

Cause No. 1943249



THE STATE OF TEXAS

VS.

STERLING, SHAUNDRICK

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§  
§  
§  
§

DISTRICT/COUNTY

COURT NO. 014

HARRIS COUNTY, TEXAS

**MOTION TO DESTROY CONTROLLED SUBSTANCES**

COMES NOW, The State of Texas, by and through the undersigned Assistant District Attorney, and requests an order authorizing destruction of the controlled substances listed in the preceding inventory, pursuant to Subchapter E of Chapter 481 of the Texas Controlled Substances Act. The State, upon the affidavit of Raynisha Osborne, states to the Court that the items listed in the affiant's attached inventory were seized in connection with an offense under Chapter 481, Texas Controlled Substances Act, where:

- the defendant was convicted or placed on deferred adjudication; or
- the criminal charge against the defendant was dismissed.

**INSTRUCTION TO ASSISTANT DISTRICT ATTORNEY: STRIKE OUT THE ENTIRE SHADED SECTION IF THE DEFENDANT'S CASE WAS DISMISSED.**

Pursuant to Article 38.43, Texas Code of Criminal Procedure, if a defendant is convicted, evidence known to contain biological material must be preserved until the defendant is executed, dies, completes his sentence, is released on parole or mandatory supervision, or has received notice of intent to destroy the evidence and no objections were made within 90 days. The defendant in this case has (select one):

- Been executed;
- Died;
- Completed his/her sentence;
- Been released on parole or mandatory supervision;
- Executed a written waiver of his/her rights to have said evidence preserved; or
- The defendant, the defendant's last attorney of record and the convicting court were duly notified of the

planned destruction of all evidence, whether it is known to contain biological material or not, that was collected and/or seized during the investigation of the above referenced offense.

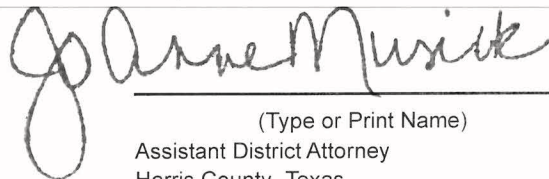
Said notice was sent by:

(A)  certified mail on \_\_\_\_\_ (date) and received by the defendant on \_\_\_\_\_ (date), and proof of defendant's receipt of the notice was received by the prosecutor on \_\_\_\_\_ (date) and no written objections were made by either defendant, last attorney of record, or the convicting court within 90 days from the later of the following dates: (1) the date the notice was mailed to the defendant's last attorney of record; or (2) the date the prosecutor received proof that notice was received by the defendant; or

(B)  said notice was hand delivered to the defendant and to his attorney on \_\_\_\_\_ (date), and no written objections were made by either the defendant, last attorney of record, or the convicting court within 90 days from the date the notice was served on the defendant and his attorney.

Pursuant to Subchapter E of Chapter 481 of the Texas Controlled Substances Act, the State requests that the listed agency be ordered to destroy the controlled substance(s) listed in the attached Inventory of Controlled Substances. Sufficient documentation as to the ultimate disposition of said controlled substance(s) will be retained by said agency.

Respectfully Submitted,



(Type or Print Name)

Assistant District Attorney  
Harris County, Texas



THE STATE OF TEXAS

VS.

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DISTRICT/COUNTY

COURT NO. 014

HARRIS COUNTY, TEXAS

**DESTRUCTION ORDER**

HAVING FOUND that the defendant's case was dismissed: or


HAVING FOUND that all notice requirements of Article 38.43 of the Texas Code of Criminal Procedure have been complied with, and that no written objection to the planned destruction of evidence has been received by this Court: or

HAVING FOUND that the defendant has:

- Been executed;
- Died;
- Completed his/her sentence;
- Been released on parole or mandatory supervision: or
- Executed a written waiver of his/her rights to have said evidence preserved;

and that all requirements of Article 38.43 of the Texas Code of Criminal Procedure have been complied with:

IT IS HEREBY ORDERED that pursuant to Subchapter E of Chapter 481 of the Texas Controlled Substances Act, the controlled substance(s) described in the State's Motion to Destroy Controlled Substances shall be destroyed by the requesting agency. Sufficient documentation as to the ultimate disposition of the controlled substance(s) shall be retained by said agency.

