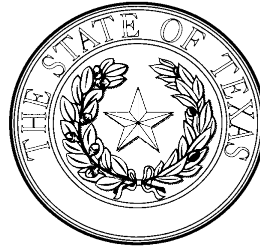
Opinion issued July 16, 2020



In The

Court of Appeals

For The

First District of Texas

NO. 01-18-01092-CV

IN THE MATTER OF A. G.

On Appeal from the 315th District Court
Harris County, Texas
Trial Court Case No. 2016-04829J

MEMORANDUM OPINION

A.G. was charged by petition with engaging in delinquent conduct, namely capital murder. TEX. PENAL CODE §§ 19.02(b)(1), 19.03(a)(2). He was 16 years old at the time of the murder. After a bench trial, the trial court found that he had engaged in the conduct alleged and assessed a 20-year determinate sentence.

On appeal, A.G. contends that the evidence is insufficient to support a finding that he engaged in the delinquent conduct. He also asserts that the trial court erred by not finding that a witness was an accomplice whose testimony must be disregarded. We disagree and affirm.

Background

On February 6, 2016, Edison Williams set up a drug sale where Erron Shamlin was to supply half a pound of marijuana to A.G. and L.Y. for $800. For his role as middleman, Williams expected to receive $20 worth of marijuana and a ride. A.G. and L.Y. picked up Williams in a red Tahoe and drove to Shamlin's neighborhood. When Shamlin walked up to the car, an argument ensued over whether Shamlin was providing the full amount of marijuana. Shamlin got in the Tahoe to go with the other three to his house where he could weigh the marijuana for them. While on the way, A.G. pulled out a gun and yelled at Shamlin to give him the marijuana. L.Y. and Williams got out of the car and ran away. They heard gun shots as they were running. Shamlin's friends and a good Samaritan found him lying in the street. He had a gunshot wound, and he died soon thereafter. Shamlin was 24 years old at the time of his death.

Williams was initially charged with murder, due in part to information provided to law enforcement by A.G. As the investigation continued, the charge

against Williams was dismissed, and the State filed a petition alleging that A.G. committed the capital murder of Shamlin.

After a bench trial, the court found that A.G. had engaged in delinquent conduct, namely capital murder, and sentenced him to a 20-year determinate sentence. He appeals.

Sufficiency of the Evidence

In his first issue, A.G. contends that the evidence is not sufficient to support his adjudication for capital murder. The State responds that ample evidence supports the conviction. We agree.

A. Standard of Review

Preliminarily, A.G. argues that the court should evaluate separately the legal and factual sufficiency of the evidence. The State responds that because the burden of proof at an adjudication hearing is the beyond-a-reasonable-doubt standard applicable to criminal cases, appellate courts review the sufficiency of the evidence to support a finding that a juvenile engaged in delinquent conduct under a legal-sufficiency standard, which is the only standard applicable in criminal cases. We agree with the State.

Although juvenile cases are classified as civil proceedings, they are "quasi-criminal" in nature. *In re M.A.F.*, 966 S.W.2d 448, 450 (Tex. 1998); *see In re L.D.C.*, 400 S.W.3d 572, 574 (Tex. 2013). Civil and criminal rules apply at different stages

of the same proceeding. *In re I.F.M.*, 525 S.W.3d 884, 886 (Tex. App.—Houston [14th Dist.] 2017, no pet.); *see also* TEX. FAM. CODE § 51.17.

The burden of proof in a juvenile-adjudication proceeding is beyond a reasonable doubt, not a preponderance of the evidence. *Moon v. State*, 451 S.W.3d 28, 45 (Tex. Crim. App. 2014). "Although juvenile [adjudication] proceedings are civil matters, the standard applicable in criminal matters [i.e., proof beyond a reasonable doubt] is used to assess the sufficiency of the evidence underlying a finding the juvenile engaged in delinquent conduct." *In re R.R.*, 373 S.W.3d 730, 734 (Tex. App.—Houston [14th Dist.] 2012, pet. denied); *see also* TEX. FAM. CODE § 54.03(f) ("The child shall be presumed to be innocent of the charges against the child and no finding that a child has engaged in delinquent conduct or conduct indicating a need for supervision may be returned unless the state has proved such beyond a reasonable doubt."). We decline to apply a separate factual sufficiency analysis to A.G.'s complaint.

