

COURT OF APPEALS OF THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

Brandon Wayne Patterson v. The State of Texas

No. 07-25-00311-CR · No. 07-25-00311-CR · Decided March 19, 2026

SUMMARY

The Seventh Court of Appeals of Texas affirmed the revocation of Brandon Wayne Patterson’s deferred adjudication community supervision, adjudication of guilt for possession with intent to deliver a controlled substance, and fifteen-year sentence. The court held that Patterson’s waiver of appeal barred his challenge to the voluntariness-related admonishments and, alternatively, that the trial court was not required to admonish him regarding a plea of not true or the punishment range at the revocation proceeding. The court also concluded that the record showed Patterson was aware of the applicable punishment range and the consequences of pleading true.

CASE DETAILS

COURT	Court of Appeals of the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Alex Yarbrough; Parker, C.J.; Doss, J.; Yarbrough, J.
JURISDICTION	Texas Court of Appeals, Seventh District at Amarillo
DECIDED	March 19, 2026
DOCKET	07-25-00311-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment revoking deferred adjudication community supervision, adjudicating appellant guilty of possession with intent to deliver a controlled substance, and sentencing him to fifteen years' imprisonment.
STANDARD OF REVIEW	A valid waiver of the right to appeal deprives the court of appeals of jurisdiction, subject to an exception for an involuntary, unknowing, or unintelligent waiver. Any error in the punishment admonishment is subject to harm review and requires reversal only if it affected substantial rights. To establish harm from an allegedly deficient admonishment, the defendant must show that he was personally unaware of the information in the statutory admonishments and that he would not have pleaded guilty or nolo contendere had he received them.

PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; marked do not publish.
PARTIES	Brandon Wayne Patterson v. The State of Texas

TOPICS

criminal procedure appellate jurisdiction due process sentencing standard of review

PRACTICE AREAS

Texas criminal procedure community-supervision revocation deferred adjudication criminal appeals

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction to review Patterson's claim that he was not informed of his right to plead not true at the revocation proceeding despite his waiver of appeal.
2. Whether due process or Texas law required the trial court to admonish Patterson of his right to plead not true and require the State to prove the alleged supervision violations.
3. Whether the trial court was required to admonish Patterson of the applicable punishment range before he pleaded true to the allegations.
4. Whether any failure to provide the alleged punishment admonishment affected Patterson's substantial rights.

HOLDINGS

1. A valid waiver of the right to appeal deprives the court of appeals of jurisdiction, except where the plea or waiver was not made voluntarily, knowingly, and intelligently. Because Patterson did not challenge the voluntariness, knowledge, or intelligence of his pleas of true, the court could not review his non-sentencing complaint.
2. Due process principles applicable to revocation hearings do not require the trial court to admonish a defendant specifically that he may plead not true and thereby require the State to prove its allegations; Texas statutory admonishment requirements for guilty pleas do not strictly apply to revocation proceedings.
3. The statutory requirement to admonish a defendant about the punishment range arises at the initial plea before accepting a guilty plea and does not strictly apply at the time of revocation.
4. Any error in failing to provide the alleged punishment admonishment requires reversal only if it affected Patterson's substantial rights; Patterson did not establish harm because the written admonishments and his testimony showed personal awareness of the punishment range.

KEY QUOTATIONS

"When a defendant validly waives his right to appeal, the court of appeals lacks jurisdiction over the matter."
(at 2)

“those principles do not require the trial court to admonish Appellant of his right to enter a plea of not true, thus requiring the State to present proof of its allegations.” (at 3)

“This too indicates Appellant’s personal awareness of the information contained in the statutory admonishments.” (at 5)

FACTUAL BACKGROUND

Patterson pleaded guilty in January 2021 to manufacture or delivery of a controlled substance weighing at least four but less than 200 grams and received five years of deferred adjudication community supervision. After the State alleged violations and Patterson pleaded true to several allegations, he failed to appear on time for a scheduled August 2025 court setting, forfeiting the negotiated five-year punishment and converting the matter to an open plea. The trial court revoked supervision, adjudicated guilty, and imposed fifteen years' imprisonment; the record included written admonishments stating the first-degree-felony punishment range and explaining the consequences of pleading true.

PROCEDURAL HISTORY

Patterson pleaded guilty in 2021 to a controlled-substance offense and received five years of deferred adjudication community supervision. After the State petitioned to adjudicate and Patterson pleaded true to several alleged violations, he failed to appear on time for a scheduled court setting and forfeited the agreed five-year sentence, resulting in an open plea. The trial court later revoked community supervision, adjudicated him guilty, and imposed a fifteen-year sentence. The trial court certified his right to appeal as limited to sentencing issues.

DISPOSITION

affirmed

CASES CITED

- Cole v. State, 578 S.W.2d 127, 128 (Tex. Crim. App. 1979)
- Quinonez v. State, No. 02-24-00225-CR, 2025 Tex. App. LEXIS 1307, at *2-3 (Tex. App.-Fort Worth Feb. 27, 2025, pet. ref'd) (mem. op., not designated for publication)
- Marsh v. State, 444 S.W.3d 654, 660 (Tex. Crim. App. 2014)
- Ex parte Delaney, 207 S.W.3d 794, 795-96 (Tex. Crim. App. 2006)
- Hughes v. State, 691 S.W.3d 504, 514 (Tex. 2024)
- Carr v. State, No. 07-13-00159-CR, 2014 Tex. App. LEXIS 2659, at *5-6 (Tex. App.-Amarillo Mar. 6, 2014, no pet.) (mem. op., not designated for publication)
- Johnson v. State, No. 02-22-00195-CR, 2023 Tex. App. LEXIS 2275, at *5-6 (Tex. App.-Fort Worth Apr. 6, 2023, no pet.) (mem. op., not designated for publication)
- Wyatt v. State, 951 S.W.2d 144, 147 (Tex. App.-Houston [14th Dist.] 1997, pet. ref'd)

