

COURT OF APPEALS, SIXTH APPELLATE DISTRICT OF TEXAS AT
TEXARKANA

In re Kenneth Hall

No. 06-26-00100-CR (Tex. App.—Texarkana June 1, 2026) (mem. op.) · No. 06-26-00100-CR · Decided June 1, 2026

SUMMARY

The Sixth Court of Appeals of Texas at Texarkana denied Kenneth Hall’s pro se petition for a writ of mandamus. Hall sought relief concerning a nunc pro tunc judgment of conviction, but the court held that he failed to comply with Texas Rules of Appellate Procedure governing factual support, certification, and assembly of the mandamus record.

CASE DETAILS

COURT	Court of Appeals, Sixth Appellate District of Texas at Texarkana
WRITING FOR THE COURT	Justice Charles van Cleef; Chief Justice Stevens; Justice van Cleef; Justice Rambin
JURISDICTION	Court of Appeals, Sixth Appellate District of Texas at Texarkana
DECIDED	June 1, 2026
DOCKET	06-26-00100-CR
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original mandamus proceeding in which the relator sought to compel the district court to vacate a nunc pro tunc judgment of conviction, permit an appeal, or invalidate the trial court's ruling and order further proceedings.
STANDARD OF REVIEW	Mandamus relief was denied because the relator failed to provide a properly authenticated and sufficiently complete mandamus record under Texas Rule of Appellate Procedure 52.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Kenneth Hall, relator v. State of Texas

TOPICS

- writ of certiorari
- appellate procedure
- criminal procedure
- post-conviction relief

PRACTICE AREAS

appellate procedure

criminal procedure

post-conviction relief

QUESTIONS PRESENTED

1. Whether Hall was entitled to mandamus relief when his petition failed to comply with the Texas Rules of Appellate Procedure governing factual support and the contents of the mandamus record.
2. Whether the court of appeals could decide Hall's challenge to the nunc pro tunc judgment on an incomplete mandamus record.

HOLDINGS

1. A relator seeking mandamus relief must comply with the requirements of Texas Rules of Appellate Procedure 52, including supporting factual assertions with competent evidence, providing required certified or sworn documents, and including the relevant trial court order or other document showing the complained-of matter.
2. Hall was not entitled to mandamus relief because his failure to provide a sufficient mandamus record prevented the court from making a sound decision.

KEY QUOTATIONS

“Because the record in a mandamus proceeding is assembled by the parties, we must strictly enforce[] the authentication requirements of rule 52 to ensure the integrity of the mandamus record.” (2)

“This court cannot make a sound decision based on an incomplete picture. But that is precisely what [Hall] is asking us to do by h[is] failure to provide a sufficient mandamus record.” (2)

FACTUAL BACKGROUND

Hall challenged a nunc pro tunc judgment of conviction, asserting that it corrected more than a clerical error and was based on judicial reasoning. He sought to have the judgment vacated, to appeal the judgment entered in his absence, or to have the trial court's ruling declared invalid. Hall's petition did not include the required evidentiary support, authenticated documents, and relevant trial court order.

PROCEDURAL HISTORY

Kenneth Hall filed a pro se petition for a writ of mandamus challenging a nunc pro tunc judgment entered by the Lamar County district court. The court of appeals concluded that Hall failed to comply with multiple Texas Rules of Appellate Procedure governing factual support, authentication, and submission of material documents in a mandamus record. The court denied the petition.

DISPOSITION

writ_denied

CASES CITED

- In re Long, 607 S.W.3d 443, 445 (Tex. App.—Texarkana 2020, orig. proceeding)
- In re Smith, No. 05-19-00268-CV, 2019 WL 1305970, at *1 (Tex. App.—Dallas Mar. 22, 2019, orig. proceeding) (mem. op.)
- In re Le, 335 S.W.3d 808, 813 (Tex. App.—Houston [14th Dist.] 2011, orig. proceeding)

OPINION

PER CURIAM.

In the Court of Appeals Sixth Appellate District of Texas at Texarkana No. 06-26-00100-CR IN RE KENNETH HALL Original Mandamus Proceeding Before Stevens, C.J., van Cleef and Rambin, JJ. Memorandum Opinion by Justice van Cleef MEMORANDUM OPINION Relator, Kenneth Hall, has filed a pro se petition for a writ of mandamus asking this Court to compel the Honorable R. Wesley Tidwell, presiding judge of the 6th Judicial District Court of Lamar County, Texas, to vacate its nunc pro tunc judgment of conviction¹ “or allow [an a]ppeal to Judgment Nunc Pro Tunc made in absentia... or find Judge Tidwell[’]s ruling invalid and set the cause back in the original position and a proper hearing to commence accordingly.” We deny Hall’s petition.

Rule 52.3(k) of the Texas Rules of Appellate Procedure requires the person filing the petition for a writ of mandamus to “certify that he or she has reviewed the petition and concluded that every factual statement in the petition is supported by competent evidence included in the appendix or record.” TEX. R. APP. P. 52.3(k). Furthermore, Rule 52.3(h) of the Texas Rules of Appellate Procedure requires that each factual statement in the petition be supported by a citation to competent evidence in the appendix or record.

TEX. R. APP. P. 52.3(h). Next, Rule 52.7(a)(1) of the Texas Rules of Appellate Procedure requires a relator to file with the petition “a certified or sworn copy of every document that is material to the relator’s claims for relief and that was filed in any underlying proceeding.” TEX. R. APP. P. 52.7(a)(1). Also, Rule 52.3(l)(1)(B) of the Texas Rules of Appellate Procedure states that “[t]he appendix must... contain... a certified or sworn copy of the relevant trial court order, or any other document showing the matter complained of.” TEX. R. APP.

P. 52.3(l)(1)(B). Hall did not adhere to these procedural rules and others. ¹ Hall claims the trial court’s nunc pro tunc judgment was not entered to correct a clerical error but was instead based on judicial reasoning. ² “‘Because the record in a mandamus proceeding is assembled by the parties,’ we must ‘strictly enforce[] the authentication requirements of rule 52 to ensure the integrity of the mandamus record.’” In re Long, 607 S.W.3d 443, 445 (Tex.

App.—Texarkana 2020, orig. proceeding) (alteration in the original) (quoting In re Smith, No. 05-19-00268-CV, 2019 WL 1305970, at *1 (Tex. App.—Dallas Mar. 22, 2019, orig. proceeding) (mem. op.)). “This court cannot make a sound decision based on an incomplete picture. But that is

precisely what [Hall] is asking us to do by h[is] failure to provide a sufficient mandamus record.”
See *In re Le*, 335 S.W.3d 808, 813 (Tex.

App.—Houston [14th Dist.] 2011, orig. proceeding). We decline to do so. Accordingly, we deny Hall’s petition for a writ of mandamus. Charles van Cleef Justice Date Submitted: May 29, 2026
Date Decided: June 1, 2026 Do Not Publish 3