



THE STATE OF TEXAS

v.

LYNCH, MICHAEL ALLEN

STATE ID No.: TX50330343

§ IN THE 176TH DISTRICT  
§  
§ COURT  
§  
§ HARRIS COUNTY, TEXAS  
§  
§

## ORDER OF DEFERRED ADJUDICATION

Judge Presiding:	NIKITA V. HARMON	Date Proceedings Deferred:	1/10/2023
Attorney for State:	VALERIE TURNER	Attorney for Defendant:	COGDELL, DAN L.

Offense:

**THEFT AGGREGATE >=\$300K MULTI CW**

Charging Instrument:

**INDICTMENT**

Statute for Offense:

Date of Offense:

**10/9/2015 THROUGH 11/20/2018**

Defendant waived the right to trial by jury and entered the plea below:

**GUILTY**

Degree of Offense:

**1ST DEGREE FELONY**

Findings on Deadly Weapon:

**N/A**

1<sup>st</sup> Enhancement Paragraph:

**N/A**

Finding on 1<sup>st</sup> Enhancement Paragraph:

**N/A**

2<sup>nd</sup> Enhancement Paragraph:

**N/A**

Findings on 2<sup>nd</sup> Enhancement Paragraph:

**N/A**

Terms of Plea Bargain (if any): or ☐ Terms of Plea Bargain are attached and incorporated herein by this reference.

**10 YEARS DADJ**

**REDUCED FROM N/A**

### ADJUDICATION OF GUILT DEFERRED;

**DEFENDANT PLACED ON DEFERRED ADJUDICATION COMMUNITY SUPERVISION.**

**PERIOD OF DEFERRED ADJUDICATION COMMUNITY SUPERVISION: 10 YEARS.**

### CONFINEMENT AS A CONDITION OF DEFERRED ADJUDICATION COMMUNITY SUPERVISION:

☐ The Court **ORDERS** Defendant confined **DAYS** in ☐ **THE COUNTY JAIL** ☐ **A STATE JAIL FACILITY** as a condition of deferred adjudication community supervision. The period of confinement as a condition of community supervision starts when Defendant arrives at the designated facility, absent a special order to the contrary.

Fines:

**\$ N/A**

Court Costs:

**\$ 290.00**

Reimbursement Fees:

**\$ 20.00**

Restitution:

**\$ 320,105.97 (see Cond. C.S.)**

Restitution Payable to: N/A

(See special finding or order of restitution which is incorporated herein by this reference.)

☐ Defendant is required to register as sex offender in accordance with Chapter 62, Tex. Code Crim. Proc.

(For sex offender registration purposes only) The age of the victim at the time of the offense was **N/A**.

Was the victim impact statement returned to the attorney representing the State? **N/A**

This cause was called and the parties appeared. The State appeared by her District Attorney as named above.

### Counsel / Waiver of Counsel (select one)

☒ Defendant appeared with Counsel.

☐ Defendant appeared without counsel and 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 admonished Defendant. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of the plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court **FINDS** that such evidence

substantiates Defendant's guilt. However, the Court **FINDS** that it is in the best interest of society and Defendant to defer proceedings without entering an adjudication of guilt and to place Defendant on deferred adjudication community supervision.

Therefore, the Court **ORDERS** no judgment entered at this time. The Court further **ORDERS** Defendant placed on deferred adjudication community supervision for the period of time indicated above as long as Defendant abides by the conditions of the deferred adjudication community supervision.

The Court **FINDS** that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc.

After having conducted an inquiry into Defendant's ability to pay, the Court **ORDERS** Defendant to pay the fines, court costs, reimbursement fees, and restitution as indicated above and further detailed below.

The document setting forth the conditions of deferred adjudication community supervision is attached and incorporated herein by this reference.

