



PART TWO

We, the jury, unanimously find that the aggravating factors checked "Yes" below have been proved beyond a reasonable doubt:

2. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 after substantial planning and premeditation.

Yes \_\_\_\_\_

No \_\_\_\_\_

3. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 in an especially heinous, cruel, or depraved manner in that it involved serious physical abuse to Darrell Lunsford.

Yes \_\_\_\_\_

No \_\_\_\_\_

(If you have checked "NO" as to the existence of both of the aggravating factors listed in Part Two, fill out Decision Form A and advise the Court you have reached a decision which concludes the need for further deliberations. If you have checked "YES" as to the existence of either or both of the aggravating factors listed in Part Two, continue with your deliberations and proceed to Parts Three and Four of the Special Findings Form. When you have completed Parts Three and Four of the Special Findings Form and have arrived at a decision, you shall enter your recommendation on either Decision Form B or Decision Form C. Note that the Decision Forms are mutually exclusive. Complete one or the other, but not both. After you enter your recommendation on either Decision Form B or Decision Form C, proceed to the Certificate on the last page of this form. Following completion of the Certificate, advise the Court that your deliberations are complete.

PART THREE

We, the jury, unanimously find that the existence of the aggravating factors checked "Yes" below have been established beyond a reasonable doubt:

4. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 deliberately and with the reasonable expectation that the death of Darrell Lunsford would result.

Yes \_\_\_\_\_

No \_\_\_\_\_

5. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 during a robbery of the person of Darrell Lunsford.

Yes \_\_\_\_\_

No \_\_\_\_\_

6. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 in order to obstruct, interfere with, and impede law enforcement from investigating and prosecuting a drug related crime.

Yes \_\_\_\_\_

No \_\_\_\_\_

7. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 by the use of force and violence specifically to facilitate the escape from a lawful arrest and detention by law enforcement officials.

Yes \_\_\_\_\_

No \_\_\_\_\_

8. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 to prevent Darrell Lunsford from being a witness.

Yes \_\_\_\_\_

No \_\_\_\_\_

9. At the time of the offense described in Finding 1, Darrell Lunsford was a law enforcement officer.

Yes \_\_\_\_\_

No \_\_\_\_\_

10. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 without any reasonable provocation.

Yes \_\_\_\_\_

No \_\_\_\_\_

11. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 for pecuniary benefit related to a drug related crime.

Yes \_\_\_\_\_

No \_\_\_\_\_

12. That Defendant Reynaldo Sambrano Villarreal committed the offense described in Finding 1 while on parole.

Yes \_\_\_\_\_

No \_\_\_\_\_

13. That there is a probability that Defendant Reynaldo Sambrano Villarreal would commit criminal acts of violence that would constitute a continuing threat to society in the future.

Yes \_\_\_\_\_

No \_\_\_\_\_

14. That during the commission of the offense described in Finding 1, Defendant Reynaldo Sambrano Villarreal used a deadly weapon, specifically a firearm.

Yes \_\_\_\_\_

No \_\_\_\_\_

15. That repeated attempts at rehabilitation of Defendant Reynaldo Sambrano Villarreal have been unsuccessful.

Yes \_\_\_\_\_

No \_\_\_\_\_

\_\_\_\_\_  
FOREPERSON

PART FOUR

One or more members of the jury find the existence of the following mitigating factors has been established by a preponderance of the evidence:

1. That law enforcement officials testified to the nonviolent nature of Defendant Reynaldo Sambrano Villarreal.

YES \_\_\_\_\_

NO \_\_\_\_\_

2. That Defendant Reynaldo Sambrano Villarreal has shown remorse for his involvement in the death of Darrell Lunsford.

YES \_\_\_\_\_

NO \_\_\_\_\_

3. That Defendant Reynaldo Sambrano Villarreal was cooperative with law enforcement officials after his arrest.

YES \_\_\_\_\_

NO \_\_\_\_\_

4. That Defendant Reynaldo Sambrano Villarreal is married.

YES \_\_\_\_\_

NO \_\_\_\_\_

5. That Defendant Reynaldo Sambrano Villarreal is the father of a child.

YES \_\_\_\_\_

NO \_\_\_\_\_

6. That Defendant Reynaldo Sambrano Villarreal has been raised without an appropriate male father figure.

YES \_\_\_\_\_

NO \_\_\_\_\_

7. That Defendant Reynaldo Sambrano Villarreal's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law was significantly impaired, regardless of whether his capacity was so impaired as to constitute a defense to the charges against him in this case.

YES \_\_\_\_\_

NO \_\_\_\_\_

8. That Defendant Reynaldo Sambrano Villarreal was under unusual or substantial duress, regardless of whether the duress was of such a degree as to constitute a defense to the charges in this case.

YES \_\_\_\_\_

NO \_\_\_\_\_

9. That Defendant Reynaldo Sambrano Villarreal could not reasonably have foreseen that his conduct in the course of the commission of the intentional killing of Darrell Lunsford would cause, or create a grave risk of causing, death to any person.

