



CAUSE: 18-329512-01

THE STATE OF TEXAS

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IN COUNTY COURT

v.

AT LAW 1

JAMES ALAN JENKINS

MONTGOMERY COUNTY, TEXAS

DOB: 11/08/1950 SEX: Male RACE: White

STATE ID No.:

**JUDGMENT OF PROBATION CONVICTION BY COURT**

Judge Presiding: **HON. Stevens, John**

Date Judgment Entered: ~~March 10, 2018~~ **MAY 10, 2018**

Attorney for State: **JONATHAN WHITE**

Attorney for Defendant: **STEPHEN CASEY**

Offense for which Defendant Convicted:  
**FALSE STATEMENT ON APPLICATION**

Charging Instrument: **INFORMATION** Date of Offense: **APRIL 05, 2010**

Degree of Offense: **CLASS B MISDEMEANOR** Plea to Offense: **NO CONTEST**

Terms of Plea Bargain:  
**\$2,000.00/CC/180 DAYS Montgomery County Jail Probated for 1 YEAR**  
Cause no. 12-03-02579 to be dismissed in consideration for conviction for this lesser offense occurring out of the same transaction.

Plea to 1<sup>st</sup> Enhancement Paragraph: **N/A** Findings on 1<sup>st</sup> Enhancement Paragraph: **N/A**

Plea to 2<sup>ND</sup> Enhancement Paragraph: **N/A** Findings on 2<sup>ND</sup> Enhancement Paragraph: **N/A**

Defendant's Texas Driver's License shall be suspended for a period of **N/A**  Drivers License Suspension to run concurrent and or be credited with ALR

*AS* Date Sentence Imposed: **MAY 10, 2018** *AS* Date Sentence to Commence: **MAY 10, 2018**

Punishment and Place of Confinement: **180 DAYS Montgomery County Jail**

SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR 1 YEAR .

Fine: **\$ 2,000.00** Court Costs: **\$ 222.00** If All Monies not paid with in 30 days, add \$25.00 to Court Costs  Warrant fees included Court Appointed Attorneys Fees: **\$ 0.00**

Restitution: Restitution Payable to:  VICTIM (see below)  AGENCY/AGENT (see below)

Fine  Court Cost  Court Appointed Attorneys fee  Jail Time  Drivers License Suspension are to run concurrent with

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62

The age of the victim at the time of the offense was **N/A**

Time Credited: **ANY DAYS** If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below. NOTES: TOWARD INCARCERATION

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 Montgomery County, Texas. The State appeared by her District Attorney.  
Counsel / Waiver of Counsel (select one)  
 Defendant appeared in person with Counsel.  
 Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

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.

**Punishment Options (select one)**

**County Jail—Confinement / Confinement in Lieu of Payment:** The Court **ORDERS** Defendant immediately committed to the custody of the Sheriff of Montgomery County, Texas on the date the sentence is to commence. Defendant shall be confined in the Montgomery County Jail for the period indicated above. The Court **ORDERS** that upon release from confinement, Defendant shall have satisfied all conditions of this judgment and any monies owed from this sentence shall run concurrent with confinement.

**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 Montgomery County Collections Department**. Once there, the Court **ORDERS** Defendant to pay or make arrangements to pay all fine, court costs, restitution, and court appointed attorneys fees as ordered by the Court in this cause.

**Fine Payment and County Jail –Confinement:** The punishment assessed against Defendant is for a **FINE PAYMENT AND COUNTY JAIL- CONFINEMENT**. The Court **ORDERS** Defendant immediately committed to the custody of the Sheriff of Montgomery County, Texas on the date the sentence is to commence. Defendant shall be confined in the Montgomery County Jail for the period indicated above. The Court **ORDERS** that upon release from confinement, the Defendant shall proceed immediately to the **Office of the Montgomery County Collections Department**. Once there, the Court **ORDERS** Defendant to pay or make arrangements to pay all fine, court costs and court appointed attorneys fees as ordered by the Court in this cause.

