

COURT OF APPEALS OF THE THIRTEENTH DISTRICT OF TEXAS, CORPUS CHRISTI–EDINBURG

Daniel Clayton Stogner v. The State of Texas

No. 13-24-00077-CR · No. 13-24-00077-CR · Decided January 15, 2026

SUMMARY

The Texas Court of Appeals, Thirteenth District, affirmed Daniel Clayton Stogner’s conviction for possession of four or more but less than 200 grams of methamphetamine and his five-year prison sentence. The court held that the evidence was legally sufficient to establish knowing possession and rejected challenges to the assessment of court costs and a fine against an indigent defendant, including claims concerning the absence of a separate hearing.

CASE DETAILS

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| COURT                 | Court of Appeals of the Thirteenth District of Texas, Corpus Christi–Edinburg                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| WRITING FOR THE COURT | Justice Jenny Cron; Chief Justice Tijerina; Justice Cron; Justice Fonseca                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| JURISDICTION          | Court of Appeals of the Thirteenth District of Texas, Corpus Christi–Edinburg                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| DECIDED               | January 15, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| DOCKET                | 13-24-00077-CR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| PROCEDURAL POSTURE    | Stogner appealed a jury conviction for possession of four grams or more but less than 200 grams of methamphetamine and a five-year prison sentence, together with a \$2,500 fine and \$290 in court costs.                                                                                                                                                                                                                                                                                                                                                                        |
| STANDARD OF REVIEW    | The court reviewed the sufficiency of the evidence under the Jackson v. Virginia legal-sufficiency standard, viewing all admitted evidence in the light most favorable to the verdict and considering whether any rational factfinder could have found the essential elements beyond a reasonable doubt. The assessment of court costs was reviewed to determine whether a statutory basis existed, rather than under traditional evidentiary-sufficiency principles. Preservation of the ability-to-pay-hearing claim was reviewed under Texas Rule of Appellate Procedure 33.1. |
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| <b>PRECEDENTIAL VALUE</b> | Unpublished memorandum opinion; designated do not publish under Texas Rule of Appellate Procedure 47.2(b). |
| <b>PARTIES</b>            | Daniel Clayton Stogner v. The State of Texas                                                               |

## TOPICS

criminal procedure evidence standard of review preservation of error sentencing

## PRACTICE AREAS

Texas criminal law criminal appeals controlled-substance possession court costs and fines

## QUESTIONS PRESENTED

1. Whether legally sufficient evidence supported Stogner's conviction for knowingly possessing four grams or more but less than 200 grams of methamphetamine.
2. Whether the trial court could assess mandatory court costs against Stogner despite his indigency.
3. Whether the trial court could impose the \$2,500 fine despite Stogner's indigency.
4. Whether the assessment of court costs and the fine was invalid because the trial court did not conduct an on-the-record ability-to-pay hearing.
5. Whether Stogner preserved his challenge to the absence of an ability-to-pay inquiry.

## HOLDINGS

1. The evidence was legally sufficient for a rational juror to find beyond a reasonable doubt that Stogner knowingly or intentionally possessed at least four grams of methamphetamine.
2. The trial court did not err by assessing \$290 in mandatory court costs against Stogner, despite his indigency, with payment ordered upon release from confinement.
3. The trial court did not err by leaving intact the \$2,500 fine imposed on Stogner despite his indigency.
4. Stogner forfeited any right to an on-the-record ability-to-pay inquiry by failing to request one or object to its absence in the trial court.

## KEY QUOTATIONS

*“Evidence supporting a conviction is legally sufficient if a rational trier of fact could have found each element of the offense beyond a reasonable doubt.” (at 7)*

*“Although these factors can help guide a court’s analysis, ultimately the inquiry remains that set forth in Jackson: Based on the combined and cumulative force of the evidence and any reasonable inferences therefrom, was a jury rationally justified in finding guilt beyond a reasonable doubt?” (at 10)*

*“An ability-to-pay inquiry is not fundamental to the adjudicatory system” (at 20)*

## FACTUAL BACKGROUND

During a traffic stop, officers found a black container affixed beneath the handlebars of the motorcycle Stogner was driving. The container held baggies containing methamphetamine and marijuana; laboratory testing identified 9.89 grams of methamphetamine. Stogner was in the driver's position and within direct reach of the container, acknowledged ownership of the motorcycle, admitted possessing marijuana, possessed drug paraphernalia and approximately \$1,300, and was recorded making statements from which the jury could infer knowledge of the methamphetamine.

## PROCEDURAL HISTORY

A Williamson County jury convicted Stogner of possession of a controlled substance and assessed punishment at five years' imprisonment and a \$2,500 fine. The trial court entered judgment imposing the fine and \$290 in court costs, with payment ordered upon release from confinement. Stogner appealed, challenging the sufficiency of the evidence, the assessment of costs and the fine despite his indigency, and the absence of an ability-to-pay hearing. The case was transferred from the Third Court of Appeals under a Texas Supreme Court docket-equalization order, and the Thirteenth Court of Appeals affirmed.

