

COURT OF APPEALS OF TEXAS, SECOND APPELLATE DISTRICT AT FORT WORTH

Damorian Dante Hall v. The State of Texas

Hall v. State · No. Nos. 02-25-00171-CR, 02-25-00172-CR · Decided June 25, 2026

SUMMARY

The Texas Court of Appeals, Second Appellate District, reviewed Anders appeals from judgments adjudicating Damorian Dante Hall’s guilt after revocation of deferred adjudication community supervision. The court modified the robbery judgment and related financial assessments by deleting an unpronounced fine, reimbursement fees, unsupported reparations, and a premature time-payment fee, while retaining supported reparations in the indecency case. The judgments were affirmed as modified, and appointed counsel’s motion to withdraw was granted.

CASE DETAILS

COURT	Court of Appeals of Texas, Second Appellate District at Fort Worth
WRITING FOR THE COURT	Mike Wallach; Sudderth, C.J.; Wallach, J.; Walker, J.
JURISDICTION	Texas Court of Appeals, Second Appellate District at Fort Worth
DECIDED	June 25, 2026
DOCKET	Nos. 02-25-00171-CR, 02-25-00172-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Hall appealed judgments adjudicating his guilt after the trial court revoked his deferred adjudication community supervision in two criminal cases. Appointed appellate counsel filed an Anders brief and a motion to withdraw, identifying possible errors concerning fines, reimbursement fees, and reparations.
STANDARD OF REVIEW	On an Anders appeal, the appellate court independently examines the record to determine whether any arguably meritorious grounds for reversal exist. The court may modify judgments and cost records to correct clerical errors and delete unauthorized or unsupported assessments.
PRECEDENTIAL VALUE	Published and designated for publication under Texas Rule of Appellate Procedure 47.2(b).
PARTIES	Damorian Dante Hall v. The State of Texas

TOPICS

criminal procedure

appellate procedure

remedies

restitution criminal

sentencing

PRACTICE AREAS

criminal procedure

appellate practice

criminal costs and fees

deferred adjudication

QUESTIONS PRESENTED

1. Whether fines included in the written judgments could stand when the trial court did not orally pronounce fines when it adjudicated Hall guilty and revoked deferred adjudication.
2. Whether the robbery-case judgment and bill of costs could include \$2,560 in attorney-fee reimbursement without a present determination that Hall had financial resources or the ability to pay.
3. Whether the \$25 time-payment fee was prematurely assessed while Hall's appeal was pending.
4. Whether the reparations assessments were supported by the record and could properly appear in the written judgments.
5. Whether the Anders record contained any nonfrivolous grounds for reversal.

HOLDINGS

1. The fines must be deleted from both judgments because the trial court did not orally pronounce a fine when it adjudicated Hall guilty and sentenced him.
2. The \$2,560 attorney-fee reimbursement assessment must be deleted because the record contains no determination that Hall had the financial resources or ability to pay attorney's fees.
3. The \$25 time-payment fee was prematurely assessed and must be deleted without prejudice to future assessment if Hall fails to pay other court costs more than thirty days after issuance of the appellate mandate.
4. The \$4,718 reparations assessment in the robbery case must be deleted because the record did not establish the authority, nature, or amount of the assessment, while the \$415 reparations assessment in the indecency case may remain because the record supported its itemized components as supervision-condition fees.
5. Except for correctable errors in the monetary assessments, the appeals were wholly frivolous and without merit, and no arguable ground for reversal appeared in the independently reviewed record.

KEY QUOTATIONS

"Because the trial court did not orally pronounce any fine at the time it revoked Hall's community supervision, adjudicated him guilty of the underlying offense, and sentenced him, the judgments must be modified to delete the fines." (at 4)

"Only statutorily authorized court costs may be assessed against a criminal defendant" (at 5)

"The pendency of an appeal stops the clock for purposes of the time[-]payment fee." (at 7)

“We grant counsel’s motion to withdraw; modify the judgments, the orders to withdraw, and—in the robbery case only—the bill of costs to reflect the above deletions; and affirm the judgments as modified.” (at 11)

FACTUAL BACKGROUND

Hall pleaded guilty in 2018 to aggravated robbery and indecency with a child by exposure and was placed on deferred adjudication community supervision. After he pleaded true to the alleged supervision violations, the trial court adjudicated him guilty and imposed prison sentences. The written judgments included fines that were not orally pronounced, a \$2,560 attorney-fee reimbursement assessment, a \$4,718 reparations assessment in the robbery case, and a \$415 reparations assessment in the indecency case. The record supported the \$415 assessment but did not identify the basis or composition of the \$4,718 assessment.

