

NO. CAUSE NUMBER

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IN THE MATTER OF: § COURT DISTRICT COURT
§ BEXAR COUNTY, TEXAS
RESPONDENT'S NAME § SITTING AS A JUVENILE COURT

ORDER OF TRANSFER TO THE TEXAS DEPARTMENT
OF CRIMINAL JUSTICE-INSTITUTIONAL DIVISION

I.

On the DATE day of MONTH, A.D., 20YEAR, personally appeared the Respondent, RESPONDENT'S NAME; his/her attorney, DEFENSE ATTORNEY'S NAME; his/her parent, PARENT OR GUARDIAN'S NAME; ADA NAME, the Prosecuting Attorney, for a Release/Transfer Hearing pursuant to Section 54.11 of the Texas Family Code; and all parties present announced ready for said hearing.

The Respondent and his/her attorney were then advised of the nature of the said hearing, the Respondent's privilege against self-incrimination, the Respondent's right to examine all witnesses against him/her, to present evidence and oral argument, and the Respondent's right to previous examination of all reports, evaluations and examinations relating to the Respondent's that may be used in the hearing.

II.

While hearing evidence at the proceeding, the Court took under consideration, among other matters, the following:

1. The experiences and character of the Respondent before and after commitment to the Texas Youth Commission;
2. The nature of the penal offense that the Respondent was found to have committed and the manner in which the offense(s) was committed;
3. The ability of Respondent to contribute to society;
4. The protection of the victim or any members of the victim's family;

5. Recommendations of the youth commission and prosecuting attorney;
6. The best interests of Respondent, and;
7. Any other factor relevant to the issue to be decided.

III.

After careful consideration of all the evidence presented, and the Respondent's previous record, the Court finds the following:

1. An Order of Certification of Grand Jury approval was signed granting this District Court the authority to find a disposition of Determinate Sentencing.
2. At an adjudication hearing on HEARING DATE day of HEARING MONTH A.D., HEARING YEAR, Respondent was found to have engaged in Delinquent Conduct which occurred on OFFENSE DATE day of OFFENSE MONTH, A.D., OFFENSE YEAR, for an allegation that he/she violated Section CODE of the Texas Penal Code, OFFENSE; at a Disposition Hearing DISPOSITION DATE day of DISPOSITION MONTH, A.D., DISPOSITION YEAR, was sentenced to a determinate sentence of SENTENCED YEARS years and further ordered Respondent to be committed to the Texas Youth Commission.
3. A Release/Transfer Hearing was held by this District Court to determine the appropriateness and necessity of transferring Respondent to the Texas Department of Criminal Justice - Institutional Division for the remainder of his/her SENTENCED YEARS year sentence.
4. Respondent is a MALE/FEMALE child who was born on DATE OF BIRTH, and who is AGE years of age at the present time, who is presently in the custody of the Texas Youth Commission.

5. The proper notice requirements of Section 54.11 of the Texas Family Code have been satisfied, and proper notification of the parties that the hearing was for the purpose of a Release/Transfer Hearing were served on the Respondent's parent, his/her attorney, the family of the victim, the Texas Youth Commission, and the Respondent.
6. Prior to the hearing, the Court provided the attorney for the Respondent access to all written matter to be considered by the Court.
7. At the hearing, the Court considered written reports from the Texas Youth Commission, probation officers, professional court employees, in addition to the testimony of witnesses.
8. The Court considered the experience and character of this Respondent, both before and after his/her commitment to the Texas Youth Commission, and the evidence presented is clear that the Respondent is of sufficient intellectual abilities and sophistication to be committed at the Institutional Division of Texas Department of Criminal Justice.
9. The Court considered the nature of the penal offense.
10. The Court considered the manner in which the offense(s) was committed.
11. The Court considered the ability of Respondent to contribute to society.
12. The Court considered the protection of the victim and/or any member of the victim's family.
13. The court considered the recommendations of the Texas Youth Commission and the prosecuting attorney.
14. The Court is of the opinion that it is in the best interest of this Respondent, and of society that Respondent be placed in the custody of the Texas Department of Criminal Justice - Institutional Division for the remainder of his/her YEARS SENTENCED year sentence.

IV.

It is ORDERED by the COURT District Court of Bexar County, Texas, sitting as a Juvenile Court, that the said Respondent be TRANSFERRED immediately to the Texas Department of Criminal

Justice - Institutional Division to serve the remainder of his/her YEARS SENTENCED year sentence pursuant to Sections 53.045, 54.05 and 54.11 of the Texas Family Code.

The court finds that the Respondent has been in custody since CUSTODY DATE and should be granted credit towards his/her sentence from that date.

Respondent is hereby remanded to the custody of the Texas Youth Commission whereupon the said Respondent will be transferred from the custody of Texas Youth Commission to the Texas Department of Criminal Justice - Institutional Division.

On entry of the above and foregoing order, the Court instructed the attorney for the Respondent to advise RESPONDENT'S NAME and his/her parent, guardian, guardian ad litem of RESPONDENT'S NAME right to appeal, and RESPONDENT'S NAME right to appointment of an attorney for appeal if an attorney cannot be obtained because of indigency. The attorney was instructed that if RESPONDENT'S NAME, his/her parent, guardian, or guardian ad litem express a desire to appeal, the attorney shall file a notice of appeal with this Court and inform this Court whether or not he/she will handle the appeal.

Signed this _____ day of _____, A.D., 20YEAR

THE HONORABLE PRESIDING JUDGE, JUDGE
COURT JUDICIAL DISTRICT COURT
BEXAR COUNTY, TEXAS