

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Christopher Broadus v. The State of Texas

No. 03-24-00134-CR · No. 03-24-00134-CR · Decided February 13, 2026

SUMMARY

The Texas Court of Appeals, Third District at Austin, reviews Christopher Broadus’s conviction for aggravated sexual assault of a child. Broadus challenged the admission of extraneous-offense testimony under Texas Rule of Evidence 403 and alleged errors in the jury charge concerning culpable mental states and result-of-conduct language. The court affirmed the trial court’s judgment of conviction.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Gisela D. Triana; Theofanis; Crump
JURISDICTION	Texas Court of Appeals, Third District at Austin
DECIDED	February 13, 2026
DOCKET	03-24-00134-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a conviction for aggravated sexual assault of a child following a jury trial and a life sentence based on a prior conviction enhancement.
STANDARD OF REVIEW	Admission of extraneous-offense evidence is reviewed for abuse of discretion. Jury-charge claims are reviewed by first determining whether the charge was erroneous and then determining whether the error harmed the defendant; because Broadus did not object, reversal required egregious harm. Alleged comments on the weight of the evidence were reviewed for whether error was established on the record.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Christopher Broadus v. The State of Texas

TOPICS

- evidence
- jury instructions
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

criminal law

criminal procedure

evidence

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion under Texas Rule of Evidence 403 by admitting the sister's testimony concerning extraneous sexual offenses under Texas Code of Criminal Procedure article 38.37.
2. Whether including the full statutory definitions of intentionally and knowingly, including result-of-conduct language, in the jury charge caused egregious harm when Broadus did not object.
3. Whether the trial court commented on the weight of the evidence by allegedly placing check marks next to the elements in the jury charge.

HOLDINGS

1. The trial court did not abuse its discretion by admitting the sister's testimony concerning extraneous sexual offenses. The evidence's probative value was not substantially outweighed by unfair prejudice, confusion, misleading the jury, undue delay, or cumulative presentation.
2. Assuming without deciding that the trial court erred by including result-of-conduct language in the definitions of intentionally and knowingly, Broadus was not egregiously harmed by the unobjected-to charge error.
3. Broadus did not establish that the trial court placed check marks next to the elements in the jury charge or otherwise commented on the weight of the evidence; the claim was speculative and unsupported by the record.

KEY QUOTATIONS

"We cannot conclude that Appellant has shown that the probative value of Sister's extraneous offense testimony "was substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, or needlessly presenting cumulative evidence." (14)

"We have not identified any showing that Appellant was actually harmed by the inclusion of the full statutory definitions for the mental states. We conclude that he was not egregiously harmed by the assumed error." (18)

"Appellant's contention that the checkmarks were made by the trial court are speculative and not shown in the record. We conclude that Appellant has not established error in this case." (20)

FACTUAL BACKGROUND

Broadus lived with the complainant and her family and had access to the complainant when she was approximately seven or eight years old. The complainant testified that during a reward night in Broadus's room, he rubbed her vagina and inserted a finger, and she later made an outcry. Her sister testified to separate sexual assaults by Broadus, and the State also introduced evidence of Broadus's prior conviction for sexual assault of a child. Broadus defended primarily by attacking the complainant's credibility and arguing that the allegations were fabricated.

PROCEDURAL HISTORY

The jury found Broadus guilty of aggravated sexual assault of a child. Broadus pleaded true to an enhancement allegation based on a prior sexual-assault-of-a-child conviction, and the trial court sentenced him to life imprisonment. His motion for new trial was overruled by operation of law, and he appealed, challenging the admission of extraneous-offense evidence, the jury-charge definitions of culpable mental states, and alleged check marks in the charge.

