

COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH

Nathaniel Turner v. the State of Texas

Nos. 02-25-00310-CR, 02-25-00311-CR, 02-25-00312-CR, and 02-25-00313-CR (Tex. App.—Fort Worth June 11, 2026) (mem. op.) · No. Nos. 02-25-00310-CR, 02-25-00311-CR, 02-25-00312-CR, and 02-25-00313-CR ·
Decided June 11, 2026

SUMMARY

The Court of Appeals for the Second District of Texas affirmed Nathaniel Turner's four plea-bargained convictions and concurrent five-year sentences. The court held that Turner forfeited his challenge to the initial detention and that the warrantless vehicle search was valid under the automobile and search-incident-to-arrest exceptions to the Fourth Amendment.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Elizabeth Kerr; Bassel; Wallach
JURISDICTION	Court of Appeals for the Second Appellate District of Texas at Fort Worth
DECIDED	June 11, 2026
DOCKET	Nos. 02-25-00310-CR, 02-25-00311-CR, 02-25-00312-CR, and 02-25-00313-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Turner appealed four plea-bargained convictions and concurrent five-year sentences, challenging the denial of his motions to suppress evidence obtained during a warrantless vehicle search.
STANDARD OF REVIEW	The court viewed the evidence in the light most favorable to the trial court's ruling and applied a bifurcated standard: almost total deference to express or implied historical-fact determinations and de novo review of the application of search-and-seizure law to those facts.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Nathaniel Turner v. The State of Texas

TOPICS

suppression of evidence

fourth amendment

search and seizure

probable cause

preservation of error

PRACTICE AREAS

criminal procedure

constitutional criminal procedure

appellate procedure

search and seizure

QUESTIONS PRESENTED

1. Whether Turner preserved or forfeited his appellate complaint that police lacked reasonable suspicion to detain him.
2. Whether officers had probable cause to arrest Turner and search his readily mobile vehicle without a warrant under the Fourth Amendment.
3. Whether the vehicle search was valid as a search incident to arrest when conducted immediately before Turner's formal arrest.

HOLDINGS

1. Turner forfeited his complaint concerning the legality of the initial detention because he expressly abandoned that suppression ground during the trial-court hearing and argued only that the vehicle search lacked probable cause.
2. The warrantless search of Turner's vehicle was valid under the Fourth Amendment because officers had probable cause to believe the vehicle contained contraband or evidence of the narcotics offenses for which Turner was arrested.
3. A search incident to arrest may be valid when conducted immediately before formal arrest if officers had probable cause to arrest and reason to believe the vehicle contained evidence of the offense of arrest.

KEY QUOTATIONS

“The automobile exception allows for the warrantless search of an automobile ‘if it is readily mobile and there is probable cause to believe that it contains contraband.’” (at 5)

“Accordingly, the police’s search of Turner’s vehicle was valid under the Fourth Amendment.” (at 10)

“We therefore conclude that the trial court did not err by denying Turner’s four suppression motions.” (at 10)

FACTUAL BACKGROUND

A Fort Worth narcotics officer monitoring a pole camera observed Turner purchase a prescription pill bottle containing white pills and then conduct several hand-to-hand sales from his vehicle in a high-crime area known for narcotics activity. The officer determined that probable cause existed to arrest Turner for delivery of a controlled substance and alerted officers in the field. Officers arrested Turner, searched his truck without a warrant, and found pill bottles, currency, and a revolver; testing confirmed that the pills included oxycodone, amphetamines, and methadone.

PROCEDURAL HISTORY

Turner was charged with one count of being a felon in possession of a firearm and three controlled-substance offenses. The trial court denied his suppression motions, after which Turner pleaded guilty under plea agreements in all four cases. The trial court sentenced him to four concurrent five-year terms, and the court of appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- *Everitt v. State*, 407 S.W.3d 259, 262–63 (Tex. Crim. App. 2013)
- *Sanchez v. State*, 418 S.W.3d 302, 306 (Tex. App.—Fort Worth 2013, pet. ref'd)
- *Krause v. State*, 243 S.W.3d 95, 102 (Tex. App.—Houston [1st Dist.] 2007)
- *Clark v. State*, 365 S.W.3d 333, 339 (Tex. Crim. App. 2012)
- *Ford v. State*, 305 S.W.3d 530, 532 (Tex. Crim. App. 2009)
- *Provence v. State*, No. 02-13-00475-CR, 2015 WL 4076796, at *3 (Tex. App.—Fort Worth July 2, 2015, no pet.)
- *Marcopoulos v. State*, 538 S.W.3d 596, 599–600 (Tex. Crim. App. 2017)
- *Keehn v. State*, 279 S.W.3d 330, 335 (Tex. Crim. App. 2009)
- *Brinegar v. United States*, 338 U.S. 160, 175–76, 69 S. Ct. 1302, 1311 (1949)
- *Neal v. State*, 256 S.W.3d 264, 282 (Tex. Crim. App. 2008)
- *State v. Martinez*, 569 S.W.3d 621, 626 (Tex. Crim. App. 2019)
- *Woodward v. State*, 668 S.W.2d 337, 344 (Tex. Crim. App. 1982)
- *Bianchi v. State*, No. 01-02-01130-CR, 2004 WL 549565, at *3 (Tex. App.—Houston [1st Dist.] Mar. 18, 2004, pet. ref'd)
- *United States v. Dennis*, 41 F.4th 732, 740–42 (5th Cir. 2022)
- *Terry v. State*, No. 14-15-01020-CR, 2018 WL 1057565, at *5 (Tex. App.—Houston [14th Dist.] Feb. 27, 2018, pet. ref'd)
- *Boyd v. State*, No. 01-87-00273-CR, 1988 WL 26386, at *2 (Tex. App.—Houston [1st Dist.] Mar. 24, 1988, no writ)
- *Johnson v. State*, 684 S.W.2d 129, 130, 133 (Tex. App.—Houston [14th Dist.] 1984, no writ)
- *State v. Sanchez*, 538 S.W.3d 545, 547, 549–50 (Tex. Crim. App. 2017)
- *Arizona v. Gant*, 556 U.S. 332, 335, 129 S. Ct. 1710, 1714 (2009)
- *Thornton v. United States*, 541 U.S. 615, 632, 124 S. Ct. 2127, 2137 (2004) (Scalia, J., concurring)
- *State v. Ballard*, 987 S.W.2d 889, 892 (Tex. Crim. App. 1999)
- *Morris v. State*, No. 02-24-00008-CR, 2025 WL 1840469, at *12 n.18 (Tex. App.—Fort Worth July 3, 2025, pet. ref'd)
- *Welch v. State*, 93 S.W.3d 50, 52 & n.5 (Tex. Crim. App. 2002)
- *State v. Kelly*, 204 S.W.3d 808, 818 (Tex. Crim. App. 2006)

- Carmouche v. State, 10 S.W.3d 323, 327 (Tex. Crim. App. 2000)
- Morris v. State, 2025 WL 1840469, at *11 n.16 (Tex. App.—Fort Worth July 3, 2025, pet. ref'd)
- Hernandez v. State, No. 02-24-00437-CR, 2025 WL 2458616, at *1 n.2 (Tex. App.—Fort Worth Aug. 26, 2025, pet. ref'd)

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