PDR GRANTED ISSUES

NOTE: THE WORDING OF THE ISSUES IS TAKEN VERBATIM FROM THE PARTIES' PETITIONS FOR DISCRETIONARY REVIEW.

ISSUES GRANTED NOVEMBER 12, 2026

26-0324-0327 ORTEGO, JUSTIN WAYNE CONTINUOUS SEXUAL ABUSE OF A CHILD, INDECENCY WITH A CHILD BY CONTACT (3 COUNTS)

APPELLANT'S

1. Does a defendant's Sixth Amendment right to present a defense require allowing the presentation of live remote testimony from out-of-state witnesses over a State's general objection?
2. Is the harm standard for this issue reviewed under 44.2(b) as an exclusion of evidence, or 44.2(a) because a constitutional violation was claimed?

26-0539 BOOKER, JARVIS LAMAR POSSESSION WITH INTENT TO DELIVER A CONTROLLED SUBSTANCE

APPELLANT'S

1. Whether having such a fiberboard air freshener hanging from the rearview mirror is a violation of the Texas traffic laws.
2. The court of appeals' decision in this case is contrary to this Court's previous decision in Ford v. State, 158 S.W.3d 488, 493 (Tex. Crim. App. 2005), in which this Court held that a conclusionary statement by an officer does not constitute reasonable articulable suspicion to conduct a traffic stop.

ALPHABETICAL LISTING WITHOUT ISSUES

PDR NO.	NAME	DATE GRANTED
26-0257	AGUIRRE, ERIK	09/03/26
26-0143	BACON, KEVIN WILLIAMS	08/20/26
25-0839/40	BALLESTER, ISRAEL II	03/05/25
25-0541	BARRERA, GREG ANTHONY III	01/29/26
25-0742-822	BARRERA, YOHANA INES et al	06/11/26
24-0790	BLOXHAM, THOMAS JOSEPH	01/22/25
26-0539	BOOKER, JARVIS LAMAR	11/12/26
26-0072	BURGOS-AVILES, RONALD ANTHONY	06/04/26
25-0651	CRUMLEY, JOHN PAUL	01/22/26
26-0135-39	DELANEY, CONNER JEFFERY	06/04/26
26-0053	EATON, JORDAN ALEXANDER	06/25/26
26-0076	GONZALEZ, ANDREW ABEL	06/25/26
25-0929	HERNANDEZ, FRANK III	05/21/26
26-0423	RODRIGUEZ, CAROLYN	10/22/26
25-0135/36	JAIMES, YOCELIN PEREZ	05/28/25
26-0041	JOHNSON, NOAH MICHAEL	06/25/26
25-0873	LAMNISSOS, MARIOS MICHAEL	04/30/26
26-0178	LANKFORD, BOBBIE LEE	10/29/26
25-0621	MADAS, NITIN KUMAR	01/15/26
26-0598	MARMOLEJO-PALACIOS, EX PARTE JOSE ELEAZAR	09/17/26
26-0166/67	MARTIN, EX PARTE BESSIE TEKILA	09/03/26
26-0266	MARTINEZ, ERICK	09/03/26
25-0358	MEJIA, FABIAN	07/30/25
26-0420	MEYER, JOHN STEVEN	11/05/26
25-1034	MORRIS, MICHAEL JOSEPH	04/09/26
25-0932	MOTEN, HERBERT WAYNE	04/02/26
25-0932	MOTEN, HERBERT WAYNE (Rehearing)	06/25/26
26-0283	MUNDT, DAVID ROY	10/08/26
25-0981	NEUSER, NATHANIEL	04/30/26
25-0523	NGUYEN, DE H	01/22/26
26-0324-0327	ORTEGO, JUSTIN WAYNE	11/12/26
26-0337	PALOMARES, ALEXANDER GONZALEZ	08/20/26
25-1009	PATTERSON, ANTHONY JORDAN	05/07/26
26-0157	PERDOMO-MEJIA, ENRIQUE	08/20/26
24-0850-52	PEREZ, GILBERTO	01/29/25
26-0340	PHAM, LUAN DUC	10/08/26
26-0013	PITTS-MARSHALL, DEMONTRE JALEEL	05/07/26
26-0014	RIOS, MANUEL	05/21/26
26-0019	SALAZAR, REYES	05/07/26
26-0597	SAMPIERO, EX PARTE ALONSO ISLAS	09/17/26
25-0233	STOCKER, JAMIN KIDRON	02/26/26
25-0872	TOLENTINO, SOSTENES LORENZO	05/21/26
25-0585	VALDEZ, LUIS ALBERTO	04/16/26

