

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

Christopher Paul Robertson v. The State of Texas

No. 07-25-00128-CR · No. No. 07-25-00128-CR · Decided February 17, 2026

SUMMARY

The Texas Court of Appeals for the Seventh District affirmed Christopher Paul Robertson’s murder conviction and fifty-year sentence. The court assumed, without deciding, that the trial court erred by excluding Robertson’s statement to police claiming the shooting was accidental, but held that any error was harmless because Robertson presented the same evidence through his testimony.

CASE DETAILS

COURT	Court of Appeals for the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Judy C. Parker, Chief Justice; Judy C. Parker, C.J.; Lawrence M. Doss, J.; Dustin Yarbrough, J.
JURISDICTION	Court of Appeals for the Seventh District of Texas at Amarillo
DECIDED	February 17, 2026
DOCKET	No. 07-25-00128-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appellant appealed his murder conviction and fifty-year sentence, challenging the trial court's exclusion of his statement to police claiming that the shooting was accidental.
STANDARD OF REVIEW	A trial court's decision to admit or exclude evidence is reviewed for abuse of discretion. Nonconstitutional evidentiary error is disregarded unless it affects the defendant's substantial rights; under Texas Rule of Appellate Procedure 44.2(b), the conviction is not overturned when the reviewing court has fair assurance, after examining the record as a whole, that the error did not influence the jury or had only a slight effect.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; marked do not publish.
PARTIES	Christopher Paul Robertson v. The State of Texas

TOPICS

harmless error

standard of review

evidence

hearsay

appellate procedure

PRACTICE AREAS

criminal procedure

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court erred by excluding Robertson's statement to police that he had shot his wife accidentally.
2. If exclusion of the statement was error, whether the error affected Robertson's substantial rights and required reversal.

HOLDINGS

1. Even assuming without deciding that the trial court erred by excluding Robertson's statement, the error was harmless because substantially identical evidence was admitted through Robertson's direct testimony and Robertson did not demonstrate harm.
2. Evidentiary admission or exclusion decisions are reviewed for abuse of discretion, and nonconstitutional evidentiary error is subject to the harm standard in Texas Rule of Appellate Procedure 44.2(b).

KEY QUOTATIONS

"The standard for the exclusion of cumulative evidence and harmless error dictates that no harm results when evidence is excluded if other similar evidence is admitted." (at 3)

FACTUAL BACKGROUND

Police responding to a report at Robertson's residence found his wife deceased and wrapped in a tarp. Robertson gave police a statement admitting that he killed his wife but claiming that the killing was accidental. At trial, the court excluded that statement as self-serving hearsay, although Robertson testified directly that he had told police he shot his wife by accident. The jury convicted him of murder and he received a fifty-year sentence.

PROCEDURAL HISTORY

The 371st District Court of Tarrant County convicted Robertson of murder and sentenced him to fifty years' incarceration. Robertson timely perfected an appeal. The appeal was originally filed in the Second Court of Appeals and transferred to the Seventh Court of Appeals by a docket-equalization order of the Supreme Court of Texas.

DISPOSITION

affirmed

CASES CITED

- Guzman v. State, 955 S.W.2d 85, 89 (Tex. Crim. App. 1997)

- Barshaw v. State, 342 S.W.3d 91, 93 (Tex. Crim. App. 2011)
- Sopko v. State, 637 S.W.3d 252, 256–57 (Tex. App.—Fort Worth 2021, no pet.)
- Johnson v. State, 967 S.W.2d 410, 417 (Tex. Crim. App. 1998)
- Morales v. State, 32 S.W.3d 862, 867 (Tex. Crim. App. 2000)
- Cardenas v. State, 30 S.W.3d 384, 393 (Tex. Crim. App. 2000)
- Mitchell v. State, No. 07-22-00359-CR, 2023 Tex. App. LEXIS 5253, at *11–12 (Tex. App.—Amarillo July 19, 2023, pet. ref'd) (mem. op., not designated for publication)
- Womble v. State, 618 S.W.2d 59, 62 (Tex. Crim. App. 1981)

OPINION

PER CURIAM.

In The Court of Appeals Seventh District of Texas at Amarillo No. 07-25-00128-CR CHRISTOPHER PAUL ROBERTSON, APPELLANT V. THE STATE OF TEXAS, APPELLEE On Appeal from the 371st District Court Tarrant County, Texas 1 Trial Court No. 1824890, Honorable Brian Bolton, Presiding February 17, 2026 MEMORANDUM OPINION Before PARKER, C.J., and DOSS and YARBROUGH, JJ. Appellant, Christopher Paul Robertson, appeals his conviction for the offense of murder 2 and resulting sentence of fifty years' incarceration.

