



CASE No. 2016-768-C1  
 COUNT N/A  
 INCIDENT No./TRN: 9199328496

THE STATE OF TEXAS

V.

JACOB W ANDERSON

STATE ID NO.: TX 16088349

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IN THE 19<sup>TH</sup> DISTRICT  
 COURT  
 MCLENNAN COUNTY, TEXAS

*Healy of Appel*

FILED  
 2018 DEC 10 AM 9:33  
 JOB: C. CHADLER  
 DISTRICT CLERK  
 MCLENNAN CO. TX  
 DEPUTY

**ORDER OF DEFERRED ADJUDICATION**

Judge Presiding: **HON. RALPH T STROTHER** Date Order Entered: **12/10/18**

Date of Original **10/15/18**  
 Plea:

Attorney for State: **ROBERT MOODY** Attorney for Defendant: **MARK DANIEL**

Offense:  
**UNLAWFUL RESTRAINT**

Charging Instrument: **INDICTMENT** Statue for Offense: **20.02 TEXAS PENAL CODE**

Date of Offense:  
**02/21/2016**

Degree of Offense: **3<sup>RD</sup> DEGREE FELONY** Plea to Offense: **NOLO CONTENDRE** Findings on Deadly Weapon: **N/A**

Terms of Plea Bargain:  
**DEFERRED ADJUDICATION PROBATION, AND THAT A FINDING OF GUILTY BE DEFERRED FOR A PERIOD OF THREE (3) YEARS, AND THAT THE DEFENDANT PAY \$400.00 IN FINES; DEFENDANT SHALL COMPLETE INDIVIDUAL PSYCHOLOGICAL TREATMENT PLAN AND COMPLETE ALCOHOL AND DRUG TREATMENT**

Plea to 1<sup>st</sup> Enhancement Paragraph: **N/A** Plea to 2<sup>nd</sup> Enhancement/Habitual Paragraph: **N/A**

Findings on 1<sup>st</sup> Enhancement Paragraph: **N/A** Findings on 2<sup>nd</sup> Enhancement/Habitual Paragraph: **N/A**

**ADJUDICATION OF GUILT DEFERRED;  
 DEFENDANT PLACED ON COMMUNITY SUPERVISION**

**PERIOD OF COMMUNITY SUPERVISION: THREE (3) YEARS**

<u>Fine:</u>	<u>Court Costs:</u>	<u>Restitution/Reparation:</u>	<u>Restitution/Reparation Payable:</u>
<b>\$ 400.00</b>	<b>SEE BELOW</b>	<b>\$ N/A</b>	<input type="checkbox"/> VICTIM (listed the Restitution Exhibit) <input type="checkbox"/> AGENCY/AGENT – if reparation mail to TEXAS DPS, RESTITUTION ACCOUNTING PO BOX 4087, AUSTIN, TEXAS 78773-0130

**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: **N/A DAYS**  
 NOTES: **N/A**

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 McLennan 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 FINDS such evidence substantiates Defendant's guilt. The Court FINDS that, in this cause, it is in the best interest of society and Defendant to defer proceedings without entering an adjudication of guilt and to place Defendant on community supervision

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 the Defendant is given credit noted above for the time spent incarcerated.

The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

The Court ORDERS that no judgment shall be entered at this time. The Court further ORDERS that Defendant be placed on community supervision for the adjudged period so long as Defendant abides by and does not violate the terms and conditions of community supervision. See TEX. CODE CRIM. PROC. art. 42.12 § 5(a).

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

The Court assesses all court appointed attorney's fees, investigator's fees, and interpreter's fees as costs in this cause and Orders the defendant to pay the same

The Court adjudges statutory court costs against the Defendant. The Court orders the Defendant to pay the court costs. The Court orders the clerk to collect the court costs.

Any office or agency of state government authorized to collect fines, court costs and/or restitution is ORDERED to forward any payments collected by said office or agency to the McLennan County District Clerks office at 501 Washington Ave. Suite 300 Courthouse Annex Waco, Texas 76701 This order applies but is not limited to the Texas Department Criminal Justice, Parole Division.

