



CASE NO. 151689701010
INCIDENT NO./TRN: 917202450XA001

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THE STATE OF TEXAS

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IN THE 263RD DISTRICT

v.

COURT

PEREZ, OSCAR ISMAEL

HARRIS COUNTY, TEXAS

STATE ID No.: TX10438849

ORDER OF DEFERRED ADJUDICATION

Judge Presiding:	BELINDA HILL	Date Proceedings Deferred:	7/6/2023
Attorney for State:	JILL WELLS	Attorney for Defendant:	TRIFICO, CHRISTOPHER L.

Offense:
INDECENCY W/A CHILD EXPOSES (361401)

Charging Instrument:	Statute for Offense:
INDICTMENT	

Date of Offense:	Defendant waived the right to trial by jury and entered the plea below:
12/1/2009	NOLO CONTENDERE

Degree of Offense:	Findings on Deadly Weapon:
3RD DEGREE FELONY	N/A

1 st Enhancement Paragraph:	Findings on 1 st Enhancement Paragraph:
N/A	N/A

2 nd Enhancement Paragraph:	Findings on 2 nd Enhancement Paragraph:
N/A	N/A

Terms of Plea Bargain (if any): or Terms of Plea Bargain are attached and incorporated herein by this reference.
**7 YEARS DADJ
REDUCED FROM 1ST DEGREE**

ADJUDICATION OF GUILT DEFERRED;

DEFENDANT PLACED ON DEFERRED ADJUDICATION COMMUNITY SUPERVISION.

PERIOD OF DEFERRED ADJUDICATION COMMUNITY SUPERVISION: 7 YEARS.

CONFINEMENT AS A CONDITION OF DEFERRED ADJUDICATION COMMUNITY SUPERVISION:

The Court ORDERS Defendant confined _____ DAYS in THE COUNTY JAIL A STATE JAIL FACILITY as a condition of deferred adjudication community supervision. The period of confinement as a condition of community supervision starts when Defendant arrives at the designated facility, absent a special order to the contrary.

Fees:	Court Costs:	Reimbursement Fees:
\$ 100.00	\$ 290	\$ 20

Restitution:	Restitution Payable in:
\$ N/A	N/A (See special finding or order of restitution which is incorporated herein by this reference.)

Defendant is required to register as sex offender in accordance with Chapter 62, Tex. Code Crim. Proc.
(For sex offender registration purposes only) The age of the victim at the time of the offense was 9 years .

Was the victim impact statement returned to the attorney representing the State? N/A

This cause was called and the parties appeared. The State appeared by her District Attorney as named above.

Counsel / Waiver of Counsel (select one)

Defendant appeared with Counsel.
 Defendant appeared without counsel and 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 admonished Defendant. 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 the plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court FINDS that such evidence

substantiates Defendant's guilt. However, the Court FINDS that it is in the best interest of society and Defendant to defer proceedings without entering an adjudication of guilt and to place Defendant on deferred adjudication community supervision.

Therefore, the Court ORDERS no judgment entered at this time. The Court further ORDERS Defendant placed on deferred adjudication community supervision for the period of time indicated above as long as Defendant abides by the conditions of the deferred adjudication community supervision.

The Court FINDS that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc.

After having conducted an inquiry into Defendant's ability to pay, the Court ORDERS Defendant to pay the fines, court costs, reimbursement fees, and restitution as indicated above and further detailed below.

The document setting forth the conditions of deferred adjudication community supervision is attached and incorporated herein by this reference.

Fines Imposed Include (check each fine and enter each amount as pronounced by the court):

- General Fine (§12.32, 12.33, 12.34, or 12.35, Penal Code, Transp. Code, or other Code) \$ (not to exceed \$10,000)
- Add'l Monthly Fine for Sex Offenders (Art. 42A.653, Code Crim. Proc.) \$ As assessed as a Cond. CS (\$5.00 per month of community supervision)
- Child Abuse Prevention Fine (Art. 102.0185, Code Crim. Proc.) \$100
- EMS, Trauma Fine (Art. 102.0185, Code Crim. Proc.) \$100
- Family Violence Fine (Art. 42A.504 (b), Code Crim. Proc.) \$100
- Juvenile Delinquency Prevention Fine (Art. 102.0171(a), Code Crim. Proc.) \$50
- State Traffic Fine (§ 542.4031, Transp. Code) \$50
- Children's Advocacy Center Fine - as Cond of CS (Art. 42A.455, Code Crim. Proc.) \$ As assessed in Cond of CS (not to exceed \$20)
- Repayment of Reward Fine - as Cond of CS (Art. 42A.301 (b) (20), Code Crim. Proc.) \$ As assessed as a Cond. CS. (not to exceed \$20)
- DWI Traffic Fine (aka Misc. Traffic Fines) (§ 709.001, Transp. Code) \$ (not to exceed \$6,000)

Furthermore, the following special findings or orders apply:

SEE THE ATTACHED FIREARM ADMONISHMENT

Signed on 7/6/2023

Belinda Hill
BELINDA HILL
JUDGE PRESIDING

Clerk: A ZUNIGA-SIVIERA

Notice of Appeal Filed: _____

Mandate Received: _____ Type of Mandate: _____

After Mandate Received, Sentence to Begin Date (A): _____

Jail Credit: _____ DAYS

Case Number: 1516897 Court: 263RD Defendant: PEREZ, OSCAR ISMAEL



Thumbprint

WRITTEN ADMONITION ON INELIGIBILITY TO POSSESS FIREARM OR AMMUNITION

In accordance with Texas Administrative Code §176.1, the Court hereby admonishes you of the following:

1. You are, by entry of order or judgment, ineligible under Texas law to possess a firearm or ammunition.
2. Beginning now, if you possess a firearm or ammunition it could lead to charges against you. If you have questions about how long you will be ineligible to possess a firearm or ammunition, you should consult an attorney.
3. Under Texas Penal Code §46.01(3):
 - a. "Firearm" means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use
 - b. "Firearm" does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Penal Code Chapter 46 and that is (1) an antique or curio firearm manufactured before 1899 or (2) a replica of an antique or curio firearm manufactured before 1899 but only if the replica does not use rim fire or center fire ammunition.

The statutes listed below are a starting point for ineligibility to possess a firearm or ammunition. For more information about the laws that make you ineligible to possess a firearm or ammunition, or for more information on how long your ineligibility to possess a firearm or ammunition lasts, the Court recommends you contact an attorney.

- Code of Criminal Procedure Article 17.292 – Magistrate's Order for Emergency Protection
- Code of Criminal Procedure Article 42.0131 – Notice for Persons Convicted of Misdemeanors Involving Family Violence
- Penal Code §46.02 – Unlawful Carrying Weapons
- Penal Code §46.04 – Unlawful Possession of Firearm
- Penal Code §25.07 – Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case
- Family Code §85.026 – Warning on Protective Order

DATE: 07/06/2023

DEFENDANT:

OW

CASE NUMBER: 151689701010

DEFENDANT NAME: PEREZ, OSCAR ISMAEL

STATE OF TEXAS
VS.
OSCAR ISMAEL PEREZ

263RD DISTRICT COURT
OF
HARRIS COUNTY, TEXAS

CONDITIONS OF COMMUNITY SUPERVISION

On this the 6th day of July, 2023, you are granted 7 years community supervision for the **FELONY - LEVEL 3 offense of INDECENCY W/A CHILD EXPOSES** in accordance with Article 42A, Texas Code of Criminal Procedure, in the 263RD DISTRICT COURT of Harris County, Texas, by the Honorable Belinda Hill Judge Presiding. It is the order of this Court that you abide by the following Conditions of Community Supervision:

1. **Commit no offense against the laws of this or any other State or of the United States. You are to report any arrests within 24 hours.**
2. **Not use, possess, or consume any illegal drug or prescription drug not currently prescribed to you by a medical professional. You shall bring all current prescription containers to your Community Supervision Officer. If new medication is prescribed, you must bring the new prescription containers by your next scheduled report date.**
3. **Report to the Community Supervision Officer as directed for the remainder of the supervision term unless so ordered differently by the Court.**
4. **Permit a Community Supervision Officer to visit you at your home, place of employment or elsewhere.**
5. **Work at suitable employment and/or attend school full-time. Present either verification of employment or provide a log of all attempts to secure employment to your Community Supervision Officer as directed. You must notify HCCSCD of any change in your employment status by your next scheduled reporting date.**
6. **Abide by the rules and regulations of the Harris County Community Supervision and Corrections Department (hereinafter referred to as HCCSCD).**
7. **Remain within Harris County, Texas or any counties directly touching Harris County, Texas. You may not travel outside these locations unless you receive prior written permission from the Court through your Community Supervision Officer.**
8. **Notify HCCSCD by your next report date of any change in residence.**
9. **Submit a non-diluted, valid, unaltered sample for the purpose of alcohol/drug monitoring at the request of the HCCSCD.**
10. **Support your dependents as required by law. Provide your Community Supervision Officer with proof that you are in compliance with all court-ordered support of dependents.**
11. **Submit to an evaluation of your Educational skill level by 09/06/2023. If it is determined that you have not attained the average skill of students who have completed the sixth grade in public schools in this State, you shall participate in a program that teaches functionally illiterate persons to read. If you are non-English speaking, you will participate in English as a Second Language (ESL) program, if it is**

CONDITIONS OF COMMUNITY SUPERVISION

Defendant Oscar Ismael Perez

Cause 151689701010

determined there is a need in order for you to meet the state mandate beginning upon referral until successfully discharged or released by further order of the Court.

12. Not ship, transport, possess, receive, or purchase a firearm, altered firearm, or ammunition, or attempt to ship, transport, possess, receive, or purchase a firearm, altered firearm, or ammunition.
13. Pay all fees through HCCSCD. All payments MUST be in the form of a Money Order, Cashier's Check or credit card. Online payments may be made with a credit card at PAYCSCD.COM. A \$2.00 transaction fee will be charged by HCCSCD to process each payment.
14. Pay a Supervision Fee at the rate of \$60.00 per month for the duration of your community supervision beginning 08/06/2023 to HCCSCD.
15. Pay a \$12.50 fee for a Client Card by 08/06/2023 to HCCSCD if the client does not have a valid state issued Driver's License or Texas ID Card.
16. Pay a fine of \$.00 and Court Costs at the rate of \$30.00 per month beginning 08/06/2023 to Harris County through HCCSCD. Court grants credit for 0 days served.
17. Pay \$10.00 per month to cover expenses of drug testing beginning 08/06/2023.
18. Submit to an assessment through HCCSCD Assessment Unit as directed. Participate and successfully complete any program(s) as indicated by the assessment or until further order of the court.
19. Pay a one-time fee of \$100.00 to HCCSCD for the purpose of screening and assessment.
20. Report in person to HCCSCD to provide a DNA sample to the Department of Public Safety at the direction of and through HCCSCD for the purpose of creating a DNA Record by 09/06/2023 unless a sample has already been submitted under other state law and pay a \$25.00 fee.
21. Pay \$5.00 per month to the Sex Assault Program Fund for the duration of your community supervision beginning 08/06/2023 through HCCSCD.
22. Submit to any program of psychological and physiological assessment at the direction of your Community Supervision Officer, including the plethysmograph and/or polygraph, to assist in treatment, planning and case monitoring.
23. Reside at 410 VILLAGE CREEK DR. WEBSTER, TX 77598 unless otherwise directed by the Court. With the exception of the listed address, you may not reside, go in, on or within 1000 feet of a premise where children commonly gather as referred in the above paragraph unless the terms and conditions of your community supervision have been amended.
24. Not have access to the Internet through any manner or method, unless it is equipped with an approved tracking software beginning 07/06/2023 for any reason unless specifically ordered by the Court.

