

COURT OF APPEALS FOR THE NINTH DISTRICT OF TEXAS AT BEAUMONT

Daniel Kenneth Meek v. the State of Texas

No. 09-24-00215-CR · No. 09-24-00215-CR · Decided March 25, 2026

SUMMARY

The Ninth District Court of Appeals of Texas affirmed Daniel Kenneth Meek’s conviction for assault causing bodily injury involving family violence. The court held that Meek forfeited his constitutional challenge to the State’s repeated use of the term “victim” because his trial objection did not match his appellate complaint and he did not object each time the term was used.

CASE DETAILS

COURT	Court of Appeals for the Ninth District of Texas at Beaumont
WRITING FOR THE COURT	Golemon, C.J.; Johnson, J.; Chambers, J.
JURISDICTION	Court of Appeals for the Ninth District of Texas at Beaumont
DECIDED	March 25, 2026
DOCKET	09-24-00215-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Meek appealed his jury conviction for assault causing bodily injury against a family member, arguing that the State's use of the term "victim" denied him a fair trial and violated the presumption of innocence and due process.
STANDARD OF REVIEW	Error-preservation and forfeiture review; the court did not reach harmless-error review because the constitutional complaint was not preserved.
PRECEDENTIAL VALUE	Published
PARTIES	Daniel Kenneth Meek v. The State of Texas

TOPICS

- preservation of error
- appellate procedure
- due process
- criminal procedure
- appellate jurisdiction

PRACTICE AREAS

- criminal procedure
- appellate procedure
- constitutional law

QUESTIONS PRESENTED

1. Whether Meek preserved a constitutional claim that the State's use of the term "victim" denied him a fair trial and violated the presumption of innocence and due process.
2. Whether the failure to object each time the term "victim" was used forfeited the appellate complaint.

HOLDINGS

1. Meek forfeited the constitutional complaint because his trial objection did not match the constitutional theory raised on appeal and he did not object each time the term "victim" was used.

KEY QUOTATIONS

“Barring these two narrow exceptions, all errors—even constitutional errors—may be forfeited on appeal if an appellant failed to object at trial.” (3)

“Because Meek’s complaint on appeal varies from his trial objection, and because he failed to object each time the word “victim” was used, he has forfeited his complaint.” (4)

FACTUAL BACKGROUND

Meek was tried for assault causing bodily injury involving family violence. During testimony about why domestic-violence complainants may not appear at trial, an investigator referred generally to domestic-violence victims, and defense counsel objected that it had not been established that the complainant was a crime victim. The trial court overruled the objection, and the State and its witnesses continued to use the term "victim" during trial without further objection.

PROCEDURAL HISTORY

Meek was charged by information in the County Court at Law No. 4 of Montgomery County, Texas. He pleaded not guilty, but a jury found him guilty and assessed punishment at sixty days in county jail; the trial court made an affirmative family-violence finding. The Ninth District Court of Appeals held that Meek forfeited his appellate complaint by failing to make a matching constitutional objection and by failing to object each time the term "victim" was used, and affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- *Pena v. State*, 285 S.W.3d 459, 463-64 (Tex. Crim. App. 2009)
- *Fuentes v. State*, 991 S.W.2d 267, 273 (Tex. Crim. App. 1999)
- *Clark v. State*, 365 S.W.3d 333, 339-40 (Tex. Crim. App. 2012)
- *Broxton v. State*, 909 S.W.2d 912, 918 (Tex. Crim. App. 1995)
- *Johnson v. State*, 803 S.W.2d 272, 292 (Tex. Crim. App. 1990)

- *Grado v. State*, 445 S.W.3d 736, 739 (Tex. Crim. App. 2014)
- *Marin v. State*, 851 S.W.2d 275, 278-80 (Tex. Crim. App. 1993)

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