SIGNED: **Signed:**  
**8/13/2018**  
  
 Presiding Judge  
 County Court at Law No. \_\_\_\_\_  
 \_\_\_\_\_ District Court

**RETURN**

I HEREBY CERTIFY, under oath, that upon the above authority, the Houston Police Department Crime Laboratory Division has destroyed the controlled substance(s) described in the above motion and order by incineration. Documentation of the ultimate disposition of said controlled substance(s) will be retained by said agency.

SIGNED: \_\_\_\_\_

(Type or Print Name)

Date & Time: \_\_\_\_\_

Witness: \_\_\_\_\_

Sworn and subscribed before me the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2013.

SIGNED: \_\_\_\_\_

Notary Public for the State of Texas





THE STATE OF TEXAS

VS.

STERLING, SHAUNDRICK

Cause No. 1943249

§  
**RECEIVED**  
District Attorney's Office  
§  
JUN 28 2016



DISTRICT/COUNTY

COURT NO. 014

HARRIS COUNTY, TEXAS

**INVENTORY OF SEIZED CONTROLLED SUBSTANCES AND REQUEST FOR DESTRUCTION ORDER**  
**UNDER CHAPTER 481 OF THE TEXAS CONTROLLED SUBSTANCES ACT**

Affiant, Raynisha Osborne, on behalf of the Houston Police Department, states that said agency possesses the controlled substance(s) listed below. Further, the controlled substance(s) were seized in connection with an offense under Chapter 481 of the Texas Controlled Substances Act and the seizure is described in offense report number 013589514. The criminal case involving the listed controlled substances was assigned to Court 014. The defendant received 6 Days Confinement for cause number 1943249.

**INSTRUCTION TO AFFIANT:** Please check any of the following categories that apply to the defendant: Defendant has: (1)  been executed; (2)  died; (3)  completed his/her sentence; (4)  been released on parole or mandatory supervision; (5)  signed a written waiver of his/her rights to have evidence preserved; (6)  received notice of the intent to destroy evidence as described in the State's motion to destroy; or (7)  the defendant's criminal charge resulted in a dismissal. **Note to Affiant: If any of the above categories apply to the defendant you may strike out the paragraph immediately below that discusses the presence of biological material.**

**PRESENCE OF BIOLOGICAL MATERIAL:** Affiant further states that the listed property (  is) (X is not) known to contain biological material that if subjected to scientific testing would more likely than not: (A) establish the identity of the person committing the offense; or (B) exclude a person from the group of persons who could have committed the offense.

**Inventory of Controlled Substances seized in connection with above referenced case:**

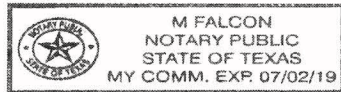
Item: 1 Item said to contain MARIJUANA 1.38 GRAMS (Box 004)  
3-VT-CL

Pursuant to Subchapter E of Chapter 481, Texas Controlled Substances Act, affiant requests that the State of Texas, by and through her Assistant District Attorney, move for a destruction order authorizing destruction of the above listed controlled substance(s) by the above referenced law enforcement agency. Sufficient documentation as to the ultimate disposition of the controlled substance(s) will be retained by the agency.

DATED: 05/16/2016 SIGNED: Raynisha Osborne  
Affiant

Name: Raynisha Osborne  
(Type or Print Name)

Sworn to and subscribed before me this 16th day of May, A.D. 2016.



SIGNED: M. Falcon  
Notary Public for the State of Texas