

IN THE COUNTY COURT AT LAW #1
OF
HIDALGO COUNTY, TEXAS

THE STATE OF TEXAS
VS.
FERNANDO PEREZ

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CAUSE NO. CR-17-05924-A
SID NO. 16853089

ORDER EXTENDING PROBATION JUDGMENT

On this the _____ day of _____, 20____, came on to be considered the motion of the Criminal District Attorney and the Hidalgo County Community Supervision & Corrections Department, to extend the Probation Judgment entered in the above entitled and numbered cause on 02/01/2018, for the Misdemeanor offense of ASSAULT (MA), said Judgment of Probation should extend the period of probation not to exceed 12 (TWELVE) months, commencing on JANUARY 31, 2019. All conditions of probation ordered on the original Probation Judgment and any amendments thereof, remain in full force and effect during the extension period.

It appearing to the Court that probationer had been informed by the Hidalgo County Community Supervision & Corrections Department of said Motion, and the Court having examined the pleadings executed by the probationer therein, is of the opinion that said motion be and is hereby granted and the Judgment is hereby extended as set forth above and that a certified copy of this Order be delivered by the Clerk of this Court to the defendant and probationer herein.

Granted: ✓ Denied: _____


Signed on this 14th day of Jan, 2019.

[Signature]

RODOLFO 'RUDY' GONZALEZ
Presiding Judge
County Court At Law #1
Hidalgo County, Texas

AT 12:14 FILED O'CLOCK P
JAN 14 2019
ARTURO GUJARDO JR., COUNTY CLERK
COUNTY COURT AT LAW NO. _____ OF HIDALGO CO.
BY [Signature] DEPUTY

Approved as to Form:



Assistant District Attorney



JAZMIN HERRERA
Community Supervision Officer



Supervisor

CSO: jazmin.herrera@hidalgocountyscd.org
09/24/2018
EXTPROB_MISD.RTF
Updated: 07-14-17

THE STATE OF TEXAS

VS.

Fernando Perez

NO. CR-17-00924A

MINUTES OF THE COUNTY COURT AT LAW NO. ONE
OF HIDALGO COUNTY, TEXAS
DEFERRAL ADJUDICATION JUDGMENT

The Defendant having been charged by information in the above entitled and numbered cause with the Misdemeanor offense of ASSAULT (MVA) which offense is said to have been committed on the 13th day of May, 2017, and this cause being this day called for trial, the State appeared by her Criminal District Attorney. The Defendant appeared in person and by Counsel, _____ If the Defendant did not appear with counsel, the Defendant appeared in person, and knowingly, intelligently and voluntarily waived the right to representation by counsel. Both parties announced ready for trial.

The defendant, in writing and in open court, having waived his/her right of trial by jury, such waiver being with the consent and approval of the Court and now entered of record on the minutes of the Court, and such waiver being with the consent and approval of the District Attorney in writing and filed in the papers of this cause.

The Defendant was arraigned and in open Court, pleaded GUILTY to the charge contained in the information. Thereupon the Defendant was admonished by the Court of the consequences of said plea, including the range of punishment for the offense and that no punishment recommendation by the prosecuting attorney is binding on the Court. The Court inquired into the existence of plea bargaining agreements and then informed the Defendant whether it would reject or accept the plea bargaining agreement. The Defendant persisted in entering the said plea and it appearing to the Court that the Defendant is mentally competent and that the plea is free and voluntary, accepted the said plea which is here entered of record upon the minutes. The said plea of the Defendant was received and entered of record upon the minutes. The Court having heard the information read, the Defendant's plea thereto, the evidence submitted, and the argument of Counsel thereon, found that the evidence substantiates the Defendant's guilt, and the Defendant having in open Court requested the Court to defer further proceedings and place the Defendant on probation in accordance with Article 42.12, Section 5 of the Texas Code of Criminal Procedure, and the Court informed the Defendant that in the event the Defendant was granted deferred adjudication and placed on community supervision, the Defendant may have the right to petition the Court for an order of non-disclosure after successfully completing supervision, unless the Defendant was ineligible due to the nature of this offense or the Defendant's criminal history, and the Court being of the opinion that it is to the best interest and welfare of society and the Defendant that further proceedings be deferred in accordance with said provision.

