

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Rebba Caryn Stuart v. The State of Texas

373 U.S. 83 (Court of Appeals for the First District of Texas 2026) · No. 01-24-00359-CR · Decided June 25, 2026

SUMMARY

The First Court of Appeals of Texas considered Rebba Caryn Stuart’s challenges to the admission of vehicle event-data and Facebook posts, the denial of offers of proof, the alleged denial of her right to present a complete defense, and the assessment of attorney’s fees and other costs. The court held that the evidentiary and offer-of-proof issues did not warrant reversal, but modified the judgment to delete \$250 in reimbursement fees and \$15,042 in court-appointed attorney’s fees, affirming the judgment as modified.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Andrew Johnson; Rivas-Molloy; Johnson; Dokupil
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	June 25, 2026
DOCKET	01-24-00359-CR
DISPOSITION	other
PROCEDURAL POSTURE	Stuart appealed her jury conviction for injury to an elderly individual, her thirty-year sentence and fine, evidentiary rulings, the denial of opportunities to make offers of proof, alleged deprivation of her right to present a complete defense, and the assessment of attorney’s fees and other costs.
STANDARD OF REVIEW	Preservation issues were reviewed under applicable preservation rules. The alleged Facebook-authentication error was reviewed for abuse of discretion, and any resulting nonconstitutional error under Texas Rule of Appellate Procedure 44.2(b). Assessment of court costs and court-appointed attorney’s fees was reviewed to determine whether a basis existed for the award. Constitutional complete-defense claims were evaluated under the rule that an evidentiary ruling must be clearly erroneous and exclusion must effectively preclude presentation of the defense.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Rebba Caryn Stuart v. The State of Texas

TOPICS

criminal procedure suppression of evidence authentication harmless error appellate procedure

PRACTICE AREAS

criminal procedure appellate procedure evidence constitutional law

QUESTIONS PRESENTED

1. Whether Stuart preserved a challenge to the validity of the search warrant supporting the retrieval of event-data-recorder information from her vehicle when the warrant and supporting affidavit were exhibited to the trial court but were not included in the appellate record.
2. Whether admission of Facebook posts was reversible error because the State failed to authenticate them under Texas Rule of Evidence 901.
3. Whether the trial court improperly denied Stuart the opportunity to make offers of proof concerning an internal administrative investigation of investigating officers.
4. Whether the trial court's evidentiary rulings deprived Stuart of her constitutional right to present a complete defense.
5. Whether the trial court erred by ordering an indigent defendant to repay court-appointed attorney's fees and a reimbursement fee without evidence of a material change in her financial circumstances or ability to pay.

HOLDINGS

1. Stuart failed to preserve for appellate review her challenge to the validity of the search warrant because the State produced and exhibited the warrant and supporting affidavit in the trial court, but Stuart did not ensure that those materials were included in the appellate record.
2. Even assuming the trial court abused its discretion by admitting the Facebook posts without proper authentication, any error was nonconstitutional and harmless because it did not affect Stuart's substantial rights.
3. The trial court erred, or assumedly erred, by refusing to allow Stuart to make a question-and-answer offer of proof with the sheriff or defense investigator, but the error was harmless because the substance of the proposed evidence was apparent from the context.
4. The trial court's evidentiary rulings did not violate Stuart's constitutional right to present a complete defense because Stuart failed to establish that the rulings were erroneous, and the record did not show exclusion of evidence that effectively precluded her defense.
5. When a defendant has been found indigent, the trial court may not order repayment of court-appointed attorney's fees or a reimbursement fee absent evidence of a material change in financial circumstances or

resources sufficient to pay.

KEY QUOTATIONS

“The right to make an offer of proof is absolute; a trial court lacks discretion to deny such a request.” (at 10)

“An indigent defendant is entitled to have an attorney appointed to represent her in criminal proceedings at no cost.” (at 16)

FACTUAL BACKGROUND

Stuart drove through a red light at approximately sixty miles per hour and collided with Florida Brown's vehicle, severely injuring Brown, who later died. The State presented evidence that Stuart did not brake or attempt to avoid the collision, that her vehicle was mechanically sound, and that she told a responding deputy she was trying to kill herself. The defense presented testimony from a psychologist, paramedic, and accident reconstructionist concerning Stuart's mental state, altered condition, and lack of time to avoid the collision. Stuart was found indigent, but the trial court ordered repayment of court-appointed attorney's fees and a reimbursement fee.

PROCEDURAL HISTORY

A jury convicted Stuart of injury to an elderly individual and assessed thirty years' confinement and a \$10,000 fine. The trial court also ordered her to repay a \$250 reimbursement fee and \$15,042 in court-appointed attorney's fees despite finding her indigent. The Court of Appeals overruled her evidentiary, offer-of-proof, and complete-defense issues, sustained her challenge to the fee assessments, reformed the judgment to delete those amounts, and affirmed as modified.

DISPOSITION

other

CASES CITED

- Kothe v. State, 152 S.W.3d 54, 59 (Tex. Crim. App. 2004)
- Miller v. State, 736 S.W.2d 643, 648 (Tex. Crim. App. 1987)
- Moreno v. State, 858 S.W.2d 453, 461 (Tex. Crim. App. 1993)
- Cannady v. State, 582 S.W.2d 467, 469 (Tex. Crim. App. [Panel Op.] 1979)
- Washington v. State, No. 14-23-00723-CR, 2025 WL 926468, at *4 (Tex. App.—Houston [14th Dist.] Mar. 27, 2025, no pet.)
- Boldon v. State, No. 01-12-00486-CR, 2013 WL 5637031, at *7-8 (Tex. App.—Houston [1st Dist.] Oct. 15, 2013, pet. ref'd)
- Gonzalez v. State, 544 S.W.3d 363, 373 (Tex. Crim. App. 2018)
- Motilla v. State, 78 S.W.3d 352, 357-58 (Tex. Crim. App. 2002)
- Morales v. State, 32 S.W.3d 862, 867 (Tex. Crim. App. 2000)

- Lee v. State, 418 S.W.3d 892, 900 (Tex. App.—Houston [14th Dist.] 2013, pet. ref'd)
- Mayes v. State, 816 S.W.2d 79, 88 (Tex. Crim. App. 1991)
- Kipp v. State, 876 S.W.2d 330, 333 (Tex. Crim. App. 1994)
- Spence v. State, 758 S.W.2d 597, 599 (Tex. Crim. App. 1988)
- Potier v. State, 68 S.W.3d 657, 666 (Tex. Crim. App. 2002)
- Coleman v. State, 966 S.W.2d 525, 528 (Tex. Crim. App. 1998)
- Anderson v. State, 301 S.W.3d 276, 280 (Tex. Crim. App. 2009)
- Wiley v. State, 74 S.W.3d 399, 405, 408 (Tex. Crim. App. 2002)
- Druery v. State, 225 S.W.3d 491, 505-06 (Tex. Crim. App. 2007)
- Johnson v. State, 355 S.W.3d 138, 155 (Tex. App.—Houston [1st Dist.] 2011, pet. ref'd)
- Smith v. State, No. 01-13-00438-CR, 2014 WL 4219556, at *3 (Tex. App.—Houston [1st Dist.] Aug. 26, 2014, pet. ref'd)
- Williams v. State, 964 S.W.2d 747, 753 (Tex. App.—Houston [14th Dist.] 1998, pet. ref'd)
- Johnson v. State, 423 S.W.3d 385, 389-90 (Tex. Crim. App. 2014)
- Cates v. State, 402 S.W.3d 250, 251-52 (Tex. Crim. App. 2013)