

U. S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
NOV - 3 1995  
NANCY DOHERTY, CLERK  
Deputy

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

UNITED STATES OF AMERICA  
v.  
LOUIS JONES

§  
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§  
§

CRIMINAL NO. 5:95-CR-047-C


SPECIAL FINDINGS FORM

I. PART ONE


CIRCUMSTANCES WITH REGARD TO THE INTENT OF THE DEFENDANT  
AS IT RELATES TO THE DEATH OF TRACIE JOY MCBRIDE

Instructions: For each of the following, answer "YES" or "NO" as to whether you, the jury, unanimously find that the government has established the existence of that circumstance relating to the intent of the defendant beyond a reasonable doubt:

1(A). The defendant LOUIS JONES intentionally killed Tracie Joy McBride.

Unanimously YES   
Foreperson  
NO \_\_\_\_\_  
Foreperson

1(B). The defendant LOUIS JONES intentionally inflicted serious bodily injury which resulted in the death of Tracie Joy McBride.

Unanimously YES   
Foreperson  
NO \_\_\_\_\_  
Foreperson

**Instructions:** If you answered "NO" with respect to both of the questions relating to the intent of the defendant in Section I above, then stop your deliberations, fill out Decision Form A, and advise the court that you have reached a decision.

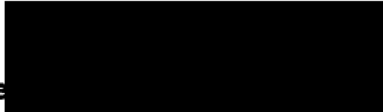
If you answered "YES" with respect to one or both of the questions relating to the intent of the defendant in Section I above, then continue your deliberations in accordance with the court's instructions and proceed to Part II which follows.

**II. PART TWO**

**AGGRAVATING FACTORS**

**Instructions:** For each of the following, answer "YES" or "NO" as to whether you, the jury, unanimously find that the government has established the existence of that aggravating factor beyond a reasonable doubt:

2(A). The defendant LOUIS JONES caused the death of Tracie Joy McBride, or injury resulting in the death of Tracie Joy McBride, which occurred during the commission of the offense of Kidnapping.

Unanimously YES   
Foreperson

NO \_\_\_\_\_  
Foreperson

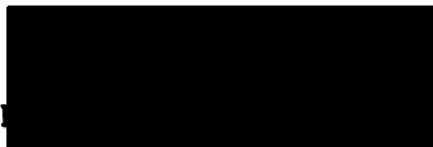
2(B). The defendant, in the commission of the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense, Tracie Joy McBride.

Unanimously YES \_\_\_\_\_  
Foreperson

NO 

2(C). The defendant LOUIS JONES committed the offense in an especially heinous, cruel, and depraved manner in that it involved torture or serious physical abuse to Tracie Joy McBride.

Unanimously YES  
Foreperson



NO  
Foreperson

2(D). The defendant LOUIS JONES committed the killing of Tracie Joy McBride after substantial planning and premeditation to cause the death of Tracie Joy McBride.

Unanimously YES  
Foreperson



NO

**Instructions:** If you answered "NO" with respect to all of the Aggravating Factors in Section II above, then stop your deliberations, fill out Decision Form A, and advise the court that you have reached a decision.

If you answered "YES" to at least one question relating to the intent of the defendant in Section I, and at least one aggravating factor in Section II, then continue your deliberations in accordance with the court's instructions and proceed to Section III which follows. Otherwise, fill out

Decision Form A and advise the court that you have reached a decision.

**III. PART THREE**

**NON-STATUTORY AGGRAVATING FACTORS**

**Instructions:** For each of the following, answer "YES" or "NO" as to whether you, the jury, unanimously find that the government has established the existence of that aggravating factor beyond a reasonable doubt:

3(A). The defendant constitutes a future danger to the lives and safety of other persons as evidenced by specific acts of violence by the defendant LOUIS JONES.

Unanimously YES \_\_\_\_\_  
Foreperson

NO 

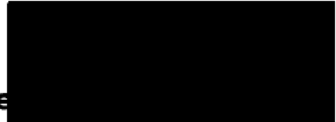
3(B). Tracie Joy McBride's young age, her slight stature, her background, and her unfamiliarity with San Angelo, Texas.

Unanimously YES   
Fore

NO \_\_\_\_\_  
Foreperson

3(C). Tracie Joy McBride's personal characteristics and the effect of the instant offense on Tracie Joy McBride's family constitute an aggravating factor of the offense.

Unanimously      YES  
Fore



3

NO  
\_\_\_\_\_  
Foreperson

**Instructions:** Regardless of whether you answered "YES" or "NO" with respect to the Non-Statutory Aggravating Factors in Part III above, continue your deliberations in accordance with the court's instructions and proceed to Section IV which follows.

**IV. PART FOUR**

**MITIGATING FACTORS**

**Instructions:** For each of the following mitigating factors, you should indicate, in the space provided, the number of jurors who have found the existence of that mitigating factor to be proven by a preponderance of the evidence.

A finding with respect to a mitigating factor may be made by one or more of the members of the jury, and any member of the jury who finds the existence of a mitigating factor may consider such a factor established in considering whether or not a sentence of death shall be imposed, regardless of the number of other jurors who concur that the factor has been established.

1. That the defendant Louis Jones did not have a significant prior criminal record.

Number of jurors who so find 6

2. That the defendant Louis Jones' capacity to appreciate the wrongfulness of the defendant's conduct or to conform to the requirements of law was significantly impaired, regardless of whether the capacity was so impaired as to constitute a defense to the charge.