CONDITIONS OF COMMUNITY SUPERVISION

Defendant Oscar Ismael Perez

Cause 151689701010

25. Not supervise or participate in any program that includes participants or recipients persons who are seventeen (17) years of age or younger and that regularly provides athletic, civic or cultural activities beginning 07/06/2023 for any reason except as specifically permitted by the Court.
26. Not reside, go in, on or within 1000 feet of a premises where children commonly gather, including, but not limited to, schools, day-care facilities, playgrounds, public or private youth centers, public swimming pools, or video arcade facilities. The measurement of the distance between the residence of the offender and the premises where children gather shall be measured using the shortest, direct, straight line from the property line of the offender's residence to the property line of the premises where children commonly gather. The measurement of distance from the person of the offender to the premises where children gather shall be made using the shortest, direct, straight line between the person of the offender and the property line of the premises where children gather.
27. Have no contact with any minor under the age of seventeen (17) beginning 07/06/2023 for any reason except as specifically permitted by the Court.
28. Not accept or maintain employment which will bring you into direct contact with minor children unless approved by the Court.
29. Not view own or possess pornographic materials. In addition you may not frequent sexually oriented establishments.
30. Comply with sex offender registration procedures as required by the laws of this or any other State in which you reside beginning 03/06/2024 and at any time thereafter as directed by your Community Supervision Officer.
31. Report in person to the HCCSCD Sex Offender Unit within 24 hours or the following business day by 10:00 am for the purpose of completing your sex offender registration and completing the Static 99 risk assessment.
32. Not enter or remain within a sexually oriented business. A sexually oriented business is a commercial enterprise, the primary business of which is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to a patron including, but not limited to: massage parlors sex parlors nude studios modeling studios love parlors adult bookstores adult movie theaters adult video arcades adult motels adult cabarets escort agencies and sexual encounter centers.
33. Participate in Sex Offender Treatment beginning immediately upon referral. Attend treatment and aftercare with a State of Texas registered Sex Offender Provider as recommended. Comply with all program rules regulations and guidelines until successfully discharged or released by further order of the Court.
34. Participate in the HCCSCD Sex Offender Caseload beginning 07/06/2023. Comply with all program rules regulations and guidelines until successfully discharged or released by further order of the Court.
35. Have no contact with KASSANDRA LONG in person, in writing, by telephone, via the internet, a third party or any other means for any reason except as specifically permitted by the Court.

CONDITIONS OF COMMUNITY SUPERVISION

Defendant **Oscar Ismael Perez**


Cause **151689701010**

I understand that under the laws of this State, the Court shall determine the terms and conditions of Community Supervision, and may alter or modify said conditions during the period of Community Supervision. I further understand that failure to abide by these Conditions of Community Supervision may result in the revocation of Community Supervision or an adjudication of guilt.

Court Directive for Release

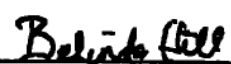
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Community Supervision expires on July 5, 2030.

 **SIGN**
Oscar Ismael Perez
Defendant

07/06/2023
Date Signed

Signed this the .

 **SIGN**
Belinda Hill
Presiding Judge

7/6/23


Shae De Los Santos
Court Liaison Officer

07/06/2023
Date Signed

SPN **02862824**

Plea **Guilty**

Unofficial Copy Office of Marilyn Burgess District Clerk

STATE OF TEXAS
VS.
OSCAR ISMAEL PEREZ

263RD DISTRICT COURT
OF
HARRIS COUNTY, TEXAS

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~~BARRIS~~
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1ST AMENDED CONDITIONS OF COMMUNITY SUPERVISION

In the above entitled and numbered cause, it appearing to the court that the above-named defendant was placed on community supervision for the offense of INDECENCY W/A CHILD EXPOSES under certain terms and conditions set down by the court in the original supervision order dated 07/06/2023.

