

App. A.
Decision of Court of Criminal Appeals

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8/22/2022

CORSON, VINCENT ALONZO Tr. Ct. No. FR72780-C

WR-86,912-10

Pursuant to Texas Rules of Appellate Procedure Rule 79.2 (d), applicant's Motion
for Reconsideration/Rehearing has been dismissed.

Deana Williamson, Clerk

VINCENT ALONZO CORSON
CONNALLY UNIT - TDC # 1973705
899 FM 632
KENEDY, TX 78119

3C-06T

2 CHADNAB 78119



App. B.

Order of Conviction

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

**NO. 03-15-00054-CR
NO. 03-15-00055-CR
NO. 03-15-00056-CR
NO. 03-15-00057-CR**

Vincent Alonzo Corson, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF BELL COUNTY, 426TH JUDICIAL DISTRICT
NOS. 71403, 72778, 72779 & 72780, HONORABLE FANCY H. JEZEK, JUDGE PRESIDING**

MEMORANDUM OPINION

These are appeals pursuant to *Anders v. California*.¹ In trial court cause number 71403, appellant Vincent Alonzo Corson pleaded guilty to the state-jail-felony offense of abandoning or endangering a child with intent to return.² At the plea hearing, the district court found the evidence sufficient to support a finding of guilt but withheld that finding and placed Corson on deferred-adjudication community supervision for a period of two years.

Subsequently, the State filed a motion to adjudicate, alleging that Corson had violated the terms and conditions of his community supervision by committing three subsequent criminal offenses for which he was separately charged: (1) aggravated assault with a deadly weapon

¹ 386 U.S. 738 (1967).

² See Tex. Penal Code § 22.041(b), (d)(1).

(trial court cause number 72778); (2) aggravated kidnapping (trial court cause number 72779); and (3) burglary of a habitation (trial court cause number 72780). At a consolidated plea hearing, Corson pleaded true to the State's allegations in the motion to adjudicate and guilty to each of the charged offenses. The district court found the evidence sufficient to support a finding that Corson had violated the terms and conditions of his community supervision as alleged and had committed the subsequent offenses as charged. The district court withheld its findings, ordered a presentence investigation report, and reset the cases for sentencing.

Prior to sentencing, Corson filed a motion to withdraw his pleas, asserting that he was "insane" at the time he entered them. Following a hearing, at which Corson presented no evidence of any such insanity, the district court denied the motion and proceeded to sentencing.

At the hearing on sentencing, the district court heard evidence pertaining to the charged offenses. Regarding the child-abandonment offense, Corson's ex-wife, Janeka Wiggins, testified that on one occasion, Corson had left their two children—who were one and two years old at the time of the offense—unattended, and one of the children was found by authorities in the middle of a road. Regarding the other offenses, Wiggins testified that, after she and Corson had separated, Corson came to her home one night (in violation of a protective order that Wiggins had obtained against him), shot the front door open, and proceeded to shoot Wiggins multiple times in her leg, stomach, hip, and arms while she was holding one of their children. Then, Wiggins recalled, after she was no longer able to hold the child in her arms and had to place him on the floor, Corson took the child and fled.

Corson testified in his defense. He admitted that he had gone to Wiggins's residence on the night in question "with the intent to force her to drop the protective order." However, he

claimed that “[w]hat happened was not my intention.” Corson added, “I cannot recall the incident planning out [sic] the way she says it was played out, but I do not disagree with it.” Corson explained, “I remember shooting through the door once. And then stepping into the—pushing into the apartment and then seeing her standing there, and my son standing on the floor beside her crying. And then commencing to shoot[] her four more times.” However, according to Corson, “I didn’t go there to shoot her. I didn’t go there to hurt her. Just something clicked. And it just—it just happened.” Later, on cross-examination, Corson also admitted to taking the child and attempting to flee to Florida, although he claimed that this was not kidnapping because the child was his son.

At the conclusion of the hearing, the district court found the allegations in the State’s motion to adjudicate true and adjudicated Corson guilty of committing the original offense of child abandonment. The district court also found Corson guilty of committing each of the subsequent offenses. The district court sentenced Corson to two years in state jail for the child-abandonment offense, twenty years’ imprisonment for the aggravated-assault offense, forty years’ imprisonment for the burglary offense, and forty years’ imprisonment for the aggravated-kidnapping offense, with the sentences to run concurrently. These appeals followed.

In each cause, Corson’s court-appointed counsel has filed a motion to withdraw supported by a brief concluding that the appeal is frivolous and without merit. The brief meets the requirements of *Anders v. California* by presenting a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced.³ Counsel has certified to the Court

³ See 386 U.S. at 744-45; see also *Penson v. Ohio*, 488 U.S. 75 (1988); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978); *Currie v. State*, 516 S.W.2d 684 (Tex. Crim. App. 1974); *Jackson v. State*, 485 S.W.2d 553 (Tex. Crim. App. 1972).

that she has provided copies of the motion and brief to Corson, advised Corson of his right to examine the appellate record and file a pro se response, and supplied Corson with a form motion for pro se access to the appellate record.⁴ No pro se brief or other written response has been filed, including a motion for access to the appellate record.

