

Age 1596

THE STATE OF TEXAS  
COUNTY OF TRAVIS

X  
X  
X

IN THE MUNICIPAL COURT  
CITY OF AUSTIN,  
TRAVIS COUNTY, TEXAS

**AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION**

The Undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:  
I have good reason to believe and do believe that

**Alexander Lamar Cox, W/M, Jan-18-1968**

on or about **August 5th, 2007**, in Austin, Travis County, Texas, did then and there commit the offense of:

**Aggravated Assault - Second degree Felony**

My belief of the foregoing statement is based upon information provided to me by Austin Police Department offense report number **2007-2171206** and witness statements.

On August 5<sup>th</sup>, 2007, victim **Joseph Ryan** was leaving the kids exchange at 8913 Collinfield Drive after a supervised visit with his daughter. He was approached in the parking lot by the accused. The accused had been sitting under a tree. The accused asked if Ryan remembered him. The accused is the brother of Ryan's ex-wife. The accused told Ryan that they needed to talk. Shortly thereafter, the accused reached into his clothing and pulled out an object. At the same time, the accused began to lunge at him. Ryan thought it was a gun that the accused was reaching for. Ryan turned to run. He felt a shock to his shoulder. As Ryan ran, he was shocked a **second time in the back**. The force caused him to fall to the ground. By now, Ryan had realized that the accused had pulled a stun gun on him and not a pistol. He was able to get his hands under him to break his fall. At one point, the accused made a threat to **kill Ryan**. Ryan was able to get up off of the ground and flee. He was chased around the corner of the building by the accused where they encountered witness Francis LaCaille. LaCaille actually saw the accused with the stun gun. The accused then stopped his pursuit of Ryan and began to walk away.

Ryan was treated at the scene by Austin EMS. He was not transported to the hospital at the time, but he did go the hospital the next afternoon for chest pains and was admitted overnight for observation. He had neck and wrist pains as well. He was found to have a fracture in his right wrist from the fall.

At the time of the assault, Ryan reported that he was in fear for his life. When the accused first reached into his clothing, he thought the accused was going to shoot him. The accused made a threat to kill Ryan. When Ryan was on the ground after being shocked, he felt that the accused would seriously injure him as he was still suffering from the effects of being stunned (shocked).

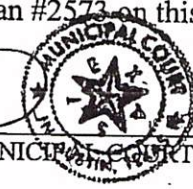
*X J Kettleman*  
Affiant

Sworn and subscribed to before me by the said Affiant, Det J Kettleman #2573 on this the 15<sup>th</sup> day of August, 2007

Filed in The District Court of Travis County, Texas  
AUG 16 2007  
Amalia Rodriguez-Mendoza, Clerk

Sworn and subscribed to before me by the said Affiant, Det J Kettleman #2573 on this the 15<sup>th</sup> day of August, 2007

*[Signature]*  
MAGISTRATE, AUSTIN MUNICIPAL COURT, AUSTIN,  
TRAVIS COUNTY, TEXAS



On this the 15<sup>th</sup> day of August, 2007, I hereby acknowledge I have examined the foregoing affidavit and have determined that probable cause does exist for the issuance of a warrant of arrest for the individual (s) accused therein.

*[Signature]*  
MAGISTRATE, AUSTIN MUNICIPAL COURT, AUSTIN,  
TRAVIS COUNTY, TEXAS



VL 2067 RG 471

THE STATE OF TEXAS  
VS.  
ALEXANDER L. COX

§  
§  
§  
§  
§

IN THE 390th DISTRICT COURT  
OF  
TRAVIS COUNTY, TEXAS

PLEA OF GUILTY, ADMONISHMENTS, VOLUNTARY STATEMENTS,  
WAIVERS, STIPULATION & JUDICIAL CONFESSION  
(Defendant Should Initial Appropriate Blanks)

I am the Defendant in the above entitled and numbered cause. I swear or affirm that the information in this document is true and correct, and that my testimony will be the truth, the whole truth and nothing but the truth.

I. ADMONISHMENTS, Art. 26.13, C.C.P.: You are hereby admonished in writing:

1. You are charged with the felony offense of: AGG ASSAULT-F2

AND/OR, the State moves to waive enhancements and/or counts, reduce the charged offense to, and/or recommend punishment at:

\_\_\_\_\_  
\_\_\_\_\_

2. **Punishment Range:** If convicted, you face the following range of punishment:

\_\_\_\_\_**HABITUAL OFFENDER:** a term of life or any term of not more than 99 years or less than 25 years in the Institutional Division of the Texas Department of Criminal Justice.

