



# **PRESS RELEASE**

## **Jury Sentences Defendant to 40 Years for 10<sup>th</sup> DWI Conviction October 10, 2023**

Bryan, TX – Darwin Batton was sentenced to 40 years in prison on Monday by a Brazos County Jury following his conviction for Driving While Intoxicated. The same jury found Batton guilty on Friday after two hours of deliberations.

Batton was arrested on May 15, 2016 after a Brazos County citizen called police and reported that he was driving while intoxicated. The caller saw Batton at Wal Mart at about 2:30 on a Sunday afternoon and reported that he smelled of alcohol, was staggering and talking to himself.

Officers performed field sobriety tests on Batton and determined that he was intoxicated. Batton refused to give a breath sample. Officers obtained a search warrant for his blood, which showed a blood alcohol concentration of .16, twice the legal limit in the State of Texas.

Batton had previously been convicted of 8 felony driving while intoxicated charges, as well as several misdemeanor charges. The first conviction occurred in Brazos County in 1984 when Batton was placed on probation. That probation was later revoked, and he was sentenced to prison when he committed another felony driving while intoxicated in Jefferson County, TX in 1987. Since that time, Batton had been charged with driving while intoxicated in Orange County TX, Hays County, TX, Alice County, TX, Rogers County, OK, and Tulsa County, OK.

Batton had served three separate prison sentences, two for driving while intoxicated and one for possession of a controlled substance. As a result, his charge was enhanced and he faced a punishment range of 25 to 99 years or life in prison. The longest prison sentence he had served prior to his recent conviction was a 15-year sentence in 1993 from Brazos County.





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The case was investigated by the College Station Police Department after a very astute citizen made the 911 call. Assistant District Attorneys Kara Comte and Brian Price prosecuted the case on behalf of the State of Texas, with assistance from Investigator Dennis Thane and Victim/Witness Coordinator Mandie James.

