



MD-0341403

INCIDENT NO./TRN: 9216499060

THE STATE OF TEXAS

v.

RICHARD EARL CHENEY

STATE ID No.: TX-05458860

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IN THE COUNTY CRIMINAL

COUNTY COURT AT LAW No. 3

GALVESTON COUNTY, TEXAS

DATE: APRIL 04, 2014

**JUDGMENT OF CONVICTION BY COURT-WAIVER OF JURY TRIAL**

Judge Presiding:	<b>HON. Barbara E. Roberts</b>	Date Judgment Entered:	<b>April 04, 2014</b>
Attorney for State:	<b>Valerie L. Norris</b>	Attorney for Defendant:	<b>Holly Roell</b>

Offense for which Defendant Convicted:  
**RESIST ARREST SEARCH OR TRANSPORT**

Charging Instrument: Complaint/Information	Statute for Offense: <b>38.03(a)</b>
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Date of Offense:  
**December 28, 2013**

Degree of Offense:	Plea to Offense:	Findings on Deadly Weapon:
<b>Class A Misdemeanor</b>	<b>Nolo Contendere</b>	<b>N/A</b>

Terms of Plea Bargain:  
**50 Days County Jail**

Plea to 1 <sup>st</sup> Enhancement Paragraph:	<b>N/A</b>	Plea to 2 <sup>nd</sup> Enhancement/Habitual Paragraph:	<b>N/A</b>
Findings on 1 <sup>st</sup> Enhancement Paragraph:	<b>N/A</b>	Findings on 2 <sup>nd</sup> Enhancement/Habitual Paragraph:	<b>N/A</b>

Date Sentence Imposed:	<b>April 04, 2014</b>	Date Sentence to Commence:	<b>April 04, 2014</b>
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Punishment and Place of Confinement: **50 DAYS COUNTY JAIL**

**THIS SENTENCE SHALL RUN CONCURRENTLY.**

Fine:	Court Costs:	Fees:	Restitution: <small>*See Restitution Sheet</small>	Extradition Fees:	Attorney Fees:
<b>\$0.00</b>	<b>\$161.40</b>	<b>\$57.60</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Time Credited: If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.  
**98 DAYS JAIL CREDIT**

Driver's license is suspended for a period of **Not Applicable.**

Family Violence:  
The Court FINDS that Defendant was prosecuted for an offense under Title 5 of the Penal Code that involved family violence. TEX. CODE CRIM. PROC. art. 42.013.

Weapon Forfeiture:  
The Court FINDS that a law enforcement agency, namely Galveston County Sheriff's Office, seized a weapon, namely, in connection with an offense involving the use of a weapon or an offense under Chapter 46 of the Penal Code. The Court FINDS that 1) Defendant has been previously convicted under Chapter 46 of the Penal Code.



This cause was called in Galveston 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)**

**County Jail—Confinement / Confinement in Lieu of Payment.** The Court **ORDERS** Defendant immediately committed to the custody of the **Sheriff of Galveston County, Texas** on the date the sentence is to commence. Defendant shall be confined in the **Galveston County Jail** for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall proceed immediately to the **Galveston County Department of Court Services 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.

**Fine Only Payment.** The punishment assessed against Defendant is for a **FINE ONLY**. The Court **ORDERS** Defendant to proceed immediately to the **Galveston County Department of Court Services office**. 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** that Defendant is given credit noted above on this sentence for the time spent incarcerated.

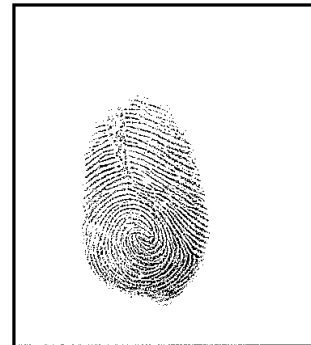
**Furthermore, the following special findings or orders apply:**

Signed and entered on 4th day of April, 2014,

  
Barbara E. Roberts  
JUDGE PRESIDING  
Of Galveston County, Texas

FILED  
2014 APR -4 PM 3:10  
COUNTY CLERK  
GALVESTON COUNTY, TEXAS

Right Thumbprint



Clerk: Carla Stover  
Defendant: Richard Earl Cheney  
Case Number: MD-0341403  
Charge: **RESIST ARREST SEARCH OR TRANSPORT**