We review the sufficiency of the evidence to support a finding that a juvenile engaged in delinquent conduct using the standard applicable to criminal cases. *R.R.*, 373 S.W.3d at 734. Accordingly, we consider all the evidence in the light most favorable to the verdict to determine whether, based on that evidence and the reasonable inferences therefrom, a jury was rationally justified in finding guilt beyond a reasonable doubt. *Id.* at 734–35 (citing *Jackson v. Virginia*, 443 U.S. 307,

318–19 (1979)). This standard of review applies to cases involving both direct and circumstantial evidence. *R.R.*, 373 S.W.3d at 735. Although we consider everything presented at trial, we do not substitute our judgment regarding the weight and credibility of the evidence for that of the factfinder. *Id.* (citing *Williams v. State*, 235 S.W.3d 742, 750 (Tex. Crim. App. 2007)). We presume the factfinder resolved conflicting inferences in favor of the verdict, and we defer to that determination. *Id.* (citing *Clayton v. State*, 235 S.W.3d 772, 778 (Tex. Crim. App. 2007)). We also determine whether the necessary inferences are reasonable based upon the combined and cumulative force of all the evidence when viewed in the light most favorable to the verdict. *Id.*

B. The Evidence

The evidence is legally sufficient to support A.G.'s adjudication delinquent for capital murder. A.G. was charged with intentionally causing Shamlin's death by shooting him with a firearm while in the course of committing or attempting to commit robbery. The court heard testimony that Williams facilitated a drug deal where Shamlin supplied marijuana to A.G. and L.Y. Williams had known A.G. for a few months, and he testified that A.G. would sell him marijuana and give him rides in his vehicle, a two-door red Chevy Tahoe. He knew A.G.'s friend L.Y. through A.G. Williams also knew Shamlin and had purchased marijuana from him before.

In the afternoon on the day of the murder, Williams, who was approximately 20 years old at the time, became involved in the drug transaction when he received a phone call from L.Y. using A.G.'s phone. In response to text messages that Williams later received from A.G.'s phone number,[1] Williams contacted Shamlin to set up the deal. He told Shamlin that the marijuana he would provide was for "the two white boys from last time," meaning A.G. and L.Y. Shamlin set the location for the meeting at a park near his neighborhood in Humble.

In the evening, L.Y. and A.G. picked up Williams from his house. L.Y. was driving A.G.'s red Tahoe, and A.G. was in the back-passenger seat. Williams sat in the front-passenger seat. Williams expected to receive $20 worth of marijuana and a ride in exchange for setting up the deal. He testified that he was not planning to rob or kill anyone that evening, and he had no interest in ruining his relationship with Shamlin, a reliable drug source.

The drive from Williams's house to the park took about 15 to 20 minutes. When they were close to the park, Williams heard A.G. tell another male in the backseat to get in the very back, behind the backseat. Williams had not noticed this person in the Tahoe during the drive over and was not aware of him until A.G. spoke

[1] Williams testified that the phone belonged to A.G., but he could not know for sure who was using it to text him that day. Harris County Sheriff's Deputy J. Brown later testified similarly that Williams talked to L.Y. about setting up the deal on A.G.'s phone, and a phone used by one person could be used by someone else.

to him. He could not see clearly inside the Tahoe because it was dark inside, no lights came on when he opened its door, and the person had been silent for the drive. Williams testified that he became nervous about facilitating a drug transaction around someone he did not know.

Williams expected that L.Y. and A.G. would pay Shamlin $800 for a half-pound of marijuana. Shortly before they arrived, Williams started arguing with L.Y. about money. L.Y. showed Williams about $400 but said that they had all the money, leading Williams to believe that A.G. had the rest of the money. Williams also argued with L.Y. about the fact that a person he did not know was in the back of the truck, but Williams stopped when he heard A.G. cock a gun and say, "Shut up." Williams did not see the gun or know that A.G. had a gun until he heard it, nor had he seen him with one before.

Chevas Wilson and Phillip Petry, friends of Shamlin, each testified for the State. Wilson was approximately 24 years old at the time of the murder and had known Shamlin for many years. Petry was approximately 31 years old at the time of the murder and had known Shamlin for 5 years. Petry promoted Shamlin's music career.

They testified that they were walking with Shamlin from his house to the park when they saw a red Tahoe drive by. They noticed Shamlin direct the Tahoe to the park, and Wilson saw a light-complected person in the driver's seat wearing a hat.

