

COURT OF APPEALS OF TEXAS, THIRD DISTRICT

Elias Shawn Bihl aka Elias Bihl v. State

No. 03-14-00515-CR · No. 03-14-00515-CR · Decided June 10, 2015

SUMMARY

This is a Texas intermediate appellate opinion concerning Elias Shawn Bihl's conviction for aggravated assault with a deadly weapon. The appellant challenged the indictment, the sufficiency and admission of the evidence, and related trial proceedings. The opinion was issued per curiam by the Third Court of Appeals of Texas.

CASE DETAILS

COURT	Court of Appeals of Texas, Third District
JURISDICTION	Texas
DECIDED	June 10, 2015
DOCKET	03-14-00515-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Bihl appealed his judgment of conviction for aggravated assault with a deadly weapon and a thirty-year sentence.
STANDARD OF REVIEW	The court reviewed the evidence under the Jackson v. Virginia legal-sufficiency standard, viewing the evidence in the light most favorable to the verdict and determining whether a rational factfinder could have found the essential elements of the offense beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published intermediate appellate opinion
PARTIES	Elias Shawn Bihl aka Elias Bihl v. The State of Texas

TOPICS

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

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to support Bihl's conviction for aggravated assault with a deadly weapon.

HOLDINGS

1. The evidence was legally sufficient for a rational jury to find beyond a reasonable doubt that Bihl committed aggravated assault with a deadly weapon.

FACTUAL BACKGROUND

The evidence concerned an altercation between Bihl and the complainant, Rivera, during which Bihl used a knife or other deadly weapon and caused injury. The jury heard conflicting evidence concerning the incident but resolved those conflicts against Bihl and found the charged offense proved beyond a reasonable doubt.

PROCEDURAL HISTORY

A Travis County district court entered a judgment finding Bihl guilty of aggravated assault with a deadly weapon and sentenced him to thirty years' imprisonment. Bihl challenged the sufficiency of the evidence supporting the conviction, and the Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307 (1979)
- Brooks v. State, 323 S.W.3d 893 (Tex. Crim. App. 2010)
- Hooper v. State, 214 S.W.3d 9 (Tex. Crim. App. 2007)
- Cavazos v. State, 382 S.W.3d 377 (Tex. Crim. App. 2012)