

MISSISSIPPI COURT OF APPEALS

Kyle Reshawn Dodson a/k/a Kyle Dodson a/k/a Kyle Rashawn
Dodson v. State of Mississippi

No. 2024-KA-00424-COA · No. No. 2024-KA-00424-COA · Decided January 27, 2026

SUMMARY

The Mississippi Court of Appeals affirmed Kyle Dodson's convictions for attempted murder and conspiracy to commit motor vehicle theft. The court held that, even assuming aggravated assault could constitute a lesser-included offense of attempted murder, the evidence did not provide a sufficient factual basis for an aggravated-assault jury instruction.

CASE DETAILS

COURT	Mississippi Court of Appeals
WRITING FOR THE COURT	Wilson, P.J.; Barnes, C.J.; Carlton, P.J.; Westbrook, J.; McDonald, J.; Lawrence, J.; McCarty, J.; Emfinger, J.; Weddle, J.; Lassitter St. Pé, J.
JURISDICTION	Mississippi Court of Appeals
DECIDED	January 27, 2026
DOCKET	No. 2024-KA-00424-COA
DISPOSITION	affirmed
PROCEDURAL POSTURE	Dodson appealed his felony convictions for attempted murder and conspiracy to commit motor vehicle theft after the trial court refused his requested aggravated-assault lesser-included-offense jury instruction and imposed sentence.
STANDARD OF REVIEW	The refusal of a lesser-included-offense instruction is reviewed de novo.
PRECEDENTIAL VALUE	published
PARTIES	Kyle Reshawn Dodson a/k/a Kyle Dodson a/k/a Kyle Rashawn Dodson v. State of Mississippi

TOPICS

- lesser included offense instructions
- jury instructions
- criminal procedure
- standard of review
- appellate procedure

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court erred by refusing to instruct the jury on aggravated assault as a lesser-included offense of attempted murder.
2. Whether the trial evidence provided a sufficient factual basis for a rational jury to acquit Dodson of attempted murder while convicting him of aggravated assault.

HOLDINGS

1. The trial court did not err by refusing to give an aggravated-assault instruction because the record lacked an evidentiary basis for a rational jury to find Dodson not guilty of attempted murder but guilty of aggravated assault.

KEY QUOTATIONS

“A defendant has a right to a lesser-included-offense instruction if there is some evidence from which a reasonable juror could find him both not guilty of the indicted offense and guilty of the lesser-included offense.” (§10)

“There was no evidentiary basis for the jury to reach such a strange conclusion regarding Dodson’s intent.” (§13)

FACTUAL BACKGROUND

Dodson, Gabriel Crockett, and Travion Hollomon planned to steal a vehicle, with Dodson acting as lookout and protector and allegedly shooting anyone who attempted to stop the theft. When police detective Chase Pegrim arrived at the scene in an unmarked vehicle, Dodson allegedly fired at him repeatedly while advancing, and Pegrim returned fire. At trial, Dodson's defense primarily challenged his identification as the shooter and argued that the evidence did not establish his presence or connection to the firearm.

PROCEDURAL HISTORY

A DeSoto County Circuit Court jury convicted Dodson of attempted murder and conspiracy to commit motor vehicle theft, while acquitting him of conspiracy to commit murder. The jury was unable to agree on a sentence for attempted murder, and the circuit court sentenced Dodson to thirty-eight years' imprisonment for attempted murder and a consecutive term for conspiracy to commit motor vehicle theft. The Mississippi Court of Appeals affirmed the convictions and sentences.

DISPOSITION

affirmed

CASES CITED

- Thomas v. State, 249 So. 3d 331, 346 (¶51) (Miss. 2018)
- Phinizee v. State, 422 So. 3d 1, 12-13 (¶¶40-45) (Miss. Ct. App. 2025)
- Curtis v. State, 298 So. 3d 446, 451-52 (¶¶11, 14) (Miss. Ct. App. 2020)
- Gilmore v. State, 119 So. 3d 278, 286 (¶13) (Miss. 2013)
- Franklin v. State, 136 So. 3d 1021, 1026 (¶11) (Miss. 2014)

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