IT IS THEREFORE ORDERED by the Court that all further proceedings herein be deferred without the entry of a judgment of guilty against the Defendant be placed upon community supervision for a term of 1 year from the date hereof. Such community supervision shall be conditioned that the said Defendant shall:

1. **Commit no offense against the laws of this State or of any other State or of the United States;**
2. **Avoid** the use or abuse of any and all Alcoholic Beverages or Mind Altering Drugs during the entire period of community supervision.
3. **Avoid** persons or places of disreputable or harmful character;
4. **Report** monthly in person to the Supervision Officer beginning **IMMEDIATELY** and continuing thereafter as directed by the Supervision Officer of the Community Supervision and Corrections department;
5. **Permit the Supervision Officer to visit him at his home or elsewhere;**

6. **Work faithfully at suitable employment as far as possible and report any change in employment to his Community Supervision and Corrections Officer; Remain within a specified place, to-wit: Hidalgo County, Texas** and before any change of residence, promptly notify the Court;
8. Pay **FINE** of \$ 300.00 , to the County of Hidalgo due on or before **90 days** from the date of the **Order** and every month thereafter until paid in full: payable at the Hidalgo County Collections Department, 100 N. Closner, Edinburg, Texas.
- 8a. Pay **COURT COSTS INSTANTER**, said payment to be made through the Hidalgo County Collections Department, Edinburg, Texas;
- 8b. Pay a **COMMUNITY SUPERVISION FEE** in the amount of \$60.00, due on or before **30 days** from the date of this Order and every month thereafter until paid in full: payable at the Hidalgo County Community Supervision and Corrections Department, 3100 South Business 281, Edinburg, Hidalgo County, Texas;
9. **Support any dependents;**
10. The Defendant shall participate fully in the Hidalgo County Education and Employment Program commencing _____, submit to scholastic testing, academic/vocational counseling, abide by all the rules and regulations of the program, achieve an educational skill level that is equal to or greater than the average skill level of students who have completed the sixth grade in public schools in this State, and shall remain in such program until successful completion or further ordered by the Court.
11. Perform _____ **hours** of **COMMUNITY SERVICE** at _____, at the rate of _____ hours per week as directed by the community supervision department. If defendant is hereby ordered to perform more than 16 hours per week of **COMMUNITY SERVICE**, the court hereby finds that requiring the defendant to work more than 16 hours does not work a hardship on the defendant or the defendant's dependents.
- 11a. Community Service is waived because:
- ___ a. The defendant is physically and mentally incapable of participating in the project;
 - ___ b. Participating in the project will work a hardship on the defendant or the defendant's dependents;
 - ___ c. The defendant is to be confined in a substance abuse punishment facility as a condition of community supervision; or
 - ___ d. There is other good cause shown to-wit:
12. Pay **RESTITUTION** in the amount of \$ _____ payable to in equal monthly payments, the first payment due on or before 30 days from the date of this Order and every month thereafter until pay in full. _____ payable at the Hidalgo County Community Supervision and Corrections Department, 918 E. Business HWY 83, McAllen, Texas.
RESTITUTION HEARING: _____
13. Pay **COURT APPOINTED ATTORNEY FEES** in the amount of \$ _____ .00 payable in equal monthly payments, the 1st payment due on or before **30 days** from the date of this Order and every month thereafter until pay in full. payable at the Hidalgo County Collections Department, Edinburg, Texas;
14. That the defendant to be remanded to the custody of the Hidalgo County Sheriff's Department for _____ days.
15. The defendant shall attend and successfully complete a **15 HOURS OF DRUG EDUCATION PROGRAM** which is certified by the Texas Department of State Health Services and approved by the Hidalgo County Community Supervision and Correction Department. The Defendant shall pay for the costs of the classes on the _____ directly to the sponsoring agency, complete said classes within 180 days of this Judgment, and submit a copy of the certificate of completion to the Hidalgo County Community Supervision and Corrections Department.
16. It is further Ordered that the **Texas Driver's License** to operate a motor vehicle in the State is hereby **suspended for** _____; commencing **INSTANTER**
17. Defendant to attend and complete Mujeres Unidas commencing Instanter.
18. Defendant to attend and complete **THEFT OFFENDER INTERVENTION EDUCATIONAL PROGRAM** commencing _____.

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