**Execution / Suspension of Sentence (select one)**

The Court **ORDERS** Defendant's sentence **EXECUTED**.

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.

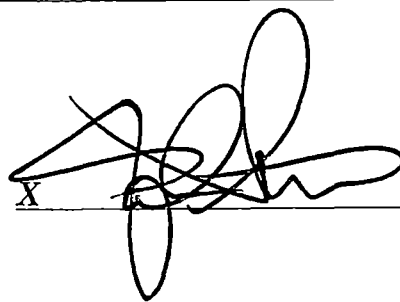
The Court **ORDERS** that Defendant is given credit noted above on this sentence for the time spent incarcerated.

**Furthermore, the following special findings, orders or conditions apply:**

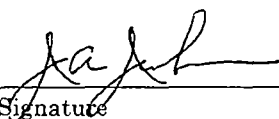
See Attached Conditions of Community Supervision.

Signed and Entered on this the 10th day of ~~March~~, 2018

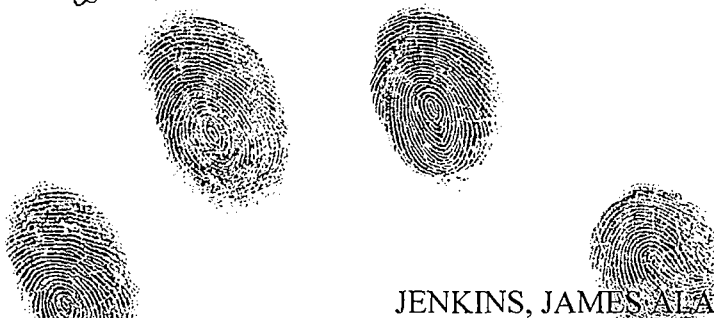
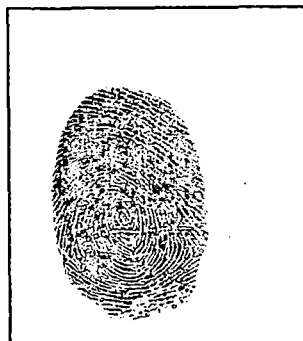
MAY