26-0376	VIGIL, MARK ANTHONY	09/03/26
25-0074	WEAVER, QUALON DESHON	04/09/25
26-0147	WILBERT, EX PARTE COREY	08/20/26
26-0190-248	ZURITA, MELVIN ISMAEL et al	06/11/26

NUMERICAL LISTING WITH ISSUES GRANTED

24-0790 BLOXHAM, THOMAS JOSEPH 01/22/25

THEFT

STATE'S

1. Can a court determine that the State's use of immunized testimony violated *Kastigar v. United States*, 406 U.S. 441 (1972), without knowing the substance of that immunized testimony?
2. What is the proper framework to use for presentation and review of a *Kastigar* claim, including invocation, burden of proof, harm analysis, and remedy?

24-0850-0852 PEREZ, GILBERTO 01/29/25

AGGRAVATED ASSAULT
MURDER
POSSESSION OF CONTROLLED SUBSTANCE

APPELLEE'S

1. The lower court's opinion arguing that the plain-view doctrine is equivalent to standing and can be raised for the first time on appeal creates a split amongst the appellate courts that must be resolved by this Court. *State v. Elrod*, 395 S.W.3d 869 (Tex. App.—Austin 2013).
2. Is the plain-view doctrine equivalent to a standing issue that falls within the waiver exception, allowing the State to raise it for the first time on appeal?
3. Did the appellate court afford the trial court proper deference in overturning its order based on a legal theory the trial court was not given an opportunity to rule on?
4. Did the appellate court erroneously apply the plain-view doctrine?
5. Did the appellate court erroneously apply the independent source doctrine?
6. Did the appellate court err in overruling the trial court's finding that the arrest warrant for possession was not supported by probable cause?
7. Did the appellate court err in finding the trial court owed the magistrate's finding deference where the warrant affidavit was based on illegally obtained information?

25-0074 WEAVER, QUALON DESHON 04/09/25

EVADING ARREST WITH VEHICLE

STATE'S

1. What role, if any, do a defendant's personal experiences play in the determination of whether his perception of imminent harm is reasonable?
2. Are the reasonableness of both a defendant's perception of necessity and his response wholly within the discretion of the jury, or can a court decide either is unreasonable as a matter of law?
3. Must a harm analysis for charge error consider the likelihood that the outcome would have been different had the jury been properly instructed?
4. Was appellant entitled to an instruction on necessity and, if so, a new trial?

25-0135/0136 JAIMES, YOCELIN PEREZ 05/28/25

INDECENCY WITH A CHILD

STATE'S

1. Should *Cook v. State*, 884 S.W.2d 485 (Tex. Crim. App. 1994), be overruled to the extent it holds that failing to limit the mental state definitions to the right conduct-element is error even when the jury charge otherwise leaves no doubt what the mental state requires?

3. Should failure to limit the abstract definition result in some harm in the absence of anyone telling jurors they could convict on something less than the offense requires?

25-0233 STOCKER, JAMIN KIDRON 02/26/26

CAPITAL MURDER

APPELLANT'S

Does a search warrant affidavit provide probable cause to obtain the contents of Appellant's cell phone when the facts relied on to establish a nexus between the phone and a crime under investigation consist of an anonymous, unverified tip?

COURT'S OWN MOTION

Does the search warrant affidavit in Appellant's case establish a nexus between the cell phone and the criminal activity under investigation under State v. Baldwin, 664 S.W.3d 122 (Tex. Crim. App. 2022)?

25-0358 MEJIA, FABIAN 07/30/25

AGGRAVATED ASSAULT

STATE'S

1. Does testimony of a narrowly limited portion of an interview mislead jurors and necessitate the admission of more of the interview to answer broader, unasked questions under Rule 107?

3. What standard for harm should be used when evaluating error regarding admissibility of evidence?

25-0523 NGUYEN, DE H 01/22/26

FELONY MURDER

APPELLANT'S

Did the Court of Appeals err by treating Wells as binding authority rather than a hodgepodge of conflicting opinions with no controlling majority?