**Fines Imposed Include (check each fine and enter each amount as pronounced by the court):**

- ☐ General Fine (§12.32, 12.33, 12.34, or 12.35, Penal Code, Transp. Code, or other Code) \$ (not to exceed \$10,000)
- ☐ Add'l Monthly Fine for Sex Offenders (Art. 42A.653, Code Crim. Proc.) \$ As assessed as a Cond. CS (\$5.00/per month of community supervision)
- ☐ Child Abuse Prevention Fine (Art. 102.0186, Code Crim. Proc.) **\$100**
- ☐ EMS, Trauma Fine (Art. 102.0185, Code Crim. Proc.) **\$100**
- ☐ Family Violence Fine (Art. 42A.504 (b), Code Crim. Proc.) **\$100**
- ☐ Juvenile Delinquency Prevention Fine (Art. 102.0171(a), Code Crim. Proc.) **\$50**
- ☐ State Traffic Fine (§ 542.4031, Transp. Code) **\$50**
- ☐ Children's Advocacy Center Fine - as Cond of CS (Art. 42A.455, Code Crim. Proc.) \$ As assessed in Cond of CS (not to exceed \$50)
- ☐ Repayment of Reward Fine - as Cond of CS (Art. 42A.301 (b) (20), Code Crim. Proc.) \$ As assessed as a Cond. CS. (not to exceed \$50)
- ☐ DWI Traffic Fine (a/k/a Misc. Traffic Fines) (§ 709.001, Transp. Code) \$ (not to exceed \$6,000)

**Furthermore, the following special findings or orders apply:**

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**SEE THE ATTACHED FIREARM ADMONISHMENT**

**Signed on 1/10/2023**

X   
**NIKITA V. HARMON**  
JUDGE PRESIDING

Clerk: D PRICE

Notice of Appeal Filed: \_

Mandate Received: \_\_\_\_\_ Type of Mandate: \_\_\_\_\_

After Mandate Received, Sentence to Begin Date is: \_\_\_\_\_

Jail Credit: \_\_\_\_\_ DAYS

Case Number: 1735844 Court: 176TH Defendant: **LYNCH, MICHAEL ALLEN**



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WRITTEN ADMONITION ON INELIGIBILITY TO POSSESS FIREARM OR  
AMMUNITION

In accordance with Texas Administrative Code §176.1, the Court hereby admonishes you of the following:

1. You are, by entry of order or judgment, ineligible under Texas law to possess a firearm or ammunition.
2. Beginning now, if you possess a firearm or ammunition it could lead to charges against you. If you have questions about how long you will be ineligible to possess a firearm or ammunition, you should consult an attorney.
3. Under Texas Penal Code §46.01(3):
  - a. **"Firearm"** means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use
  - b. **"Firearm"** does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Penal Code Chapter 46 and that is (1) an antique or curio firearm manufactured before 1899 or (2) a replica of an antique or curio firearm manufactured before 1899 but only if the replica does not use rim fire or center fire ammunition.

The statutes listed below are a starting point for ineligibility to possess a firearm or ammunition. For more information about the laws that make you ineligible to possess a firearm or ammunition, or for more information on how long your ineligibility to possess a firearm or ammunition lasts, the Court recommends you contact an attorney.

- Code of Criminal Procedure Article 17.292 – Magistrate's Order for Emergency Protection
- Code of Criminal Procedure Article 42.0131 – Notice for Persons Convicted of Misdemeanors Involving Family Violence
- Penal Code §46.02 – Unlawful Carrying Weapons
- Penal Code §46.04 – Unlawful Possession of Firearm
- Penal Code §25.07 – Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case
- Family Code §85.026 – Warning on Protective Order

DATE: 01/10/2023

DEFENDANT:



CASE NUMBER: 173584401010

DEFENDANT NAME: LYNCH, MICHAEL ALLEN

STATE OF TEXAS  
VS.  
MICHAEL ALLEN LYNCH

176TH DISTRICT COURT  
OF  
HARRIS COUNTY, TEXAS

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### CONDITIONS OF COMMUNITY SUPERVISION

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On this the 10th day of January, 2023, you are granted 10 years community supervision for the FELONY - LEVEL 1 offense of THEFT PROP >=\$300K in accordance with Article 42A, Texas Code of Criminal Procedure, in the 176TH DISTRICT COURT of Harris County, Texas, by the Honorable Nikita V. Harmon Judge Presiding. It is the order of this Court that you abide by the following Conditions of Community Supervision:

1. Commit no offense against the laws of this or any other State or of the United States. You are to report any arrests within 24 hours.
2. Not use, possess, or consume any illegal drug or prescription drug not currently prescribed to you by a medical professional. You shall bring all current prescription containers to your Community Supervision Officer. If new medication is prescribed, you must bring the new prescription containers by your next scheduled report date.
3. Report to the Community Supervision Officer as directed for the remainder of the supervision term unless so ordered differently by the Court.
4. Permit a Community Supervision Officer to visit you at your home, place of employment or elsewhere.
5. Work at suitable employment and/or attend school full-time. Present either verification of employment or provide a log of all attempts to secure employment to your Community Supervision Officer as directed. You must notify HCCSCD of any change in your employment status by your next scheduled reporting date.
6. Abide by the rules and regulations of the Harris County Community Supervision and Corrections Department (hereinafter referred to as HCCSCD).
7. Remain within Harris County, Texas or any counties directly touching Harris County, Texas. You may not travel outside these locations unless you receive prior written permission from the Court through your Community Supervision Officer.
8. Notify HCCSCD by your next report date of any change in residence.
9. Submit a non-diluted, valid, unaltered sample for the purpose of alcohol/drug monitoring at the request of the HCCSCD.
10. Participate in the HCCSCD Community Service Restitution Program (CSRP). You shall perform 100 hours as directed by HCCSCD CSRP policy. Hours must be completed 60 days prior to termination.
11. Support your dependents as required by law. Provide your Community Supervision Officer with proof that you are in compliance with all court-ordered support of dependents.

## CONDITIONS OF COMMUNITY SUPERVISION

Defendant **Michael Allen Lynch**

Cause **173584401010**

12. Submit to an evaluation of your Educational skill level by 02/10/2023. If it is determined that you have not attained the average skill of students who have completed the sixth grade in public schools in this State, you shall participate in a program that teaches functionally illiterate persons to read. If you are non-English speaking, you will participate in English as a Second Language (ESL) program, if it is determined there is a need in order for you to meet the state mandate beginning upon referral until successfully discharged or released by further order of the Court.
13. Not ship, transport, possess, receive, or purchase a firearm, altered firearm, or ammunition, or attempt to ship, transport, possess, receive, or purchase a firearm, altered firearm, or ammunition.
14. Pay all fees through HCCSCD. All payments **MUST** be in the form of a Money Order, Cashier's Check or credit card. Online payments may be made with a credit card at **PAYCSCD.COM**. A \$2.00 transaction fee will be charged by HCCSCD to process each payment.
15. Pay a fine of \$.00 and Court Costs at the rate of \$25.00 per month beginning 02/10/2023 to Harris County through HCCSCD. Court grants credit for 0 days served.
16. Submit to an assessment through HCCSCD Assessment Unit as directed. Participate and successfully complete any program(s) as indicated by the assessment or until further order of the court.
17. Pay a one-time fee of \$100.00 to HCCSCD for the purpose of screening and assessment.
18. Not use, consume, or possess alcoholic beverages.
19. **SUBMIT TO RANDOM DRUG AND ALCOHOL TESTING.**
20. Attend the Education Program Thinking for a Change until successfully completed or as designated by the court.
21. Pay \$214,471.00 Restitution at the rate of \$1,820.00 per month beginning 02/10/2023 through HCCSCD.
22. The Court will approve of your request to transfer your community supervision to MARYLAND if the transfer request is approved in accordance with ICAOS Rules by MARYLAND through Texas Interstate Compact. Pay an Application Fee To HCCSCD in the amount of \$500.00 to be paid in monthly installments of \$5.00 beginning 02/10/2023. Comments: N/A.
23. Pay a donation of \$100.00 to HOUSTON FOOD BANK by 07/10/2023 through HCCSCD.

## CONDITIONS OF COMMUNITY SUPERVISION

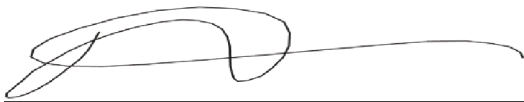
Defendant **Michael Allen Lynch**

Cause **173584401010**

I understand that under the laws of this State, the Court shall determine the terms and conditions of Community Supervision, and may alter or modify said conditions during the period of Community Supervision. I further understand that failure to abide by these Conditions of Community Supervision may result in the revocation of Community Supervision or an adjudication of guilt.

### **Court Directive for Release**

Community Supervision expires on January 9, 2033.

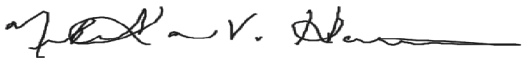


**SIGN**

Michael Allen Lynch  
Defendant

01/10/2023  
Date Signed

Signed this the January 10, 2023.



**SIGN**

Nikita V. Harmon  
Presiding Judge



Sharad Sharma  
Court Liaison Officer

01/10/2023  
Date Signed

SPN **02402890**

Plea **Guilty**



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this January 12, 2023

Certified Document Number: 105946667 Total Pages: 6

Marilyn Burgess, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

**In accordance with Texas Government Code 51.301 and 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail [support@hcdistrictclerk.com](mailto:support@hcdistrictclerk.com)**