

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Jordan Stephens v. The State of Texas

No. 03-24-00363-CR (Tex. App.—Austin Apr. 10, 2026) (mem. op.) · No. 03-24-00363-CR · Decided April 10, 2026

SUMMARY

The Texas Court of Appeals, Third District, affirmed Jordan Stephens’s misdemeanor DWI conviction. The court held that the evidence—including erratic driving, officers’ observations, field sobriety test performance, alcohol odor and containers, Stephens’s admission to drinking, and refusal to provide a blood sample—was legally sufficient to establish intoxication under the impairment theory.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Maggie Ellis; Chief Justice Byrne; Justice Kelly; Justice Ellis
JURISDICTION	Texas Court of Appeals, Third District, at Austin
DECIDED	April 10, 2026
DOCKET	03-24-00363-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Stephens appealed his misdemeanor DWI conviction after a jury found him guilty in the County Court at Law No. 2 of Bell County.
STANDARD OF REVIEW	The court reviewed all evidence in the light most favorable to the verdict and asked whether any rational factfinder could have found the essential elements of the offense beyond a reasonable doubt. It measured the evidence against a hypothetically correct jury charge, deferred to the factfinder's resolution of conflicts and credibility determinations, and did not reweigh the evidence.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; the opinion is marked 'Do Not Publish.'
PARTIES	Jordan Stephens v. The State of Texas

TOPICS

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

PRACTICE AREAS

Texas criminal law

DWI

criminal appellate practice

sufficiency of the evidence

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to prove beyond a reasonable doubt that Stephens was intoxicated, under the impairment theory, while operating a motor vehicle in a public place.

HOLDINGS

1. The evidence was legally sufficient for a rational juror to find beyond a reasonable doubt that Stephens lacked the normal use of his mental or physical faculties because of alcohol while operating his vehicle. The court therefore affirmed the DWI conviction.

KEY QUOTATIONS

“From the evidence detailed above, a rational juror could have found beyond a reasonable doubt that at the time Stephens was operating his vehicle, he lacked “the normal use of mental or physical faculties by reason of the introduction of alcohol.”” (13)

FACTUAL BACKGROUND

At approximately 2:55 a.m., a motorist reported that Stephens was driving erratically on I-35, repeatedly crossing lanes, driving on the shoulder, nearly striking a barricade and a semi-truck, and varying his speed. Officers stopped Stephens, smelled alcohol, observed glossy or glassy eyes, and testified that he performed poorly on standardized field sobriety tests. Stephens admitted consuming two or three drinks, refused to provide a blood sample, and officers found alcohol bottles and fresh liquid in his truck. The defense presented testimony challenging the administration and reliability of the field sobriety tests.

PROCEDURAL HISTORY

A jury convicted Stephens of misdemeanor driving while intoxicated. The trial court sentenced him to 120 days in jail and a \$1,000 fine, suspended the sentence, and placed him on eighteen months of community supervision. Stephens challenged the legal sufficiency of the evidence proving intoxication while driving; the court of appeals overruled his sole issue and affirmed.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 313, 318-19 (1979)
- Lang v. State, 561 S.W.3d 174, 179 (Tex. Crim. App. 2018)
- Temple v. State, 390 S.W.3d 341, 360 (Tex. Crim. App. 2013)
- Garcia v. State, 667 S.W.3d 756, 762 (Tex. Crim. App. 2023)

- Thompson v. State, 408 S.W.3d 614, 627 (Tex. App.—Austin 2013, no pet.)
- Jenkins v. State, 493 S.W.3d 583, 599 (Tex. Crim. App. 2016)
- Acosta v. State, 429 S.W.3d 621, 625 (Tex. Crim. App. 2014)
- Laster v. State, 275 S.W.3d 512, 517 (Tex. Crim. App. 2009)
- Arroyo v. State, 559 S.W.3d 484, 487 (Tex. Crim. App. 2018)
- Morgan v. State, 501 S.W.3d 84, 89 (Tex. Crim. App. 2016)
- Isassi v. State, 330 S.W.3d 633, 638 (Tex. Crim. App. 2010)
- Musacchio v. United States, 577 U.S. 237, 243 (2016)
- Murray v. State, 457 S.W.3d 446, 448 (Tex. Crim. App. 2015)
- Clayton v. State, 235 S.W.3d 772, 778 (Tex. Crim. App. 2007)
- Kirsch v. State, 306 S.W.3d 738, 743, 745 (Tex. Crim. App. 2010)
- Bartlett v. State, 270 S.W.3d 147, 153 (Tex. Crim. App. 2008)
- Cotton v. State, 686 S.W.2d 140, 142 n.3 (Tex. Crim. App. 1985)
- Finley v. State, 809 S.W.2d 909, 913 (Tex. App.—Houston [14th Dist.] 1991, pet. ref'd)
- Annis v. State, 578 S.W.2d 406, 407 (Tex. Crim. App. 1979)
- Zill v. State, 355 S.W.3d 778, 785-86 (Tex. App.—Houston [1st Dist.] 2011, no pet.)
- Derichsweiler v. State, 348 S.W.3d 906, 914-15 (Tex. Crim. App. 2011)
- Priego v. State, 457 S.W.3d 565, 570 (Tex. App.—Texarkana 2015, pet. ref'd)
- South Dakota v. Neville, 459 U.S. 553, 564 (1983)