STATE'S

3. If this Court grants review of Defendant-Appellant's petition, before even reaching any advisory Wells issues, should it first recognize that the third-party doctrine independently supports affirming Appellant's judgment?

25-0541 BARRERA, GREG ANTHONY III 01/29/26

MURDER

APPELLANT'S

1. Should the inquiry for motive to testify for the State be limited to the existence of criminal proceedings against a witness?

COURT'S OWN MOTION

2. Should the Court reconsider or clarify any aspect of its decision in Irby v. State, 327 S.W.3d 138 (Tex. Crim. App. 2010)?

25-0585 VALDEZ, LUIS ALBERTO 04/16/26

INDECENCY WITH A CHILD

COURT'S OWN MOTION

Did the court of appeals err in holding that the trial court did not abuse its discretion in overruling Appellant's objection to testimony that "[t]hese children were believable"?

25-0621 MADAS, NITIN KUMAR 01/15/26

POSSESSION OF A CONTROLLED SUBSTANCE

STATE'S

1. Contrary to the court of appeals's holding, review of the video shows appellant's consent to search was voluntary and nothing like the oppressive 4-on-1 situation described in Carmouche v. State, 10 S.W.3d 323 (Tex. Crim. App. 2000).

25-0651 CRUMLEY, JOHN PAUL 01/22/26

ONLINE SOLICIATION OF A MINOR

APPELLANT'S

1. Did the appellate court err by applying the heightened "directly-rebut-or-truly negate" requirement for mental-disease evidence to the defendant's brothers' testimony, which consisted of observational evidence of his tendency to think a certain way and his behavioral characteristics and background evidence supporting his defense?

25-0742-0822 BARRERA, YOHANA INES ET AL 06/11/26

PARTICIPATING IN A RIOT

STATE'S

1. The Court of Appeals erred in upholding the dismissal of the indictments for the State's failure to produce evidence to buttress the presumption of regularity, and wrongly treated such as a jurisdictional defect.

2. Does Code of Criminal Procedure article 21.30 operate to prevent the dismissal of a case where a re-transfer to the district court would be the proper remedy to cure any alleged transfer defects?

25-0839/0840 BALLESTER, ISRAEL II 03/05/26

AGGRAVATED ASSAULT

STATE'S

1. Does submission of an instruction on provoking the difficulty, Tex. Penal Code § 9.31(b)(4), require evidence that the difficulty was a scheme to manufacture a claim of self-defense?

2. If so, should the jury be given non-statutory instructions on the pretextual nature of the provocation?

25-0872 TOLENTINO, SOSTENES LORENZO 05/21/26

DWI

APPELLANT'S

2. The court of appeals erred in reviewing this case solely as a due process matter, when this Court holds that the failure of a trial court to provide a defendant a trial in a language he can speak and comprehend is a Sixth Amendment issue.

3. Even if the trial court's decision is reviewed solely for an abuse of discretion, the court of appeals erred in how it applied that standard to the record in this case.

25-0873 LAMNISSOS, MARIOS MICHAEL 04/30/26

ASSAULT-FAMILY VIOLENCE

APPELLANT'S

1. When a defendant has knowingly and competently invoked his right to self-representation, may a trial court terminate that right based on questioning it deems irrelevant or repetitive, without explicit findings of deliberate obstructionist misconduct? May an appellate court affirm such termination by applying "almost total deference"?

2. When a trial court revokes a defendant's right to self-representation mid-trial and forces unprepared standby counsel to take over against the defendant's wishes, can the court deny a continuance, violating the defendant's due process rights and leaving the defendant with neither autonomy nor effective assistance of counsel?

25-0929 HERNANDEZ, FRANK III 05/21/26

AGGRAVATED SEXUAL ASSAULT

APPELLANT'S

1. The court of appeals erred in holding that Appellant inadequately briefed his claim that the trial court abused its discretion by denying his motion for new trial based on newly discovered or newly available evidence from Joe Ramirez, the only independent eyewitness who corroborated his justification defense, thereby misapplying Texas Rule of Appellate Procedure 38.1(i) and avoiding the merits of a preserved constitutional and statutory claim under Tex. Code Crim. Proc. art. 40.001 and Carsner.