X 

JUDGE PRESIDING

X   
Defendant Signature

Right Thumbprint





11.  If you have not completed high school, participate in and successfully complete a community-based program, G.E.D. Program or complete an Adult Basic Education Course. If needed, complete an English as a Second Language Course in lieu of the above. Written verification upon entrance and completion of the program must be provided to MCD CSC, to be retained in your community supervision file. Enrollment to begin at the direction of the MCD CSC;
12.  **ALCOHOL/DRUG EVALUATION:** Submit to an alcohol/drug evaluation by the MCD CSC OR BY A PROGRAM OR FACILITY APPROVED BY THE Texas Commission on Alcoholism; and if ordered to attend and participate in an approved treatment program by the court or the MCD CSC, you are to attend and participate in such a program and submit written proof thereof to your community supervision officer, to be retained in your community supervision file.
13.  **SUPERVISORY FEE;** Pay \$60.00 (or any amount specified on the judgment) between the 1<sup>st</sup> and the 21<sup>st</sup> day of each month hereafter to the MCD CSC, beginning the following month from the date the judgment is entered, unless ordered to do otherwise by the Court.
14.  **CRIME STOPPERS:** Pay \$50.00 (or any amount specified on the judgment) to Crime Stoppers of Montgomery County through the MCD CSC. Payment to be made within 45 days from the date the judgment is signed.
15.  **ALL CONDITIONS OF COMMUNITY SUPERVISION ARE TO BE COMPLETED AT YOUR OWN EXPENSE UNLESS OTHERWISE STATED HEREIN.**
16.  **JAIL TIME:** Serve a total of \_\_\_\_\_ in the Montgomery County Jail as a condition of community supervision beginning on the date and under the terms specified on the judgment and continuing until completion of said time. You  will  will not receive credit for \_\_\_\_\_ already served in jail for this cause. To begin on \_\_\_\_\_ through \_\_\_\_\_.
17.  **COMMUNITY SERVICE \_\_\_\_\_ Hours:** Participate in a Community Service Restitution program, administered through the MCD CSC. You shall contribute the total number of hours specified on your Community Supervision Judgment, at the organization designated by the MCD CSC from the list of court approved organizations filed with the County Clerk's office. Community restitution is to be performed at the rate of at least 16 hours per month beginning no later than one month from the date the Community Supervision Judgment in this case is signed.  Defendant shall be able to make donations in the form of canned goods to the Montgomery County Food Bank to satisfy \_\_\_\_\_ hours of their community service.
18.  \_\_\_\_\_ **ALCOHOLIC ANONYMOUS MEETINGS:** Participate in the Community-based program, **Alcoholic Anonymous**, at the direction of the community supervision department and as set forth in your community supervision Judgment. Written verification of each meeting attended must be presented to the MCD CSC, to be retained in your community supervision file.
19.  **VICTIM IMPACT PANEL:** You shall attend and complete a Victim Impact Panel on or before the 180<sup>th</sup> day after Community Supervision has been granted. A ten dollar (\$10.00) fee must be paid before attendance.
20.  **DOMESTIC VIOLENCE PROGRAM:** Participate in the MCD CSC Domestic Violence Program; if instructed by the supervising community supervision officer, you will enroll in and successfully compete the Domestic Violence therapy program (I.E.-Pivot Program) or any other anger management program, as directed.
21.  **ANGER MANAGEMENT EVALUATION \_\_\_\_\_ Hours:** Submit to an Anger Management Evaluation as directed by the MCD CSC; and if ordered you will participate in and complete counseling for Anger Management, at an approved facility or program to be determined by the MCD CSC.
22.  **DWI 1<sup>ST</sup> EDUCATION PROGRAM:** Participate and successfully complete, at your own expense, before the 181<sup>st</sup> day after the day community supervision is granted an educational program jointly approved by the Texas Commission on Alcohol and Drug Abuse, the Department of Public Safety, the Traffic Safety Section of the State Department of Highways and Public Transportation, and the Texas Adult Community Supervision Commission designed to rehabilitate persons who have driven while intoxicated.
23.  **DWI 2<sup>ND</sup> EDUCATION PROGRAM:** You are to participate and satisfactorily complete a **REPEAT OFFENDER EDUCATION PROGRAM** at the direction of the MCD CSC AND WHICH IS APPROVED BY THE Texas Commission on Alcohol and Drug Abuse. Said program is to be completed before the 180<sup>th</sup> day after the day community supervision is granted. Failure to complete the program within the prescribed time may result in revocation of your driver's license.
24.  **DRUG OFFENDER EDUCATION PROGRAM:** You shall attend and complete, within 180 days following the date of conviction, a certified Drug Offender Education Program is provided in Article 6687b, Section 24, Vernon's Civil Statutes.
25.  **THEFT BY CHECK:** You are to participate in a Theft by Check Program as administered by the MCD CSC.
26.  **SEXUAL OFFENDER:** Participate in an evaluation and treatment or counseling program through a Sexual Offender Treatment Program at the direction of the MCD CSC, and provide proof thereof to the MCD CSC for your Community Supervision file.
27.  **D.P.S. COMPLIANCE;** Obtain D.P.S. compliance within ninety (90) days.
28.  **LETTER OF APOLOGY:** Write a one page letter of apology to the named individual(s) or organization(s) regarding the offense(s) you have committed, set forth on the Community Supervision Judgment. Submit the letter for review to your supervising MCD CSC officer. \_\_\_\_\_

