

CAUSE NO. 1997CR1717D

STATE OF TEXAS	§	IN THE DISTRICT COURT
	§	290TH JUDICIAL DISTRICT
CARLOS TREVINO	§	BEXAR COUNTY, TEXAS

ORDER WITHDRAWING EXECUTION DATE

The Court considered Defendant’s Motion to Withdraw Order Setting Execution Date and Warrant of Execution.

Carlos Trevino is scheduled to be executed September 30, 2020, pursuant to an execution warrant issued by this Court on April 16, 2020. On March 13, 2020, Governor Abbott declared a disaster in Texas due to the threat posed by COVID-19, a disease caused by a novel coronavirus. That same date, the Texas Supreme Court issued its First Emergency Order Regarding the COVID-19 State of Disaster pursuant to Texas Government Code § 22.0035(b). That order provided, inter alia, that “all courts in Texas may in any case, civil or criminal - and must to avoid risk to court staff, parties, attorneys, jurors, and the public - without a participant’s consent... [m]odify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order, for a stated period ending no later than 30 days after the Governor’s state of disaster has been lifted.” This Order was renewed on June 29, 2020, (Eighteenth Emergency Order Regarding the COVID-19 State of Disaster) and August 6, 2020 (Twenty-Second Emergency Order Regarding the COVID-19 State of Disaster), which extended the Court’s powers until September 30, 2020.

Because of the foregoing, and the current COVID-19 conditions in Texas, this Court ORDERS that the previous warrant of execution, setting the Defendant’s execution date for September 30, 2020, be withdrawn and the death warrant be recalled.

It is also ORDERED that the Bexar County District Clerk's Office to communicate with Joni White, Assistant Director of Records and Classification, Texas Department of Criminal Justice, Institutional Division (or other such required personnel of the Texas Department of Criminal Justice, Institutional Division), immediately upon signing of this order, that the warrant of execution has been recalled until further ordered by this Court.

It is also HEREBY ORDERED that the parties are to reconvene for a hearing before this court to reset the execution date, said hearing to take place March 5, 2021, at 9:00 a.m.

The Bexar County District Clerk's Office shall issue correspondence to all parties to comply with Texas Code of Criminal Procedure Art. 43.141.

SIGNED AND ENTERED ON

Sep 15, 2020



[Jennifer Peña \(Sep 15, 2020 17:31 CDT\)](#)

JUDGE JENNIFER PEÑA
290TH JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS