

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

OPINION

Kenneth Wayne Hall v. the State of Texas

PER CURIAM.

Court of Appeals Tenth Appellate District of Texas 10-25-00094-CR 10-25-00095-CR Kenneth Wayne Hall, Appellant v. The State of Texas, Appellee On appeal from the 443rd District Court of Ellis County, Texas Judge Grace Ruth Pandithurai, presiding Trial Court Cause Nos. 51535CR; 51534CR JUSTICE HARRIS delivered the opinion of the Court.

MEMORANDUM OPINION

Kenneth Wayne Hall was convicted of one charge of aggravated assault with a deadly weapon and one charge of unlawful possession of a firearm by a felon, each enhanced with two prior convictions, and sentenced to 70 years and 50 years, respectively, in prison. See TEX. PENAL CODE ANN. §§ 22.02(b)(1); 46.04(e). In his sole issue in each appeal, Hall complains the trial court abused its discretion in failing to permit Hall's attempted impeachment of a witness with a prior inconsistent statement pursuant to Texas Rule of Evidence 613. TEX. R. EVID. 613. Hall, however, never informed or complained to the trial court that Hall was attempting to impeach the witness or that the court improperly denied his right to impeach the witness. 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." TEX. R. APP. P. 33.1; Reyna v. State, 168 S.W.3d 173, 177 (Tex. Crim. App. 2005). 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. 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). Accordingly, Hall's complaint in each appeal is not preserved for review on appeal, and his sole issue is overruled. See TEX. R. APP. P. 33.1(a). The trial court's judgments are affirmed.

LEE HARRIS

Justice Hall v. State Page 2 OPINION DELIVERED and FILED: March 12, 2026 Before Chief Justice Johnson, Justice Smith, and Justice Harris Affirmed Do Not Publish

CRPM

Hall v. State Page 3

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/court-of-appeals-of-texas-tenth-appellate-district-court-of-appeals-of-texas-tenth-appellate-district/2026/kenneth-wayne-hall-v-the-state-of-texas-70hegum8>