

15TH DISTRICT COURT OF GRAYSON COUNTY, TEXAS

The State of Texas v. Lester Leroy Bower, Jr.

Bower · No. 033426, 033427, 033428 & 033429; related appellate numbers AP-69,333 through AP-69,336, AP-70,995 through AP-70,998, and WR-21,005-2 through WR-21,005-5 · Decided June 15, 2015

SUMMARY

This document comprises the execution order, death warrant, officer's return, and Texas Department of Criminal Justice director's return and certificate concerning Lester Leroy Bower, Jr. The documents record that Bower's death sentence was carried out by lethal injection at the Huntsville Unit on June 3, 2015, following state and federal post-conviction proceedings. The certificate states that the remains were released to a funeral home agent for a requesting relative.

CASE DETAILS

COURT	15th District Court of Grayson County, Texas
JURISDICTION	Texas
DECIDED	June 15, 2015
DOCKET	033426, 033427, 033428 & 033429; related appellate numbers AP-69,333 through AP-69,336, AP-70,995 through AP-70,998, and WR-21,005-2 through WR-21,005-5
DISPOSITION	other
PROCEDURAL POSTURE	The document consists of a state district court order setting the execution of a defendant sentenced to death, the resulting death warrant, and the Texas Department of Criminal Justice director's return and certificate after execution. It is not a merits opinion resolving a legal appeal.
PRECEDENTIAL VALUE	nonprecedential_record

TOPICS

[habeas corpus](#) [post-conviction relief](#) [criminal procedure](#) [sentencing](#)

PRACTICE AREAS

[capital punishment](#) [criminal procedure](#) [habeas corpus](#) [post-conviction relief](#)

FACTUAL BACKGROUND

Bower was convicted of capital murder in four Grayson County causes and received a death sentence on May 7, 1984. Following direct affirmance and multiple denials of state and federal collateral relief, the Grayson County district court issued an order and death warrant directing that the sentence be carried out on June 3, 2015. The Texas Department of Criminal Justice reported that the execution was completed by intravenous injection at the Huntsville Unit.

PROCEDURAL HISTORY

Lester Leroy Bower, Jr. was convicted of capital murder and sentenced to death in the 15th District Court of Grayson County on May 7, 1984. The Texas Court of Criminal Appeals affirmed the convictions in 1989 and denied state habeas relief in 1992 and again in 2014. After the United States Supreme Court denied certiorari and the stay of execution was lifted, the district court set the execution for June 3, 2015. The execution was carried out on that date, and the director filed the required return and certificate.

DISPOSITION

other

OPINION

Bower, Lester Leroy, Jr.

PER CURIAM.

Texas Department of Criminal Justice Brad Livingston Executive Director June 8, 2015 The Honorable Kelly Ashmore Grayson County District Clerk 100 W. Houston Sherman, Texas 75090 RE: LESTER LEROY BOWER, JR. TDCJ #764

Dear District Clerk: Enclosed is the Return of the Director of the Texas Department of Criminal Justice Correctional Institutions Division, of the Death Warrant pertaining to LESTER LEROY BOWER, JR., issued in the District Court of Grayson County 15th Judicial District of Texas, on March 25, 2015, which was carried out on June 3, 2015. Also enclosed is the Certificate with the director's statement of compliance with the command of the warrant. The certificate also indicates the disposition of the remains as required by Article 43.23 of the Texas Code of Criminal Procedure. Sincerely, Carla M. Willis Deputy General Counsel

OFFICE OF THE GENERAL COUNSEL

RECEIVED IN

cc: The Honorable Gregg Abbott, Governor COURT OF CRIMINAL APPEALS The Honorable Ken Paxton, Attorney General II IN 15 7M5 Louise Pearson, Clerk, Court of Criminal Appeals JUN i Kelly Enloe, Chairman, Classification & Records, TDCJ 4b@IAcosia, Clerk CW/cf Attach y Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime. Office of the General Counsel Sharon Felfe Howell, General Counsel - sharon.howell@tdcj.texas.gov P.O. Box 13084 Capitol Station p 0 Box 4004 Austin, Texas 78711-3084 Huntsville, Texas 77342-4004