25-0932 MOTEN, HERBERT WAYNE 04/02/26

AGGRAVATED ASSAULT

STATE'S

1. Should *State v. Heath*, 696 S.W.3d 677 (Tex. Crim. App. 2024), be overruled and "state" in the discovery statute be interpreted to mean the prosecutor's office?

2. Should *State v. Heath*, 696 S.W.3d 677 (Tex. Crim. App. 2024), be overruled and "state" be interpreted to mean "the prosecution"---*i.e*., those that participate in the investigation or prosecution of the offense?

25-0932 MOTEN, HERBERT WAYNE 06/25/26

AGGRAVATED ASSAULT

APPELLANT'S (Rehearing)

1. The Court erred in overlooking the significance of the discovery's and/or jail calls harm in infecting the minds of the jury which is stated in the Petitioner's Petition and did not apply the "Use Before the Jury" Rule in its decision.

2. The Court erred in overlooking how defendant's substantial rights were affected.

3. The Court erred in overlooking [that] the jail calls were of constitutional vestige and a constitutional error.

25-0981 NEUSER, NATHANIEL 04/30/26

INDECENCY WITH A CHILE (2 COUNTS), INJURY TO A CHILD (2 COUNTS)

STATE'S

1. After providing a full opportunity for voir dire, does a trial court abuse its discretion by refusing to permit a party to individually re-question veniremembers whose qualifications are ambiguous only because of the party's own questions?

2. Is a juror subject to a challenge for cause if he indicates that he would either "always or almost always" believe that officers are more truthful than other witnesses?

25-1009 PATTERSON, ANTHONY JORDAN 05/07/26

ENGAGING IN ORGANIZED CRIMINAL ACTIVITY (2 COUNTS), MURDER, ASSAULT-BODILY INJURY

APPELLANT'S

2. Is the Court of Criminal Appeals' holding in O'Brien v. State applicable to EOCA when a person is charged as being a member of a criminal street gang rather than being part of a combination?

25-1034 MORRIS, MICHAEL JOSEPH 04/09/26

DWI

APPELLANT'S

Did the court of appeals incorrectly dismiss Petitioner's appeal for want of jurisdiction, when Petitioner attempted to timely file his new trial motion on July 11, 2025, which was rejected by the county clerk's office because of a formatting error when a deputy clerk misinterpreted the e-filing rules, causing this motion to be file-marked with an untimely date, instead of the timely earlier attempted filing date?

26-0013 PITTS-MARSHALL, DEMONTRE JALEEL 05/07/26

ASSAULT

APPELLANT'S

2. Does a federal law enforcement agent "lawfully discharge an official duty" while making a state law misdemeanor arrest when Texas law allows a federal agent to make only state law felony arrests?

26-0014 RIOS, MANUEL 05/21/26

SEXUAL ASSAULT (6 COUNTS), ATTEMPTED SEXUAL ASSAULT

APPELLEE'S

1. Did the Court of Appeals err by overturning the trial court's conclusion that the search warrant affidavit was legally unsworn, and the search warrant of Appellee's phone was facially defective pursuant to Texas Code of Criminal Procedure Article 18.0215(c) such that the good faith exception of Article 38.23(b) did not apply to this case?

2. If a good-faith exception analysis is required, did the Court of Appeals err by extending that exception to a case where the two law enforcement officers and the signing judge were unaware of a ten-year old statute that contained mandatory language reflecting an elevated concern for the privacy rights for the issuance of a search warrant for an electronic communications device?

26-0019 SALAZAR, REYES 05/07/26

CONTINUOUS SEXUAL ABUSE OF A YOUNG CHILD, AGGRAVATED SEXUAL ASSAULT OF A CHILD

COURT'S OWN MOTION

1. Did the court of appeals err to conclude that having ten regular jurors and two alternate jurors participate in the deliberation of Appellant's guilt or innocence, when all twelve regular jurors were present and able and apparently willing to participate in deliberations, did not violate Article V, Section 13, of the Texas Constitution?

2. Did the court of appeals err to conclude that any error in having two alternate jurors inside the jury room and actively participating in deliberations, in violation of Article 36.22 of the Texas Code of Criminal Procedure, was harmless under Rule 44.2(b) of the Texas Rules of Appellate Procedure?