We affirm the judgment of the trial court. 1 This cause was originally filed in the Second Court of Appeals. It was transferred to this Court by a docket-equalization order of the Supreme Court of Texas. See TEX. GOV'T CODE § 73.001.

In the event of any conflict, we apply the transferor court's case law. TEX. R. APP. P. 41.3. 2 See TEX. PENAL CODE § 19.02(b), (c). BACKGROUND On April 19, 2024, Appellant's brother, Eric Robertson, called 9-1-1 to report that Appellant needed medical attention and that his sister-in-law was deceased and her body was located at Appellant's residence. When officers arrived, they immediately smelled decomposition.

They discovered the body of Appellant's wife, Kristlynn Robertson, wrapped in a tarp in the back bedroom. Police secured the residence and obtained a search warrant. Appellant was taken to the police station where he gave a statement admitting that he killed his wife but claiming that it had been an accident. Appellant was arrested and charged with murder.

At trial, Appellant sought to admit the statement he made to police indicating that he had killed his wife accidentally. The State objected that this statement is self-serving hearsay. The trial court sustained the State's objection.

The jury ultimately found Appellant guilty. Appellant timely perfected his appeal. ANALYSIS Appellant presents one issue by his appeal: whether the trial court erred in sustaining the State's objection to admission of the statement Appellant gave to the police on the day he was arrested.

We review a trial court's decision to admit or exclude evidence for an abuse of discretion. *Guzman v. State*, 955 S.W.2d 85, 89 (Tex. Crim. App. 1997). The admission of evidence in violation of a rule of evidence is considered non-constitutional error. See TEX. R. APP. P. 44.2(b); *Barshaw v. State*, 342 S.W.3d 91, 93 (Tex. Crim. App. 2011).

We disregard non-constitutional error that does not affect a defendant's substantial rights. 2 *Sopko v. State*, 637 S.W.3d 252, 256–57 (Tex. App.—Fort Worth 2021, no pet.). “A substantial right is affected when the error had a substantial and injurious effect or influence in determining the jury's verdict.” *Id.* A criminal conviction should not be overturned for non-constitutional error if the appellate court, after examining the record as a whole, has fair assurance that the error did not influence the jury, or had but slight effect.

See TEX. R. APP. P. 44.2(b); *Johnson v. State*, 967 S.W.2d 410, 417 (Tex. Crim. App. 1998). In making this determination, the appellate court should consider the entirety of the record, including any testimony or physical evidence admitted for the jury's consideration, the nature of the evidence supporting the verdict, and the character of the alleged error and how it might be considered in connection with other evidence in the case.

Morales v. State, 32 S.W.3d 862, 867 (Tex. Crim. App. 2000). In the present case, Appellant argues that the trial court's exclusion of his statement to police was erroneous. Assuming, without deciding, that Appellant is correct and that the trial court erred in excluding his statement, Appellant wholly fails to establish that he was harmed by the error.

In his brief, Appellant does not identify how the exclusion of his statement caused him harm. See *Cardenas v. State*, 30 S.W.3d 384, 393 (Tex. Crim. App. 2000) (failure to analyze question of harmfulness makes briefing inadequate). Further, the record reflects that Appellant testified that he told police in his first interaction with them that he shot his wife by accident.

Thus, the evidence Appellant sought to admit through the statement he gave to police was admitted through his direct testimony. “The standard for the exclusion of cumulative evidence and harmless error dictates that no harm results when evidence is excluded if other similar evidence is admitted.” *Mitchell v. State*, No. 07-22-00359-CR, 2023 Tex. App. LEXIS 5253, at *11–12 (Tex.

App.—Amarillo 3 July 19, 2023, pet. ref'd) (mem. op., not designated for publication) (citing *Womble v. State*, 618 S.W.2d 59, 62 (Tex. Crim. App. 1981)). Because evidence that Appellant shot his wife by accident was admitted through his direct testimony, we cannot conclude that Appellant was harmed by the trial court's exclusion of his statement to police.

We overrule Appellant's sole issue. CONCLUSION Having overruled Appellant's sole issue, we affirm the judgment of the trial court. Judy C. Parker Chief Justice Do not publish. 4

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/court-of-appeals-for-the-seventh-district-of-texas-at-amarillo-court-of-appeals-for-the-seventh-dist/2026/christopher-paul-robertson-v-the-state-of-texas-dt6jyfrp>