

COURT OF APPEALS FOR THE EIGHTH DISTRICT OF TEXAS

The State of Texas v. Julio Enrique Vega

State v. Vega · No. No. 08-24-00161-CR · Decided February 18, 2026

SUMMARY

The Eighth District Court of Appeals of Texas affirmed the dismissal of a misdemeanor indictment against Julio Enrique Vega, concluding that the indictment was not properly transferred from the district court and that the county court’s jurisdiction was not properly invoked. The court also denied Vega’s request for sanctions against the State and individual prosecutors. A concurring opinion addressed the court’s inherent authority to sanction prosecutors but concluded that the alleged conduct did not warrant sanctions.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals for the Eighth District of Texas                                                                                                                                                                                                                                                                                                                                                                                                           |
| WRITING FOR THE COURT | Palafox, Justice; Lisa J. Soto, Justice; Barajas, Chief Justice (Ret.), sitting by assignment                                                                                                                                                                                                                                                                                                                                                               |
| JURISDICTION          | Court of Appeals for the Eighth District of Texas                                                                                                                                                                                                                                                                                                                                                                                                           |
| DECIDED               | February 18, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| DOCKET                | No. 08-24-00161-CR                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| PROCEDURAL POSTURE    | The State appealed from the El Paso County Court at Law No. 7’s order dismissing a misdemeanor indictment for lack of jurisdiction. During the appeal, Vega moved to abate the case to resolve inaccuracies in the clerk’s record and sought sanctions against the State and individual prosecutors.                                                                                                                                                        |
| STANDARD OF REVIEW    | The court applied a bifurcated standard to the dismissal of the indictment: it gave almost total deference to supported findings of fact and mixed questions dependent on witness credibility, but reviewed de novo pure legal questions and mixed questions not dependent on credibility. Because the dismissal issue depended exclusively on legal questions and mixed questions not requiring credibility determinations, the court reviewed it de novo. |
| PRECEDENTIAL VALUE    | Published opinion; precedential under applicable Texas rules, with a per curiam lead opinion and a separate concurring opinion regarding                                                                                                                                                                                                                                                                                                                    |

sanctions.

## PARTIES

The State of Texas v. Julio Enrique Vega

## TOPICS

criminal procedure

appellate procedure

appellate jurisdiction

remedies

standard of review

## PRACTICE AREAS

criminal procedure

appellate procedure

jurisdiction

appellate sanctions

## QUESTIONS PRESENTED

1. Whether the county court erred by dismissing the misdemeanor indictment because the district court's transfer order did not properly transfer Vega's case or invoke the county court's jurisdiction.
2. Whether, if the transfer was defective, the county court could transfer the indictment back to the district court rather than dismissing the case.
3. Whether Vega established entitlement to sanctions, dismissal with prejudice, or attorney's fees based on alleged misconduct by the State and individual prosecutors.

## HOLDINGS

1. The county court correctly treated the transfer order as a one-page document without an attached exhibit. Because the order did not identify Vega's case by a district-court file number or otherwise sufficiently describe and identify it for transfer, the order did not transfer Vega's case to the county court or invoke the county court's jurisdiction.
2. The true-bill list did not establish a valid transfer, even assuming it was the exhibit referenced in the transfer order. It did not purport to order a transfer, did not identify a district-court cause against Vega, and identified a different county-court cause number.
3. Dismissal was the proper remedy because the county court's jurisdiction was never invoked. The county court lacked authority to transfer the indictment back to the district court under the circumstances presented.
4. Vega failed to establish entitlement to sanctions, dismissal with prejudice, or attorney's fees. Although the court recognized inherent authority to sanction attorneys, including prosecutors, for egregious bad-faith abuse of the judicial process, the circumstances and arguments presented did not warrant sanctions.