DISPOSITION

affirmed

CASES CITED

- Dies v. State, 649 S.W.3d 273, 284 (Tex. App.—Dallas 2022, pet. ref'd)
- Hitt v. State, 53 S.W.3d 697, 706 (Tex. App.—Austin 2001, pet. ref'd)
- Irsan v. State, 708 S.W.3d 584, 616 (Tex. Crim. App. 2025)
- Lopez v. State, 86 S.W.3d 228, 230 (Tex. Crim. App. 2002)
- State v. Mechler, 153 S.W.3d 435, 439 (Tex. Crim. App. 2005)
- Carrasco v. State, 154 S.W.3d 127, 129 (Tex. Crim. App. 2005)
- Khoshayand v. State, 179 S.W.3d 779, 784 (Tex. App.—Dallas 2005, no pet.)
- Hammer v. State, 296 S.W.3d 555, 568 (Tex. Crim. App. 2009)
- Pawlak v. State, 420 S.W.3d 807, 811 (Tex. Crim. App. 2013)
- Gigliobianco v. State, 210 S.W.3d 637, 641-42 (Tex. Crim. App. 2006)
- Inthalangsy v. State, 634 S.W.3d 749, 758 (Tex. Crim. App. 2021)
- Henley v. State, 493 S.W.3d 77, 93 (Tex. Crim. App. 2016)
- Brickley v. State, 623 S.W.3d 68, 79-82 (Tex. App.—Austin 2021, pet. ref'd)
- Deggs v. State, 646 S.W.3d 916, 925 (Tex. App.—Waco 2022, pet. ref'd)
- Robisheaux v. State, 483 S.W.3d 205, 220 (Tex. App.—Austin 2016, pet. ref'd)
- Price v. State, 594 S.W.3d 674, 681 (Tex. App.—Texarkana 2019, no pet.)
- Bradshaw v. State, 466 S.W.3d 875, 882 (Tex. App.—Texarkana 2015, pet. ref'd)
- Newton v. State, 301 S.W.3d 315, 317 n.2, 320 n.5 (Tex. App.—Waco 2009, pet. ref'd)
- Alvarez v. State, 491 S.W.3d 362, 371 (Tex. App.—Houston [1st Dist.] 2016, pet. ref'd)
- Love v. State, 706 S.W.3d 584, 616 (Tex. App.—Austin 2024, pet. ref'd)
- Beam v. State, 447 S.W.3d 401, 405 (Tex. App.—Houston [14th Dist.] 2014, no pet.)
- Lane v. State, 933 S.W.2d 504, 520 (Tex. Crim. App. 1996)
- Olivas v. State, 202 S.W.3d 137, 143-44 (Tex. Crim. App. 2006)
- Torres v. State, 691 S.W.3d 138, 147 (Tex. App.—Austin 2024, pet. ref'd)
- Price v. State, 457 S.W.3d 437, 441 (Tex. Crim. App. 2015)
- Saldivar v. State, 783 S.W.2d 265, 267-68 (Tex. App.—Corpus Christi—Edinburg 1989, no pet.)

- Allen v. State, 253 S.W.3d 260, 264 (Tex. Crim. App. 2008)
- Swearingen v. State, 270 S.W.3d 804, 813-14 (Tex. App.—Austin 2008, pet. ref'd)
- Arrington v. State, 451 S.W.3d 834, 840 (Tex. Crim. App. 2015)
- Saenz v. State, 479 S.W.3d 939, 947 (Tex. App.—San Antonio 2015, pet. ref'd)
- Ellison v. State, 86 S.W.3d 226, 227 (Tex. Crim. App. 2002)
- Warner v. State, 245 S.W.3d 458, 464 (Tex. Crim. App. 2008)
- Reeves v. State, 420 S.W.3d 812, 816 (Tex. Crim. App. 2013)
- Medina v. State, 7 S.W.3d 633, 640 (Tex. Crim. App. 1999)
- Reed v. State, 421 S.W.3d 24, 30 (Tex. App.—Waco 2013, pet. ref'd)
- Jones v. State, 229 S.W.3d 489, 494 (Tex. App.—Texarkana 2007, no pet.)
- Shavers v. State, 985 S.W.2d 284, 292 (Tex. App.—Beaumont 1998, pet. ref'd)
- Murrieta v. State, 578 S.W.3d 552, 556 (Tex. App.—Texarkana 2019, no pet.)
- Bradshaw v. State, 244 S.W.3d 490, 498 (Tex. App.—Texarkana 2007, pet. ref'd)
- Green v. State, 912 S.W.2d 189, 192 (Tex. Crim. App. 1995)
- Davis v. State, 345 S.W.3d 71, 78 (Tex. Crim. App. 2011)
- Chapman v. State, 859 S.W.2d 509, 514-15 (Tex. App.—Houston [1st Dist.] 1993), rev'd on other grounds, 921 S.W.2d 694 (Tex. Crim. App. 1996)
- Smith v. State, No. 01-22-00471-CR, 2023 WL 4239875, at *8 (Tex. App.—Houston [1st Dist.] June 29, 2023, no pet.) (mem. op., not designated for publication)