

TEXAS COURT OF APPEALS, ELEVENTH DISTRICT AT EASTLAND

Nicholas Ray Leyse v. The State of Texas

Leyse · No. 11-24-00148-CR · Decided May 29, 2026

SUMMARY

The Texas Eleventh Court of Appeals affirmed Nicholas Ray Leyse’s forty-six-year sentence for manslaughter enhanced by a habitual-offender finding. The court held that the sentence was within the statutory range, was not grossly disproportionate, and was not rendered unjust by the mitigating evidence presented at the punishment hearing.

CASE DETAILS

COURT	Texas Court of Appeals, Eleventh District at Eastland
WRITING FOR THE COURT	John M. Bailey, Chief Justice; Trotter, Justice; Williams, Justice
JURISDICTION	Texas Court of Appeals, Eleventh District
DECIDED	May 29, 2026
DOCKET	11-24-00148-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment of conviction and forty-six-year sentence for manslaughter following Appellant's open guilty plea and plea of true to one habitual-offender enhancement paragraph.
STANDARD OF REVIEW	The trial court has a great deal of discretion in assessing punishment. A sentence within the legislatively prescribed range, based on the sentencer's informed normative judgment, is generally unassailable on appeal subject to limited gross-disproportionality review under the Eighth Amendment.
PRECEDENTIAL VALUE	Unpublished memorandum opinion; not designated for publication.
PARTIES	Nicholas Ray Leyse v. The State of Texas

TOPICS

- sentencing
- cruel and unusual punishment
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal law
- criminal sentencing
- appellate procedure
- constitutional law

QUESTIONS PRESENTED

1. Whether Leyse's forty-six-year sentence for manslaughter was manifestly unjust because it was contrary to the mitigating evidence.
2. Whether the trial court's consideration of the evidence and assessment of a sentence within the statutory range rendered the sentence grossly disproportionate or otherwise unjust.

HOLDINGS

1. The sentence was not manifestly unjust. The trial court acted within its broad sentencing discretion, and the mitigating evidence was not so overwhelming as to render the forty-six-year sentence unjust.
2. The sentence was not grossly disproportionate.

KEY QUOTATIONS

“Subject only to a very limited, ‘exceedingly rare,’ and somewhat amorphous Eighth Amendment gross-disproportionality review, a punishment that falls within the legislatively prescribed range, and that is based upon the sentencer’s informed normative judgment, is unassailable on appeal.” (9)

FACTUAL BACKGROUND

Leyse shot and killed Chris Alan Nix after becoming angry over Nix's alleged relationship with Leyse's wife. The evidence showed that Leyse fired multiple shots, including shots toward a pickup and a camper, and one shot struck Nix. Leyse acknowledged significant criminal history, firearm possession despite being prohibited from possessing firearms, methamphetamine use, and mental-health diagnoses, while also presenting evidence of remorse, attempted CPR, treatment, family support, and other mitigating circumstances.

PROCEDURAL HISTORY

Leyse was charged under a four-count indictment with offenses arising from the shooting death of Chris Alan Nix. He waived a jury, pleaded guilty to manslaughter, and pleaded true to one enhancement paragraph; the State abandoned the remaining counts and enhancement paragraph. After a punishment hearing, the trial court assessed forty-six years' confinement. The Eleventh Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- Jackson v. State, 680 S.W.2d 809, 814 (Tex. Crim. App. 1984)
- Grado v. State, 445 S.W.3d 736, 739 (Tex. Crim. App. 2014)
- State v. Simpson, 488 S.W.3d 318, 323 (Tex. Crim. App. 2016)
- Graham v. Florida, 560 U.S. 48, 60 (2010)
- Ex parte Chavez, 213 S.W.3d 320, 323-24 (Tex. Crim. App. 2006)
- Sunbury v. State, 88 S.W.3d 229, 233 (Tex. Crim. App. 2002)

- Lockyer v. Andrade, 538 U.S. 63, 72 (2003)
- Newman v. State, No. 11-22-00076-CR, 2024 WL 847671 (Tex. App.—Eastland Feb. 29, 2024, no pet.) (mem. op., not designated for publication)

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