

CAUSE NO. 233562501010

THE STATE OF TEXAS

VS.

CARBO, NICHOLAS CURTIS

§
§
§
§
§

IN THE COUNTY CRIMINAL

COURT AT LAW NO. 10

HARRIS COUNTY, TEXAS

Time: _____
Harris County, Texas
By: _____
Deputy

DEC 11 2020

FILED
Marilyn Burgess
District Clerk

MISDEMEANOR PLEA OF GUILTY/ NOLO CONTENDERE

OFFENSE, RANGE OF PUNISHMENT, PLEA BARGAIN. Comes Now Defendant prior to entering a plea herein representing to the Court the following: I am mentally competent and charged with the misdemeanor offense of **UNLAW CARRY WPN (520301)** for which the punishment is by a fine not to exceed \$4,000, or confinement in the Harris County Jail not to exceed 1 Year, or both.

The State has offered:

1 day harris county jail, credit for 1 day harris county jail.

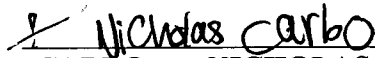
I have entered into a plea bargain agreement with the State.

ACKNOWLEDGEMENT OF RIGHTS. I understand that I have the right to: have a jury decide my guilt or innocence, and, if found guilty, assess my punishment; compel witnesses to testify on my behalf; confront and cross-examine my accusers; arraignment and have the charge read to me in open court; remain silent; that anything I say can be used against me; and the right to have ten (10) days after the appointment of my attorney before entering a plea of guilty/*nolo contendere*.

LIMITED RIGHT TO APPEAL. DIRECT AND COLLATERAL CONSEQUENCES. IMMIGRATION CONSEQUENCES. I understand that upon a plea of guilty/*nolo contendere*, with a jury waiver, the court may assess punishment without evidence; and that if the court does not exceed the agreed recommendation in assessing punishment that my right to appeal my conviction will be limited to matters raised by written motion and ruled upon before trial unless the court gives permission to raise other matters; that if I am on community supervision or parole, my plea of guilty/*nolo contendere* may result in the revocation of my community supervision or parole resulting in additional confinement; that if I am found guilty this case may be used to enhance my punishment if I am convicted of another offense; and if applicable, my privilege to drive may be cancelled, suspended revoked; or denied. I understand that a plea of guilty or *nolo contendere* may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law. I fully discussed this case with my attorney, and he or she answered each question to my satisfaction.

WAIVER. With a full understanding of my rights, I knowingly and voluntarily waive each of the rights listed above, and I wish to plead guilty/*nolo contendere* to the offense alleged in the State's information; and that any enhancement paragraph is true.

PLEA. In open court I knowingly and voluntarily enter my plea of guilty/*nolo contendere* to the offense charged in the information and request the Court immediately dispose of this case based upon my plea agreement with the prosecutor. I further understand that if the judge does not follow the plea bargain, I will be allowed to withdraw my plea.


CARBO, NICHOLAS CURTIS,
Defendant

12-11-2020
Date


ACKNOWLEDGEMENT OF COUNSEL. I have consulted with the defendant whom I believe to be competent and to whom I have fully explained all of the matters contained herein including that a plea of guilty or *nolo contendere* for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

AS APPOINTED COUNSEL, I affirm that I fulfilled my duties under article 26.04(j) Code of Criminal Procedure, (Vernon 2011) and request the Court allow me to withdraw as attorney of record at the conclusion of this proceeding.


Defense Attorney

12-11-2020
Date

PROSECUTORS CONSENT AND APPROVAL OF JURY WAIVER. The undersigned assistant district attorney, on behalf of the State of Texas, consents to and approves the defendant's waiver of trial by jury.


HUBBELL, PAUL JOSEPH
Assistant District Attorney
Harris County, Texas
TBC No. 24104551
HUBBELL_PAUL@dao.hctx.net

December 11, 2020
Date

FINDING OF COMPETENCE. Based upon the defendant's demeanor and responses, the Court **FINDS** the defendant is competent and is knowingly, intelligently and voluntarily waiving the rights set out above including the right to a jury trial; and is knowingly, intelligently and voluntarily entering this plea.

RIGHT TO POSSESS A FIREARM OR AMMUNITION. CITIZENSHIP, IMMIGRATION CONSEQUENCES. I informed the defendant of the nature of the charges, all rights and consequences of a plea of guilty / *nolo contendere*; including: that if the offense involves family violence as that term is defined in the Texas Family Code, Section 71.004 it will be unlawful for the defendant to possess or purchase a firearm, including a handgun, long gun, or ammunition, pursuant to federal law under 18 USC Section 922(g)(9), or

Retained or Appointed Counsel

Texas Penal Code Section 46.04(b).

ACCEPTANCE OF PLEA.


- The Court **FINDS** there is sufficient information in the record to permit the meaningful exercise of sentencing discretion.
- The defendant requests that a presentence investigation report not be made and the Court agrees to the request.

WITHDRAWAL OF APPOINTED COUNSEL. The Court, **FINDING** counsel is appointed, pursuant to Tex. Code of Crim. P. Art. 26.04(j) (Vernon 2011), **GRANTS** counsel's oral motion to withdraw, and **ORDERS** the Harris County District Clerk to make an entry in the Justice Information Management System reflecting counsel's motion and the Court's ruling.

The Court, **under the Code of Criminal Procedure article 27.13, 27.14 (a), or 27.16 (a)**, has inquired whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs and **FINDS** the defendant:

- Has sufficient resources or income to immediately pay all or part of the fines and costs.
- Does not have sufficient resources or income to immediately pay all or part of the fine and costs therefore the court determine the fine and cost should be satisfied by:
- payment at some later date or in a specified portion at designated intervals and/or
- through the performance of community service and/or
- waived in full or part.

DEC 11 2020



Judge Presiding
Harris County Criminal Court At Law No. 10

Date Signed

This document was translated verbatim from English to by:

Interpreter

Date