PROCEDURAL HISTORY

In 2018, Hall pleaded guilty to aggravated robbery and indecency with a child by exposure and received seven years of deferred adjudication community supervision and a \$700 fine in each case. After the State alleged violations of supervision, Hall pleaded true to nearly all allegations, the trial court adjudicated guilt, and it imposed prison sentences of fifteen years for robbery and ten years for indecency. The written judgments and associated cost records included fines, reimbursement fees, reparations, and a time-payment fee. The court independently reviewed the record under *Anders*, modified the judgments and cost orders to correct improper assessments, and affirmed as modified.

DISPOSITION

affirmed

CASES CITED

- *Anders v. California*, 386 U.S. 738, 744-45, 87 S. Ct. 1396, 1400 (1967)
- *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)
- *Mays v. State*, 904 S.W.2d 920, 923 (Tex. App.—Fort Worth 1995, no pet.)
- *Penson v. Ohio*, 488 U.S. 75, 82-83, 109 S. Ct. 346, 351 (1988)
- *Taylor v. State*, 131 S.W.3d 497, 502 (Tex. Crim. App. 2004)
- *Demerson v. State*, No. 02-18-00003-CR, 2018 WL 3580893, at *3 (Tex. App.—Fort Worth July 26, 2018, no pet.) (mem. op., not designated for publication)
- *Bledsoe v. State*, 178 S.W.3d 824, 827-28 (Tex. Crim. App. 2005)
- *Meza v. State*, 206 S.W.3d 684, 685 n.6 (Tex. Crim. App. 2006)
- *Alexander v. State*, 496 S.W.2d 86, 87 (Tex. Crim. App. 1973)
- *Bray v. State*, 179 S.W.3d 725, 726, 729 (Tex. App.—Fort Worth 2005, no pet.)
- *Johnson v. State*, 423 S.W.3d 385, 389, 396 (Tex. Crim. App. 2014)
- *Cates v. State*, 402 S.W.3d 250, 251-52 (Tex. Crim. App. 2013)
- *Ruyle v. State*, No. 02-24-00199-CR, 2025 WL 938131, at *2 (Tex. App.—Fort Worth Mar. 27, 2025, no pet.) (mem. op., not designated for publication)

- Dulin v. State, 620 S.W.3d 129, 133 (Tex. Crim. App. 2021)
- Garza v. State, No. 02-20-00155-CR, 2022 WL 488933, at *2-4 & n.2 (Tex. App.—Fort Worth Feb. 17, 2022, no pet.) (mem. op., not designated for publication)
- Brown v. State, No. 02-08-00063-CR, 2009 WL 1905231, at *2 (Tex. App.—Fort Worth July 2, 2009, no pet.) (per curiam) (mem. op., not designated for publication)
- Lewis v. State, 423 S.W.3d 451, 460-61 (Tex. App.—Fort Worth 2013, pet. ref'd)
- Romo v. State, No. 02-23-00197-CR, 2024 WL 1100790, at *2 (Tex. App.—Fort Worth Mar. 14, 2024, no pet.) (mem. op., not designated for publication)
- Harris v. State, No. 02-25-00173-CR, 2026 WL 1041694, at *1-2 (Tex. App.—Fort Worth Apr. 16, 2026, no pet.) (mem. op., not designated for publication)
- Hongpathoum v. State, 578 S.W.3d 213, 217 (Tex. App.—Fort Worth 2019, no pet.)
- Levine v. State, No. 02-19-00414-CR, 2020 WL 5414974, at *2 (Tex. App.—Fort Worth Sept. 10, 2020, no pet.) (mem. op., not designated for publication)
- Maslyk v. State, No. 02-16-00295-CR, 2017 WL 2289098, at *1 n.2 (Tex. App.—Fort Worth May 25, 2017, pet. ref'd)