

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

Paul Joseph Shoemaker v. the State of Texas

No. 13-25-00281-CR · No. 13-25-00281-CR · Decided April 30, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas affirmed the denial of Paul Joseph Shoemaker’s motion for post-conviction DNA testing of a cigarette lighter. The court held that the trial court reasonably found insufficient evidence establishing a reliable chain of custody, particularly because the lighter was stored in an unmarked box with other evidence and its envelope bore undated, uninitialed tape. The court deferred to the trial court’s factual findings and overruled Shoemaker’s sole issue on appeal.

CASE DETAILS

COURT	Texas Court of Appeals, Thirteenth District, Corpus Christi–Edinburg
WRITING FOR THE COURT	Ysmael D. Fonseca; Justice Silva; Justice Peña; Justice Fonseca
JURISDICTION	Texas Court of Appeals, Thirteenth District
DECIDED	April 30, 2026
DOCKET	13-25-00281-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a post-conviction motion for forensic DNA testing under Texas Code of Criminal Procedure Chapter 64.
STANDARD OF REVIEW	Denial of post-conviction DNA testing is reviewed under a bifurcated standard: almost total deference is given to the trial court’s resolution of historical fact issues supported by the record and applications of law to fact that turn on witness credibility and demeanor; other application-of-law-to-fact questions are reviewed de novo. The appellate court will sustain the ruling if it is correct under any applicable legal theory.
PRECEDENTIAL VALUE	Unpublished, not designated for publication
PARTIES	Paul Joseph Shoemaker v. The State of Texas

TOPICS

- post-conviction relief
- criminal procedure
- standard of review
- appellate procedure
- evidence

PRACTICE AREAS

Criminal procedure

Post-conviction relief

Forensic DNA testing

Appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court erred in denying Shoemaker's request for post-conviction DNA testing of the lighter because the statutory chain-of-custody requirement was not satisfied.

HOLDINGS

1. The trial court did not err in finding that the lighter had not been subjected to a chain of custody sufficient to establish that it was not substituted, tampered with, replaced, or materially altered; therefore, Shoemaker was not entitled to DNA testing under Texas Code of Criminal Procedure article 64.03(a)(1)(A)(ii).

KEY QUOTATIONS

“we give almost total deference to the [trial] judge’s resolution of historical fact issues supported by the record and applications-of-law-to-fact issues turning on witness credibility and demeanor.” (6)

“the requirement is not met when there is evidence that there was “mishandling of the evidence collected by police,” “the evidence was mixed and tainted,” or if “there is nothing in appellant’s affidavits to show the chain of custody of the evidence in question.”” (7)

“we hold that the trial court could have reasonably concluded that the undated tape is indicative of an unknown person opening the envelope on an unknown date and not following procedure when resealing it, thus breaking the chain of custody.” (8)

FACTUAL BACKGROUND

Shoemaker was convicted of murdering Richard Reyes by shooting him outside the Valle Vista Apartments in Harlingen. He sought DNA testing of a lighter allegedly handled by the shooter, asserting that exculpatory DNA results could undermine his conviction. The lighter was found in an envelope bearing an undated, uninitialed piece of tape, inside an unmarked box containing evidence from various cases; an officer could not establish how the lighter came into police custody or whether the chain of custody had been maintained. The trial court found insufficient evidence of a reliable chain of custody, and the court of appeals deferred to that finding.

PROCEDURAL HISTORY

A jury convicted Shoemaker of first-degree felony murder in 2004, and the court of appeals affirmed his conviction. In 2024, Shoemaker moved for post-conviction DNA testing of five items, including a cigarette lighter allegedly handled by the shooter. After a hearing, the trial court denied testing, finding, among other things, that the lighter lacked a sufficient chain of custody. Shoemaker appealed only the ruling concerning the lighter.

DISPOSITION

affirmed

CASES CITED

- Shoemaker v. State, No. 13-04-149-CR, 2006 WL 2521626, at *1 (Tex. App.—Corpus Christi–Edinburg Aug. 31, 2006, pet. ref'd) (mem. op., not designated for publication)
- Reed v. State, 541 S.W.3d 759, 768-70 (Tex. Crim. App. 2017)
- Muzzy v. State, No. 13-24-00217-CR, 2025 WL 635248, at *1 (Tex. App.—Corpus Christi–Edinburg Feb. 27, 2025, pet. ref'd) (mem. op., not designated for publication)
- Holberg v. State, 425 S.W.3d 282, 285 (Tex. Crim. App. 2014)
- Evans v. State, 628 S.W.3d 358, 362-64 (Tex. App.—Fort Worth 2021, no pet.)
- Garcia v. State, No. 01-05-00718-CR, 2008 WL 2466211, at *4 (Tex. App.—Houston [1st Dist.] June 19, 2008), aff'd, No. PD-1039-08, 2009 WL 3042392 (Tex. Crim. App. Sept. 23, 2009)
- Brewer v. State, No. 05-02-00136-CR, 2002 WL 31445286, at *2 (Tex. App.—Dallas Nov. 4, 2002, no pet.)
- Larson v. State, 488 S.W.3d 413, 419 n.5 (Tex. App.—Texarkana 2016, pet. ref'd)
- Druery v. State, 225 S.W.3d 491, 503-04 (Tex. Crim. App. 2007)