RETURN OF THE DIRECTOR OF THE INSTITUTIONAL DIVISION

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Came to hand, the 10th day of May, 1984 and executed the 3rd day of June, 2015 by the death of LESTER LEROY BOWER, JR. DISPOSITION OF BODY: DATE: CVf ^ i?^ 3 ^LQi5 TIME: \p \ 3(^ oiYY f William Stephens, Director Texas Department of Criminal Justice Correctional Institutions Division

CERTIFICATE

I hereby certify that the Death Warrant in the case of The State of Texas vs LESTER LEROY BOWER, JR. issued in the District Court of Grayson County 15th Judicial District of Texas, on March 25, 2015 and was executed according to the laws of the State of Texas on June 3, 2015. The death of LESTER LEROY BOWER, JR. was caused by intravenous injection of lethal substances at the Huntsville Unit of the Texas Department of Criminal Justice-Correctional Institutions Division at 5:30 p.m. on June 3, 2015, The body of the deceased was given into the custody of Carnes Funeral Home agent for the requesting relative. This Certificate and Return of Warrant (enclosed) is in compliance with Article 43.23 of the Texas Code of Criminal Procedure. William Stephens* Director Texas Department of Criminal Justice Correctional Institutions Division SUBSCRIBED AND SWORN TO BEFORE ME this 3rd day of May 2015.

CONNIE E. *

WEIGH *

My Commission 11-06-2017 Expires 11-06-2021 * * * VjQtTVtPIA " ^ ' 0 \s L- ^ ^ ^ ' . . . jLk-J ^ JLA CT). *-£=. . 'Notary 'without Bond ****' * NOTARY PUBLIC, Walker County, Texas My Commission expires: 11-06-2021

IN THE DISTRICT COURT OF GRAYSON COUNTY

15th JUDICIAL DISTRICT OF TEXAS

THE STATE OF TEXAS

v. 033426, 033427, 033428 & 033429 LESTER LEROY BOWER, JR.

ORDER SETTING EXECUTION

This Court, having received the order denying habeas corpus relief in the above styled and numbered cause and the order denying writ of certiorari from the Supreme Court of the United States, and the Defendant, LESTER LEROY BOWER, JR., having been sentenced to death in the presence of Defendant's attorneys, and on the 7th day of May, 1984, in Cause Numbers 033426, 033427, 033428 and 033429 in the 15th District Court of Grayson County, Texas in accordance with the findings of the jury and the judgment in said cause adjudging said defendant guilty of capital murder; and the Texas Court of Criminal Appeals in cause numbers AP-69,333, AP-69,334, AP-69,335 and AP-69,336 having affirmed said conviction with the mandates being returned to said 15th District Court on June 8, 1989; and the Texas Court of Criminal Appeals in cause numbers AP-70,995, AP-70,996, AP-70,997 and AP-70,998 having denied habeas corpus relief with the mandates being returned to said 15th District Court on February 14, 1992; and the Texas

Court of Criminal Appeals in cause numbers WR- 21,005-2, WR-21,005-3, WR-21,005-4 and WR-21,005-5 having denied habeas corpus relief June 11, 2014; and the Supreme Court of the United States having denied writ of certiorari in cause number 14-292 on May 23, 2015, with the stay of execution terminating automatically; and there being no other stays of execution in effect on this case, the court now enters the following ORDER: IT IS HEREBY ORDERED that the defendant, LESTER LEROY BOWER, JR., who has been adjudged to be guilty of capital murder as charged in the indictment and whose punishment has been assessed by the verdict of the jury and judgment of the Court at Death, shall be kept in custody by the Director of the Texas Department of Criminal Justice - Institutional Division, at Huntsville, Texas, until the 3rd day of June, 2015, upon which day, at the Texas Department of Criminal Justice - Institutional Division, at some hour after 6:00 p.m., in a room arranged for the purpose of execution, the said Director, acting by and through the executioner designated by said Director as provided by law, is hereby commanded, ordered and directed to carry out this sentence of death by intravenous injection of a substance or substances in a lethal quantity sufficient to cause the death of the said LESTER LEROY BOWER, JR. and until the said LESTER LEROY BOWER, JR. is dead, such procedure to be determined and supervised by the said Director of the Texas Department of Criminal Justice -- Institutional Division. The Clerk of this Court shall issue and deliver to the Sheriff of Grayson County, Texas, a Death Warrant in accordance with this Order, directed to the Director of the Texas Department of Criminal Justice - Institutional Division, at Huntsville, Texas, commanding him, the said Director, to put into execution the Judgment of Death against the said LESTER LEROY BOWER, JR.. The Sheriff of Grayson County, Texas is hereby ordered, upon said rec'd Death Warrant, to deliver said Death Warrant to the Director of the Texas Department of Criminal Justice - Institutional Division, Huntsville, Texas. SIGNED AND ENTERED this 20th day of May, 2015.