IF RESTITUTION IS ORDERED, A RESTITUTION EXHIBIT IS INCORPORATED IN THIS JUDGMENT BY REFERENCE.

The Court orders the defendant's driver's license suspended for TWELVE (12) months beginning the date of this order, ONLY if this box is checked.

The Court makes an affirmative finding that the offense involved family violence as defined in §71.004 Texas Family Code.

The Court finds that, with the consent of the State's attorney, Defendant admitted guilt as to the unadjudicated offense(s) as set out in the Motion to Consider Unadjudicated Offense(s) in Sentencing, and the Court agreed to take the unadjudicated offense(s) into account in determining the sentence for the offense for which Defendant was adjudged guilty. Accordingly, the Court finds prosecution is barred for those offense(s) pursuant to TEX. PENAL CODE §12.45.

1. Neither commit nor be convicted of any offense against the laws of State of Texas, or any other State of the United States and report any arrest to the Adult Probation Officer within ten days

2. Avoid injurious or vicious habits.

3. Totally avoid the use of narcotics, barbiturates, habit forming drugs, or any controlled substance as defined in the laws of the State of Texas, except as previously prescribed by a Medical Doctor.

4. Totally avoid the consumption of any alcoholic beverages.

5. Avoid association with persons who have criminal records and those of disreputable or harmful character.

6. Avoid places of disreputable or harmful character, especially taverns, bars, and pool halls where gambling is permitted or alcoholic beverages are sold.



7. Report to the McLennan County Adult Probation Officer immediately and thereafter as he shall direct, but at least once each 30 days.
8. Permit the Probation Officer or his assistants to visit him/her at his/her home or elsewhere.
9. Work faithfully at suitable employment as far as possible.
10. Notify the Probation Officer before quitting or changing jobs.
11. Obtain the Probation Officer's permission before changing residences.
12. Submit to and pay the fee for drug and alcohol testing (non-diluted urine sample, breath sample, hair samples, or blood sample) by the Department, a Department technician, a Department-approved independent technician, or a Department-approved independent laboratory, as required and directed by the Department. If a test conducted through an independent laboratory confirms the absence of alcohol and any substance prohibited by law or by this order, the Defendant's account will be credited for any fees paid by the Defendant for independent laboratory testing.
13. Remain within the limits of McLennan County, Texas and leave the County only with the permission of the Probation Officer.
14. Keep the Adult Probation Officer advised of his residence address at all times.
15. Support your dependents.
16. Pay the costs and fees of this cause to the District Clerk of McLennan County, Texas at the rate of \$25<sup>00</sup> per month, beginning 60 days from the date of probation, with a like amount to be paid each consecutive month thereafter on the same day of each month until said amount is paid in full. The offender shall pay a \$25.00 fee to the District Clerk of McLennan County within 31 days from the date of probation if the original court costs ordered in the cause are not paid in full at the time of sentencing. This time payment fee is authorized by Section 51.921 of the Government Code. The Court assesses all court appointed attorney's fees, investigator's fees, and interpreter's fees as costs in this cause and Orders the defendant to pay the same. SEE THE ATTACHED BILL OF COSTS.
17. Pay the sum of \$60.00 to the McLennan County Community Supervision and Corrections Department each month during said term of probation said sum to be used in the administration of Adult Probation as provided by law.
18. Pay the sum of \$65.00 to the McLennan County Community Supervision and Corrections Department to defray the cost of the Pre-Sentence Investigation at the rate of \$5.00 per month, beginning 60 days from the date of probation with a like amount to be paid each consecutive month thereafter on the same day of each month until said amount is paid in full.
19. Participate in a community based program by contributing through the McLennan County Community Supervision and Corrections Department, the sum of \$25.00 to Crimestoppers, Inc. within 30 days from the date of probation.



