

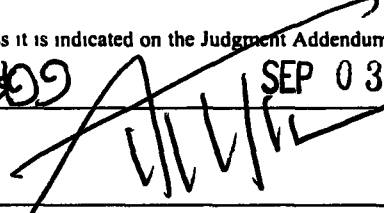
IT IS ORDERED by the Court that if the punishment assessed against the Defendant is confinement in the Institutional Division or the State Jail Division of the Texas Department of Criminal Justice (TDCJ) that the Defendant be delivered by the Sheriff of Harris County, Texas immediately to the Director of the Institutional Division or the State Jail Division TDCJ, or any other person legally authorized to receive such convicts, and said Defendant shall be confined in the Institutional Division or State Jail Division TDCJ for the period indicated above, in accordance with the provisions of the law governing the Institutional Division or State Jail Division, TDCJ The Defendant is remanded to the custody of the Sheriff of Harris County until said Sheriff can obey the directions of this sentence

IT IS ORDERED by the Court that if the punishment assessed against the Defendant is confinement in the Harris County Jail that the Defendant is remanded to the custody of the Sheriff of Harris County, Texas, unless the Defendant is instructed to voluntarily surrender to the Sheriff on the date the sentence is to begin, as indicated above The Sheriff shall confine the Defendant in the Harris County Jail for the period indicated above, and until the fine and costs are fully satisfied in accordance with law

IT IS ORDERED by the Court that if the punishment assessed against the defendant is for a fine only, the Defendant is ordered to immediately proceed to the Office of the Harris County Sheriff and pay all fine and court costs as ordered by the Court in this cause, unless the Court orders the Defendant to be committed to the custody of the Sheriff of Harris County, Texas on the date the sentence is to begin, as indicated above, to be confined in the Harris County Jail until the fine and costs are fully satisfied in accordance with law

IT IS ORDERED by the Court that the sentence indicated above is to be executed unless it is indicated above that the sentence is to be suspended, and if so, the Defendant is placed on community supervision for the period indicated above pending his abiding by and not violating the terms and conditions of his community supervision

IT IS ORDERED by the Court that this sentence runs concurrent with any other sentence(s) unless it is indicated on the Judgment Addendum that the sentence is to run cumulatively

Signed and entered on 30 SEP 1999


 PRESIDING JUDGE

Community Supervision Expires on _____

X

Notice of Appeal _____

TED POE, Judge
 228th District Court
 TEXAS

Mandate Received _____

After Mandate Received Sentence to Begin Date is _____

Received on _____ at _____ AM | PM
 Sheriff, Harris County, Texas

By _____ Deputy

Entered	<u>AW 9/99</u>
Verified	<u>JW</u>
LCBT	<u>JW</u>
LCBU	<u>JW</u>

SPECIAL INSTRUCTION OR NOTES _____



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V2839 P0653

CAUSE NO 814 596

COURT 228th

JUDGMENT ADDENDUM
(Mark appropriate selections below, if applicable)

This sentence runs cumulative to cause no _____, a _____ sentence for _____ dated _____, in the _____ Court

Sexual Offender Registration required under Art 6252 13 c 1 for this Defendant. Age of Victim(s) _____

Change of venue from _____ county

IT IS ORDERED by the Court that the victim, _____ have and recover actual damages from the Defendant in this cause in the amount of \$ _____. IT IS FURTHER ORDERED by the Court that the judgment here rendered shall bear interest at the rate of 10% from the date of this judgment, until paid. All writs and process for the enforcement and collection of this judgment or the costs of Court may issue as necessary

Restitution/Reparation/Reward \$ 38,087.50 to be Paid to State Farm Insurance
Address C/O HCDA/Victim-Witness, 201 Fennell, Houston 77002
Terms of Restitution/Reparation/Reward ~~as per State Farm~~

The Court has established the sum of \$ _____ as expenses incurred by Harris County for EXTRADITION in this case and finds that the parole board should require the Defendant to make restitution of that amount to Harris County as a condition of parole

The Court has established the sum of \$ _____ as expenses incurred by Harris County for COURT APPOINTED COUNSEL in this case and finds that the parole board should require Defendant to make restitution of that amount to Harris County as a condition of parole

The Court finds that the parole board should require the Defendant to make restitution in the amount of \$ _____ to be paid to _____ as a condition of parole

The Court recommends the Defendant be placed in the S A.I.P (State Boot Camp Program) in the Institutional Division, TDCJ pursuant to Article 42 12, Section 8, C.C.P

The Defendant is ordered to voluntarily surrender to the Sheriff of Harris County on the date the sentence is to begin, as indicated above, to be delivered by the Sheriff of Harris County, Texas immediately to the Director of the Institutional Division or the State Jail Division, TDCJ, or any other person legally authorized to receive such convicts

Unofficial Copy of Criminal District Clerk