When the group got close to the park, Shamlin directed Petry and Wilson to stop and wait as he approached the driver's side of the Tahoe. Wilson testified that he knew that Shamlin sold marijuana "a little bit," but he did not know that Shamlin was going to the park to conduct a drug transaction that night.

Williams testified that when Shamlin walked up to the Tahoe, he started pulling bags of marijuana out of a black bag and giving them to L.Y., who put them on a scale. L.Y. complained that the marijuana was not the correct weight, and A.G. and L.Y. argued about whether there was enough marijuana. Shamlin offered to verify the weight with a larger scale at his house, and he got into the back seat with A.G. L.Y. drove them all toward Shamlin's house. Williams did not tell Shamlin that there was a gun in the truck or that its occupants had not shown him $800. Petry and Wilson began to walk back to Shamlin's house following the Tahoe. Petry saw Shamlin in the backseat as the Tahoe passed them.

Williams testified that less than a minute after L.Y. started driving, he heard A.G. yell, "Give me that shit." Shamlin refused and started fighting with A.G. in the backseat. Williams testified that he felt like A.G. was trying to rob Shamlin, and he was afraid he would be shot when the two started fighting. He did not know if Shamlin had a gun.

L.Y. stopped the Tahoe and ran away with Williams. L.Y. did not have the marijuana when he ran away, and Williams never touched it. Williams testified that

when he got out of the Tahoe, he saw Shamlin on top of A.G. Williams heard gunshots as he and L.Y. jumped fences to leave the neighborhood.

Wilson and Petry walked around a curve in the road on their way back to Shamlin's house and saw him in the street. He was dying, and a good Samaritan, stopped to help. Petry called 911. Neither Petry nor Wilson witnessed the shooting.

Once away from the neighborhood, L.Y. asked Williams for a ride home. Williams eventually called his mother, who picked them up and dropped L.Y. off at an apartment complex. Williams tried to call A.G. and thought he had been shot when he did not answer. He found out the next morning that Shamlin had died.

A Harris County Assistant Medical Examiner testified that Shamlin was killed by two gunshot wounds. One wound indicated that the shot was fired from between a few inches to eighteen inches away from Shamlin. Because clothing could have obscured features of a close-range shot, the distance of the other gunshot could not be determined. His body position could not be determined, but it was possible that he was on top of the shooter during a struggle when shot.

The morning after the murder, Shamlin's aunt found bullets and a broken High Point 380 pistol in the neighborhood. The bullets found in Shamlin's body were consistent with that type of pistol, but it could not be said definitively that the bullets came from the gun that was found.

Harris County Sheriff's Deputy J. Brown of the homicide division was the lead investigator on the case. During his testimony, the court viewed surveillance videos from residences in the neighborhood. They did not show the area where Shamlin's body was found, but a video showed a red SUV passing by multiple times around the time of the murder. Shamlin's mother gave police his cell phone, but it had not been used for several days before the shooting. A witness found another cell phone at an intersection in the neighborhood soon after the murder and gave the phone to detectives. The phone found in the neighborhood belonged to Shamlin. It had several text messages from just before the murder, appearing to set up a meeting to sell marijuana. The phone number sending text messages to Shamlin's phone was associated with Williams. Deputy Brown researched Williams and found a report that he and A.G. were involved in a traffic stop in a red Tahoe. Deputy Brown ran the Tahoe's license plate and found no affiliation to A.G. He also noted that the toll road authority reported that the same vehicle incurred violations on the night of the murder at 9:27 p.m., 9:36 p.m., and 9:49 p.m. Based on the order and location of the violations, it appeared that the Tahoe travelled west and then turned south.

Two weeks after the murder, the Tahoe was located at a motel. Deputy Brown and his partner conducted surveillance. They watched it leave, and when it returned, they discovered that the occupants of the vehicle were A.G. and L.Y. A.G. was driving the Tahoe and acknowledged it was his vehicle. His parents came out of a

motel room and consented to Deputy Brown searching the Tahoe and speaking with A.G.