26-0041 JOHNSON, NOAH MICHAEL 06/25/26

ASSAULT—FAMILY VIOLENCE, ASSAULT—FAMILY VIOLENCE BY IMPEDING BREATH OR CIRCULATION

STATE'S

The Third Court erred in reversing Appellant's 'Assault Family Violence' convictions based on its erroneous conclusion the charges failed to allege the same conduct, same act, or same transaction as his Attempt to Commit Murder charge; its holding will have negative consequences for the State and all victims of criminal conduct, and it conflicts with its sister Courts' and this Court's precedent.

COURT'S OWN MOTION

Whether the Court's opinions in Hernandez v. State, 127 S.W.3d 768 (Tex. Crim. App. 2004), Marks v. State, 560 S.W.3d 169 (Tex. Crim. App. 2018), and/or State v. West, 632 S.W.3d 908 (Tex. Crim. App. 2021), should be reconsidered.

26-0053 EATON, JORDAN ALEXANDER 06/25/26

MURDER, AGGRAVATED ASSAULT

STATE'S

1. Did Eaton's objection preserve error under Rule 403 or under Due Process?
3. Did the court of appeals err by concluding that the trial court should be reversed because of a single question that violated Crawford and because the trial court admitted a six second video of Eaton in restraints?

COURT'S OWN MOTION

Whether the court of appeals erred by failing to afford appropriate deference to the trial court on the admissibility of the evidence.

26-0072 BURGOS-AVILES, RONALD ANTHONY 06/04/26

CAPITAL MURDER (2 COUNTS)

APPELLANT'S

The Court of Appeals' rationale for rejecting Appellant's claim that the trial court erred in discharging his second-chair attorney and appointed a new one over his objection fails to properly apply the relevant caselaw.

26-0076 GONZALEZ, ANDREW ABEL 06/25/26

OFFICIAL OPPRESSION

APPELLEE'S

The Thirteenth Court of Appeals opinion has erroneously expanded First Amendment rights of the public to transparency in law enforcement conduct, to include a right to eavesdrop and surreptitiously record conversations intended by officers to be private, and made during ongoing investigations.

26-0135-0139 DELANEY, CONNER JEFFERY 06/04/26

PROMOTION OF CHILD PORNOGRAPHY (5 COUNTS)

APPELLANT'S

1. The appellate court misconstrued the statutory mens rea requirement by applying the incorrect standard to the specific charge and, subsequently, erred in permitting a finding of knowledge without proof that Appellant was aware his conduct was reasonably certain to cause the result in Texas.

2. The court of appeals' determination that Texas possessed territorial jurisdiction conflicts with prior appellate court decisions that the court itself acknowledged as instructive yet failed to follow in reaching its holding

26-0143 BACON, KEVIN WILLIAMS 08/20/26

DRIVING WHILE INTOXICATED

STATE'S

1. When the jury heard some evidence that raised the possibility of ingestion of a drug in addition to alcohol, must the trial court restrict the definition of "intoxicated" to alcohol under Burnett v. State?

2. Did the Fourteenth Court of Appeals conflate the some harm standard from Burnett v. State with the egregious harm standard for unpreserved jury charge error when it found the complete definition of "intoxicated" egregiously harmful in this case?

26-0147 WILBERT, EX PARTE COREY 08/20/26

MURDER

APPELLEE'S

1. Whether the court of appeals erred by rejecting Wilbert's contention that the State had forfeited appellate review under Code of Criminal Procedure Article 44.01(a)(7)(A)(i) by failing to apprise the trial court of its argument that the bond was insufficient.

2. Whether, in bail appeals under Code of Criminal Procedure Article 44.01(f-1)(1) and Rule of Appellate Procedure 31.8(h)(1) — which require "a de novo review of all issues presented" — "all issues" includes factual determinations of the trial court as well as questions of law. Thus, whether the court of appeals erred by failing to defer to the trial court's factual determinations, opting instead to make de novo factual determinations from a cold record.

