

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

Joshua Walker v. the State of Texas

No. 07-25-00193-CR · No. 07-25-00193-CR · Decided December 17, 2025

SUMMARY

The Seventh District Court of Appeals of Texas affirmed Joshua Walker’s murder conviction and eighty-year sentence. The court held that Walker forfeited his right to an on-the-record ability-to-pay inquiry under Texas Code of Criminal Procedure article 42.15(a-1) by failing to object to the trial court’s omission.

CASE DETAILS

COURT	Court of Appeals for the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Brian Quinn, Chief Justice; Parker, Justice; Yarbrough, Justice
JURISDICTION	Court of Appeals for the Seventh District of Texas at Amarillo
DECIDED	December 17, 2025
DOCKET	07-25-00193-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Walker pleaded guilty to murder, received an eighty-year prison sentence after a punishment trial, and appealed the assessment of court costs and reimbursement fees without an on-the-record ability-to-pay inquiry.
STANDARD OF REVIEW	The court reviewed whether appellant preserved and could obtain relief on his complaint regarding the statutory ability-to-pay inquiry; the opinion applied forfeiture principles rather than identifying a separate standard of review.
PRECEDENTIAL VALUE	Unpublished memorandum opinion; not designated for publication.
PARTIES	Joshua Walker v. The State of Texas

TOPICS

- criminal procedure
- sentencing
- appellate procedure
- preservation of error

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court's failure to conduct an on-the-record inquiry into appellant's ability to immediately pay fines and costs under Texas Code of Criminal Procedure article 42.15(a-1) required remand when appellant did not object.

HOLDINGS

1. A defendant forfeits the right to an on-the-record inquiry into the ability to immediately pay fines and costs under Article 42.15(a-1) by failing to object because the inquiry is not fundamental to the adjudicatory process.

KEY QUOTATIONS

“The Article 42.15(a-1) inquiry is not fundamental to the adjudicatory process; so, it is a right forfeitable by such failure.” (2)

FACTUAL BACKGROUND

Walker pleaded guilty to murder and was sentenced to eighty years' imprisonment after a trial on punishment. The trial court assessed \$290 in court costs and \$55 in reimbursement fees and ordered that, upon release, Walker proceed to the district clerk's office or another designated office to pay or arrange payment of fines, costs, and restitution. The record did not show that the trial court conducted the required on-the-record inquiry into Walker's ability to immediately pay, but it also contained no objection by Walker.

PROCEDURAL HISTORY

The 364th District Court of Lubbock County entered a judgment of conviction after appellant pleaded guilty to murder and was sentenced to eighty years' imprisonment following a trial on punishment. The judgment assessed \$290 in court costs and \$55 in reimbursement fees and required payment or payment arrangements upon release. The court of appeals affirmed after concluding that appellant forfeited any complaint about the absence of an ability-to-pay inquiry by failing to object.

DISPOSITION

affirmed

CASES CITED

- *Stanberry v. State*, 2024 Tex. App. LEXIS 1066, at *5 (Tex. App.—Amarillo Feb. 9, 2024, pet. ref'd) (mem. op., not designated for publication)
- *Cruz v. State*, 698 S.W.3d 265, 271 (Tex. Crim. App. 2024)
- *Drew v. State*, 2025 Tex. App. LEXIS 6536, at *2 (Tex. App.—Amarillo Aug. 22, 2025, no pet.) (mem. op., not designated for publication)

- *Sikalasinh v. State*, 2024 Tex. App. LEXIS 7603, at *11 (Tex. App.—Amarillo Oct. 24, 2024, no pet.) (mem. op., not designated for publication)

OPINION

Joshua Walker v. the State of Texas

PER CURIAM.

In The Court of Appeals Seventh District of Texas at Amarillo No. 07-25-00193-CR

JOSHUA WALKER, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 364th District Court Lubbock County, Texas Trial Court No. DC-2022-CR-0056, Honorable William R. Eichman II, Presiding December 17, 2025

MEMORANDUM OPINION

Before QUINN, C.J., and PARKER and YARBROUGH, JJ. Appellant pleaded guilty to murder and, following a trial on punishment, was sentenced to eighty years imprisonment. Via its judgment, the trial court ordered that “[u]pon release from confinement, . . . Defendant . . . proceed without unnecessary delay to the District Clerk’s office, or any other office designated by the Court or the Court’s designee, to pay or to make arrangements to pay any fine, court costs, and restitution due.” So too were \$290.00 in court costs and \$55.00 in reimbursement fees imposed by the court through its judgment. Appellant contends that the trial court erred by failing to conduct an ability-to-pay inquiry on the record and asks that we remand the cause to the trial court to conduct said inquiry. We affirm. Discussion During or immediately after imposing sentence, “a court shall inquire on the record whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs.” TEX. CODE CRIM. PROC. art. 42.15(a-1); see *Stanberry v. State*, No. 07-23-00194-CR, 2024 Tex. App. LEXIS 1066, at *5 (Tex. App.—Amarillo Feb. 9, 2024, pet. ref’d) (mem. op., not designated for publication) (“Article 42.15(a-1), as amended in 2021, requires that the inquiry into a defendant’s ability to immediately pay be held on the record.”). Here, it does not appear that the trial court made the requisite inquiry on the record. However, also missing from the record is any objection from appellant to the trial court’s failure to make said inquiry on the record. The Article 42.15(a-1) inquiry is not fundamental to the adjudicatory process; so, it is a right forfeitable by such failure. See *Cruz v. State*, 698 S.W.3d 265, 271 (Tex. Crim. App. 2024). By failing to object here, appellant forfeited his right to the inquiry. See *Drew v. State*, No. 07-25-00079-CR, 2025 Tex. App. LEXIS 6536, at *2 (Tex. App.—Amarillo Aug. 22, 2025, no pet.) (mem. op., not designated for publication); *Sikalasinh v. State*, No. 07-24-00018-CR, 2024 Tex. App. LEXIS 7603, at *11 (Tex. App.—Amarillo Oct. 24, 2024, no pet.) (mem. op., not designated for publication). 2 We deny appellant’s request for remand to conduct the hearing under Article 42.15(a-1) and overrule his sole issue on appeal. We affirm the trial court’s judgment of conviction. Brian Quinn Chief Justice Do not publish. 3

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