YES \_\_\_\_\_

NO \_\_\_\_\_

10. That Defendant Reynaldo Sambrano Villarreal is youthful, although not under the age of 18.

YES \_\_\_\_\_

NO \_\_\_\_\_

11. That Defendant Reynaldo Sambrano Villarreal did not have a significant prior criminal record.

YES \_\_\_\_\_

NO \_\_\_\_\_

12. That Defendant Reynaldo Sambrano Villarreal committed the offense with which he is charged in this case under severe mental or emotional disturbance.

YES \_\_\_\_\_

NO \_\_\_\_\_



13. That Defendant Reynaldo Sambrano Villarreal is punishable as a principal in this offense which was committed by another, but Reynaldo Villarreal's participation was relatively minor, regardless of whether his participation was so minor as to constitute a defense to the charges in this case.

YES \_\_\_\_\_

NO \_\_\_\_\_

14. That another person or person, equally culpable in the crime, will not be punishable by death.

YES \_\_\_\_\_

NO \_\_\_\_\_

15. That Jesus (Jessie) Cortez Zambrano, equally culpable in crime, will not be punished by death.

YES \_\_\_\_\_

NO \_\_\_\_\_

16. That other factors in Defendant Reynaldo Sambrano Villarreal's background or character mitigate against imposition of the death sentence.

YES \_\_\_\_\_

NO \_\_\_\_\_

17. That Defendant Reynaldo Sambrano Villarreal comes from a poor or impoverished family.

YES \_\_\_\_\_

NO \_\_\_\_\_

18. That Defendant Reynaldo Sambrano Villarreal has, in the past, been a victim of racial discrimination.

YES \_\_\_\_\_

NO \_\_\_\_\_

19. That Defendant Reynaldo Sambrano Villarreal comes from a disrupted family.

YES \_\_\_\_\_

NO \_\_\_\_\_

20. That Defendant Reynaldo Sambrano Villarreal is capable of rehabilitation.

YES \_\_\_\_\_

NO \_\_\_\_\_

21. That Defendant Reynaldo Sambrano Villarreal has, before the incident involving Darrell Lunsford, no past history of violence.

YES \_\_\_\_\_

NO \_\_\_\_\_

22. That Defendant Reynaldo Sambrano Villarreal's family desires that he not be given the death penalty.

YES \_\_\_\_\_

NO \_\_\_\_\_

23. That Defendant Reynaldo Sambrano Villarreal's friends desire that he not be given the death penalty.

YES \_\_\_\_\_

NO \_\_\_\_\_

24. That Defendant Reynaldo Sambrano Villarreal has, in the past, engaged in substance abuse.

YES \_\_\_\_\_

NO \_\_\_\_\_

25. That Defendant Reynaldo Sambrano Villarreal is an alcoholic.

YES \_\_\_\_\_

NO \_\_\_\_\_

26. That Defendant Reynaldo Sambrano Villarreal, soon after his arrest, offered to take law enforcement officials to locate the marijuana which had been left in the woods.

YES \_\_\_\_\_

NO \_\_\_\_\_

27. That Defendant Reynaldo Sombrano Villarreal, soon after his arrest, told law enforcement officials the name and address of Jesus (Jessie) Cortez Zambrano.

YES \_\_\_\_\_

NO \_\_\_\_\_

28. That Defendant Reynaldo Sambrano Villarreal advised the office of the United States Attorney, in writing, of his involvement in the Darrell Lunsford incident.

YES \_\_\_\_\_

NO \_\_\_\_\_

29. That Defendant Reynaldo Sambrano Villarreal advised the United States Attorney's office, in writing, that he was remorseful and sorry for the loss of Darrell Lunsford.

YES \_\_\_\_\_

NO \_\_\_\_\_

\_\_\_\_\_  
FOREPERSON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

UNITED STATES OF AMERICA           §  
  §  
VS.                                   §     CR. NO. 9:91CR4(02)  
  §  
REYNALDO SAMBRANO VILLARREAL   §

DECISION (FORM A)

We, the jury, do not unanimously find beyond a reasonable doubt the existence of either the aggravating factor set forth in Part One of the Special Findings form or one or both of the two aggravating factors set forth in Part Two of the Special Findings forms.

\_\_\_\_\_  
Foreperson

DATE: July \_\_\_\_\_, 1991.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

UNITED STATES OF AMERICA           §  
  §  
VS.                                   § CR. NO. 9:91CR4(02)  
  §  
REYNALDO SAMBRANO VILLARREAL   §

DECISION (FORM B)

We, the jury, unanimously find beyond a reasonable doubt the existence of the aggravating factor in Part One of the Special Findings form and one or both of the aggravating factors in Part Two of the Special Findings form. We have considered whether those and any other aggravating factors that have been unanimously found to exist beyond a reasonable doubt outweigh any mitigating factor or factors that one or more jurors have found to exist by a preponderance of the evidence.

As the result of our consideration, we unanimously find that the aggravating factors which have been found to exist outweigh any mitigating factor or factors that have been found to exist. Alternatively, if there have been no mitigating factors found to exist by any juror, we unanimously find that the aggravating factors are themselves sufficient to justify a sentence of death.

We vote unanimously that Defendant Reynaldo Sambrano Villarreal shall be sentenced to death.

DATE: July \_\_\_\_\_, 1991

\_\_\_\_\_  
Foreperson