

TEXAS COURT OF APPEALS, THIRTEENTH DISTRICT, CORPUS CHRISTI–
EDINBURG

Gerald Lee Manzanalez Jr. v. The State of Texas

No. 13-25-00369-CR (Tex. App.—Corpus Christi–Edinburg Apr. 30, 2026) (mem. op.) · No. 13-25-00369-CR ·
Decided April 30, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas affirmed Gerald Lee Manzanalez Jr.'s convictions for attempted sexual assault of a child and attempted indecency with a child. The court held that the evidence, viewed in the light most favorable to the verdict, was sufficient to establish the requisite intent and conduct beyond mere preparation.

CASE DETAILS

COURT	Texas Court of Appeals, Thirteenth District, Corpus Christi–Edinburg
WRITING FOR THE COURT	Chief Justice Jaime Tijerina; Justice Peña; Justice West
JURISDICTION	Texas Court of Appeals, Thirteenth District, Corpus Christi–Edinburg
DECIDED	April 30, 2026
DOCKET	13-25-00369-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appellant appealed convictions for attempted sexual assault of a child and attempted indecency with a child, arguing that the evidence was insufficient to prove the requisite specific intent and that his conduct exceeded mere preparation.
STANDARD OF REVIEW	The court views all evidence in the light most favorable to the verdict and asks whether any rational fact finder could have found the essential elements of the offense beyond a reasonable doubt based on the evidence and reasonable inferences. The evidence is measured against the elements of the offenses as defined by a hypothetically correct jury charge, and the fact finder exclusively determines witness credibility and the weight of the evidence.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; marked do not publish under Tex. R. App. P. 47.2(b).
PARTIES	Gerald Lee Manzanalez Jr. v. The State of Texas

TOPICS

criminal procedure

evidence

appellate procedure

standard of review

preservation of error

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to prove that appellant had the specific intent to commit sexual assault of a child and attempted that offense.
2. Whether the evidence was sufficient to prove that appellant had the specific intent to commit indecency with a child and attempted that offense.
3. Whether appellant's conduct constituted more than mere preparation to commit the intended offenses.

HOLDINGS

1. The evidence was sufficient for a rational fact finder to find beyond a reasonable doubt that appellant possessed the specific intent to commit the underlying offenses and performed acts beyond mere preparation that tended but failed to effect their commission.

KEY QUOTATIONS

“In a sufficiency review, we consider all the evidence in the light most favorable to the verdict and determine whether any rational fact finder could have found the essential elements of the crime beyond a reasonable doubt based on the evidence and reasonable inferences from that evidence.” (5)

“The fact finder is the exclusive judge of the facts, the credibility of witnesses, and the weight to be given to their testimony.” (5)

“An attempt implies both an intent and an active effort to carry out and consummate the intent or purpose. Thus, “attempt” is more comprehensive than “intent.”” (5)

FACTUAL BACKGROUND

M.M., who was approximately thirteen or fourteen years old at the charged incident, testified that appellant, her uncle, entered her bedroom while she was asleep, caressed her thigh near her genitals, and attempted to crawl onto the bed over her. She kicked him off, locked the door, and fought his efforts to reenter through an air-conditioning vent while he asked to see her breasts and mentioned watching pornography. M.M. also testified that appellant had previously caressed her thigh on two occasions, and appellant denied attempting the charged offenses.

PROCEDURAL HISTORY

Following a jury trial in the 24th District Court of Jackson County, Texas, appellant was convicted of third-degree felony attempted sexual assault of a child and attempted indecency with a child. The trial court imposed

concurrent ten-year prison sentences. The Texas Court of Appeals considered appellant's sufficiency challenges and affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- McClendon v. State, 643 S.W.2d 936, 936 n.1 (Tex. Crim. App. [Panel Op.] 1982)
- Whatley v. State, 445 S.W.3d 159, 166 (Tex. Crim. App. 2014)
- Brooks v. State, 323 S.W.3d 893, 898–99 (Tex. Crim. App. 2010) (plurality op.)
- Wise v. State, 364 S.W.3d 900, 903 (Tex. Crim. App. 2012)
- Villarreal v. State, 286 S.W.3d 321, 327 (Tex. Crim. App. 2009)
- Malik v. State, 953 S.W.2d 234, 240 (Tex. Crim. App. 1997)
- Crawford v. State, 562 S.W.3d 106, 111 (Tex. App.—Corpus Christi–Edinburg 2018, pet. ref'd)
- Henson v. State, 173 S.W.3d 92, 101 (Tex. App.—Tyler 2005, pet. ref'd)
- In re J.B.M., 157 S.W.3d 823, 826 (Tex. App.—Fort Worth 2005, no pet.)
- Dixon v. State, No. 01-04-01100-CR, 2005 WL 2620541, at *3 (Tex. App.—Houston [1st Dist.] Oct. 13, 2005, no pet.) (mem. op., not designated for publication)