

COURT OF APPEALS OF TEXAS, SIXTH APPELLATE DISTRICT AT
TEXARKANA

John Dowdy v. The State of Texas

No. 06-25-00167-CR, Court of Appeals of Texas, Sixth Appellate District at Texarkana (May 19, 2026)

SUMMARY

The Sixth Court of Appeals of Texas at Texarkana affirmed John Dowdy’s conviction for continuous sexual abuse of a young child and his thirty-five-year prison sentence. The court held that the trial court did not abuse its discretion under Texas Rule of Evidence 403 by admitting testimony about Dowdy’s alcohol and methamphetamine use in connection with the abuse.

CASE DETAILS

COURT	Court of Appeals of Texas, Sixth Appellate District at Texarkana
WRITING FOR THE COURT	Jeff Ramin; Stevens, C.J.; van Cleef, J.; Ramin, J.
JURISDICTION	Texas Court of Appeals, Sixth Appellate District at Texarkana
DECIDED	May 19, 2026
DOCKET	06-25-00167-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Dowdy appealed his conviction for continuous sexual abuse of a young child, challenging the admission of evidence that he used alcohol or methamphetamine before sexually abusing the victim.
STANDARD OF REVIEW	The admission of extraneous-offense evidence and the trial court's Rule 403 balancing determination are reviewed for abuse of discretion. The ruling is upheld if it falls within the zone of reasonable disagreement, and it will stand if correct under any applicable legal theory.
PRECEDENTIAL VALUE	Unpublished memorandum opinion; nonprecedential.
PARTIES	John Dowdy v. The State of Texas

TOPICS

- evidence
- relevance
- criminal procedure
- standard of review
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion under Texas Rule of Evidence 403 by admitting Gerald's testimony that Dowdy drank alcohol or smoked methamphetamine before sexually abusing him.

HOLDINGS

1. The trial court did not abuse its discretion by admitting Gerald's brief testimony about Dowdy's alcohol and methamphetamine use. The evidence helped place the charged conduct in context, remained probative of Gerald's credibility and the circumstances of the abuse, and its probative value was not substantially outweighed by unfair prejudice, confusion, or other Rule 403 dangers.
2. The evidentiary ruling must be upheld because it was within the zone of reasonable disagreement.

KEY QUOTATIONS

“A trial judge’s ruling on the admissibility of extraneous offenses is reviewed under an abuse-of-discretion standard.”” (4)

“Evidence of a crime, wrong, or act other than the offense charged is not admissible to prove that the defendant acted in conformity with his character but may be admissible for other purposes.”” (5)

“Almost all evidence offered by the prosecution will be prejudicial to the defendant. Only evidence that is unfairly prejudicial should be excluded.”” (8)

“set[] the stage for the jury’s comprehension of the whole criminal transaction,” and was, on balance, more probative than prejudicial.” (9)

FACTUAL BACKGROUND

Dowdy was convicted of repeatedly sexually abusing Gerald, who began visiting Dowdy when Gerald was about five years old. Gerald testified that Dowdy drank alcohol or smoked methamphetamine every time he sexually abused Gerald, and that the substances affected Dowdy's emotional or energetic behavior. Dowdy challenged admission of that drug-use testimony as minimally probative and unfairly prejudicial, but the trial court admitted it as same-transaction-contextual evidence and gave the jury a limiting instruction.

PROCEDURAL HISTORY

A Tarrant County jury convicted Dowdy of continuous sexual abuse of a young child and assessed thirty-five years' imprisonment. The trial court had denied or otherwise rejected Dowdy's challenge to the drug-use evidence after a motion in limine hearing, admitted the evidence as same-transaction-contextual evidence, and gave the jury a limiting instruction concerning extraneous offenses. The Sixth Court of Appeals affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- Irsan v. State, 708 S.W.3d 584, 616 (Tex. Crim. App. 2025)
- De La Paz v. State, 279 S.W.3d 336, 343-44 (Tex. Crim. App. 2009)
- Montgomery v. State, 810 S.W.2d 372, 388-89 (Tex. Crim. App. 1991) (op. on reh'g)
- Inthalangsy v. State, 634 S.W.3d 749, 756-58 (Tex. Crim. App. 2021)
- Devoe v. State, 354 S.W.3d 457, 469 (Tex. Crim. App. 2011)
- Moreno v. State, 721 S.W.2d 295, 301 (Tex. Crim. App. 1986)
- Mitchell v. State, 650 S.W.2d 801, 811 (Tex. Crim. App. 1983)
- Fischer v. State, 268 S.W.3d 552, 558 (Tex. Crim. App. 2008)
- Harrell v. State, 884 S.W.2d 154, 160 (Tex. Crim. App. 1994)
- King v. State, 189 S.W.3d 347, 354-55 (Tex. App.—Fort Worth 2006, no pet.)
- Gigliobianco v. State, 210 S.W.3d 637, 640-42 (Tex. Crim. App. 2006)
- DeLeon v. State, 77 S.W.3d 300, 315 (Tex. App.—Austin 2001, pet. ref'd)
- James v. State, 623 S.W.3d 533, 546-49 (Tex. App.—Fort Worth 2021, no pet.)
- Hance v. State, 714 S.W.3d 775, 811 (Tex. App.—Fort Worth 2025, no pet.)
- Allison v. State, 666 S.W.3d 750, 765 (Tex. Crim. App. 2023)
- McClendon v. State, 643 S.W.2d 936, 936 n.1 (Tex. Crim. App. 1982) (Panel Op.)