



ELLIS COUNTY & DISTRICT ATTORNEY

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MASKED BURGLAR RECEIVES PROBATION

After he pleaded guilty to the felony offense of burglary of a habitation, on Wednesday, October 18, 2017, Mitchell Keith Anderson, 27, of Red Oak, Texas was sentenced by a jury to ten years in prison and a fine of \$10,000. The jury then recommended that his prison sentence be suspended and that Anderson be placed on community supervision. By law, the sentencing court must follow the jury's recommendation. Judge Cindy Ermatinger, presiding judge of the 443rd District Court, then imposed numerous conditions of probation on Anderson. The Court's order set the term of probation for ten years. Anderson is also prohibited from having any contact with the victim. He must pay restitution to the victim, and he must spend 120 days in the Ellis County jail.

On November 13, 2015, Anderson and two accomplices burglarized the victim's home and stole more than twenty firearms, along with ammunition and magazines. The stolen firearms were recovered from Anderson's home.

During the punishment hearing, the State presented surveillance video from the victim's home, showing Anderson entering the home while wearing a mask and carrying what appeared to be a firearm concealed under a cloth. During trial the jury also learned that two years prior to committing the burglary Anderson was placed on probation for the misdemeanor offenses of possession of a controlled substance and possession of a prohibited weapon.

The State alleged that Anderson used or exhibited a deadly weapon during the commission of the burglary. After jury selection, Anderson entered a plea of guilty to the burglary of a habitation charge, and pled not true to the deadly weapon allegation. He elected for the jury to assess his punishment. Assistant County & District Attorney Jake Heffernan asked the jury to sentence Anderson to at least ten years in prison and not consider probation.

In addition to recommending that Anderson's sentence be probated, the jury also returned a finding of not true on the deadly weapon allegation.

Anderson's accomplices in the burglary of a habitation were Aaron Perez, 28, of Red Oak, and Jordan Gail Caskey, 24 of Ennis.

On March 15, 2017, after pleading guilty to the offense of burglary of a habitation, Perez was sentenced by the court to seven years in prison and a fine of \$2,000.

On April 11, 2017, after pleading guilty to the offense of burglary of a habitation, Caskey was sentenced by the court to four years in prison and a fine of \$2,000.

Ellis County & District Attorney Patrick Wilson issued the following statement: "We were certainly surprised with the jury's decision to place Anderson on probation. In light of the evidence presented, we were also surprised that the jury didn't find the deadly weapon allegation to be true. But the system worked as designed, so we respect those decisions. A jury represents our community. My office will reflect on the community's decisions in this case as we evaluate similar cases in the future. I appreciate the time and effort that those citizens put into their jury service."