\_\_\_\_\_**FIRST DEGREE ENHANCED:** a term of life or any term of not more than 99 years or less than 15 years in the Institutional Division of the Texas Department of Criminal Justice and, in addition, a fine not to exceed \$10,000.

\_\_\_\_\_**FIRST DEGREE FELONY:** a term of life or any term of not more than 99 years or less than 5 years in the Institutional Division of the Texas Department of Criminal Justice and, in addition, a fine not to exceed \$10,000.

AC **SECOND DEGREE FELONY:** a term of not more than 20 years or less than 2 years in the Institutional Division of the Texas Department of Criminal Justice and, in addition, a fine not to exceed \$10,000.

\_\_\_\_\_**THIRD DEGREE FELONY:** a term of not more than 10 years or less than 2 years in the Institutional Division of the Texas Department of Criminal Justice and, in addition, a fine not to exceed \$10,000.

\_\_\_\_\_**STATE JAIL FELONY:** a term of confinement in a State Jail for not less than 180 days or more than 2 years and, in addition, a fine not to exceed \$10,000; or, if punished under Sec. 12.44 (a), Penal Code, a term of confinement in a county jail not to exceed one year.

\_\_\_\_\_**CLASS A MISDEMEANOR:** Confinement in jail for a term not to exceed one year; a fine not to exceed \$4,000; or both such fine and confinement.

\_\_\_\_\_**CLASS B MISDEMEANOR:** Confinement in jail for a term not to exceed 180 days or more than 90 days and, in addition, a fine not to exceed \$2,000; or both such fine and confinement.

Filed in the District Court of Travis County, Texas

APR 00 2008

At 11:20 AM  
Amalia Rodriguez-Mendoza, Clerk (610)

ML2067P6472

4. **WAIVE** the appearance of and right to confront and cross-examine the witnesses against me.
5. **CONSENT** to the introduction of evidence by live testimony, affidavits, written statements of witnesses or any other documentary evidence sufficient to establish my guilt.
6. **WAIVE** the right to subpoena witnesses to testify for me.
7. **WAIVE** my right to remain silent and not to incriminate myself, and state that I desire to judicially confess my guilt.
8. **WAIVE** any right which I may have to the preparation of a Pre-sentence Investigation Report.
9. **WAIVE** my right to have the Court inquire about and request a copy of the victim impact statement, if any; waive my rights to read, comment upon, and/or introduce testimony related to such statement, if any; and waive any right I may have for the Court to consider, before sentencing, the contents of such victim impact statement, if any.

**IV. STIPULATION AND JUDICIAL CONFESSION:**

1. I have read and understand the indictment or information filed and/or amended in this case, and/or I understand the reduced offense now pending against me pursuant to the State's motion.

X AC I confess and admit that I committed each and every element of the offense now charged against me in this case and, if applicable, that I committed the offense(s) alleged in the enhancement paragraph(s).

X AC I am pleading guilty (or *nolo contendere*) because I am guilty and for no other reason.

X AC I fully understand the consequences of my plea and my plea of guilty (or *nolo contendere*) is entered freely and voluntarily, and without any coercion, duress or promise of benefit other than that stated above in the plea bargain agreement.

X AC I consent to the introduction of this document, STATE'S EXHIBIT # 1, into evidence in support of my plea of guilty (or *nolo contendere*) and agree that this document is sufficient evidence under Art. 1.15, C.C.P. to substantiate my guilt.

1. I hereby further stipulate and admit to the following: (optional)

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I swear to or affirm the foregoing, and I further swear or affirm that all testimony I give in this case will be the truth, the whole truth and nothing but the truth.

Other: \_\_\_\_\_

**3. Plea Bargains:** The prosecutor's punishment recommendation is not binding on the Court. If a plea bargain agreement exists, and the Court rejects that agreement, you will be permitted to withdraw your plea if you desire.

**4. Negotiated Plea & Appeal:** If the punishment assessed does not exceed the punishment recommended by the prosecutor and agreed to by you and your attorney, you must receive the Court's permission before you may appeal any matter except matters raised by written motion(s) filed prior to trial.

**5. Non-negotiated Plea & Appeal:** If there is no plea bargain agreement, then all non-jurisdictional defects are waived, and you have **NO** right to appeal except for jurisdictional matters.

**6. Citizenship:** If you are not a citizen of the United States of America, a plea of Guilty or *nolo contendere* may result in your deportation, your exclusion from admission to this country, or your denial of naturalization under federal law.