Deputy Brown met with A.G. and his parents in a conference room when they brought the Tahoe to be processed. Gunshot residue testing provided no conclusive results, but because the truck was not found until two weeks after the murder, the lack of residue did not lead to the conclusion that there had not been residue. During the interview, A.G. denied knowing Williams. When his father left the room, A.G. told Deputy Brown that he had not been truthful, and he knew Williams and had recently loaned him his red Tahoe on the same day as the murder. He did not want his father to know that he had loaned the Tahoe, so he previously denied it. He stated that he was in the Meadowbrook trailer park with the Tahoe when Williams came over and asked to borrow it to go to a convenience store. Deputy Brown testified that the convenience store was less than half a mile away from the trailer park. A.G. told Deputy Brown that Williams came to the trailer park to get the Tahoe, borrowed it for about thirty minutes, and brought it back with no explanation. A.G. stated that he was aware of Shamlin's murder from the news. He provided his phone to be searched, but it had been activated after the murder. The family told Deputy Brown that they could not remember A.G.'s previous phone numbers.

Based on his conversation with A.G. and the contact between Williams's and A.G.'s cell phones, Deputy Brown obtained an arrest warrant for Williams. Williams

was arrested and charged with murder. Through Williams's attorneys, Deputy Brown obtained additional information. He received Williams's phone from the time of the murder and consent to search it, a potential previous phone number for A.G., a statement from Williams, and contact information for Dontai Gaffney, a potential witness.

Deputy Brown researched the phone number for A.G. that Williams provided. It showed a billing address and contact email belonging to A.G. or his father;[2] the number was in service on the date of the murder; the number was in contact with A.G.'s mother and father several times, including on the day of the murder; and the number was in contact with Williams's phone on the day of the murder via calls and text messages. Cell-site location data from the phone number showed the phone was near the scene around the time of the murder. After 8 p.m. on the night of the murder, the phone was not used again for three days, at which time it was used in Louisiana. The cell-phone data specialist who testified was unsure if calls made from the trailer park could have also pinged the cell towers near the crime scene, but it was possible.

From Williams, Deputy Brown learned that L.Y. might have been in the Tahoe. L.Y's electronic home monitoring bracelet records from the juvenile probation department confirmed that he was in the area on the night of the murder. He also fit the description of the driver given by Wilson. Wilson identified A.G.'s

[2] A.G. and his father have the same name.

photo in a photo array, but he was unable to make an identification from another photo array containing L.Y.'s photograph. Deputy Brown was unable to obtain permission from L.Y.'s attorney to interview him.

As part of his investigation, Deputy Brown went to the Meadowbrook trailer park that A.G. mentioned. The manager of the trailer park had seen the red Tahoe on the premises. Deputy Brown testified that he obtained from management surveillance video from the night of the murder. In order to arrive at the trailer where A.G. said he was on the night of the murder, a car would have had to pass by the office. Therefore, had anyone driven the Tahoe to or from that trailer, it would have been captured on the video. Deputy Brown reviewed the video and did not see the red Tahoe in it. He found the video inconsistent with A.G.'s story and testified that A.G. lied to him on multiple occasions.

When testifying, Williams admitted that he did not provide any information to Deputy Brown until after he was arrested and charged, and he did not go to the police on his own because he was scared. When interviewed, he told law enforcement that he had never seen A.G. with a gun before, but that he had seen L.Y. with one in the past. Williams was aware that A.G. had suggested Williams was the assailant. Deputy Brown testified that Williams provided a plausible explanation as to how the murder happened and gave additional, consistent information. The State dismissed the charge against Williams and filed a petition against A.G.

Dontai Gaffney testified that he was good friends with Williams at the time of the murder, and he had introduced Williams to A.G. He knew that A.G. had an older, red Tahoe and that a lot of people depended on him for rides. Williams called Gaffney soon after the murder and told him what had happened to Shamlin. A few weeks later, A.G. arrived at Gaffney's house unexpectedly and brought up the murder. A.G. told Gaffney that he was with L.Y. and Williams trying to get some marijuana from Shamlin. A.G. admitted to Gaffney that he pulled a gun on Shamlin after he got in the truck. They fought with the gun, and A.G. saw Williams and L.Y. run out of the Tahoe. At some point, Shamlin had the gun, but he dropped it. A.G. admitted to Gaffney that he shot Shamlin. A.G. traded the marijuana he stole from Shamlin for a piece of clothing.

Gaffney did not tell anyone what A.G. had said. At the time of trial, Gaffney and Williams were living in St. Louis, working for a construction company owned by Williams's father. Gaffney had worked for the company in 2015, before the murder. Gaffney denied lying about A.G. confessing to him in order to help Williams.