## KEY QUOTATIONS

*"We affirm the county court's dismissal order, and we deny the motion for sanctions."* (2)

*"We therefore conclude that the State failed to establish that this case was properly transferred from a district court to the county court, and that the county court properly found that its jurisdiction was not invoked in this case."* (27)

*“Accordingly, we conclude that the county court lacked jurisdiction to “transfer” Vega’s case to the district court and that dismissal of his case was therefore the proper remedy.” (33)*

*“We affirm the county court’s order dismissing Vega’s case. We deny Vega’s motion for sanctions against the State.” (38)*

## FACTUAL BACKGROUND

A grand jury empaneled by an El Paso County district court returned an indictment charging Vega with the Class B misdemeanor of participating in a riot. The district court signed a one-page certification and transfer order referring to an eight-page exhibit identifying cases to be transferred, but the evidence showed that the true-bill list was not attached to the order when the county clerk received the documents and did not identify Vega's case by the county-court cause number assigned to his indictment. After the county court dismissed the indictment for lack of jurisdiction, the county clerk's office added the true-bill list to the case file without court authorization or notice, prompting the appellate court to abate the appeal and order an evidentiary hearing. The appellate court concluded that the record did not establish a valid transfer of Vega's case and separately rejected Vega's requests for sanctions.

## PROCEDURAL HISTORY

An El Paso County district-court grand jury returned an indictment charging Vega with participating in a riot, a Class B misdemeanor. The County Court at Law No. 7 dismissed the indictment after finding that the district court's transfer order did not properly identify or transfer the case and that the county court's jurisdiction had not been invoked. The Court of Appeals abated the appeal for an evidentiary hearing concerning the clerk's record, considered the resulting findings, affirmed the dismissal, and denied Vega's motions for sanctions.

## DISPOSITION

affirmed

## CASES CITED

- State v. Krizan-Wilson, 354 S.W.3d 808, 815 (Tex. Crim. App. 2011)
- State v. Moff, 154 S.W.3d 599, 601 (Tex. Crim. App. 2004)
- State v. Dunbar, 297 S.W.3d 777, 780 (Tex. Crim. App. 2009)
- Dears v. State, 154 S.W.3d 610, 612 (Tex. Crim. App. 2005)
- State v. Barrera, 722 S.W.3d 894, 905-16 (Tex. App.—El Paso 2025, pet. filed)
- Jenkins v. State, 592 S.W.3d 894, 898 (Tex. Crim. App. 2018)
- Fairfield v. State, 610 S.W.2d 771, 779 (Tex. Crim. App. 1981)
- Ex parte Moss, 446 S.W.3d 786, 788 (Tex. Crim. App. 2014)
- Trejo v. State, 280 S.W.3d 258, 260 (Tex. Crim. App. 2009)
- Ex parte Caldwell, 383 S.W.2d 587, 589 (Tex. Crim. App. 1964)

