

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Amel Garza v. The State of Texas

Garza · No. 01-24-00288-CR · Decided June 4, 2026

SUMMARY

The First Court of Appeals of Texas affirmed the conviction and thirty-five-year sentence of Amel Garza for unlawful possession of a firearm by a felon. The court held that trial counsel was not ineffective for failing to investigate or present Garza's mental-health history because the record did not show counsel had notice of those issues. The court also concluded that counsel's questioning about possible drug intoxication did not improperly reduce the State's burden of proof or render counsel's performance deficient.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Andrew Johnson; Chief Justice Adams; Justice Gunn; Justice Johnson
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	June 4, 2026
DOCKET	01-24-00288-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Garza appealed the denial of his motion for new trial, asserting ineffective assistance of trial counsel based on counsel's failure to investigate and present evidence of Garza's mental-health history and counsel's questioning that led to a voluntary-intoxication instruction.
STANDARD OF REVIEW	The court reviewed the denial of the motion for new trial for abuse of discretion, reversing only if the ruling was clearly erroneous and arbitrary. It viewed the evidence in the light most favorable to the trial court's ruling and deferred to the trial court's credibility determinations concerning testimony and affidavits. The underlying ineffective-assistance claim was evaluated under the two-part Strickland test.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Amel Garza v. The State of Texas

TOPICS

ineffective assistance

criminal procedure

appellate procedure

standard of review

mens rea

PRACTICE AREAS

criminal law

criminal procedure

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ineffective assistance of counsel

evidence

QUESTIONS PRESENTED

1. Whether trial counsel provided ineffective assistance by failing to investigate and present evidence of Garza's mental-health history during the guilt and punishment phases.
2. Whether trial counsel provided ineffective assistance by asking whether Garza was under the influence of drugs, thereby eliciting evidence supporting a voluntary-intoxication instruction.

HOLDINGS

1. Garza failed to establish deficient performance because the record supported the finding that trial counsel had no notice or other indication of Garza's mental-health history sufficient to trigger a duty to investigate it.
2. Counsel's questioning about whether Garza was under the influence of drugs did not constitute deficient performance because the voluntary-intoxication instruction did not reduce the State's burden to prove the required mental state.

KEY QUOTATIONS

“An abuse of discretion occurs only when no reasonable view of the record would support the trial court’s ruling.” (at 7)

“An investigation into every defendant’s mental health history is not required,” (at 8)

“This instruction does not affect the State’s burden but “acts to re-affirm the mental-state requirements, not delete them.”” (at 12)

FACTUAL BACKGROUND

Police responding to reports of a man threatening another person with a gun and firing shots saw Garza holding a handgun near a school. Garza complied with commands to drop the gun but resisted detention, and police recovered the handgun and ammunition; surveillance video showed him striking a man with the handgun. Garza had a substantial mental-health history documented in medical records, but trial counsel presented no mental-health evidence during either the guilt or punishment phases. The jury convicted Garza and assessed thirty-five years' imprisonment.

PROCEDURAL HISTORY

A jury convicted Garza of unlawful possession of a firearm by a felon and assessed thirty-five years' imprisonment. The trial court denied Garza's motion for new trial, which was supported by medical records, affidavits, and a hearing concerning counsel's investigation. Garza appealed, and the First Court of Appeals affirmed the trial court's judgment.

DISPOSITION

affirmed

CASES CITED

- Smith v. State, 286 S.W.3d 333, 340 (Tex. Crim. App. 2009)
- Strickland v. Washington, 466 U.S. 668, 687 (1984)
- In re M.F., No. 14-19-00964-CV, 2020 WL 2832166, at *7 (Tex. App.—Houston [14th Dist.] May 28, 2020, pet. denied) (mem. op., not designated for publication)
- Prine v. State, 537 S.W.3d 113, 117 (Tex. Crim. App. 2017)
- Okonkwo v. State, 398 S.W.3d 689, 694 (Tex. Crim. App. 2013)
- Cockerham v. State, No. 01-21-00527-CR, 2023 WL 4628475, at *7 (Tex. App.—Houston [1st Dist.] July 20, 2023, no pet.) (mem. op., not designated for publication)
- Ex parte LaHood, 401 S.W.3d 45, 50-52 (Tex. Crim. App. 2013)
- Ex parte Martinez, 195 S.W.3d 713, 721 (Tex. Crim. App. 2006)
- Barnett v. State, 344 S.W.3d 6, 17-18 (Tex. App.—Texarkana 2011, pet. ref'd)
- Purchase v. State, 84 S.W.3d 696, 700-01 (Tex. App.—Houston [1st Dist.] 2002, pet. ref'd)
- Johnson v. State, 169 S.W.3d 223, 239 (Tex. Crim. App. 2005)
- Guillory v. State, 652 S.W.3d 499, 506 (Tex. App.—Houston [14th Dist.] 2022, no pet.)
- Morrow v. State, 486 S.W.3d 139, 154 (Tex. App.—Texarkana 2016, pet. ref'd)
- Freeman v. State, 167 S.W.3d 114, 119 (Tex. App.—Waco 2005, no pet.)
- Sakil v. State, 287 S.W.3d 23, 26, 28 (Tex. Crim. App. 2009)
- Davis v. State, 313 S.W.3d 317, 330 (Tex. Crim. App. 2010)