Neither Williams nor A.G. told Gaffney about the unknown person in the back of the Tahoe, and Deputy Brown was unable to verify if a fourth person was in the truck. Deputy Brown agreed that it would be unusual, but not impossible, for

someone to confess to capital murder to an acquaintance, but it was not uncommon for suspects to tell friends about their crimes.

C. Analysis

We find the evidence legally sufficient to prove A.G. committed the offense of capital murder. A person commits capital murder if a person intentionally or knowingly causes the death of an individual in the course of committing or attempting to commit burglary. TEX. PENAL CODE § 19.03(a)(2). The trial court heard evidence that (1) A.G. admitted to Gaffney that he killed Shamlin; (2) A.G.'s phone had contact with Williams's phone on the date of the murder; (3) A.G.'s phone was near the crime scene around the time of the murder; (4) Williams arranged the sale between Shamlin and A.G. and did not want to ruin his relationship with Shamlin as a reliable drug source; (5) Williams expected an $800 transaction but A.G. and L.Y. only showed him $400 in cash on the way to the park; (6) Williams heard A.G. cock a gun in the truck on the way to the park; (7) A.G. demanded that Shamlin give him the marijuana when they were in the backseat; (8) Williams believed that A.G. was trying to rob Shamlin when he demanded the marijuana while holding a gun; (9) A.G. and Shamlin fought after Shamlin refused to hand over the drugs; (10) Williams and L.Y. ran out of the truck; (11) the Tahoe drove away from the area of the murder on the tollway later that night; (12) A.G. lied to Deputy Brown

about knowing Williams; and (13) A.G. did not use his phone after the night of the murder for several days.

A.G. argues that Williams's and Gaffney's testimony is not credible. He argues that while he cooperated with police, gave a DNA sample, and consented to the search of his phone and vehicle, Williams failed to cooperate until months after the murder when he was arrested. To the extent A.G. argues there was conflicting testimony and inferences at trial, we defer to the factfinder's resolution of conflicting witness testimony. *Clayton*, 235 S.W.3d at 778. We may not reevaluate the weight and credibility of the record evidence and thereby substitute our judgment for that of the factfinder. *R.R.*, 373 S.W.3d at 735 (citing *Williams*, 235 S.W.3d at 750). We presume the factfinder resolved conflicting inferences in favor of the verdict and defer to that determination. *Clayton*, 235 S.W.3d at 778.

Viewing all the evidence in the light most favorable to the verdict, we conclude that the trial court could have found beyond a reasonable doubt that A.G. murdered Shamlin while in the course of robbing or attempting to rob him. We hold that the evidence is legally sufficient to support an adjudication of A.G. as delinquent. We overrule A.G.'s first issue.

Accomplice Witness

In his second issue, A.G. contends that the trial court erred by failing to find that Williams was an accomplice whose testimony must be disregarded. The trial

court did not make a finding about whether Williams was an accomplice. The State argues that Williams was not an accomplice, and if he were, his testimony could be considered because it was corroborated by other evidence. Assuming without deciding that the trial court implicitly found that Williams was an accomplice, we hold that his testimony was sufficiently corroborated to connect A.G. to the delinquent conduct.

A. Standard of Review

An accomplice is a person who participates in the offense before, during, or after its commission with the requisite mental state. *Smith v. State*, 332 S.W.3d 425, 439 (Tex. Crim. App. 2011); *see Zamora v. State*, 411 S.W.3d 504, 511 (Tex. Crim. App. 2013) (stating an accomplice is someone who, under the evidence, could have been charged with the same or lesser-included offense as that with which the defendant was charged). In Texas, "[a] conviction cannot be had upon the testimony of an accomplice unless corroborated by other evidence tending to connect the defendant with the offense committed; and the corroboration is not sufficient if it merely shows the commission of the offense." TEX. CODE CRIM. PROC. art. 38.14. Substantively identical language is found in the Texas Family Code regarding accomplice-witness testimony used to support an adjudication of delinquent conduct for a juvenile. *See* TEX. FAM. CODE § 54.03(e). These rules reflect a legislative determination that accomplice testimony, when used to implicate another person in

the same offense, should be viewed with caution because accomplices often have incentives to lie in order to avoid punishment or to shift blame. *Blake v. State*, 971 S.W.2d 451, 454 (Tex. Crim. App. 1998).