JOHN M. FALLON,

JUDGE PRESIDING

15th JUDICIAL DISTRICT COURT

GRAYSON COUNTY, TEXAS

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do hereby certify that me, on the 20th day of May, 2015, at Huntsville, Texas

DEATH WARRANT

THE STATE OF TEXAS

TO THE DIRECTOR OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE,

INSTITUTIONAL DIVISION, AND TO THE SHERIFF OF GRAYSON COUNTY, TEXAS:

WHEREAS on the 7th day of May, 1984, the defendant, LESTER LEROY BOWER, JR., was duly sentenced to death in Cause Numbers 033426, 033427, 033428 and 033429 in the 15th District Court of Grayson County, Texas in accordance with the findings of the jury and the judgment in said cause adjudging said defendant guilty of capital murder; and WHEREAS the

Texas Court of Criminal Appeals in cause numbers AP-69,333, AP-69, 334, AP-69,335 and AP-69,336 affirmed said conviction with the mandates being returned to said 15th District Court on June 8, 1989; and WHEREAS the Texas Court of Criminal Appeals in cause numbers AP-70,995, AP-70,996, AP-70,997 and AP-70,998 denied habeas corpus relief with the mandates being returned to said 15th District Court on February 14, 1992; WHEREAS the Texas Court of Criminal Appeals in cause numbers WR-21,005- 2, WR-21,005-3, WR-21,005-4 and WR-21,005-5 denied habeas corpus relief on June 11, 2014; and WHEREAS the Supreme Court of the United States has denied writ of certiorari on March 23, 2015 and lifting the stay of execution granted on February 5, 2015; NOW

THEREFORE

The Sheriff of Grayson County, Texas is hereby commanded to deliver this warrant to the director of the Texas Department of Criminal Justice — Institutional Division, for the purpose of executing this warrant; and The Director of the Texas Department of Criminal Justice - Institutional Division, at Huntsville, Texas, is hereby commanded to execute the said sentence of death at the Texas Department of Criminal Justice - Institutional Division, at anytime after the hour of 6:00 p.m. in the 3rd day of JUNE, 2015, by causing a substance or substances in a lethal quantity to be intravenously injected into the body of the defendant, LESTER - LEROY BOWER, JR., sufficient to cause death, and until the defendant is dead, obeying all laws of the State of Texas with reference to such execution. The Director of the Texas Department of Criminal Justice ~ Institutional Division, shall make due return on this warrant to the Clerk of this Court. This sentence was passed as provided by law. WITNESS MY HAND AND SEAL of the 15th District Court of Grayson, County, Texas, as my office in the City of Sherman, Texas, this the 13th day of March 2013 ^WWIII!""//////// I£u *1./yTL&YL* -- KELI/YASf/MORE DISTRIldFCLERK : to GRAYSON COUNTY, TEXAS

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OFFICER'S RETURN

The Sheriff of Grayson County, Texas received this writ on the 13th day of March 2013 at ± — • -•• •• - and executed the same by delivering two copies of this warrant to the Director of the Correctional Institutions Division of the Texas Department of Criminal Justice on the 13th day of March 2013 by taking his receipt for this warrant, which hereto attached, do here and howmak^ :- .! : ' ' • • • :--- ; • t20H.,

N COUNTY, TEXAS

ftVAPrtrh RETURN OF DIRECTOR

TEXAS DEPARTMENT OF CRIMINAL JUSTICE - INSTITUTIONAL DIVISION

Came to hand the 13th day of March 2013 (/ An 20 ' V" ' arid said Death Warrant carried out by executing said defendant, LESTER LEROY BOWER, JR., on the 13th day of (March 2013 f 2Q fff\

DIRECTOR,(TEXAS DEPARTMENT OF

CRIMINAL JUSTICE -^NSTITUTIOW^I >

to/i.

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