29.  N/A
30.  Participate in the DWI Court Program; begin immediate participation at the direction of the Supervision Officer; comply with the rules of the Program, and pay all costs of the Program. Ordered to continue in said Program until successfully completed. If needed, produce written proof of completion to the Supervision Officer.
31.  Participate in the Sober Program; begin participation within 30 days of this order; comply with the rules of the Program, and pay all costs of the Program. Ordered to continue in said Program until successfully completed. If needed, require written proof of completion to the Supervision Officer.
32.  Participate in the Managed Assigned Counsel Program; begin immediate participation at the direction of the Supervision Officer; comply with the rules of the Program, and pay all costs of the Program. Ordered to continue in said Program until successfully completed. If needed, require written proof of completion to the Supervision Officer.
33.  Successfully complete, within 180 days, the Anti-Theft Class, through an agency approved by your Supervision Officer; pay all required fees associated with the Program; provide proof of the successful completion of the program to your Supervision Officer within 10 days of completion of the program.
34.  Successfully complete, within 180 days, the Batterers' Intervention Prevention Program, through an agency approved by your Supervision Officer; pay all required fees associated with the Program; provide proof of the successful completion of the program to your Supervision Officer within 10 days of completion of the program.
35.  Successfully complete, within 180 days, the Moral Recognition Therapy Class, through an agency approved by your Supervision Officer; pay all required fees associated with the Class; provide proof of the successful completion of the program to your Supervision Officer within 10 days of completion of the program.
36.  Successfully complete, within 180 days, the Cognitive Decision Making Class, through an agency approved by your Supervision Officer; pay all required fees associated with the Class; provide proof of the successful completion of the program to your Supervision Officer within 10 days of completion of the program.
37.  Successfully complete, within 180 days, the Alcohol Awareness Class, through an agency approved by your Supervision Officer; pay all required fees associated with the Class; provide proof of the successful completion of the program to your Supervision Officer within 10 days of completion of the program.
38.  One time donation in the amount of \$ \_\_\_\_ to \_\_\_\_
39.  No  contact  offensive contact with complaining witness listed in the charging Information in this case.
40.  Ordered to furnish a sample of your breath, blood or urine at the request of any peace officer who has probable cause to believe the defendant may have committed any crime under Chapter 49 of the Texas Penal Code (intoxication and Alcoholic Beverage Offenses);  no breath test refusals.
41.  Complete any other terms or conditions as specified on the community supervision judgment
42.  **STIPULATION:** Provide a stipulation to the offense alleged, approved by the prosecutor.
43.  **AGREEMENT TO ABIDE BY TEXAS RESIDENCY LAW:** Defendant agrees to maintain voter registration at his home and fixed place of habitation at XXX Pastoral Pond, The Woodlands, TX, for as long as he lives there and/or intends to return there after any temporary absence.
44.  **WAIVER OF REQUEST FOR EARLY TERMINATION/CLEMENCY:** Defendant waives any request for early termination under CCP Article 42A.701.

You are hereby advised that under the laws of this State, the Court shall determine the terms and conditions of community supervision, and may at any time during the period of community supervision, alter or modify the conditions of community supervision.

The Court also has the authority at any time during the period of community supervision to revoke the community supervision when a preponderance of the evidence establishes a violation of one or more of the conditions set forth above. The Court has furnished the above-named Defendant a copy of the terms and conditions of community supervision. Signed and Entered on this the 10<sup>th</sup> day of March, 2018.

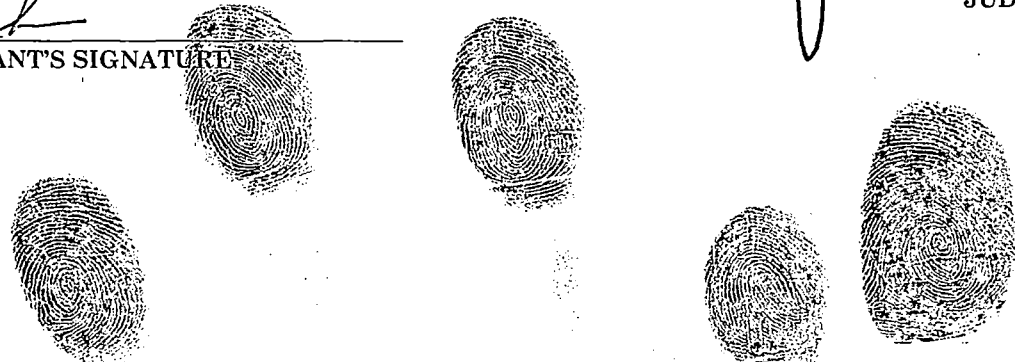
MAY 2018

*[Handwritten Signature]*

DEFENDANT'S SIGNATURE

*[Handwritten Signature]*

JUDGE PRESIDING



THE STATE OF TEXAS

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IN COUNTY COURT

v.