**7. Deferred Adjudication:** If the Court grants you deferred adjudication community supervision, on violation of any imposed condition, you may be arrested and detained. You will then be entitled to a hearing limited to the determination by the Court of whether to proceed with an adjudication of guilt. No appeal may be taken from this determination. After adjudication of guilt, all proceedings, including assessment of punishment, pronouncement of sentence, granting of community supervision and your right to appeal continue as if adjudication of guilt had not been deferred. Upon adjudication of your guilt, the Court may assess your punishment at any term of years and any fine within the range of punishment.

**8. Sexual Offender Registration Requirements:** If you receive community supervision, a prison or jail term, or deferred adjudication for an offense described in Chapter 62 of the Texas Code of Criminal Procedure, you must meet all the registration requirements set out in that chapter. Failure to properly register is a separate criminal offense. By affixing your signatures to this document, you and your attorney are acknowledging that your attorney has advised you about and you are aware of any applicable registration requirements under Chapter 62.

## **II. VOLUNTARY STATEMENTS:**

NOW COMES the Defendant in open court in the above-entitled and numbered cause. After consulting with my attorney, I make the following voluntary statements:

1. I was sane at the time of the offense, and am presently competent to stand trial.
2. I understand the nature of the charge(s) against me.
3. I understand the admonishments set out in this document and am aware of the consequences of a plea of guilty or *nolo contendere*.
4. I understand that I have the right to trial by jury, to confront and cross-examine the witnesses against me, the right to subpoena witnesses to testify for me, and the right to remain silent and not incriminate myself.

## **III. WAIVERS:**

After consulting with my attorney, I freely, voluntarily, intelligently and knowingly:

1. **WAIVE** reading of the indictment or information.
2. **WAIVE**, if applicable, service of the indictment; the waiting period for arraignment; arraignment; the right to file additional motions or pleadings; additional time to respond to the amended indictment or information; and additional time for my court appointed attorney to prepare for trial.
3. **WAIVE** the right to trial by jury, and request that the Court and the State join, consent to and approve of this waiver.

IN THE 390TH JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS

NO. D-1-DC-07-301964 THE STATE OF TEXAS VS. ALEXANDER LAMAR COX

SEX: M RACE: W ETHNICITY:

DOB: January 18, 1968

MNI: 1552283

JAIL COMMITMENT

TO THE SHERIFF OF TRAVIS COUNTY, TEXAS -----GREETINGS:

YOU ARE HEREBY COMMANDED to take into custody and commit to the Travis County Correctional Center, ALEXANDER LAMAR COX who was convicted before the 390TH JUDICIAL DISTRICT COURT of Travis, County on May 02, 2008, of the offense of AGG ASSAULT W/DEADLY WEAPON, and sentenced to 90 DAYS to be served in jail beginning on, MAY 16, 2008 with \$ Court Costs, COURT COST TO RUN CONCURRENT WITH SENTENCE, and fined \$0, with credit for back time as follows: MARCH 5, 2008 THRU APRIL 9, 2008

THERE KEEP HIM SAFELY until said sentence of the Court is fully discharged by law.

HEREIN FAIL NOT, but of this Writ make due return, showing how you have executed the same.

WITNESS MY HAND and seal of office at Austin, Texas, this June 17, 2008, A.D.

Came to hand this 16 day of May, 20 08 and executed by confinement in jail for 90 days sentence and 0 days on fine and costs and collecting \$ Recpt. # on the 8 day of July, 20 08. AMALIA RODRIGUEZ-MENDOZA District Clerk, Travis County, Texas. By: JESSICA CONTRERAS Deputy

By: EM3183 Deputy SHERIFF'S RETURN

Came to hand on this the 16 day of May, 08, A.D., and executed by placing the defendant in the Travis County Correctional Center in compliance with the above commitment and further executed on this the 8 day of July, 08, A.D., by releasing the said defendant after the final completion of sentence.

Greg Hamilton, SHERIFF Travis County, Texas

By: EM3183 Deputy Filed In The District Court of Travis County, Texas

COMMITMENTS RECEIVED CCS/CCS/SOR (Circle One) RWF Booking # 08-28032 Sentence 90D WOF 070808-COP Housing 02-C-1574 Fines CcL ERD Date 5-16-08 CBTS 36 Emp Int / # L-163

JUL 09 2008 - 09895 At 9:01A M, Amalia Rodriguez-Mendoza, Clerk