## DISPOSITION

affirmed

## CASES CITED

- David v. State, 663 S.W.3d 673, 678 (Tex. Crim. App. 2022)
- Jackson v. Virginia, 443 U.S. 307, 318–19, 326 (1979)
- Kiffe v. State, 361 S.W.3d 104, 107–08 (Tex. App.—Houston [1st Dist.] 2011, pet. ref'd)
- Brooks v. State, 323 S.W.3d 893, 895 (Tex. Crim. App. 2010)
- Ogbuehi v. State, 706 S.W.3d 689, 694 (Tex. App.—Austin 2025, no pet.)
- Hooper v. State, 214 S.W.3d 9, 13, 16 (Tex. Crim. App. 2007)
- Cordova v. State, 698 S.W.2d 107, 111 (Tex. Crim. App. 1985)
- Kuciamba v. State, 310 S.W.3d 460, 462 (Tex. Crim. App. 2010)
- Hernandez v. State, 161 S.W.3d 491, 501 (Tex. Crim. App. 2005)
- Merritt v. State, 368 S.W.3d 516, 525–26 (Tex. Crim. App. 2012)
- Malik v. State, 953 S.W.2d 234, 240 (Tex. Crim. App. 1997)
- Sheppard v. State, No. 03-10-00868-CR, 2012 WL 6698963, at \*3 (Tex. App.—Austin 2012, no pet.)
- Allen v. State, 249 S.W.3d 680, 690–91, 701 (Tex. App.—Austin Jan. 27, 2017, no pet.)
- Brown v. State, 911 S.W.2d 744, 747 (Tex. Crim. App. 1995)
- Evans v. State, 202 S.W.3d 158, 162, 166 (Tex. Crim. App. 2006)
- Tate v. State, 500 S.W.3d 410, 414 (Tex. Crim. App. 2016)
- Jenkins v. State, No. 02-19-00241-CR, 2020 WL 3969861, at \*5 (Tex. App.—Fort Worth June 11, 2020, no pet.)
- Ferguson v. State, 313 S.W.3d 419, 426 (Tex. App.—Houston [1st Dist.] 2009, no pet.)

- Ezebunwa v. State, No. 03-14-00682-CR, 2016 WL 4527598, at \*2 (Tex. App.—Austin Aug. 25, 2016, no pet.)
- Briscoe v. State, No. 13-20-00445-CR, 2022 WL 710083, at \*5 (Tex. App.—Corpus Christi–Edinburg Mar. 10, 2022, no pet.)
- Johnson v. State, 423 S.W.3d 385, 389–90 (Tex. Crim. App. 2014)
- Ketchum v. State, No. 08-22-00114-CR, 2022 WL 16758491, at \*2–3 (Tex. App.—El Paso Nov. 8, 2022, no pet.)
- Martinez v. State, 507 S.W.3d 914, 916 (Tex. App.—Waco 2016, no pet.)
- Weir v. State, 278 S.W.3d 364, 367 (Tex. Crim. App. 2009)
- Armstrong v. State, 340 S.W.3d 759, 767 (Tex. Crim. App. 2011)
- Dority v. State, 631 S.W.3d 779, 793 (Tex. App.—Eastland 2021, no pet.)
- Allen v. State, 426 S.W.3d 253, 259 (Tex. App.—Texarkana 2013, no pet.)
- Osuna v. State, No. 03-18-00239-CR, 2018 WL 3233733, at \*10 n.9, \*12 (Tex. App.—Austin July 3, 2018, no pet.)
- Hernandez-Prado v. State, No. 03-15-00289-CR, 2016 WL 3144098, at \*12 (Tex. App.—Austin May 26, 2016, pet. ref'd)
- Rivers v. State, No. 13-16-00407-CR, 2017 WL 2492610, at \*1–2 (Tex. App.—Corpus Christi–Edinburg June 8, 2017, no pet.)
- Curry v. State, No. 13-24-00429-CR, 2025 WL 1523280, at \*3 (Tex. App.—Corpus Christi–Edinburg May 29, 2025, no pet.)
- Anastassov v. State, 664 S.W.3d 815, 823 (Tex. Crim. App. 2022)
- Ferguson v. State, No. 06-22-00043-CR, 2022 WL 4180471, at \*2 (Tex. App.—Texarkana Sept. 6, 2022, no pet.)
- Cates v. State, 402 S.W.3d 250, 251–52 (Tex. Crim. App. 2013)
- Wright v. State, 930 S.W.2d 131, 133–34 (Tex. App.—Dallas 1996, no pet.)
- Gates v. State, No. 02-23-00004-CR, 2024 WL 482436, at \*1, \*6 (Tex. App.—Fort Worth Feb. 8, 2024, no pet.)
- Amparan v. State, No. 11-21-00162-CR, 2022 WL 17684377, at \*4 (Tex. App.—Eastland Dec. 15, 2022, no pet.)
- Cruz v. State, 694 S.W.3d 1 (Tex. App.—Houston [14th Dist.] 2023, pet. granted), aff'd in relevant part, 698 S.W.3d 265 (Tex. Crim. App. 2024)
- Esparza v. State, No. 13-23-00550-CR, 2025 WL 797503, at \*7 (Tex. App.—Corpus Christi–Edinburg Mar. 13, 2025, no pet.)
- Diaz v. State, No. 03-15-00539-CR, 2016 WL 1084398, at \*6 (Tex. App.—Austin Mar. 17, 2016, no pet.)
- Cruder v. State, No. 03-24-00328-CR, 2025 WL 1583514, at \*7–8 (Tex. App.—Austin June 5, 2025, no pet.)