

COURT OF APPEALS FOR THE EIGHTH DISTRICT OF TEXAS AT EL PASO

Randall Joseph Lewis v. The State of Texas

No. 08-24-00387-CR · No. 08-24-00387-CR · Decided December 11, 2025

SUMMARY

The Eighth District Court of Appeals of Texas affirmed Randall Joseph Lewis’s conviction for unlawful possession of a firearm by a felon. The court held that the evidence was legally sufficient to establish that the object was a firearm, that Lewis possessed it, and that he acted with the requisite mens rea. The court rejected Lewis’s challenges based on witness credibility, intoxication, and mental illness.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                              |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals for the Eighth District of Texas at El Paso                                                                                                                                                                                                 |
| WRITING FOR THE COURT | Maria Salas Mendoza, Chief Justice; Palafox, Justice; Soto, Justice                                                                                                                                                                                          |
| JURISDICTION          | Court of Appeals for the Eighth District of Texas                                                                                                                                                                                                            |
| DECIDED               | December 11, 2025                                                                                                                                                                                                                                            |
| DOCKET                | 08-24-00387-CR                                                                                                                                                                                                                                               |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                     |
| PROCEDURAL POSTURE    | Lewis appealed his conviction for unlawful possession of a firearm by a felon, challenging the legal sufficiency of the evidence under the due process clauses of the United States and Texas Constitutions.                                                 |
| STANDARD OF REVIEW    | The court reviewed the legal sufficiency of the evidence under a single standard, considering all evidence in the light most favorable to the verdict and asking whether a rational juror could have found the essential elements beyond a reasonable doubt. |
| PRECEDENTIAL VALUE    | unpublished_nonprecedential                                                                                                                                                                                                                                  |
| PARTIES               | Randall Joseph Lewis v. The State of Texas                                                                                                                                                                                                                   |

TOPICS

- criminal procedure
- evidence
- due process
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate litigation
- constitutional law

## QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to establish that the object Lewis possessed was a firearm when the firearm was not admitted into evidence.
2. Whether the evidence was legally sufficient to establish that Lewis possessed the firearm based primarily on Stacie Lewis's testimony.
3. Whether the evidence was legally sufficient to establish the requisite mens rea for unlawful possession of a firearm by a felon.
4. Whether the conviction was supported by legally sufficient evidence under the due process clauses of the United States and Texas Constitutions.

## HOLDINGS

1. The State was not required to introduce the firearm into evidence because other sufficient evidence, including eyewitness testimony and body-camera video, permitted a rational juror to find that a firearm was present.
2. In an offense involving possession or use of a firearm, the State need not prove that the firearm was real rather than fake or inoperable.
3. The testimony of one eyewitness can be legally sufficient to support a conviction, and the State was not required to call every potentially available witness.
4. The evidence was legally sufficient to establish that Lewis intentionally, knowingly, or recklessly possessed the firearm.
5. The evidence was legally sufficient to support Lewis's conviction because a rational juror could find all essential elements of unlawful possession of a firearm by a felon beyond a reasonable doubt.

## KEY QUOTATIONS

*“we consider all the evidence in the light most favorable to the verdict and determine whether, based on that evidence and reasonable inferences therefrom, a rational juror could have found the essential elements of the crime beyond a reasonable doubt.” (at 2)*

*“As factfinder, the jury is entitled to judge the credibility of witnesses, and can choose to believe all, some, or none of the testimony presented by the parties.” (at 4)*

## FACTUAL BACKGROUND

In November 2023, Stacie Lewis reported that her nephew, Randall Joseph Lewis, came to her home with a gun. She testified that Lewis removed a gun from his jeans and placed it on a table in the garage, and an officer's body-camera video showed the gun after the officer arrived and picked it up. Lewis had a prior felony conviction, did not live at the residence, and asked his uncle to take and keep the firearm. The State did not introduce the firearm itself into evidence.

## PROCEDURAL HISTORY

Lewis was tried in the 144th District Court of Bexar County and convicted by a jury of unlawful possession of a firearm by a felon. After two habitual-offender enhancement findings, the trial court sentenced him to twenty-five years' imprisonment. The Eighth District Court of Appeals affirmed.

## DISPOSITION

affirmed

## CASES CITED

- Brooks v. State, 323 S.W.3d 893, 895 (Tex. Crim. App. 2010)
- Hooper v. State, 214 S.W.3d 9, 13 (Tex. Crim. App. 2007)
- Jackson v. Virginia, 443 U.S. 307, 318-19 (1979)
- Hutchings v. State, 333 S.W.3d 917, 920 (Tex. App.—Texarkana 2011, pet. ref'd)
- Tapps v. State, 257 S.W.3d 438, 446 (Tex. App.—Austin 2008), aff'd, 294 S.W.3d 175 (Tex. Crim. App. 2009)
- Ramos v. State, No. 03-24-00350-CR, 2025 WL 2677894, at \*5 (Tex. App.—Austin Sept. 19, 2025, no pet. h.) (mem. op., not designated for publication)
- Porter v. State, 601 S.W.2d 721, 723 (Tex. Crim. App. 1980)
- Leadon v. State, 332 S.W.3d 600, 610 (Tex. App.—Houston [1st Dist.] 2010, no pet.)
- Aguilar v. State, 468 S.W.2d 75, 77 (Tex. Crim. App. 1971)
- Castilla v. State, 374 S.W.3d 537, 539 (Tex. App.—San Antonio 2012, pet. ref'd)
- Johns v. State, 236 S.W.2d 820, 822 (1951)
- Gonzales v. State, 466 S.W.2d 772, 774 (Tex. Crim. App. 1971)
- Chambers v. State, 805 S.W.2d 459, 461 (Tex. Crim. App. 1991) (en banc)
- Lantrip v. State, 336 S.W.3d 343, 346 (Tex. App.—Texarkana 2011, no pet.)
- Manning v. State, 730 S.W.2d 744, 748 (Tex. Crim. App. 1987)