26-0157 PERDOMO-MEJIA, ENRIQUE 08/20/26

CONTINUOUS SEXUAL ABUSE OF A CHILD

APPELLANT'S

Is the presence of a uniformed, armed guard directly behind a defendant testifying at the guilt phase of trial inherently prejudicial to the presumption of innocence, in violation of due process under the Fourteenth Amendment of the United States Constitution?

26-0166/0167 MARTIN, EX PARTE BESSIE TEKILA 09/03/26

CREDIT CARD OR DEBIT CARD ABUSE AGAINST AN ELDERLY INDIVIDUAL

COURT'S OWN MOTION

Whether the Court of Appeals's judgments remanding the cases for further record development finally disposed of the appeals and are therefore reviewable under Jack v. State.

STATE'S

Does TEX. R. APP. P. 31.3 authorize a court of appeals to remand a case to provide a habeas applicant a second full opportunity to make a record supporting her claim?

26-0178 LANKFORD, BOBBIE LEE 10/29/26

POSSESSION OF CHILD PORNOGRAPHY

APPELLANT'S

2. Can an officer objectively rely in good faith on a warrant under article 38.23(b) to conduct a forensic examination of a seized cell phone's digital contents when the warrant's command authorized only seizure and return of hardware to the court?
3. Can an officer objectively rely in good faith on a warrant under article 38.23(b) to search a particular cell phone when the warrant identified the property to be searched only as "cellular phones" without specifying any device by make, model, or IMEI number?
4. Can an officer objectively rely in good faith on a purported warrant under article 38.23(b) when the "warrant" was signed by a justice of the peace who lacked statutory authority under article 18.01(c) to issue warrants for evidence of an offense under article 18.02(a)(10)?
5. Does a court misapply the article 38.23(b) good-faith standard when, instead of asking whether a reasonable officer holding this specific warrant—with all three structural deficiencies simultaneously present—would have believed he was authorized to proceed, it addresses each deficiency separately and never applies Wheeler's standard to the instrument as it actually existed?

26-0190-0248 ZURITA, MELVIN ISMAEL ET AL 06/11/26

PARTICIPATING IN A RIOT

STATE'S

1. The court of appeals erred in affirming the dismissals of fifty-nine misdemeanor indictments by the trial court because: (1) the court of appeals misapplied this Court's long established case law that holds that a court document is deemed filed when it is placed in the custody or control of the clerk and, once in the clerk's custody or control, a party like the State is not responsible for and cannot be prejudiced by any errors or omissions of the court clerk; (2) no law or rule of procedure requires that grand jury indictments for misdemeanor offenses, as expressly permitted by the Texas Constitution, must first be filed in a district court, being a court without competent jurisdiction, before the indictment can be transferred and filed in a county court, a court of appropriate jurisdiction; (3) no law or rule of procedure requires that documents tendered to a court clerk for filing be physically affixed together by staples or other means; and (4) any transfer defects that exist are procedural and non-jurisdictional in nature pursuant to the 1985 constitutional and statutory amendments rejecting a hyper-technical approach to measure the validity of indictments.

2. Does Code of Criminal Procedure article 21.30 operate to prevent the dismissal of a case where a re-transfer to the grand-jury district court would be the proper remedy to cure any alleged transfer defects?

26-0257 AGUIRRE, ERIK 09/03/26

MURDER

STATE'S

1. Does an appellant have a waivable-only right that prohibits a trial judge from explaining the beyond a reasonable doubt standard?
2. Should an appellate court review a judge's voir dire comments as if they constitute jury charge error?
3. Does the Rule 44.2(a) constitutional harm standard apply to a trial judge's attempt to explain the beyond a reasonable doubt standard in voir dire?

26-0266 MARTINEZ, ERICK 09/03/26

AGGRAVATED ROBBERY

APPELLANT'S

The Court of Appeals erred by failing to consider the trial court's duty to inquire as to whether an interpreter was needed to protect the Appellant.

26-0283 MUNDT, DAVID ROY 10/08/26

AGGRAVATED SEXUAL ASSAULT OF A CHILD (2 COUNTS)

APPELLANT'S

1. Appellant has standing to challenge the search of his DNA in the saliva of the thermometer probe.
2. The 6th Court of Appeals erroneously relied on *Pollard* which was a case for obtaining a surreptitious DNA sample, which is for inmates and the Appellant was not an inmate because he was in the holding area of the jail where his vitals were taken.
3. There is no case on point in ruling on these present set of facts, and this is an issue of first impression. The closest analogy can be to the blood taken by the State and tested in *State v. Martinez*.