AT LAW 1

JAMES ALAN JENKINS

MONTGOMERY COUNTY, TEXAS

DOB: 11/08/1950 SEX: Male RACE: White

MISDEMEANOR PLEA OF GUILTY/NOLO CONTENDERE

The above-named defendant prior to entering a plea represents to the Court the following:

I am mentally competent and I understand that I am charged with the misdemeanor offense of FALSE STATEMENT ON AN APPLICATION, for which the

punishment is a fine not to exceed \$2000.00 and /or confinement in jail not to exceed 180 DAYS.

I understand that I have the right to a jury trial; the right to compel witnesses to testify on my behalf; the right to confront and cross examine my accusers; the right to be arraigned and have the charge read to me in open court; and the right to remain silent and not discuss my case with anyone including the Assistant District Attorney, and that anything I say can be used against me. I understand that I may represent myself and that if I choose to represent myself I will be required to follow the rules of evidence, criminal procedure and related laws of this state and of the United States in the same manner and to the same degree as any attorney who might represent me. I understand that upon a plea of guilty or nolo contendere, with a jury waiver, punishment may be assessed by the court either upon or without evidence, at the discretion of the Court; that if I am not a citizen of the United States, my plea of guilty or nolo contendere may result in deportation, exclusion from admission to this country, or denial of naturalization under federal laws; that if I am on probation or parole my plea of guilty or nolo contendere may result in the revocation of my probation or parole resulting in further confinement; that if I am found guilty, that this case may be used to enhance my punishment if I am convicted of another offense; and that if the Court does not exceed the agreed recommendation in assessing punishment, my right to appeal my conviction will be limited to matters raised by written motion and ruled on before trial unless the Court gives permission to raise other matters. Further, I understand that it will be unlawful for me to possess or transfer a firearm or ammunition if I am convicted of a misdemeanor involving family violence.

I understand that I have the right to have an attorney represent me both at trial and on appeal and that I will be allowed a reasonable amount of time and opportunity to talk with an attorney if I so desire; the Court may reset my case to allow me a reasonable amount of time to hire my own attorney. I understand that any plea bargain agreement is not binding upon the Court and that if the Court sets punishment that exceeds that agreed recommendation, I may withdraw my plea of guilty/nolo contendere.

After being duly admonished of the nature of the charge against me, of all my rights, and the consequences of entering a plea of guilty or nolo contendere, I hereby state in open court and in writing that; I understand the charges against me; I knowingly, intelligently and voluntarily waive the above mentioned rights; and I ask the Court to accept my plea of guilty or nolo contendere and waiver of trial by jury. I further ask the court to enter a judgment and proceed to sentence me according to the law. I ask the Court to decide all of the issues in this case upon my plea of guilty or nolo contendere. I request that a presentence investigation report not be made prior to sentencing.

Defendant's Signature: [Signature] Date: 5/10/18

Age: 67 Education: M.S.E.E. RICE UNIVERSITY

Defense Attorney Signature: [Signature]

The undersigned Assistant Attorney General on behalf of the State of Texas, consents to and approves defendant's waiver of trial by jury.

Assistant Attorney General: [Signature]

The Court finds the defendant is competent and that the defendant understood the rights as set out above, and the Court accepts the defendant's waiver of these rights. The Court further finds the defendant's plea of guilty nolo contendere was knowingly, intelligently, and voluntarily made.

Signed and Entered on this the 1<sup>st</sup> day of March, 2018

5/10/18 MAJ JBJ

[Signature]  
Judge Presiding

THE STATE OF TEXAS

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IN COUNTY COURT

v.

