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# Press Release

For Immediate Release

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## **17 Years for Possession of a Controlled Substance with Intent to Deliver**

GALVESTON – Today, Jesse Cinceneros Garza, Jr., 45, was sentenced to 17 years in the Institutional Division of the Texas Department of Criminal Justice, as assessed by the jury, for the felony offense of Possession of a Controlled Substance with Intent to Deliver.

On Wednesday, February 17, 2016, trial began in the 10th District Court. The State presented witness testimony and physical evidence that Jesse Garza possessed a control substance, specifically cocaine, in an amount greater than or equal to four grams but less than 200 grams on November 7, 2013.

Shortly after 11:00 p.m. on November 7, 2013, a DPS Trooper saw a silver Hummer H2, traveling south on SH-146, making multiple lane changes without signaling. The trooper believed the driver may have been intoxicated and initiated a traffic stop. When the trooper made contact with the driver, who was identified as Garza, he could smell marijuana coming from inside the vehicle. Garza was requested to exit the vehicle and asked for his consent to search the vehicle. After Garza gave consent to the trooper, the trooper found a plastic bag between the driver's seat and the center console. Inside the bag were 28 smaller bags, each containing a white powdery substance and each weighing about 0.5 grams. The total weight of all bags was 16.8 grams. Believing the substance was cocaine, Garza was arrested.

The bags were all sent to the DPS Crime Lab for testing. Eight of the bags, weighing a total 4.27 grams, were tested and confirmed to be cocaine. During closing, ADA Henderson argued to the jury that the Garza's assertions, that a cocaine addicted family could have left the drugs, was not reasonable because "who leaves 28 bags of cocaine unattended in someone else's vehicle?"

The jury found Garza guilty on Friday afternoon. Punishment began on this morning. During punishment, the State submitted evidence that Garza had a 2005 felony conviction for possession of a controlled substance. The jury took only a short time to deliberate before returning with a punishment verdict of 17 years confinement.

Garza was prosecuted by Assistant District Attorneys Christopher Henderson and Beverly Armstrong in the 10th District Court, with Judge Kerry Neves presiding. The investigation was conducted by the Texas Department of Public Safety.

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