



**CASE No. 2013-DCR-3189-I    COUNT I AND II**  
**INCIDENT No./TRN: 9126081121**

<b>THE STATE OF TEXAS</b>	§	<b>IN THE 445TH DISTRICT</b>
	§	
<b>V.</b>	§	<b>COURT</b>
	§	
<b>ALBERTO ALBA VILLARREAL</b>	§	<b>CAMERON COUNTY, TEXAS</b>
	§	

**JUDGMENT OF CONVICTION BY JURY**

Judge Presiding:	<b>HON. FEDERICO HINOJOSA</b>	Date Judgment Entered:	<b>1/20/2015</b>
Attorney for State:	<b>ANGELA COLE MS. JULIE ALLEN MELANIE GOOD RACHEL LUNA</b>	Attorney for Defendant:	<b>ED STAPLETON RICARDO ADOBBATI CARLOS MASSO</b>
Offense for which Defendant Convicted:			
<b>COUNT I - FALSE STATEMENT SECURITIES &gt;=\$10K&lt;\$100K</b>			
<b>COUNT II - THEFT OF PROPERTY &gt;=\$200K</b>			
Charging Instrument:	Statute for Offense:		
<b>INDICTMENT</b>	<b>COUNT I - 581-29(C)(3)</b>		
	<b>COUNT II - 31.03(e)(7)</b>		
Date of Offense:			
<b>NOVEMBER 7, 2008</b>			
Degree of Offense:		Plea to Offense:	
<b>COUNT I - 1ST DEGREE FELONY</b>		<b>NOT GUILTY</b>	
<b>COUNT II - 1ST DEGREE FELONY</b>			
Verdict of Jury:		Findings on Deadly Weapon:	
<b>COUNT I AND II - GUILTY</b>		<b>N/A</b>	
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>
Punished Assessed by:	Date Sentence Imposed:	Date Sentence to Commence:	
<b>JURY</b>	<b>1/15/2015</b>	<b>1/15/2015</b>	
Punishment and Place of Confinement:	<b>COUNT I - TEN (10) YEARS INSTITUTIONAL DIVISION, TDCJ</b>		
	<b>COUNT II - FIVE (5) YEARS INSTITUTIONAL DIVISION, TDCJ</b>		
<b>THIS SENTENCE SHALL RUN CONCURRENTLY.</b>			
<input checked="" type="checkbox"/> <b>ONLY ON COUNT I - SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR TEN (10) YEARS.</b>			
Fine:	Court Costs:	Restitution:	Restitution Payable to:
<b>Count I: \$ 10,000.00</b>	<b>\$ See attached</b>	<b>\$ 1,000,000.00</b>	<input checked="" type="checkbox"/> <b>VICTIM (see below)</b> <input type="checkbox"/> <b>AGENCY/AGENT (see below)</b>
<b>Count II: \$10,000.00</b>			
<input type="checkbox"/> Attachment A, Order to Withdraw Funds, is incorporated into this judgment and made a part hereof.			
<b>Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62.</b>			
The age of the victim at the time of the offense was <b>N/A</b> .			

Time Credited:	<u>If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.</u>					
	From	to	From	to	From	to
	From	to	From	to	From	to
	<u>If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.</u>					
<b>N/A DAYS NOTES: N/A</b>						

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in **Cameron County, Texas**. The State appeared by her District Attorney.

**Counsel**

Defendant appeared in person with Counsel.

It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for trial. A jury was selected, impaneled, and sworn. The INDICTMENT was read to the jury, and Defendant entered a plea to the charged offense. The Court received the plea and entered it of record.

The jury heard the evidence submitted and argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defendant, and the jury retired to consider the evidence. Upon returning to open court, the jury delivered its verdict in the presence of Defendant and defense counsel, if any.

The Court received the verdict and **ORDERED** it entered upon the minutes of the Court.

**Punishment Assessed by Jury**

**Jury.** Defendant entered a plea and filed a written election to have the jury assess punishment. The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the question of punishment. After due deliberation, the jury was brought into Court, and, in open court, it returned its verdict as indicated above.