We have independently reviewed the record and have found nothing that might arguably support the appeals.⁵ We agree with counsel that the appeals are frivolous. In each cause, we grant counsel's motion to withdraw. We affirm the judgment adjudicating guilt in trial court cause number 71403 and the judgments of conviction in trial court cause numbers 72778, 72779, and 72780.

Bob Pemberton, Justice

Before Justices Puryear, Pemberton, and Bourland

Affirmed

Filed: May 29, 2015

Do Not Publish

⁴ See *Kelly v. State*, 436 S.W.3d 313, 319-20 (Tex. Crim. App. 2014).

⁵ See *Anders*, 386 U.S. at 744; *Garner v. State*, 300 S.W.3d 763, 766 (Tex. Crim. App. 2009); *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005).



CASE NO. 72780 COUNT SINGLE
INCIDENT NO./TRN: 9183714766

THE STATE OF TEXAS

V.

VINCENT ALONZO CORSON

STATE ID No.: TX50282253

§ IN THE 426TH DISTRICT
§
§ COURT
§
§ BELL COUNTY, TEXAS
§
§

JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL

Judge Presiding: HON. FANCY H. JEZEK

Date Judgment Entered: 12/17/2014

Attorney for State: SHELLY STRIMPLE

Attorney for Defendant: STEVE LEE

Offense for which Defendant Convicted:

BURGLARY OF A HABITATION WITH INTENT TO COMMIT OTHER FELONY

Charging Instrument:

INDICTMENT

Statute for Offense:

30.02 Penal Code

Date of Offense:

3/14/2014

Degree of Offense:

1ST DEGREE FELONY

Plea to Offense:

GUILTY

Findings on Deadly Weapon:

YES, A FIREARM

Terms of Plea Bargain:

Plea to 1st Enhancement

Paragraph: N/A

Plea to 2nd Enhancement/Habitual

Paragraph: N/A

Findings on 1st Enhancement

Paragraph: N/A

Findings on 2nd

Enhancement/Habitual Paragraph: N/A

Date Sentence Imposed: 12/17/2014

Date Sentence to Commence: 12/17/2014

Punishment and Place
of Confinement:

40 YEARS INSTITUTIONAL DIVISION, TDCJ

THIS SENTENCE SHALL RUN CONCURRENTLY.

☐ SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .

Fine:

\$ N/A

Court Costs:

\$ 256.00

Restitution:

\$ 150.00

Restitution Payable to:

☒ VICTIM (see below) ☐ AGENCY/AGENT (see below)
Pay \$150.00 to Jankea Wiggins

☐ Attachment A, Order to Withdraw Funds, is incorporated into this judgment and made a part hereof.

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62

The age of the victim at the time of the offense was N/A .

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

From 3/15/2014 to 12/17/2014 From to From to

Time
Credited:

From to From to From to

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

N/A DAYS NOTES: N/A

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Bell County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)

☒ Defendant appeared in person with Counsel.

☐ Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above.

The Court then admonished Defendant as required by law. It appeared to the Court that Defendant was mentally competent to

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stand trial, made the plea freely and voluntarily, and was aware of the consequences of this plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court found Defendant guilty of the offense indicated above. In the presence of Defendant, the Court pronounced sentence against Defendant.

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

Punishment Options (select one)

☒ **Confinement in State Jail or Institutional Division.** The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court ORDERS that upon release from confinement, Defendant proceed immediately to the Office of the Bell County District Clerk. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

☐ **County Jail—Confinement / Confinement in Lieu of Payment.** The Court ORDERS Defendant immediately committed to the custody of the Sheriff of Bell County, Texas on the date the sentence is to commence. Defendant shall be confined in the Bell County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the Office of the Bell County District Clerk. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

☐ **Fine Only Payment.** The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the Bell County District Clerk. Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

Execution / Suspension of Sentence (select one)

☒ The Court ORDERS Defendant's sentence EXECUTED.

☐ The Court ORDERS Defendant's sentence of confinement SUSPENDED. The Court ORDERS Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

Furthermore, the following special findings or orders apply:

DEFENDANT ORDERED BY COURT TO PAY COURT COSTS AND RESTITUTION AFTER RELEASE FROM INCARCERATION.

Signed and entered on December 31, 2014.


FANCY H. JEZEK
JUDGE PRESIDING

FILED
2014 DEC 31 P 2:34
SHELLA NORMAN
DISTRICT COURT
BELL COUNTY, TX
DEPUTY
VINCENT ALONZO CORSON
72780

Clerk: vif

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CORSON, VINCENT ALONZO *Tr. Ct. No. FR72780-C

WR-86,912-10

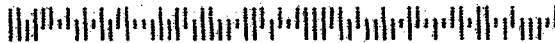
The Court has dismissed without written order this subsequent application for a writ of habeas corpus. TEX. CODE CRIM. PROC. Art. 11.07, Sec. 4(a)-(c).

Deana Williamson, Clerk

VINCENT ALONZO CORSON
CONNALLY UNIT - TDC # 1973705
899 FM 632
KENEDY, TX 78119

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12 PMFENAB 78119



**Additional material
from this filing is
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