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CAUSE NO. 162535101010

THE STATE OF TEXAS	§	IN THE 176TH DISTRICT COURT
VS.	8 8	OF
WILKES, MARILYN JOY	§	HARRIS COUNTY, TEXAS
OFFENSE: TRAFFICKING OF CHILD PF	ROHIB C	ONDUCT (589914)

WAIVER OF CONSTITUTIONAL RIGHTS, AGREEMENT TO STIPULATE, AND JUDICIAL CONFESSION

In open court and prior to entering my plea, I waive the right of trial by jury. I also waive the appearance, confrontation, and cross-examination of witnesses, and my right against self-incrimination. The charges against me allege that in Harris County, Texas, WILKES, MARILYN JOY , hereafter styled the Defendant, heretofore on or about 1/11/2019, did then and there unlawfully, knowingly transport and harbor N. N., a person younger than 18 years of age, hereinafter called the Complainant, and did cause the Complainant to engage in conduct prohibited by Section 43.02 of the Texas Penal Code.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

I understand the above allegations and I confess that they are true and that the acts alleged above were committed on 1/11/2019.

In open court I consent to the oral and written stipulation of evidence in this case and to the introduction of affidavits, written statements, of witnesses, and other documentary evidence. I am satisfied that the attorney representing me today in court has properly represented me and I have fully discussed this case with him.

I intend to enter a plea of guilty and the prosecutor will recommend that my punishment should be set at

Defendant to plea to PSI

and I agree to that recommendation. I waive any further time to prepare for trial to which I or my attorney may be entitled. Further, I waive any right of appeal which I may have should the court accept the foregoing plea bargain between myself and the prosecutor.

WILKES, MĂRILYŃ JOY

OCT 2 1 2019

SUBSCRIBED AND SWORN TO before me on

Harris County Deputy District Clerk

I represent the defendant in this case and I believe that this document was executed by him knowingly and voluntarily and after I fully discussed it and its consequences with him. I believe that he is competent to stand trial. I agree to the prosecutor's recommendation as to punishment. Juajve any further time to prepare for trial to which I or the defendant may be entitled.

Defense Attorney

Certified Document Number

CLARK, JOHN ARTHUR JR.

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I consent to and approve the above waiver of trial by jury and stipulation of evidence

Assistant District Attorney Harris County, Texas TBC No.

CLARK MICALA@dao.hctx.net

This document was executed by the defendant, his attorney, and the attorney representing the State, and then filed with the papers of the case. The defendant then came before me and I approved the above and the defendant entered a plea of guilty. After I admonished the defendant of the consequences of his plea, I ascertained that he entered it knowingly and voluntarily after discussing the case with his attorney. It appears that the defendant is mentally competent and the plea is free and voluntary. I find that the defendant's attorney is competent and has effectively represented the defendant in this case. I informed the defendant that I would not exceed the agreed recommendation as to punishment.

Judge Presiding

Harris County 176th District Court

Signed on

OCT 2 1 2019

FILED Marilyn Burgess District Clerk

OCT 2 1 2019

Harris County, Texas

By

Deputy

CAUSE NO. 162535101010

STATE OF TEXAS

8 IN THE 176TH DISTRICT COURT

VS.

§ OF

WILKES, MARILYN JOY

§ HARRIS COUNTY, TEXAS

ADMONISHMENTS

Pursuant to article 26.13(d), Code of Criminal Procedure, the court admonishes you, the defendant, as follows and instructs you to place your initials by each item if you fully understand it.

You are charged with the felony offense of: TRAFFICKING OF CHILD PROHIB CONDUCT (589914)

If convicted, you face the following range of punishment:

First Degree Felony: a term of life or any term no more than 99 years or less than 5 years in the Correctional Institutions Division of the Texas Department of Criminal Justice, and, in addition, a fine not to exceed \$10,000.00 may be assessed.

PLEA BARGAINS: If no plea bargain agreement exists, the recommendation of the prosecuting attorney is not binding on the Court. If a plea bargain agreement does exist, the Court will inform you whether or not it will follow that plea bargain agreement before making any finding on your plea. Should the Court reject the plea bargain agreement, you will be permitted to withdraw your plea, if you so gesire.

PERMISSION TO APPEAL: If the punishment assessed by the court does not exceed the punishment recommended by the prosecutor and agreed to by you and your attorney, the court must give its permission to you before you may prosecute an appeal on any matter in this case except for those matters raised by you by written motion filed prior to trial.

CITIZENSHIP: If you are not a citizen of the United State of America, a plea of guilty or noto contendere for the offense with which you are charged in this case may result In your deportation, your exclusion from admission to this country, or your denial of naturalization under federal law; My attorney has advised me that this plea will result in the following immigration consequences for me:

I have advised my client and my client understands the immigration admonition above and is aware of the consequences of the plea.

CLARK, JOHN ARTHUR JR.
Attorney for Defendant (signature)

DEFERRED ADJUDICATION: I understand that if the court defers entering a finding of guilt and places me on deferred adjudication community supervision:

- Upon a violation of a condition of community supervision, I may be arrested and detained.
- I will be entitled to a hearing limited to the determination by the Court of whether to proceed with an adjudication of guilt on the original charge. If the Court determines that I violated a condition of probation, the Court may assess my punishment within the full range of punishment for this offense.
- After an adjudication, all proceedings, including the assessment of punishment, pronouncement of sentence, and granting of community supervision, continue as if the adjudication of guilt had not been deferred.
- If I successfully complete this deferred adjudication, I may be eligible to petition the Court for non-disclosure of the criminal history record information related to this case in accordance with Texas Government Code Sec. 411.081. Otherwise it will remain a public record.

SEX OFFENDER ADMONISHMENTS:

the Code of Criminal Procedure.

I understand I must register with local law enforcement agencies in the city or county where I

understand under certain circumstances I must periodically verify registration information or enter a new registration with local law enforcement agencies in any city or county where I intend to reside, move, visit, or work.

I understand I must register as a sex offender regardless of the pendency of an appeal.

Understand that failure to comply with sex offender registration laws is a criminal offense.

STATEMENTS AND WAIVERS OF DEFENDANT

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Certified Document Number: 87727949 - Page 5 of

I am mentally competent, that I understand the nature of the charges against me;

I understand the admonishments of the trial court set out herein;

I hereby WAIVE the right to have the trial court orally admonish me;

I WAIVE the right to have a court reporter record my plea;

I represent to the trial court that the State will make the plea bargain agreement or recommendation, if any, set forth in the Waiver of Constitutional Rights, Agreement to Stipulate, and Judicial confession herein and I understand the consequences, as set out above, should the trial court accept or refuse to accept the plea bargain or plea without an agreed recommendation;

I further state my plea is freely, knowingly and voluntarily made;

If my counsel was appointed, I waive and give up any time provided me by law to prepare for trial;

I am totally satisfied with the representation provided by my counsel and I received effective and competent representation;

I waive and give up my right to a jury in this case and my right to require the appearance, confrontation, and cross-examination of the witnesses;

I understand that before sentence may be imposed, the Court must order preparation of a Presentence Investigation Report by the probation officer pursuant to Article 42A.252 TEX CODE CRIM. P. I have thoroughly discussed this matter with my attorney and believe that for the Court to compel me to participate in the preparation of such a report would abridge the protection provided me by the Constitution of the United States and the Constitution and laws of the State of Texas and could result in further prejudice to me. Therefore, I hereby in writing respectfully decline to participate in the preparation of a Presentence Investigation Report and request that said report not be made prior to the imposition of sentence herein. I further knowingly, voluntarily, and intelligently waive any right which I may have to the preparation of said report either under Article 42A.252, TEX CODE CRIM. P., or under Article 2.09, Sec 8. TEX CODE CRIM. P.;

I fully understand the consequences of my plea herein, and after having fully consulted with my and I hereby request that the trial court accept said plea;

I waive and give up under Article 1.14 of the Texas Code of Criminal Procedure any and all rights given to me by law whether of form, substance, or procedure;

I have freely, knowingly, and voluntarily executed this statement in open court with the consent of and approval of my attorney;

I read and write English. I have read and I understand this document, the Waiver of Constitutional Rights, Agreement to Stipulate, Judicial Confession and Plea of Guilty filed In this case;