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.

**Count I - Punishment**

**Confinement in the Institutional Division.** The Court **ORDERS** the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the **Director, Institutional Division, TDCJ**. The Court **ORDERS** Defendant to be confined for the period and in the manner indicated above. The Court **ORDERS** Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence.

**Fine Only Payment.** The punishment assessed against Defendant is for a **FINE ONLY**. The Court **ORDERS** Defendant to proceed immediately to the Office of the **Cameron County District Clerk**. 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.

**Suspension of Sentence**

The Court **ORDERS** Defendant's sentence of confinement **SUSPENDED**. The Court **ORDERS** Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court **ORDERS** that Defendant is given credit noted above on this sentence for the time spent incarcerated.

**Count II - Punishment**

**Confinement in the Institutional Division.** The Court **ORDERS** the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the **Director, Institutional Division, TDCJ.** The Court **ORDERS** Defendant to be confined for the period and in the manner indicated above. The Court **ORDERS** Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence.

**Fine Only Payment.** The punishment assessed against Defendant is for a **FINE ONLY.** The Court **ORDERS** Defendant to proceed immediately to the Office of the **Cameron County District Clerk.** 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:**

See attached Conditions of Probation for Count I. Court sets \$200,000.00 Cash Surety Appeal Bond.

Signed and entered on January 20, 2015.

X   
\_\_\_\_\_  
**HON. FEDERICO HINOJOSA**  
JUDGE PRESIDING

FILED 8:54 o'clock A<sub>M</sub>  
**ERIC GARZA** - DISTRICT CLERK

JAN 20 2015

DISTRICT COURT OF CAMERON COUNTY, TEXAS  
By  Deputy #15



- Pay Cameron County **\$500.00** reimbursement for **attorney's fees** paid defendant's appointed counsel, within \_\_\_\_\_ years after the date of entry of this Judgment;
- Pay the Community Supervision and Corrections Department **\$400.00** reimbursement for **Pre-Sentence Investigation** conducted, payable within \_\_\_\_\_ months;
- Pay a one-time **Crime Stopper's fee** of **\$50.00** within \_\_\_\_\_ months;
- Pay a one-time fee of **\$100.00** to the **Drug Abuse Program**;
- Perform **250 hours** of community service within **TEN (10) years** per month beginning in the month next following entry of this Judgment;
- Pay Restitution in the amount of **One Million and 00/100ths dollars (\$1,000,000.00)** within **Ten (10) years** from the date of the Judgment;
- Pay **fine** in the amount of **Ten Thousand and 00/100ths dollars (\$10,000.00)** within **TEN (10)** years after the date of entry of this judgment;
- Defendant shall comply with **ANY AND ALL RECOMMENDATIONS MADE BY THE CAMERON COUNTY PROBATION DEPARTMENT THAT APPLY TO THIS TYPE OF OFFENSE**;
- Defendant shall surrender his U.S. passport;
- Defendant is not allowed to travel outside the **State of Texas**;
- Defendant is not allowed to travel to **Mexico**;
- Defendant is not allowed to be involved in the **Insurance and Financial Institution**.
- Obtain and maintain gainful and permanent employment;
- Submit to **outpatient alcohol and/or drug evaluation/counseling** as deemed necessary by the Probation Department;
- Submit to **random urine analysis testing (\$5.00 fee per drug test)** by authorized personnel for the Community Supervision and Corrections Department, reveal to said authorized personnel proof of any medications legally prescribed prior to submitting specimen. A urine specimen positive for any controlled substances, dangerous drugs, or marihuana, not legally prescribed for you, may result in an adjudication of a deferred adjudication supervision or revocation of a post conviction supervision;
- Submit to **Breathalyzer Testing** by authorized personnel for the Community Supervision and Corrections Department, reveal to said authorized personnel proof of any medications legally prescribed prior to submitting breath sample. An alcohol content of a breath sample of positive, not legally prescribed for you, may result in an adjudication of a deferred adjudication supervision or revocation of a post conviction supervision;
- Submit to the **15-Hour Texas Drug Offender Education Program (DOEP)**; as directed by the Cameron County Community Supervision and Corrections Department;

