

COURT OF APPEALS OF TEXAS, TENTH APPELLATE DISTRICT

Kenneth Wayne Hall v. The State of Texas

Hall v. State · No. 10-25-00094-CR; 10-25-00095-CR · Decided March 12, 2026

SUMMARY

The Tenth Court of Appeals of Texas affirmed Kenneth Wayne Hall’s convictions for aggravated assault with a deadly weapon and unlawful possession of a firearm by a felon. The court held that Hall failed to preserve his complaints regarding attempted impeachment with a prior inconsistent statement because he did not alert the trial court to the alleged error.

CASE DETAILS

COURT	Court of Appeals of Texas, Tenth Appellate District
WRITING FOR THE COURT	Lee Harris; Chief Justice Johnson; Justice Smith; Justice Harris
JURISDICTION	Court of Appeals of Texas, Tenth Appellate District
DECIDED	March 12, 2026
DOCKET	10-25-00094-CR; 10-25-00095-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Hall appealed convictions for aggravated assault with a deadly weapon and unlawful possession of a firearm by a felon, challenging the trial court's refusal to permit impeachment with a prior inconsistent statement.
STANDARD OF REVIEW	The court stated that the trial court's ruling concerning the attempted impeachment was challenged as an abuse of discretion, but resolved the appeals on preservation of error under Texas Rule of Appellate Procedure 33.1.
PRECEDENTIAL VALUE	Unpublished, nonprecedential memorandum opinion; marked "Do Not Publish."
PARTIES	Kenneth Wayne Hall v. The State of Texas

TOPICS

preservation of error

appellate procedure

impeachment

evidence

criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Hall preserved for appellate review his complaints that the trial court improperly failed to permit impeachment of a witness with a prior inconsistent statement under Texas Rule of Evidence 613.

HOLDINGS

1. A complaint that the trial court improperly denied impeachment with a prior inconsistent statement is not preserved for appellate review when the appellant did not inform the trial court of the specific impeachment complaint or otherwise state the grounds for the requested ruling with sufficient specificity.

KEY QUOTATIONS

“Rule 33.1 of the Texas Rules of Appellate Procedure provides that as a prerequisite to presenting a complaint for appellate review, the record must show that the party “stated the grounds for the ruling ... sought from the trial court with sufficient specificity to make the trial court aware of the complaint.”” (Hall v. State, Page 2)

“Thus, the party complaining on appeal must, at the earliest opportunity, have done everything necessary to bring to the judge's attention the very complaint that party is now making on appeal.” (Hall v. State, Page 2)

FACTUAL BACKGROUND

Hall was convicted of aggravated assault with a deadly weapon and unlawful possession of a firearm by a felon. He attempted to impeach a witness with a prior inconsistent statement, but did not inform the trial court that he was attempting impeachment or complain that the court had denied his right to impeach the witness.

PROCEDURAL HISTORY

The 443rd District Court of Ellis County convicted Hall in two causes and sentenced him to 70 years' imprisonment for aggravated assault with a deadly weapon and 50 years' imprisonment for unlawful possession of a firearm by a felon. Hall appealed both judgments to the Tenth Court of Appeals, which held that his impeachment complaint was not preserved and affirmed.

DISPOSITION

affirmed

CASES CITED

- Reyna v. State, 168 S.W.3d 173, 177 (Tex. Crim. App. 2005)
- Golliday v. State, 560 S.W.3d 664, 669 (Tex. Crim. App. 2018)
- Martinez v. State, 91 S.W.3d 331, 336 (Tex. Crim. App. 2002)

