

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

Christopher Morrison v. The State of Texas

No. 04-25-00092-CR · No. 04-25-00092-CR · Decided January 28, 2026

SUMMARY

The Fourth Court of Appeals of Texas affirmed Christopher Morrison’s convictions for two misdemeanor counts of deadly conduct. Morrison argued that the evidence was legally insufficient to prove that his BB gun placed the complainants in imminent danger of serious bodily injury. The court held that the BB gun’s tested velocity, the owner’s manual, the distance involved, and evidence of projectile impacts supported the jury’s finding.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Adrian A. Spears II; Lori Massey Brissette; Velia J. Meza
JURISDICTION	Fourth Court of Appeals of Texas, San Antonio
DECIDED	January 28, 2026
DOCKET	04-25-00092-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Morrison appealed a jury conviction for two counts of misdemeanor deadly conduct, arguing that the evidence was legally insufficient to establish that the BB gun was capable of causing serious bodily injury.
STANDARD OF REVIEW	The court viewed all evidence in the light most favorable to the verdict and asked whether any rational trier of fact could have found the essential elements of the offense beyond a reasonable doubt. The court deferred to the jury's credibility and weight determinations and presumed that conflicting inferences were resolved in favor of the prosecution.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Christopher Morrison v. The State of Texas

TOPICS

- criminal procedure
- evidence
- appellate procedure
- standard of review

PRACTICE AREAS

criminal law

criminal appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to support Morrison's two misdemeanor deadly-conduct convictions, particularly whether the BB gun was capable of causing serious bodily injury.
2. Whether the evidence was factually sufficient to support the convictions.

HOLDINGS

1. The evidence was legally sufficient for a rational jury to find that Morrison's BB gun was capable of causing serious bodily injury and therefore to support the two deadly-conduct convictions.
2. The court did not separately address Morrison's factual-sufficiency argument because Texas criminal appellate courts apply the Jackson legal-sufficiency standard rather than a separate factual-sufficiency standard.

KEY QUOTATIONS

“ “[T]he Jackson v. Virginia legal-sufficiency standard is the only standard that a reviewing court should apply in determining whether the evidence is sufficient to support each element of a criminal offense that the State is required to prove beyond a reasonable doubt.” ” (-2)

FACTUAL BACKGROUND

Morrison fired a BB gun from his apartment toward an apartment-complex swimming pool where Jesse Yzaguirre and his three-year-old son were swimming. An expert testified that the BB gun's measured velocity was 315.4 to 337.40 feet per second, exceeding the stated 246-to-249-feet-per-second threshold for bodily harm, and that the owner's manual warned the gun could cause serious bodily injury or death. Evidence also showed splashes near Yzaguirre, breaking glass, and a BB-consistent hole in a shattered sliding glass door in an apartment across the pool.

PROCEDURAL HISTORY

Morrison was indicted in the 187th Judicial District Court of Bexar County for two counts of aggravated assault with a deadly weapon. After a not-guilty plea and jury trial, he was convicted of two lesser-included misdemeanor deadly-conduct offenses. The court of appeals affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 319, 326 (1979)
- Brooks v. State, 323 S.W.3d 893, 895, 899 (Tex. Crim. App. 2010)

- Butcher v. State, 454 S.W.3d 13, 20 (Tex. Crim. App. 2015)
- Clayton v. State, 235 S.W.3d 772, 778 (Tex. Crim. App. 2007)
- Hooper v. State, 214 S.W.3d 9, 16-17 (Tex. Crim. App. 2007)
- Garcia v. State, 367 S.W.3d 683, 686-87 (Tex. Crim. App. 2012)

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