

THE STATE OF TEXAS
VS
VICTOR M. RODELO

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IN THE 139TH DISTRICT COURT
OF
HIDALGO COUNTY, TEXAS

AGENCY CASE NO. 16-126

FILED
AT 11:55 O'CLOCK AM

MAY 07 2018

ORDER OF FORFEITURE AND FOR DESTRUCTION OF CONTROLLED SUBSTANCE PLANT OR PROPERTY

LOERA HINOJOSA, CLERK
Clerk of Courts, Hidalgo County
By [Signature] Deputy #18

On this day came to be considered the State's motion for forfeiture and destruction of controlled substance plant or property, and the Court having considered the same, is of the opinion that said motion be and it is hereby GRANTED.

It is therefore ORDERED by this Court that the controlled substance plant or property described in State's Exhibit "A"

1. Be returned to its rightful owner.
2. Be destroyed by the law enforcement agency holding such property according to the agency's rules and procedures and State law.
3. Be forfeited to the State of Texas for use by the law enforcement agency holding such property.

It is further ORDERED by this court that a statement containing the names of the persons who witnessed the destruction as well as the details of the destruction be prepared and submitted to this Court.

Signed this 7th day of May, 2018.

[Signature]
JUDGE PRESIDING
139TH DISTRICT COURT
HIDALGO COUNTY, TEXAS

THE STATE OF TEXAS
VS
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OF
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**STATEMENT OF DESTRUCTION OF
CONTROLLED SUBSTANCE PLANT OR PROPERTY**

TO THE HONORABLE JUDGE OF THIS COURT:

I, Jorge A. Salazar, a peace officer employed by the Hidalgo County Constable Precinct 1, make known to this Honorable Court that the controlled substance plant or property forfeited to the State in the above numbered and styled cause was destroyed on the ___ day of March, 201___, at ___:___ o'clock __.m., in the City of _____, Hidalgo County, Texas, in the following manner:

and such destruction was witnessed by Jorge A. Salazar and _____.

Jorge A. Salazar
Printed Name of Officer

Signature of Officer

Subscribed and sworn to before me on this the _____ day of _____, 2018.

Notary Public
Commission expires: _____

Case No. CR-2290-16-C (COUNT ONE)
TRN 9220525755 A001

THE STATE OF TEXAS § IN THE 139TH DISTRICT COURT
V. § OF
VICTOR CARILLO RODELO, § HIDALGO COUNTY, TEXAS
DEFENDANT
SID:TX-16230568

JUDGMENT OF CONVICTION BY COURT
& SENTENCE TO THE INSTITUTIONAL DIVISION
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE

DATE OF JUDGMENT: September 19th, 2016
JUDGE PRESIDING: J.R. BOBBY FLORES
COURT REPORTER: JESSE SALAZAR
ATTORNEY FOR THE STATE: BEN ABILA
ATTORNEY FOR THE DEFENDANT: JUAN SONNY PALACIOS
OFFENSE CODE: 35620012
OFFENSE: POSS MARIJ >50LBS <= 2,000LBS, AS
CHARGED IN THE INDICTMENT
DATE OF OFFENSE: MAY 18, 2016
DEGREE OR OFFENSE: FELONY 2ND DEGREE
STATUTE FOR OFFENSE: 481.121(B)(5)
APPLICABLE PUNISHMENT RANGE: 2-20 YEARS IN PRISON/MAX \$10,000
(Including enhancements if any): FINE
CHARGING INSTRUMENT: INDICTMENT or INFORMATION
PLEA TO OFFENSE: GUILTY
TERMS OF PLEA AGREEMENT OR
FINDINGS OF THE COURT, TO WIT:
PUNISHMENT IMPOSED: FIVE (5) YEARS IMPRISONMENT
PLACE OF IMPRISONMENT: INSTITUTIONAL DIVISION OF THE
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE
FINE: NONE
RESTITUTION: NONE
CREDIT FOR TIME SPENT IN JAIL: 125 DAYS
DISMISS: NONE
CONSIDER: NONE
PLEA TO ENHANCEMENT PARAGRAPH(S): NONE
FINDING TO ENHANCEMENT: NONE
FINDING ON DEADLY WEAPON: NONE
COURT COSTS: \$ 289.00
DATE SENTENCE IMPOSED: SEPTEMBER 19, 2016