And it further appearing to the court that the best interest of the public and of the defendant as well will be served by the modification of the terms of supervision:

It is therefore ordered, adjudged and decreed by the court that the previous supervision order(s) be modified, to wit:

36. On this the 6th day of July, 2023, you are granted 7 years community supervision for the FELONY - LEVEL 3 offense of INDECENCY W/A CHILD EXPOSES in accordance with Article 42A, Texas Code of Criminal Procedure, in the 263RD DISTRICT COURT of Harris County, Texas, by the Honorable Belinda Hill Judge Presiding. It is the order of this Court that you abide by the following Conditions of Community

Unofficial Copy Office of Marilyn Burgess District Clerk

CONDITIONS OF COMMUNITY SUPERVISION
Cause 151689701010

I understand that under the laws of this State, the Court shall determine the terms and conditions of Community Supervision, and may alter or modify said conditions during the period of Community Supervision. I further understand that failure to abide by these Conditions of Community Supervision may result in the revocation of Community Supervision or an adjudication of guilt.

I have read or had read to me by the CLO/CSO Officer the conditions the Judge has added or changed. I also understand that if I do not accept these changes to my Conditions of Community Supervision, I must make a timely and specific objection and request to appear before the Judge. I understand that if I refuse to accept these amendments, the Judge may issue a warrant for my arrest and I have a right to be represented by counsel. If I am indigent, the Court shall appoint counsel for me. I also understand that I may voluntarily and knowingly accept this modification.

Court Directive for Release

Community Supervision currently expires on July 5, 2030.

Acceptance and Waiver

I understand the terms and consequences for failing to comply with these Conditions of Community Supervision and I knowingly and voluntarily agree to this modification of my conditions. I further understand that by signing these conditions I am affirmatively accepting the terms and I waive any right to object or be represented by counsel.

Objection and Request for Immediate Hearing

I object to this modification of my conditions of Community Supervision and request an immediate hearing before the Judge.

Signature on file

Oscar Ismael Perez
Defendant

SIGN 07/17/23
Date

Melissa Morris

Melissa Morris
Judge Presiding

SIGN July 17, 2023
Date

Shae De Los Santos
Shae De Los Santos
Court Liaison Officer

07/17/2023

CAUSE 151689701010

**STATE OF TEXAS
VS.
OSCAR ISMAEL PEREZ**

**263RD DISTRICT COURT
OF
HARRIS COUNTY, TEXAS**

2ND AMENDED CONDITIONS OF COMMUNITY SUPERVISION

In the above entitled and numbered cause, it appearing to the court that the above-named defendant was placed on community supervision for the offense of INDECENCY W/A CHILD EXPOSES under certain terms and conditions set down by the court in the original supervision order dated 07/06/2023.

And it further appearing to the court that the best interest of the public and of the defendant as well will be served by the modification of the terms of supervision;

It is therefore ordered, adjudged and decreed by the court that the previous supervision order(s) be modified, to wit:

37. Amended to correct plea type to Nolo Contendere to match judgement

Unofficial Copy Office of Marilyn Burgess District Clerk

I understand that under the laws of this State, the Court shall determine the terms and conditions of Community Supervision, and may alter or modify said conditions during the period of Community Supervision. I further understand that failure to abide by these Conditions of Community Supervision may result in the revocation of Community Supervision or an adjudication of guilt.

I have read or had read to me by the CLO/CSO Officer the conditions the Judge has added or changed. I also understand that if I do not accept these changes to my Conditions of Community Supervision, I must make a timely and specific objection and request to appear before the Judge. I understand that if I refuse to accept these amendments, the Judge may issue a warrant for my arrest and I have a right to be represented by counsel. If I am indigent, the Court shall appoint counsel for me. I also understand that I may voluntarily and knowingly accept this modification.

Court Directive for Release

Community Supervision currently expires on July 5, 2030.

Acceptance and Waiver

I understand the terms and consequences for failing to comply with these Conditions of Community Supervision and I knowingly and voluntarily agree to this modification of my conditions. I further understand that by signing these conditions I am affirmatively accepting the terms and I waive any right to object or be represented by counsel.

Objection and Request for Immediate Hearing

I object to this modification of my conditions of Community Supervision and request an immediate hearing before the Judge.

Signature on file

Oscar Ismael Perez
Defendant

SIGN 08/28/23
Date

Signature

Melissa Morris
Judge Presiding

SIGN August 28, 2023
Date

Walter Velasquez
Supervisor

08/28/2023

SPN **02862824**

Plea **Nolo Contendere**