26-0324-0327 ORTEGO, JUSTIN WAYNE 11/12/26

CONTINUOUS SEXUAL ABUSE OF A CHILD, INDECENCY WITH A CHILD BY CONTACT (3 COUNTS)

APPELLANT'S

1. Does a defendant's Sixth Amendment right to present a defense require allowing the presentation of live remote testimony from out-of-state witnesses over a State's general objection?
2. Is the harm standard for this issue reviewed under 44.2(b) as an exclusion of evidence, or 44.2(a) because a constitutional violation was claimed?

26-0337 PALOMARES, ALEXANDER GONZALEZ 08/20/26

AGGRAVATED ASSAULT, ASSAULT

APPELLANT'S

This is a case where the trial court and 7th Court of Appeals basically held that article 39.14 doesn't mean what it says and that the Court of Criminal Appeals recent rulings about 39.14 do not mean what they say and the prosecutor disclosing for the first time damaging evidence in the middle of a trial can be upheld without the defense having an appropriate remedy for the late disclosure.
This is an issue as to whether the Mich[ael] Morton Act means anything or that trial judges can fashion a "remedy" that is illogical and disconnected from reality. The Court must reverse the incorrect opinion of the 7th Court of Appeals.

26-0340 PHAM, LUAN DUC 10/08/26

ENGAGING IN ORGANIZED CRIMINAL ACTIVITY

STATE'S

Whether the lower court erred when it held that a jury cannot correct its erroneous informal verdict after the jury has been polled but before it has been discharged from service.

26-0376 VIGIL, MARK ANTHONY 09/03/26

CAPITAL MURDER

STATE'S

Did the lower court usurp the jury's inferencing-drawing role when it held that Appellant's act of shooting up the supposed victim's car was an intervening episode that extinguished his immediate flight from attempting to burglarize the victim's apartment when the jury could have found that: (1) the car shooting facilitated flight, or (2) he fled both offenses?

26-0420 MEYER, JOHN STEVEN 11/05/26

POSSESSION OF A CONTROLLED SUBSTANCE

STATE'S

Did the evidence sufficiently establish that appellant knowingly possessed the methamphetamine found in his bathroom?

26-0423 RODRIGUEZ, CAROLYN 10/22/26

HINDERING PROCEEDINGS BY DISORDERLY CONDUCT

APPELLANT'S

1. After concluding there was jury-charge error that was preserved by objection, did the Court of Appeals err in finding that there was no harm to Appellant by the error?
2. Did the Court of Appeals err in concluding that the two subsections of Sec. 38.13 are alternative manners and means of committing Hindering Proceedings by Disorderly Conduct rather than two separate offenses, and thus there was no error in the application paragraph of the jury charge that would not allow jury unanimity?
3. Is Sec. 38.13 facially unconstitutional and if not was it unconstitutionally applied to Appellant in violation of First Amendment protections?
4. Was the evidence sufficient for a rational jury to find Appellant guilty beyond a reasonable doubt?

26-0539 BOOKER, JARVIS LAMAR 11/12/26

POSSESSION WITH INTENT TO DELIVER A CONTROLLED SUBSTANCE

APPELLANT'S

1. Whether having such a fiberboard air freshener hanging from the rearview mirror is a violation of the Texas traffic laws.
2. The court of appeals' decision in this case is contrary to this Court's previous decision in Ford v. State, 158 S.W.3d 488, 493 (Tex. Crim. App. 2005), in which this Court held that a conclusionary statement by an officer does not constitute reasonable articulable suspicion to conduct a traffic stop.

26-0597 SAMPIERO, EX PARTE ALONSO ISLAS 09/17/26

CRIMINAL TRESPASS

APPELLANT'S

2. Is a challenge to a bond conditioned on an impossible order cognizable in a pretrial writ and subject to interlocutory review?

26-0598 MARMOLEJO-PALACIOS, EX PARTE JOSE ELEAZAR 09/17/26

CRIMINAL TRESPASS

APPELLANT'S

2. Is a challenge to a bond conditioned on an impossible order cognizable in a pretrial writ and subject to interlocutory review?