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# Press Release

For Immediate Release

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## Man Sentenced to 20 Years for Burglary of a Habitation

GALVESTON – Today Phillip Gene Caldwell, 45, was sentenced to 20 years in the Institutional Division of the Texas Department of Criminal Justice and fined \$1,000 by a jury for the felony offense of Burglary of a Habitation with Commission of an Assault.

On Monday, March 14, 2016, trial began in the 405th District Court. The State presented witness testimony and physical evidence that around midnight on July 22, 2015 Caldwell arrived at the victim's home banging on the door looking for an unknown female. When the victim refused to allow Caldwell into the home Caldwell used a shovel to break down the door. Once inside the home Caldwell used the shovel to attack the homeowner, striking the victim on the body and at least once in the head. During the fight with Caldwell, the victim was able to subdue Caldwell with the help of a neighbor. Caldwell was then moved outside the home until the police arrived.

The jury learned that the victim's young child was present and witnessed the entire incident. The State also presented photos, showing the cuts and bruises the victim suffered on his ribcage and head.

The jury heard closing arguments Tuesday, returning late in the afternoon with a guilty verdict. Caldwell faced a punishment range of 5 to 99 years, or Life in prison for the second degree felony offense because of one prior felony enhancement.

During punishment, the State presented official copies of judgments for Caldwell's prior convictions which included the prior felony enhancement for a 1991 conviction for sexual assault of a child and a 2008 felony conviction for evading arrest with a vehicle. Evidence was also presented about Caldwell's involvement in an unauthorized use of a motor vehicle offense that occurred in 1991. This afternoon the jury returned with a punishment verdict of 20 years confinement and a \$1,000 fine. Caldwell will not be eligible for parole until at least one quarter, about 5 years, of his sentence has been served.

Caldwell was prosecuted by Assistant District Attorneys Robert Buss and Matthew Shawhan, in the 405th District Court, with Judge Michelle Slaughter presiding. The investigation was conducted by the Santa Fe Police Department.

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