Number of jurors who so find 2

3. That the defendant Louis Jones committed the offense under severe mental or emotional disturbance.

Number of jurors who so find 1

4. That the defendant Louis Jones was subjected to physical, sexual, and emotional abuse as a child (and was deprived of sufficient parental protection that he needed).

Number of jurors who so find 4



5. That the defendant Louis Jones served his country well in Desert Storm, Grenada, and for 22 years in the United States Army.

Number of jurors who so find 8

6. That the defendant Louis Jones is likely to be a well-behaved inmate.

Number of jurors who so find 3

7. That the defendant Louis Jones is remorseful for the crime he committed.

Number of jurors who so find 4

8. That the defendant Louis Jones' daughter will be harmed by the emotional trauma of her father's execution.

Number of jurors who so find 9

9. That the defendant Louis Jones was under unusual and substantially internally generated duress and stress at the time of the offense.

Number of jurors who so find 3

10. That the defendant Louis Jones suffered from numerous neurological or psychological disorders at the time of the offense.

Number of jurors who so find 1

11. That other factors in the defendant's background or character mitigate against the death penalty.

Number of jurors who so find 0

The following extra spaces are provided to write in additional mitigating factors, if any, found by any one or more jurors. If none, write "NONE" and line out the extra spaces with a large "X". If more space is needed, write "CONTINUED" and use the reverse side of this page.

12. Sandy Lane

Number of jurors who so find 7

~~Number of jurors who so find~~

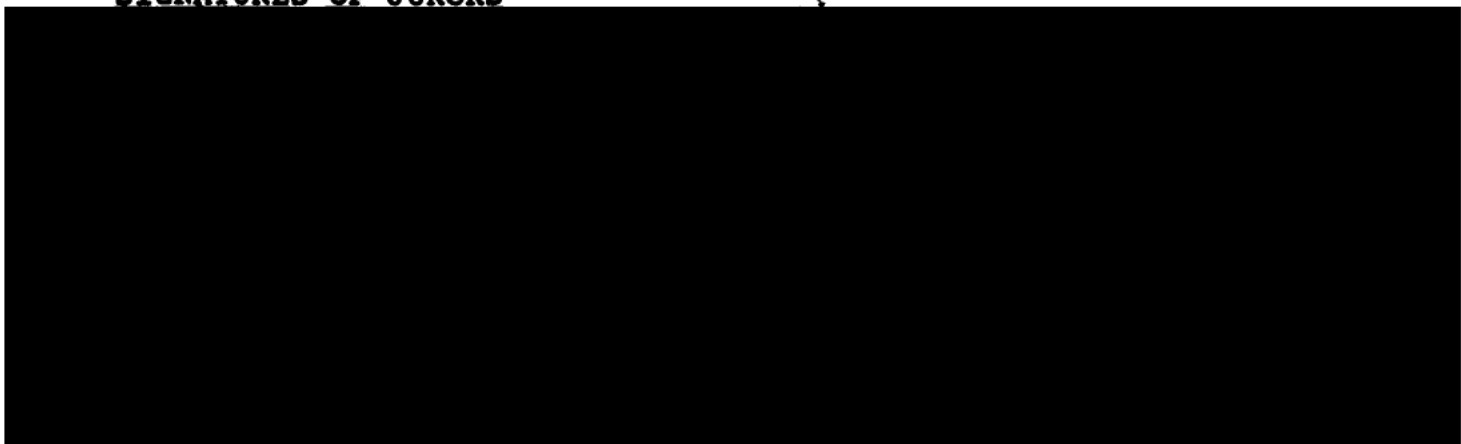
~~Number of jurors who so find~~

~~Number of jurors who so find~~

**Instructions:** Before continuing, all jurors should sign below if this Special Findings Form accurately reflects the findings of the Jury as a whole to this point. You should then continue your deliberations in accordance with the court's instructions by filling out either Decision Form B recommending

death, or Decision Form C recommending a life sentence without the possibility of release, or Decision Form D recommending some other lesser sentence. After filling out the appropriate Decision Form, complete the document entitled "Certification", and advise the court that you have reached a decision.

**SIGNATURES OF JURORS**



Date: November 3, 1995

**DECISION FORM A**

We the jury have determined that a sentence of death should not be imposed because the government has failed to prove beyond a reasonable doubt the existence of the required intent on the part of the defendant or a required aggravating factor.

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FOREPERSON

Date: November \_\_\_\_\_, 1995

**DECISION FORM B**

Based upon consideration of whether the aggravating factor or factors found to exist sufficiently outweigh any mitigating factor or factors found to exist, or in the absence of any mitigating factors, whether the aggravating factor or factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence of death be imposed.

**SIGNATURES OF JURORS**



Date: November  3 , 1995

**DECISION FORM C**

We the jury recommend, by unanimous verdict, a sentence of life imprisonment without the possibility of release.

**SIGNATURES OF JURORS**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FOREPERSON

Date: November \_\_\_\_\_, 1995

**DECISION FORM D**

We the jury recommend some other lesser sentence.

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**FOREPERSON**

Date: November \_\_\_\_\_, 1995

**CERTIFICATION**

By signing below, each juror certifies that, in considering whether a sentence of death is justified, consideration of the race, color, religious beliefs, national origin, or sex of the defendant or the victim was not involved in reaching his or her individual decisions, and that the individual juror would have made the same recommendation regarding a sentence for the crime in question no matter what the race, color, religious beliefs, national origin, or sex of the defendant, or the victim would have been.

**SIGNATURES OF JURORS**



Date: November 3, 1995