

MAY 21 2024

Cause No. 2023-00176

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

THE STATE OF TEXAS

§ IN THE COUNTY COURT

v.

§
§ AT LAW

JOEL CARTER ELLIOTT

§ VAN ZANDT COUNTY, TEXAS

JURY VERDICT FORM

As to the charge of "Performing Work Outside the Scope of the Work Permit" issued regarding the structure located at 131 E. Tyler Street, Canton, Texas, WE THE JURY FIND the DEFENDANT:

_____ GUILTY

or

NOT GUILTY



PRESIDING JUROR

MAY 21 2024

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

CAUSE NO. 2023-00176

THE STATE OF TEXAS	§	IN THE COUNTY COURT
	§	
VS.	§	AT LAW
	§	
JOEL ELLIOTT	§	VAN ZANDT COUNTY, TEXAS

CHARGE OF THE COURT

MEMBERS OF THE JURY:

The Defendant, Joel Elliott, stands charged by Complaint with the offense of “ **Violation of 2018 International Building Code 105.3.1,**” it being alleged that said offense was committed in the territorial limits of the City of Canton, Texas, on or about the 17th day of December, 2021, to which charge the Defendant has pleaded "Not Guilty."

The statute provides that, “The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefor. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefor as soon as practicable.”

A person violates the above section if they act intentionally, knowingly, recklessly, or negligently.

A person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is his conscious objective or desire to engage in the conduct or cause the result.

A person acts knowingly, or with knowledge, with respect to the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.

A person acts recklessly, or is reckless, with respect to circumstances surrounding his conduct or the result of his conduct when he is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's standpoint.

A person acts with criminal negligence, or is criminally negligent, with respect to circumstances surrounding his conduct or the result of his conduct when he ought to be aware of a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor's standpoint.

You are the exclusive judges of the facts proven, of the credibility of the witnesses, and of the weight to be given to testimony, but you are bound to receive the law from the Court and that is here given you and you will be governed thereby.

It is not required to be shown that the Defendant intended or had knowledge of the acts, omissions or conditions, which constitute the offense with which the Defendant is charged, in order to be guilty of the offense. Therefore, if you find beyond a reasonable doubt that the offense occurred you shall find the defendant guilty regardless of intent or knowledge.

In all criminal cases, the burden of proof is on the State. All persons are presumed to be innocent and no person may be convicted unless each element of the offense charged is proven beyond a reasonable doubt. The fact that a person has been arrested, confined, indicted for, or otherwise charged with, the offense gives rise to no inference of guilt at trial. The law does not require a Defendant to prove innocence or produce any evidence at all. The presumption of innocence alone is sufficient to acquit the defendant.

You are charged that it is only from the witness stand that you, the jury, are permitted to receive or consider evidence regarding the case and none of you are permitted to communicate to any other juror anything you might have heard regarding this case or any witness from any source other than the witness stand.

In deliberating on the case, you are not to refer to or discuss matters or issues not placed in evidence before you nor talk about this case with any person not of your jury. After the reading of this charge, you will not separate from each other until you have reached a verdict.

Should you be unable to reach a verdict within a reasonable time, notify the bailiff of your difficulty or problem.


Now, therefore, if you believe beyond a reasonable doubt that on the 17th day of December 2021, the Defendant did, in the City of Canton violate section 105.3.1 of the International Building Code , you will find the Defendant guilty If you do not so believe, or have a reasonable doubt thereof, you will acquit the Defendant and say by your verdict “Not Guilty.”

You will now retire and select one of your members as presiding juror. It is the duty of the presiding juror to preside over your deliberations and vote with you in arriving at a verdict.

Your verdict must be unanimous. Upon reaching your verdict, you will return to this courtroom and report your verdict to the Court through the presiding juror.

Please Write “GUILTY” only if you have reached a unanimous verdict of guilty beyond a reasonable doubt, otherwise you must write “NOT GUILTY”.

SIGNED AND ENTERED this the 21 day of May, 2024.



JUDGE PRESIDING