

NO. _____

IN THE MATTER OF

I IN THE JUSTICE COURT

I

BILLY EVGENE GIVENS I PANDA COUNTY, TEXAS

MAGISTRATE'S WARNING
FOR
VOLUNTARY STATEMENT OF A JUVENILE

On this the 11 day of JUNE 1990, at 11:00
A.M. before me personally appeared BILLY EVGENE GIVENS,
a juvenile, who is now 15 years old and in the custody of
JOHN DE PRESCA, Peace Officer (M), and the
said juvenile was given the following warning by this Court:

✓ You are charged with the alleged offense(s) of INVESTIGATION -
QUESTIONING

✓ You have the right to remain silent.

✓ You are not required to make any statement, either oral or
written, but any statement made by you may be used in evidence
against you. You are not required to discuss the alleged offense
with law enforcement personnel.¹ If you do decide to discuss the
offense or make any statement to law enforcement officers, you have
a right to change your mind and end the discussion at any time.

✓ You have a right to have an attorney present to advise you
prior to and during any interview or questioning with peace officers
or attorneys representing the State. If you are unable to employ an
attorney to represent you, you have the right to appointment of an
attorney to counsel with you prior to and during any interviews or
questioning by peace officers or attorneys representing the State,
and there will be no cost or expense to you for the service of said
attorney. You have the right to a reasonable time and reasonable
opportunity to consult with your attorney before and during any
interviews or questioning.

If you were 15 years of age or older at the time of the violation of a penal law of the grade of felony, the Juvenile Court may waive its jurisdiction and you may be tried as an adult. Any written or oral statement you make may be used against you either in Juvenile Court or in the adult Criminal District Court.

Now, if after these appropriate warnings you wish to give a written statement to the law enforcement authorities, the statement must be completely voluntary on your part and not made because of any promises, threats, coercion or benefits to you, and not because you are forced to do so for any reason.

I hereby certify that I have read the above-mentioned warnings to the juvenile before the making of any written statement by his/~~her~~? and I have determined that the juvenile fully understands the above-mentioned rights; and I further certify that I have examined the child outside the presence of any law enforcement officer or prosecuting attorney and I have determined that the child understands the nature and contents of the statement and has knowingly, intelligently, and voluntarily waived these above-mentioned rights.

Buddy Harris
MAGISTRATE

Judge of the JUSTICE Court
PANOLA County, Texas

Buddy Harris
SIGNATURE OF JUVENILE RECEIVING WARNING

VOLUNTARY WRITTEN STATEMENT
OF A JUVENILE

On Jun 7th 1990 I entered [redacted]'s house with the intent of taking something. I entered by forcefully kicking in the door. Once I entered I changed my mind about what I had intended on doing. Then I heard gun shots. I was already out the door. The shots frightened me very bad I fled.

⊗ About a month ago I entered [redacted]'s house and forced her to have sex with me (shockingly and orally). I entered through the side door and proceeded to her bedroom. She had awake and then I proceeded to force myself upon her. I don't remember the date because I was very intoxicated. After I had finished I exited through the same door I had entered.

Billy [redacted]
Juvenile

MAGISTRATE'S CERTIFICATION AND ACKNOWLEDGEMENT
OF VOLUNTARY WRITTEN STATEMENT OF A JUVENILE

On this the 11 day of JUNE 1990, at
12:15 o'clock P.M. personally appeared before me Bruce E.
GIVENS, a juvenile, who, after being by me duly sworn,
states that he/~~she~~ has been warned of his/~~her~~ rights and that the
Court has previously explained the possible consequences of giving
a voluntary written statement in reference to any alleged offense;
that the said juvenile has signed in the presence of the Court the
statement to which this Acknowledgement and Certificate is attached
of his/~~her~~ own free will and that such is his/~~her~~ voluntary act and
that he/~~she~~ stated to the Court that he/~~she~~ has not been promised,
threatened, coerced or benefitted in any manner to give this
statement.

I hereby certify that I have given to the juvenile the
warning concerning his/~~her~~ rights as specified by law before the
making of any statement, and I have examined the juvenile
independent of any law enforcement officer or prosecuting attorney,
and I have determined and am fully convinced that the juvenile has
knowingly, intelligently and voluntarily waived these rights prior
to and during the making of the statement, and the juvenile fully
understands the nature and contents of the statement, and he/~~she~~
has signed the statement in the presence of the Court with no law
enforcement officers or prosecuting attorneys present.

Bruce E. Givens
MAGISTRATE
Judge of the JUSTICE Court
PANOLA County, Texas



AUG 6 1990

JOYCE BURCESS
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY _____ DEPUTY

No. J-393

IN THE MATTER OF

X
X
X
X
X

IN THE COUNTY COURT AT LAW
OF PANOLA COUNTY, TEXAS
SITTING AS JUVENILE COURT

BILLY EUGENE GIVENS

NOTICE OF CERTIFICATION
OF A JUVENILE

TO: JUVENILE DIVISION
CARTHAGE POLICE DEPARTMENT
PANOLA COUNTY SHERIFF'S DEPARTMENT

You are notified that BILLY EUGENE GIVENS has been certified to
District Court for trial on the following offenses:

- Aggravated Sexual Assault
- Burglary of a Habitation (3 Counts)

DATE: August 6, 1990.



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State Bar #11523200