20. Be required to be at the probationer's place of residence seven days a week by 10:00 p.m. and to remain in this residence until 6:00 a.m. the following morning.
21. Be prohibited from possessing or owning a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a) of the Penal Code.
22. The defendant agrees that if he/she should be charged with a violation of the conditions of community supervision and should be in another state, the defendant will waive extradition and will not resist being returned to McLennan County, Texas.
23. Pay the \$400.00 fine through the McLennan County Community Supervision and Corrections Department at the monthly rate of \$15.00 per month, beginning 60 DAYS from the date of probation, with a like amount to be paid each consecutive month thereafter until said amount is paid in full.
24. Work faithfully and satisfactorily participate in a community service project(s) by completing 300 hours of community service within 24 months of this Order, at a rate of no less than 16 hours per calendar month, beginning within 30 days of this Order, by performing said community service at and under the direction and supervision of the organization(s) approved by the McLennan County CSCD in accordance with Texas Criminal Procedure Code, Article 42.12. Said community service is to be in accordance with general administrative and reporting guidelines set forth by the McLennan County Community Supervision and Corrections Department.
25. While on probation, you must have on your person at all times a current, valid Texas Department of Public Safety photo identification or valid Texas Department of Public Safety photo driver's license. You must obtain this photo identification within (30) days from the date of probation.
26. Refrain from disorderly conduct, abusive language, or disturbing the peace while at the office of the probation department.
27. Be required to attend, participate, and successfully complete an alcohol / drug evaluation, as directed and referred through the McLennan County Community Supervision and Corrections Department (OR SUPERVISING CSCD).
28. Be required to maintain a SCRAM (Secure Continuous Remote Alcohol Monitor) system on his/her person beginning from the date of probation, and continuing until the Community Supervision and Corrections Department and/or the Court determines monitoring with such device is no longer necessary. Defendant is to be responsible for all maintenance and costs of the system.
29. Be required to be supervised under the McLennan County Community Supervision and Corrections Department's Sex Offender Program and is to participate fully in the Sex Offender Program until such time as he/she is released by the Court.
30. Be required to attend, participate and progress, and successfully complete a Sexual Offenders Group Therapy Program at an agency approved by the McLennan County CSCD or the Court until released by the staff of that agency and/or the McLennan County CSCD and be responsible for all treatment costs to the therapist.



31. Defendant shall submit to psychosexual testing at an agency approved by the McLennan County Community Supervision and Corrections Department and reimburse McLennan County CSCD \$300.00 for said testing at the rate of \$20.00 per month beginning thirty (30) days from the date of probation.
32. Defendant is prohibited from having any contact with the victim, [REDACTED] including correspondence, telephone contact, or communication through a third party except under circumstances approved in advance and in writing by the probation officer in consultation with the treatment provider and/or the Court. You shall not enter onto the premises, travel past or loiter near where the victim resides.
33. Be required to submit to a polygraph examination anytime during the period of probation or as directed by the McLennan County Community Supervision and Corrections Officer and pay the McLennan County Community Supervision and Corrections Department \$35.00 per month polygraph fee beginning thirty (30) days from the date of this order. Said \$35.00 a month payment shall be applied toward compensation for each polygraph administered during the term of probation.
34. Be required to submit to a DNA test at the McLennan County Supervision and Corrections Department within thirty (30) days from the date of probation. Said DNA sample shall be forwarded to the Department of Public Safety under Subchapter G, Chapter 411, Government Code, for the purpose of creating a DNA record of the defendant.
35. Defendant shall not use any communication mediums for the purpose of sexually explicit conversations, including phone, computer and wireless communications. Offender is to provide his original monthly telephone billing statement to his probation officer for review at least once a month.
36. Defendant shall not possess, access or view sexually oriented (explicit) material of children or adults contained on: film, photograph, videotape, negative or slide, disk or diskette, or other physical medium. This includes computers, phone line(s), cable, magazines, satellite transmission or any other method that incorporates in any manner a child or adult engaging in any sexual conduct (behavior) (activity) or in any form of sexual exploitation. The defendant shall provide billing statements and/or cable bills as required by your probation officer. You shall permit the supervision officer or duly authorized criminal justice official access to all computer records, associated equipment and material you possess or have access to. The defendant is further prohibited from entering the premises of any sexually oriented business.
37. Be required to submit to the Acquired Immune Deficiency Syndrome (AIDS) testing as directed by the McLennan County Community Supervision and Corrections Department within thirty (30) days from the date of probation.