A witness can be an accomplice as a matter of law or as a matter of fact. *Ash v. State*, 533 S.W.3d 878, 884 (Tex. Crim. App. 2017). When the evidence clearly shows that the witness is an accomplice as a matter of law, the trial court has a duty to so find when the judge is the factfinder. *Zamora*, 411 S.W.3d at 513 (accomplice-witness statute is law applicable to case, not defensive issue). If the parties present conflicting or unclear evidence as to whether a witness is an accomplice, then the trier of fact must first determine whether the witness is an accomplice as a matter of fact, and if so, apply the corroboration requirement. *Druery v. State*, 225 S.W.3d 491, 498–99 (Tex. Crim. App. 2007).

A person is not an accomplice unless he affirmatively assists in the commission of the offense. *Paredes v. State*, 129 S.W.3d 530, 536 (Tex. Crim. App. 2004). A witness who has knowledge of an offense is not an accomplice merely because he did not disclose it or even because he concealed it. *Druery*, 225 S.W.3d at 498. And mere presence at the scene does not render a witness an accomplice. *Id.*

B. Analysis

Here, the trial court made no express finding as to whether Williams was an accomplice. Assuming without deciding that the trial court implicitly found that

Williams was an accomplice, his testimony was corroborated by ample non-accomplice evidence to connect A. G. with the delinquent conduct. *See* TEX. FAM. CODE § 54.03(e).

"Texas law requires that, before a conviction may rest upon an accomplice witness's testimony, that testimony must be corroborated by independent evidence tending to connect the accused with the crime." *Druery*, 225 S.W.3d at 498 (citing TEX. CODE CRIM. PROC. art. 38.14). In reviewing the sufficiency of the corroborating evidence, we consider only the non-accomplice evidence to determine whether any of that evidence connects the defendant with the commission of the crime. *Solomon v. State*, 49 S.W.3d 356, 361 (Tex. Crim. App. 2001). "If the combined weight of the non-accomplice evidence tends to connect the defendant to the offense, the requirement of Article 38.14 has been fulfilled." *Cathey v. State*, 992 S.W.2d 460, 462 (Tex. Crim. App. 1999). We review the non-accomplice evidence in the light most favorable to the verdict. *See Smith*, 332 S.W.3d at 442. The accomplice witness rule is satisfied if there is some non-accomplice evidence tending to connect the accused to the commission of the alleged offense. *M.H.*, 553 S.W.3d at 118–19. When there are conflicting views of the evidence, one that tends to connect the accused to the offense and one that does not, the appellate court defers to the factfinder's resolution of the evidence. *Smith*, 332 S.W.3d at 442.

There was sufficient non-accomplice evidence to connect A.G. to the murder and corroborate Williams's testimony. A.G. told Gaffney that he killed the complainant and described how the murder happened. *See Matthews v. State*, 999 S.W.2d 563, 566 (Tex. App.—Houston [14th Dist.] 1999, pet. ref'd) (assuming that a witness was an accomplice, her testimony was corroborated by evidence including the defendant's admission of guilt to another person). A.G.'s vehicle was consistent with descriptions and video of the suspect vehicle. The Tahoe incurred toll violations on the night of the murder, suggesting that it was traveling away from the scene. *See Smith*, 332 S.W.3d at 442–43 (proof that the accused was near the scene of the crime about the time of its commission, when coupled with other suspicious circumstances, may furnish sufficient corroboration to support a conviction). The evidence reflects that A.G. was in the area at the time of the murder and was in contact with Williams's phone on the day of the murder, discussing a drug deal. *Id.* After the murder, the phone was not used again for several days. When first asked for his phone number by law enforcement, A.G. provided a number that had been activated after the murder. He and his family never provided a correct number for his previous phone. *See Guevara v. State*, 152 S.W.3d 45, 50 (Tex. Crim. App. 2004) (attempts to conceal incriminating evidence are probative of wrongful conduct and circumstances of guilt). He also lied to Deputy Brown when first discussing the incident with him. *See id.* (inconsistent statements and implausible explanations to

police are probative of wrongful conduct and consciousness of guilt). There is sufficient evidence tending to connect A.G. to the offense. If the trial court implicitly found that Williams was an accomplice, his testimony could still be considered by the court because it was sufficiently corroborated by other evidence.

We overrule A.G.'s second point of error.

Conclusion

We affirm the judgment of the trial court.

Peter Kelly
Justice

Panel consists of Chief Justice Radack and Justices Kelly and Goodman.