AT LAW 1

JAMES ALAN JENKINS

MONTGOMERY COUNTY, TEXAS

DOB: 11/08/1950 SEX: Male

RACE: White

**NOTICE OF JUDICIAL CLEMENCY FOR DEFENDANTS  
PLACED ON COMMUNITY SUPERVISION (PROBATION)**

You are hereby notified that if the Court determines that you have satisfactorily fulfilled the conditions of your community supervision (hereinafter "probation"), upon expiration of your probation, if certain requirements are met, you may be able to receive judicial clemency from the Court.

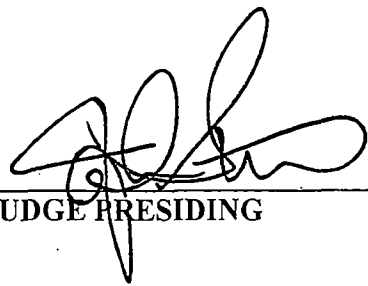
Under Article 42A.701, Code of Criminal Procedure, the Court may use its discretion to exercise judicial clemency in terminating your probation if:

1. The Court determines that you have satisfactorily fulfilled the conditions of your probation;
2. The term of your probation has expired, including any amended or modified terms of your probation;
3. The Court discharges you from probation; and
4. The Court sets aside the verdict in your case or permits you to withdraw your plea.

If the above requirements are met, the Court is authorized to dismiss the accusation, complaint, information, or indictment against you and to release you from all penalties and disabilities resulting from your conviction or plea. However, if the Court releases you from the consequences of your conviction or plea, if you are subsequently convicted of another offense, your conviction or plea will be made known to the Judge, and if you are the applicant for or holder of a license issued by the Department of Family and Protective Services (hereinafter "Department"), the Department may consider that you previously received probation as a factor in issuing, renewing, denying or revoking a license.



Signed and Entered on this the 10<sup>th</sup> day of MAY, 2018



JUDGE PRESIDING

DEFENDANTS CONVICTED OF: CERTAIN OFFENSES INVOLVING THE USE OF ALCOHOL, (SECTIONS 49.04-49.08, CCP) AN OFFENSE REQUIRING REGISTRATION AS A SEX OFFENDER, OR A FELONY DESCRIBED BY ARTICLE 42A.054 CCP, ARE NOT ENTITLED TO THIS ADMONISHMENT AND ARE INELIGIBLE FOR JUDICIAL CLEMENCY FROM A JUDGE.

OCA STANDARDIZED FORM FOR PROVIDING INFORMATION TO DEFENDANT'S PLACED ON COMMUNITY SUPERVISION (PROBATION), AS REQUIRED BY ARTICLE 42A.058, CCP

THE STATE OF TEXAS

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IN COUNTY COURT

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JAMES ALAN JENKINS

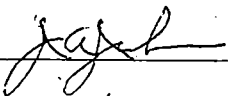
MONTGOMERY COUNTY, TEXAS

DOB: 11/08/1950 SEX: Male

RACE: White

STIPULATION REGARDING OFFENSE

I, James Jenkins, do not contest the charges brought by the State of Texas in this case. I understand now that the law does not allow an individual to vote from a place that is not his permanent home, or where he has not established a genuine physical presence coupled with the intent to return to actually live in that place. My intent in registering to vote and voting in the 2010 Woodlands Road Utility District Election was not to violate the law, and I acknowledge that I was mistaken regarding the law of residency in the State of Texas when I voted. I understand that the definition of "residence" is flexible in order to avoid disenfranchising voters, but that the spirit of the law is to require an individual to vote where he actually lives or where he will return to actually live, if the person is temporarily absent from his home. I hope that my case has brought light to instances where residency law is intentionally subverted in Texas, and I pledge not only to follow the law myself, but to advocate for the improvement of that law and the elimination of loopholes that threaten the integrity of the voting process.

Defendant's Signature:  Date: 5/10/18

Defense Attorney Signature: 

The undersigned Assistant Attorney General, on behalf of the State of Texas, consents to and approves defendant's stipulation regarding the offense charged.

Assistant Attorney General: 