	·(uu)
	I speak English, this document, the Waiver of Constitutional Rights, Agreement to Stipulate, Judicial Confession and Plea of Guilty filed in this case were read to me by I understand their content;
_	I speak Stipulate, Judicial Confession and Plea of Guilty filed in this case were translated for me
~	I understand that if the trial court accepts my plea of Guilty to the above-listed offense, and I have elected to have a jury assess punishment that the trial court will instruct the jury to return a
	verdict of guilty and will then instruct the jury to assess punishment in my case following the presentation of any evidence relevant to the issue of punishment, unless I have waived my right to trial
1	by jury portsuant to Articles 1.13 and 37.07 of the Texas Code of Criminal Procedure;
	I hereby swear to all the foregoing, and I further swear that all testimony that I give in this case will be the truth, the whole truth and nothing but the truth, so help me God. I hereby state that I
	have read or have been read the indictment or information filed in this case, and
	I confess and admit that I committed each and every allegation contained therein. I state that I am guilty of the offense alleged, as well as any and all lesser included offenses.
	I state that I aim guilty of the offense aneged, as wen as any and an lesser metaded offenses.
	I hereby swear to all the foregoing, and I further swear that all testimony that I give in this case will be the truth, the whole truth, and nothing but the truth, so help me God.
	Maryota
	Defendant 2 2010
	SWORN TO AND SUBSCRIBED BEFORE ME ON THIS DATE:
	Deputy District Clerk
	Harris County, Texas
	2 1 2010
	OCT 2 1 2019
	FILED Marilyn Burgess
	Marilyn Burgess District Clerk
	OCT 2 1 2019
	Time:
	By
	Deputy

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Criminal Procedure.

Attorney for Defendant (signature)

Assistant District Attorney
Harris County District Attorney's Office
TBC No.
CLARK_MICALA@dao.hctx.net

In addition, the Court hereby finds that the defendant is fully mentally competent, and that his or her plea is freely, knowingly and voluntarily entered.

JUDGE PRESIDING

We join and approve the waiver of jury trial pursuant to Article 1.13 of the Texas Code of

Criminal Procedure and the stipulations of evidence pursuant to Article 1.15 of the Texas Code of

Marilyn Burgess
District Clerk

OCT 2 1 2019

Time:

Harris County, Texas

By

Deputy

Signed on ____

Harris County, Texas

176th

13/2~0/995

CAUSE NO. 162535101010

THE STATE OF TEXAS	§	IN THE 176TH DISTRICT COURT
	§	
VS.	§	OF
	§	
WILKES, MARILYN JOY	§	HARRIS COUNTY, TEXAS

ACKNOWLEDGMENT OF COMPLIANCE WITH TEXAS CODE OF CRIMINAL PROCEDURE ARTICLE 39.14 (a)

Comes now the defendant and hereby withdraws any requests made in the above numbered cause for further discovery pursuant to Texas Code of Criminal Procedure Article 39.14 (a). My attorney has fully and completely explained to me my right to request discovery under Texas Code of Criminal Procedure Article 39.14 (a) and I understand that right. I am satisfied with the State's compliance and I affirmatively and voluntarily declare that I have no additional requests for discovery of items pursuant to Texas Code of Criminal Procedure Article 39.14 (a).

SUBSCRIBED AND SWORN TO before me on

OCT 2 1 2019

Harris County Deputy District Clerk

I represent the defendant in this case, and I believe that this document was executed by him freely, knowingly, and voluntarily. My client and I have fully discussed his right to discovery under Texas Code of Criminal Procedure Article 39.14 (a), and I believe that he understands this right and the consequences of executing this document. It is my opinion that he is competent to make this acknowledgment, and along with him and at his instruction I also withdraw any pending or additional discovery requests made pursuant to Texas Code of Criminal Procedure Article 39.14(a).

> Defense Attorney CLARK, JOHN ARTHUR JR.

This document was executed by the defendant, his attorney, and then filed with the papers of the case. The defendant came before me and I approved the above acknowledgment along with the defendant's plea of guilty. It appears that the defendant is mentally competent to withdraw any request he may have made for further discovery pursuant to Texas Code of Criminal Procedure Article 39.14 (a), and is doing so freely and voluntarily. I find that the defendant's attorney adequately informed him of his right to discovery under Texas Code of Criminal Procedure Afficle 39.14 (a) and the effects of this acknowledgment.

NOTHING HEREIN SHALL ABRIDGE THE STATE'S ONGOING DUTY TO DISCLOSE TO THE DEFENDANT ANY EXCULPATORY, IMPEACHMENT OR MITIGATING INFORMATION IN THE POSSESSION, CUSTODY OR CONTROL OF THE STATE THAT TENDS TO NEGATE THE GUILT OF THE DEFENDANT OR WOULD TEND TO REDUCE THE PUNISHMENT FOR THE OFFENSE CHARGED.