- \_\_\_ Referral to an adult continuing education program to obtain a **General Education Development (GED) certificate**;
- \_\_\_ Enroll and complete the **ESL (English as a Second Language) Educational program**; as directed by the Cameron County Community Supervision and Corrections Department;
- \_\_\_ The defendant shall not operate a motor vehicle unless the vehicle is equipped with an approved **Ignition Guardian Interlock Device**. This provision shall become effective upon the reinstatement of the defendant's suspended driver's license or upon the issuance of an occupational license, whichever comes first;
- \_\_\_ Install **Sober Link Device** for \_\_\_\_\_ months/years;
- \_\_\_ Attend and complete the 30-hour **DWI Repeat Offender Program**;
- \_\_\_ Enrollment in the **D.W.I. Intervention Program**;
- \_\_\_ Attend and complete the 12-hour Driving While Intoxicated class;
- \_\_\_ Referral to the **Achieve Program**;
- \_\_\_ Attend and participate in an **Anti-theft class**;
- \_\_\_ Referral to the **Consumer Credit Counseling** for financial counseling;
- \_\_\_ Referral to the **Texas Workforce Commission** to initiate job search efforts;
- \_\_\_ Referral to **Alcoholics Anonymous (AA)/ Narcotics Anonymous (NA)** as deemed necessary by the Probation Department;
- \_\_\_ Referral to **Victims All Victims**;
- \_\_\_ Referral to the **Victim Impact Panel** sponsored by MADD;
- \_\_\_ Defendant shall serve \_\_\_\_\_ days in the **Cameron County Jail**, as a condition of community supervision;
- \_\_\_ With a finding of "family violence" by the Court, the defendant shall pay a \$100.00 fee to be divided between the **Friendship of Women** and the **Family Crisis Center, Inc.** as per Article 42.12, Section 11 (h);
- \_\_\_ Avoid any verbal, written, physical contact, or any other means, directly or indirectly with the victim and/or the victim's family.
- \_\_\_ Submit to the **B.I.P.P. (Batters Intervention Prevention Program)** as directed by the Community Supervision Department;
- \_\_\_ Attend **Parenting Classes**;
- \_\_\_ Submit to the **Anger Management Program**, as directed by the Cameron County Community Supervision and Corrections Department;

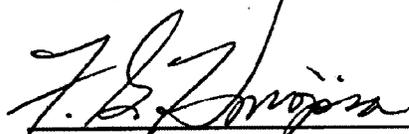
- \_\_\_\_\_ Participate fully in **Electronic Monitoring** for a period of \_\_\_\_\_ from the date of this Order or unless otherwise ordered by the Court. In addition to the conditions of this Judgment, the defendant shall obey the conditions for Electronic Monitoring;
  
- \_\_\_\_\_ Defendant shall be under the **Intensive Supervision Program** of the Adult Supervision Department for \_\_\_\_\_ and subject to all of its rules and regulations. Defendant shall report to the Supervision Officer at the Supervision office once each week, beginning on the week directed by his Supervision Officer. Provided, however, the Supervision Officer may from time to time waive Defendant's reporting in person each consecutive week;
  
- \_\_\_\_\_ Participate in the Cameron-Willacy Counties **Surveillance Supervision Program** for a period of 90 days but not to exceed 180 days and shall obey all its rules and regulations;
  
- \_\_\_\_\_ The defendant is required to remain in custodial supervision in a correctional facility, obey all rules and regulations of said facility and shall reside at the Cameron-Willacy Counties Court Residential Treatment Center (CRTC) at 531 S. Iowa Ave., Brownsville, Texas 78520, for a period of not less than six (6) months or more than nine (9) months, or until further order of this Court. The defendant shall participate in all programs deemed appropriate and shall neither voluntarily depart from the premises of said facility without specific written permission of a duly authorized staff member of the facility.
  
