

No. A 18554

THE STATE OF TEXAS vs. KEVIN WILLIAM FRANKE

OFFENSE: FELONY MURDER (§19.02(b)(3), P.C.) [F1]

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

The Grand Jurors for the County of Kerr, State of Texas, duly selected, impaneled, sworn, charged and organized as such at the July Term, A.D. 2018, of the 216th Judicial District Court of said County, upon their oaths present in and to said Court that Kevin William Franke, on or about June 7, 2017, and before the presentment of this indictment, in said County and State, did then and there

PARAGRAPH ONE

commit or attempt to commit the felony offense of abandoning a child, by having custody, care, or control of Brynn Hawkins, a child younger than 15 years of age, by intentionally abandoning Brynn Hawkins under circumstances that exposed Brynn Hawkins to an unreasonable risk of harm, and under circumstances that a reasonable person would believe would place Brynn Hawkins in imminent danger of death, bodily injury, or physical or mental impairment, and the defendant did not voluntarily deliver the child to a designated emergency infant care provider under Section 262.302 of the Texas Family Code, and while in the course of and furtherance of the felony, the Defendant, Kevin William Franke, committed an act clearly dangerous to human life, namely, rolling up the windows and turning off the engine of a motor vehicle that was then and there occupied by Brynn Hawkins causing the death of Brynn Hawkins.

PARAGRAPH TWO

commit or attempt to commit the felony offense of endangering a child, by intentionally, knowing, recklessly, or with criminal negligence, engage in conduct, by act or omission, that placed Brynn Hawkins, a child younger than 15 years of age, in imminent danger of bodily injury, or physical or mental impairment, and the defendant did not voluntarily deliver the child to a designated emergency infant care provider under Section 262.302 of the Texas Family Code, and while in the course of and furtherance of the felony, the Defendant, Kevin William Franke, committed an act clearly dangerous to human life, namely, rolling up the windows and turning off the engine of a motor vehicle that was then and there occupied by Brynn Hawkins causing the death of Brynn Hawkins.

DEADLY WEAPON ALLEGATION

And during the commission of the offense alleged above, the Defendant used or exhibited a deadly weapon, specifically a motor vehicle,

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Cynthia Callaway
Foreman of the Grand Jury
Signed this 23rd day of July, 2018

[Signature]
District Attorney

Filed: 7/23/18
Kerr County District Clerk

By Amber Hangerbaugh

Amount of Bail: \$ 75,000 ^{NEW} 7-28-18

Ext Cond.: 1

DOB: 07/02/2000
SSN: xxx-xx-7644
DL#: TX-41259671
Arrest Date: None
TRN: No Arrest
Ctrl: 216-18-00362
Case Reference: KCSO 201705997

with assaultive offense bond conditions