The Court hereby ORDERS the District Clerk of Harris County, Texas to file this document in Judge Presiding

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CAUSE NO. 162535101010

THE STATE OF TEXAS	§	IN THE 176TH DISTRICT COURT
VS.	9 §	OF
WILKES, MARILYN JOY	§ §	HARRIS COUNTY, TEXAS

TEXAS CODE OF CRIMINAL PROCEDURE ARTICLE 39.14 JOINT LIST OF RELEASED DISCOVERY

COMES NOW, the State of Texas by and through the undersigned assistant district attorney and the undersigned attorney for the above named defendant and would jointly show the Court the following:

Pursuant to Texas Code of Criminal Procedure Article 39.14(j) this document and the attached pages encompass the discoverable documents and evidence requested by the defendant and released by the State. Additionally, the below signed Assistant District Attorney declares that he/she permitted inspection of the entire Harris County District Attorney's Office file for this cause with the exception of items privileged by law or designated as work product of the District Attorney or her investigators. The signatures included on this document represent a declaration of release and receipt on the dates and in the forms therein related. The parties also incorporate by reference all notices on file in the Clerk's Record under this cause number provided in compliance with the requirements of the Texas Code of Criminal Procedure and the Texas Penal Code. Based on the signatures provided in this document and the documents incorporated by reference, the below signed Assistant District Attorney and defense counsel do hereby acknowledge that all the designated items thereby referenced were released pursuant to Texas Code of Criminal Procedure Article 39.14, and that the State has produced all the discoverable items requested by the defense as of the entry of the plea or commencement of trial. This document and the attached log are the acknowledgment required by article 39.14(j), and act as a written record of the documents, items, and information requested by and provided to the defendant in relation to this cause number, as is hereby witnessed to by our signatures as counsel for the parties.

ASSISTANT DISTRICT ATTORNEY HARRIS COUNTY, TEXAS	DEPENSE ATTORNEY
, ,	CLARK, JOHN ARTHUR JR.
Assistant District Attorney	Defense Attorney
TBC No.	TBC No. 04286800
CLARK_MICALA@dao.hctx.net	

LIST OF RELEASED DISCOVERY ORDER

On this date the Harris County District Attorney and the attorney for the Defendant in the above Cause presented to the Court this Texas Code of Criminal Procedure Article 39.14 Joint List of Requested and Released Discovery. The Court hereby ORDERS the District Clerk of Harris County, Texas, to file the entirety of this Joint List of Requested and Released Discovery in the Court's record in this Cause.

Signed and Ordered this ______

JUDGE PRESIDING

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JOINT LIST OF RELEASED DISCOVERY (Cont'd)

DATE	
RELEASED	ITEM DESCRIPTION
03/24/2019	190103620
04/18/2019	190103620
04/18/2019	911 call
04/18/2019	BRA roadway inn
09/23/2019	CPS intake report
07/30/2019	dr report
04/18/2019	Naomi cell phone release form
04/18/2019	national hot line tip
04/18/2019	phone record
04/18/2019	call out info
04/18/2019	TLO person report MARILYN JOY WILKESComprehensiveReport201902251015
04/18/2019	TX DPS DL 38027483 WILKES MArilyn Joy 07121992
04/18/2019	TX DPS DL 42842316 NASH Naomi Nia 06252001
07/30/2019	Medical Records IKP Family Medicine wBRA

The below signatures of the State and defendant hereby acknowledge the disclosure and receipt of all reports, documents, and items listed herein and provided to the defendant pursuant to Article 39.14 of the Texas Code of Criminal Procedure.

ASSISTANT DISTRICT ATTORNEY

HARRIS COUNTY, TEXAS

Assistant District Attorney

TBC No.

 $CLARK_MICALA@dao.hctx.net$

DEFENSE ATTORNEY

CLARK, JOHN ARTHUR JR.

