

CAUSE NUMBER 00

THE STATE OF TEXAS	§	IN THE COUNTY CRIMINAL
V.	§	COURT AT LAW NUMBER 00
DEFENDANT	§	OF HARRIS COUNTY, TEXAS

MEMBERS OF THE JURY:

You have found the Defendant, **name**, guilty of the offense of driving while intoxicated. It now becomes your duty to assess punishment.

In addition, the information alleges the Defendant has been at least once before convicted of the offense of driving while intoxicated. To this allegation, the Defendant pleaded "True."

The Defendant has persisted in entering such a plea even after the trial court admonished him of the consequences of the plea. It plainly appears to the court that the Defendant is competent to stand trial and is not influenced to make this plea by any consideration of fear, nor by any persuasive or delusive hope of pardon prompting the Defendant to plead true. Therefore, the Defendant's plea of true is received by the court.

The jury is instructed to find the allegation true and so state in your verdict, and you must assess punishment at confinement in the county jail for not less than 30 days or more than one year. In addition to confinement, you may assess a fine not to exceed four thousand (\$4,000.00) dollars.

You are further instructed that in fixing the Defendant's punishment, which you will show in your verdict, you may consider all of the facts shown by the evidence admitted before you in the full trial of this case, all of the evidence admitted before you in the punishment phase of this case, and the law submitted to you in this charge.

You are the exclusive judges of the facts proved, of the credibility of the witnesses and of the weight to be given the testimony, but you are bound to receive the law from the court, which is herein given to you, and be governed thereby. In arriving at the amount of punishment, you are not to fix the same by lot, chance or any other method than by a full, fair and free exercise of the opinion of the individual jurors.

After the court reads this charge, you may not separate from each other without the court's permission, nor may you talk with anyone who is not a member of your jury regarding this case. After

argument of counsel, you must retire and select one of your members as a foreperson. The foreperson's duty is to preside at your deliberations and to vote with you in arriving at a unanimous verdict. After you have arrived at your verdict, you must have your foreperson indicate the jury's verdict by signing the particular form or forms that coincide with your verdict.

After you have retired to consider your verdict, no one has any authority to communicate with you except the officer who has you in charge. You may communicate with the court in writing, signed by your foreperson, through the officer who has you in charge. Do not attempt to talk to the officer, the attorney's, or the court concerning questions you may have.

NAME, JUDGE,
COUNTY CRIMINAL COURT AT LAW NO. **00**
HARRIS COUNTY, TEXAS

CAUSE NUMBER 00

THE STATE OF TEXAS
V.
DEFENDANT

§
§
§

IN THE COUNTY CRIMINAL
COURT AT LAW NUMBER 00
OF HARRIS COUNTY, TEXAS

VERDICT

CHOOSE ONE OF THE FOLLOWING

We the Jury, having found the Defendant, **name**, guilty of the misdemeanor offense of driving while intoxicated, do further find the Defendant has once before been convicted of driving while intoxicated, and we assess Defendant's punishment at confinement in jail for _____ days.

FOREPERSON

We the Jury, having found the Defendant, **name**, guilty of the misdemeanor offense of driving while intoxicated, do further find the Defendant has once before been convicted of driving while intoxicated, and we assess Defendant's punishment at confinement in jail for _____ days, and a fine of \$_____dollars.

FOREPERSON