- \_\_\_\_\_ The defendant will participate in the Reintegration/Employment Phase of the Cameron-Willacy Counties Court Residential Treatment Center (CRTC), cooperate fully with all employment requirements, and obey all program rules and regulations. The defendant will remain in said program until released by the Staff of the Cameron-Willacy Counties Court Residential Treatment Center (CRTC).
  
- \_\_\_\_\_ Furthermore, the defendant shall participate in the Aftercare Treatment Phase of the Cameron-Willacy Counties Court Residential Treatment Center (CRTC) one time per week, beginning immediately upon completion of residential treatment, for a period of not less than six (6) months or more than one year. The defendant shall cooperate fully with all treatment requirements and obey all rules and regulations
  
- \_\_\_\_\_ The defendant shall have the Secure Continuous Remote Alcohol Monitor (S.C.R.A.M.) placed on him for a period of \_\_\_\_\_. The defendant must obey all rules and regulations while participating in the program; furthermore, the defendant will be responsible for all fees incurred while participating on S.C.R.A.M.;
  
- \_\_\_\_\_ COURT participate in the **Sex Offender Registration Program**, described by Article 62 under Chapter 62 of the Code of Criminal Procedure at the direction of the Court and the probation officers; Comply with any and all regulations of the Sexual Offender Program as directed by the Community Supervision Department; Attend and participate in Sex Offender Counseling; Register as a sex offender with the local law enforcement agency; Submit to **polygraph examinations** at the Defendant's expense;
  
- \_\_\_\_\_ It is further ordered that the defendant pay \$5.00 monthly Sex Offender fee and shall obey all the rules and regulations of said program;
  
- \_\_\_\_\_ Attend **Sex Offender Treatment counseling**, as deemed necessary by the Cameron County Adult Probation Department;

- \_\_\_ Not to reside or be within 1000 feet of premises where children commonly gather, including schools, day-care facilities, playgrounds, public or private youth center, public swimming pool, or video arcade facility for any reason except as specifically stated by the Court;
- \_\_\_ Pay a one-time \$50.00 fee to a children's advocacy center in compliance with the sex offender law;
- \_\_\_ The Defendant shall submit a blood sample for DNA testing as described by Chapter 62, Article 62 of the Code of Criminal Procedure Sex Offender Registration Program.
- \_\_\_ If at any time during Defendant's term of probation becomes non-compliant with his prescribed medications or doctors, Defendant is to be evaluated by Tropical Texas Behavioral Health, and if the Defendant meets the necessary criteria, to be ordered into the Mentally Impaired Probation Program in accordance with the 75<sup>th</sup> Legislature TCOMI and TDCJ-CJAD, a joint criminal justice initiative for the adult with mental illnesses involved in the criminal justice system;
- ✓ Support Probationer's legal dependents;
- ✓ File with the Community Supervision Officer at the Community Supervision and Corrections Department of Cameron County, Texas office between the first and tenth day of every month next following a default in any payment required of Probationer by this Judgment a detailed statement in writing under oath of all income and expenses received and expended by the Probationer during the entire month in which the default occurred;
- ✓ File with the Probation Officer at the Community Supervision and Corrections Department of Cameron County, Texas Office every month next following a calendar month in which Probationer was gainfully employed less than 150 hours a detailed statement in writing under oath of all efforts made by Probationer to secure and hold employment during the entire month in which not gainfully employed 150 hours;
- ✓ Within ten (10) days after the event, report in writing to the Community Supervision Officer any arrest of probationer and/or criminal charge filed against probationer;

By the term "the Supervision Officer" as used herein is meant any Cameron County Adult Community Supervision Officer; by the term, "Community Supervision Office" and "CCSD" is meant any Cameron County Adult Community Supervision Offices located throughout the County; by term "Probationer" is meant the Defendant in this cause.

Incorporated as part of the attached judgment and signed for entry on this the 20<sup>th</sup> day of January, 2015.

FILED 8:54 o'clock A M  
ERIC GARZA - DISTRICT CLERK

  
HON. FEDERICO HINOJOSA  
JUDGE PRESIDING

JAN 20 2015

DISTRICT COURT OF CAMERON COUNTY, TEXAS  
By  Deputy #15