



Case Summaries March 20, 2026

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DECIDED CASES

Landry v. Landry, ___ S.W.3d ___, 2026 WL ___ (Tex. Mar. 20, 2026) (per curiam) [24-0910]

At issue in this divorce case is whether the trial court properly characterized two investment accounts as Husband’s separate property.

At trial for the underlying divorce, Husband’s expert testified that two investment accounts Husband opened prior to marriage are his separate property. The expert traced the accounts’ funds through monthly statements from January 2003 to June 2019 and concluded that the funds in the accounts remained identifiable as Husband’s separate property. While his tracing analysis did not consider four months of statements from July 2018 to October 2018, he testified that those statements would not have affected his conclusions because the statements available to him established a consistent pattern of community income being withdrawn from the accounts as quickly as it was earned. The trial court determined that the two accounts belong to Husband as his separate property.

This separate-property determination has been the subject of two intermediate appeals and two petitions for review. In 2022, the court of appeals reversed the trial court’s judgment as to the two accounts because the expert did not review the four months of statements that were “missing” from the record. The Supreme Court granted Husband’s petition for review and reversed. *Landry v. Landry*, 687 S.W.3d 512 (Tex. 2024). The Court ascertained that the four months of statements were in the trial and appellate record and directed the court of appeals to perform a new sufficiency analysis. On remand, the court of appeals once again reversed as to the two accounts. Husband filed another petition for review in the Supreme Court.

The Court reversed the court of appeals’ judgment and rendered judgment that the two accounts are Husband’s separate property. The Court explained that the trial court’s separate-property determination is supported by clear and convincing evidence—specifically, un rebutted expert testimony that the accounts’ funds retained their separate character over the course of over fifteen years. The unreviewed statements did not alter the expert’s conclusions, and, in any event, those statements

were properly before the trial court when it divided the community estate. Therefore, there is no basis to disturb the trial court's judgment.