On AUGUST 25, 2016, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by BEN ABILA, and the Defendant and the Defendant's attorney, JUAN SONNY PALACIOS, were also present. Thereupon both sides

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COURT COSTS: \$ 289.00
DATE SENTENCE IMPOSED: SEPTEMBER 19, 2016

On AUGUST 25, 2016, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by BEN ABILA, and the Defendant and the Defendant's attorney, JUAN SONNY PALACIOS, were also present. Thereupon both sides

announced ready for trial, and the Defendant, Defendant's attorney, and the State's attorney agreed in open court and in writing to waive a jury in the trial of this cause and to submit it to the Court. The Court consented to the waiver of a jury. The Defendant further waived the reading of the indictment or information, and, upon being asked by the Court as to how the Defendant pleaded, entered a plea of **GUILTY** to the offense of **POSS MARIJ >50LBS<=2,000LBS, AS CHARGED IN THE INDICTMENT, FELONY 2ND DEGREE**. Furthermore, as to the enhancement paragraphs, if any, the Defendant entered a plea of **NONE**.

Thereupon, the Court admonished the Defendant of the range of punishment attached to the offense, that any recommendation of the State is not binding on the Court, that the existence of a plea bargain limits the right of an appeal to only pre-trial matters raised and preserved, and that if the Defendant is not a citizen of the United States of America, a plea of guilty or no contest may result in deportation under federal law; it appeared to the Court that the Defendant was competent to stand trial and was not influenced in making said plea(s) by any consideration of fear or by any persuasion prompting a confession of guilt; and that the Defendant understood the admonitions of the Court and was aware of the consequences of the plea(s); and the Court received the free and voluntary plea(s), which are now entered of record in the minutes of the Court.

The Court then proceeded to hear evidence from the State and the Defendant and, having heard argument of counsel, found there was sufficient evidence to support the Defendant's plea and found the Defendant guilty of the offense of **POSS MARIJ >50LBS<=2,000LBS, AS CHARGED IN THE INDICTMENT, FELONY 2ND DEGREE**, committed on **MAY 18, 2016**, and made a finding of **NONE** on the enhancement paragraph(s), if any. The Court then assessed punishment at **FIVE (5) YEARS** in the **INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE** and a Fine of **NONE**.

A pre-sentence investigation report **WAS DONE** according to Article 42.12, Sec. 9, CCP.

And thereupon on **SEPTEMBER 19, 2016**, the Court then asked the Defendant whether the Defendant had anything to say why the sentence should not be pronounced upon Defendant, and the Defendant having answered nothing in bar thereof, the Court proceeded to pronounce sentence upon Defendant.

It is therefore **ORDERED, ADJUDGED and DECREED** by the Court that the Defendant is guilty of the offense of **POSS MARIJ >50LBS<=2,000LBS, AS CHARGED IN THE INDICTMENT, FELONY 2ND DEGREE**, committed on **MAY 18, 2016**; that the punishment is fixed at **FIVE (5) YEARS** in the **INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE**, and a Fine of **NONE**; and that the State of Texas do have and recover of the Defendant all court costs in this prosecution expended, for which execution will issue.

It is further **ORDERED** by the Court that the Defendant be taken by the authorized agent of the State of Texas or by the Sheriff of Hidalgo County, Texas, and be safely conveyed and delivered to the Director of the Institutional Division of the Texas Department of Criminal Justice there to be confined in the manner and for the period aforesaid, and the Defendant is hereby remanded to the custody of the Sheriff of Hidalgo County, Texas, until such time as the Sheriff can obey the directions of this sentence.

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