

COURT OF APPEALS, NINTH DISTRICT OF TEXAS AT BEAUMONT

Carla Culver v. The State of Texas

No. 09-25-00355-CR · No. 09-25-00355-CR · Decided January 14, 2026

SUMMARY

The Ninth Court of Appeals of Texas at Beaumont affirmed the trial court’s decision to rescind an appeal bond and deny Carla Culver bail pending her direct appeal. The court held that the trial court had authority to rescind its prior bail order and did not abuse its discretion because the record supported a reasonable conclusion that good cause existed to believe Culver might not appear or might commit another offense while on bail. The court overruled both issues presented and affirmed.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                       |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals, Ninth District of Texas at Beaumont                                                                                                                                                                                                                                 |
| WRITING FOR THE COURT | Leanne Johnson; Wright; Chambers                                                                                                                                                                                                                                                      |
| JURISDICTION          | Court of Appeals Ninth District of Texas at Beaumont                                                                                                                                                                                                                                  |
| DECIDED               | January 14, 2026                                                                                                                                                                                                                                                                      |
| DOCKET                | 09-25-00355-CR                                                                                                                                                                                                                                                                        |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Accelerated appeal from the trial court's rescission of an order granting bail pending appeal and denial of appeal bail.                                                                                                                                                              |
| STANDARD OF REVIEW    | The trial court's decision regarding an appeal bond is reviewed for abuse of discretion. The appellate court asks whether the decision was made without reference to guiding legal rules or principles and upholds the ruling if it falls within the zone of reasonable disagreement. |
| PRECEDENTIAL VALUE    | Unpublished; the opinion states Do Not Publish.                                                                                                                                                                                                                                       |
| PARTIES               | Carla Culver v. The State of Texas                                                                                                                                                                                                                                                    |

TOPICS

- bail
- appellate procedure
- criminal procedure
- standard of review

PRACTICE AREAS

- Criminal procedure
- Appellate procedure
- Bail pending appeal

## QUESTIONS PRESENTED

1. Whether the trial court had authority to rescind its prior order granting bail pending appeal.
2. Whether the trial court abused its discretion or committed reversible error by denying bail pending Culver's direct appeal.

## HOLDINGS

1. A trial court may rescind an earlier order granting bail pending appeal even when no condition of bail was violated.
2. Culver was eligible for bail pending appeal because she received a sentence of eight years and her conviction was not for an offense listed in article 42A.054(a).
3. The trial court did not abuse its discretion in denying Culver bail pending appeal because the record supported a reasonable finding of good cause to believe that she might not appear when her conviction became final or might commit another offense while on bail.

## KEY QUOTATIONS

*“A trial court may deny bail altogether if there exists good cause to believe that the defendant would not appear when her conviction became final or is likely to commit another offense while on bail.” (at 5)*

*“Here, the trial court could have reasonably inferred, based on Culver’s criminal history and the facts of the underlying offense involving her attempt to avoid the repossession and her use of the vehicle as a deadly weapon to assault the victim, that good cause exists to believe that Culver would not appear when her conviction became final or is likely to commit another offense while on bail.” (at 10)*

## FACTUAL BACKGROUND

Culver was convicted of aggravated assault causing serious bodily injury after evidence showed that she used a vehicle to strike a man involved in repossessing the vehicle. The jury assessed eight years' imprisonment, and the trial court initially granted Culver a \$20,000 bond pending appeal. After reviewing the trial transcript and finding discrepancies between it and Culver's motion for new trial, the trial court rescinded the bond. The court also considered the deadly-weapon finding, the nature of the offense, and Culver's prior misdemeanor probation revocation in denying bail.

## PROCEDURAL HISTORY

Culver was convicted by a jury of aggravated assault causing serious bodily injury and sentenced to eight years' imprisonment. After initially granting her a \$20,000 appeal bond, the trial court held additional hearings, rescinded its prior order, and denied bail pending appeal. Culver timely appealed, arguing that the rescission and denial were an abuse of discretion and reversible error.

## DISPOSITION

affirmed

## CASES CITED

- Turner v. State, 733 S.W.2d 218, 223 (Tex. Crim. App. 1987)
- Ex parte Spaulding, 612 S.W.2d 509, 511 (Tex. Crim. App. 1981)
- Charles v. State, 146 S.W.3d 204, 208 (Tex. Crim. App. 2004)
- Montgomery v. State, 810 S.W.2d 372, 380 (Tex. Crim. App. 1990)
- Montgomery v. State, 810 S.W.2d 372, 391 (Tex. Crim. App. 1991) (op. on reh'g)
- Ex parte Rubac, 611 S.W.2d 848, 849-50 (Tex. Crim. App. 1981)
- Ex parte Lowe, 573 S.W.2d 245, 247 (Tex. Crim. App. 1978)
- Ex parte LeBlanc, 615 S.W.2d 724, 726 (Tex. Crim. App. 1981)
- Robinson v. State, 700 S.W.2d 710, 712 (Tex. App.—Houston [14th Dist.] 1985, no pet.)
- Ex parte Reasor, 278 S.W.3d 460, 462-63 (Tex. App.—San Antonio 2009, no pet.)
- Calloway v. State, 743 S.W.2d 645, 651-52 (Tex. Crim. App. 1988)
- Evans v. State, Nos. 05-20-00972-CR & 05-20-00973-CR, 2021 Tex. App. LEXIS 2340, at \*\*2-5 (Tex. App.—Dallas Mar. 26, 2021, no pet.) (mem. op., not designated for publication)
- Ex parte Mendiola, 961 S.W.2d 625, 627-28 (Tex. App.—San Antonio 1998, no pet.)
- Short v. State, 923 S.W.2d 168, 168-69 (Tex. App.—Fort Worth 1996, no pet.)