- 38. Defendant shall submit his or her person, place or things to search and seizure by a Community Supervision Officer, or any law enforcement officer at the direction of a Community Supervision Officer of McLennan County Community Supervision and Corrections Department, at any time of day or night, with or without warrant. If diligent efforts by law enforcement to contact a Community Supervision Officer are unsuccessful, the law enforcement officer may proceed with the search and seizure of the defendant's person, place or things upon determination by the law enforcement officer of reasonable suspicion to believe a crime has been committed, or is about to be committed by the defendant.
- 39. Be required to pay the cost of counseling and/or medical expenses required for the victim as determined by the McLennan County CSCD for a period of up to one (1) year.

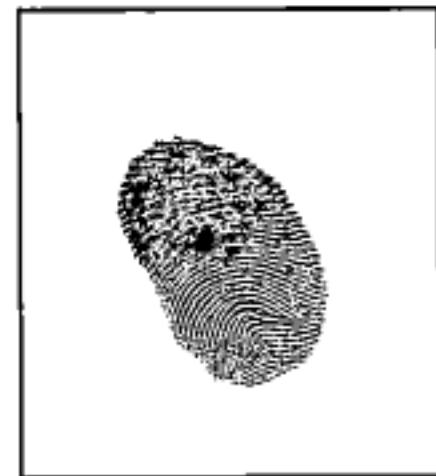
Signed and entered on 12/10/18

  
 \_\_\_\_\_  
 RALPH F. STROTHER  
 JUDGE PRESIDING

Copy received on December 10, \_\_\_\_\_, 2018.

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PROBATIONER'S SIGNATURE: Jacob W. Anderson  
 BY: Kelsey Apsey \_\_\_\_\_, Deputy



The terms and conditions set forth in this probation order have been read and explained December 10 to \_\_\_\_\_ me on \_\_\_\_\_, 2018 and I understand them.

Jacob W. Anderson \_\_\_\_\_  
 PROBATIONER PROBATION OFFICER/TECH

The terms and conditions set forth in this probation order have been read and explained to me on \_\_\_\_\_, 20\_\_\_\_ and I understand them.

PROBATIONER

PROBATION OFFICER



ANDERSON, JACOB W

2016-768-C1

Date	Fee Description	Original Owed	Paid	Balance	Party
05/19/2016	SBND	40.00	0.00	40.00	
05/19/2016	SRCF	10.00	0.00	10.00	
05/19/2016	SWRT	35.00	0.00	35.00	
05/19/2016	WFSO	100.00	0.00	100.00	
		185.00	0.00	185.00	

Date	Fee Description	Original Owed	Paid	Balance	Party
03/13/2018	EFILING FEE	2.00	2.00	0.00	
		2.00	2.00	0.00	

Date	Fee Description	Original Owed	Paid	Balance	Party
03/19/2018	EFIL	2.00	2.00	0.00	
		2.00	2.00	0.00	

Date	Fee Description	Original Owed	Paid	Balance	Party
05/29/2018	JURC	20.00	0.00	20.00	
		20.00	0.00	20.00	

Date	Fee Description	Original Owed	Paid	Balance	Party
12/10/2018	FCRM	224.00	0.00	224.00	
12/10/2018	FINE	400.00	0.00	400.00	
12/10/2018	TPMT	25.00	0.00	25.00	
		649.00	0.00	649.00	

Overall Case Totals:

Original Amount Owed 858.00  
Amount Paid 4.00  
Current Balance Owed 854.00

MOST RECENT PAYMENT Made On 3/19/2018 8:33:07 AM

Amount of MOST RECENT PAYMENT 2.00  
TOTAL COST: DUE - 458.00 PAID - 4.00 BAL - 454.00  
TOTAL FINE: DUE - 400.00 PAID - 0.00 BAL - 400.00  
TOTAL REST: DUE - 0.00 PAID - 0.00 BAL - 0.00