Defense Attorney

TBC No. 04286800

CAUSE NO. 162535101010

THE STATE OF TEXAS	§	IN THE 176TH DISTRICT COURT
VS.	§ §	OF
WILKES, MARILYN JOY	§ §	HARRIS COUNTY, TEXAS

ADVICE OF DEFENDANT'S RIGHT OF APPEAL

The Court, pursuant to TEX. R. APP. P. 25.2, advises the Defendant as follows:

- 1. Texas law gives a defendant convicted of a crime the right to appeal his conviction.
- 2. If you pled guilty or no contest and accepted the punishment recommended by the prosecutor, you cannot appeal your conviction unless this Court gives you permission. If you waived or gave up your right to appeal, you cannot appeal your conviction.
- 3. If you did not plead guilty, you may have the right to appeal. If you want to appeal, you must give notice of appeal in writing to this Court's clerk within 30 days.
- 4. If an attorney represents you in the court of appeals, your attorney must mail a copy of the court of appeals judgment and opinion to your last known address. You must tell your attorney, in writing, of any change in your address.
- 5. If you are not satisfied with your appeal's result, you can ask the Court of Criminal Appeals to review your case by filing a petition for discretionary review within 30 days of the opinion's issuance in the court of appeals. If you fail to inform your attorney of any change in your address, you may lose the opportunity to seek discretionary review.

review.	y of any change in your address, you may lose the opportunity to seek discretional
The Defendant declares the following	g to the Court (choose one) ish. I have read and I understand this document. or
I speak English	read this document to me. I understand its contents. or
I do not speak English contents.	h translated this document for me. I understand its
Contents. Contents.	Defendant Defendant Judge Harris County 176th District Court Harris County, Texas
Docum	Marilyn Burgess District Clerk
ertified.	OCT 2 1 2019 Time: Harris County, Texas
9	By

CAUSE NO. 162535101010

	CAUSE NO. 1	02333101010	
THE STATE OF TEXAS	§	IN THE 176TH DISTRICT COURT	
VS.	<i>\$</i>	OF	
WILKES, MARILYN JOY	§ §	HARRIS COUNTY, TEXAS	
TRIAL COURT'S CI	ERTIFICATION C	OF DEFENDANT'S RIGHT OF APPEAL*	
I, judge of the trial court, certify this criminal	case:		
Is not a plea-bargain case, and the defe	endant has the right	of appeal [or]	
	_	motion filed and ruled on before trial, and not withdrawn or waived,	
and the defendant has the right of app	-	,	
<u> </u>		sion to appeal, and the defendant has the right of appeal $[or]$	
☐ Is a plea-bargain case, and the defenda			
☐ The defendant has waived the right of	_	appear [or]	
The detendant has warved the right of	аррсан.		
0 .0.1.10			
1 ilid V. Da	1	OCT 2 1 2019	
Judge		Date Signed	
•			
I have received a copy of this certification. I h	ave also been inform	ned of the rights concerning ant appeal of this criminal case,	
including any right to file a pro se petition for	discretionary review	w pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I	
have been admonished that my attorney must	mail a copy of the c	ourt of appeals' judgement and opinion to my last know address and	
that I have only 30 days in which to file a pro	se petition for discre	etionary review in the Court of Criminal Appeals. TEX. R. APP. P.	
68.2 I acknowledge that, if I wish to appeal th	68.2 I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by		
written communication of any change in the ac	written communication of any change in the address at which I am currently living or any change in my current prison unit. I		
		nform my appellate attorney of any change in my address, I may lose	
the opportunity to file a pro se petition for disc	_	_	
$M_{1}M_{2}$			
		MUUUU	
Defendant WILKES, MARHLYN LOY		Defendant's Counsel CLARK, JOHN ARTHUR JR.	
Mailing address: 22921 IMPERIAL VALLEY #B108, HOUSTON, TX 77073	DR,	State Bar of Texas ID number: 04286800	
¬ ¬ Telephone number:		Mailing Address: 440 LOUISIANA, SUIT,	
707	TC No we	HOUSTON, TX 77002	
C	Marilyn Rus	gest elephone number: 7132251055	
	District Cl	erk	
Timent Number: By A defendant in a criminal case has the right of an	OCT 21 2	Fax or Email (if any):	
Z Tim	16:		
e By_	Harris County	,	
O * "A defendant in a criminal case has the right of a	Denuty opeal under these rules	s. The trial court shall enter a certification of the defendant's right to appeal	
in every case in which it enters a judgement of guild	t or other appealable o	order. In a plea bargain case-that is, a case in which a defendant's plea was	
5 defendant may appeal only: (A) those matters that v	vere raised by a writte	ent recommended by the prosecutor and agreed to by the defendant – a en motion filed and ruled on before trial, or (B) after getting the trial court's	
permission to appeal." Texas Rules of Appellate Pr	ocedure 25.2(a)(2).		



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this May 30, 2021

Certified Document Number: 87727049 Total Pages: 12

Marilyn Burgess, DISTRICT CLERK

Marilyn Burgess

HARRIS COUNTY, TEXAS