- State v. Olsen, 360 S.W.2d 398, 400 (Tex. 1962), overruled on other grounds by Jackson v. State, 548 S.W.2d 685, 690 n.1 (Tex. Crim. App. 1977)
- Garcia v. Dial, 596 S.W.2d 524, 527-29 (Tex. Crim. App. 1980)
- Horton v. State, 20 S.W.2d 1111, 1111 (Tex. Crim. App. 1929) (per curiam)
- Austin v. State, 70 S.W. 724, 725 (Tex. Crim. App. 1897)
- Bird v. State, 91 S.W. 791, 791 (Tex. Crim. App. 1906)
- Coker v. State, 7 Tex. Ct. App. 83, 85 (1879)
- Hyatt v. State, 135 S.W. 142, 142 (Tex. Crim. App. 1911)
- Lynn v. State, 13 S.W. 867, 868 (Tex. Crim. App. 1890)
- Dittforth v. State, 80 S.W. 628, 628 (Tex. Crim. App. 1904)
- Warner v. Glass, 135 S.W.3d 681, 684 (Tex. 2004)
- Standard Fire Insurance Co. v. LaCoke, 585 S.W.2d 678, 680-81 (Tex. 1979)
- State v. Wachtendorf, 475 S.W.3d 895, 901 (Tex. Crim. App. 2015)
- Jamar v. Patterson, 868 S.W.2d 318, 319 (Tex. 1994)
- Stansberry v. State, 239 S.W.3d 260, 261, 263 (Tex. Crim. App. 2007)
- McCloud v. State, 527 S.W.2d 885, 887 (Tex. Crim. App. 1975)
- Light v. State, 15 S.W.3d 104, 107 (Tex. Crim. App. 2000) (en banc)
- Breazeale v. State, 683 S.W.2d 446, 450 (Tex. Crim. App. 1984) (en banc)
- Amador v. State, 221 S.W.3d 666, 676-77 (Tex. Crim. App. 2007)
- Whitehead v. State, 130 S.W.3d 866, 872 (Tex. Crim. App. 2004)
- Solomon v. State, 49 S.W.3d 356, 365 (Tex. Crim. App. 2001)
- Rowell v. State, 66 S.W.3d 279, 282 (Tex. Crim. App. 2001) (en banc)
- State v. Patrick, 86 S.W.3d 592, 595 (Tex. Crim. App. 2002)
- State v. Terrazas, 962 S.W.2d 38, 44 (Tex. Crim. App. 1998) (Keller, P.J., dissenting)
- State v. Johnson, 821 S.W.2d 609, 613-14 (Tex. Crim. App. 1991) (en banc)
- Barrera v. State, 722 S.W.3d 894, 915-16 (Tex. App.—El Paso 2025, pet. filed)
- Wilkins v. State, 5 S.W.2d 770, 770 (Tex. Crim. App. 1928)
- In re State, 605 S.W.3d 721, 722, 725, 728-29 (Tex. App.—Houston [1st Dist.] 2020, orig. proceeding)
- Solomon v. Buckle, 695 S.W.3d 664, 674-75 (Tex. App.—Houston [1st Dist.] 2024)
- Bell v. State, 90 S.W.3d 301, 305 (Tex. Crim. App. 2002) (en banc)
- Rocha v. State, 16 S.W.3d 1, 20 (Tex. Crim. App. 2000)
- Wyatt v. State, 23 S.W.3d 18, 23 n.5 (Tex. Crim. App. 2000)
- Webster v. Commission for Lawyer Discipline, 704 S.W.3d 478, 489-90, 491, 496-97, 505 (Tex. 2024)
- State v. Gabaldon, No. PD-0149-23, 2025 WL 2588858, at \*22 n.20, \*26 (Tex. Crim. App. Sept. 3, 2025), reh'g denied (Nov. 6, 2025)
- Eichelberger v. Eichelberger, 582 S.W.2d 395, 398-99 (Tex. 1979)
- Darnell v. Broberg, 565 S.W.3d 450, 459-60 (Tex. App.—El Paso 2018, no pet.)

- In re Bennett, 960 S.W.2d 35, 40 (Tex. 1997)
- Brewer v. Lennox Hearth Products, LLC, 601 S.W.3d 704, 716, 723 n.76 (Tex. 2020)
- Low v. Henry, 221 S.W.3d 609, 614 (Tex. 2007)
- GTE Communications Systems Corp. v. Tanner, 856 S.W.2d 725, 730 (Tex. 1993)
- Powell v. Fletcher, 695 S.W.3d 675, 681 (Tex. App.—Houston [1st Dist.] 2024, pet. denied)
- Owen v. Jim Allee Imports, Inc., 380 S.W.3d 276, 290 (Tex. App.—Dallas 2012, no pet.)
- Mattly v. Spiegel, Inc., 19 S.W.3d 890, 900-01 (Tex. App.—Houston [14th Dist.] 2000, no pet.)
- Thielemann v. Kethan, 371 S.W.3d 286, 295 (Tex. App.—Houston [1st Dist.] 2012, pet. denied)
- Dyson Descendant Corp. v. Sonat Exploration Co., 861 S.W.2d 942, 951 (Tex. App.—Houston [14th Dist.] 1993, no writ)
- Mobley v. Mobley, 506 S.W.3d 87, 94 (Tex. App.—Texarkana 2016, no pet.)
- State v. Johnson, 12 Tex. 231, 238 (1854)
- Richardson v. Wells, 3 Tex. 223, 227-28 (1848)
- State v. Rodriguez-Gomez, 716 S.W.3d 702, 713 (Tex. App.—San Antonio 2024, no pet.)
- Solomon v. Buckle, 695 S.W.3d 664, 675 (Tex. App.—Houston [1st Dist.] 2024)
- Blair v. Blair, 642 S.W.3d 150, 162 (Tex. App.—El Paso 2021, no pet.)
- Greene v. Young, 174 S.W.3d 291, 298 (Tex. App.—Houston [1st Dist.] 2005, pet. denied)
- In re L.A.M. & Associates, 975 S.W.2d 80, 83 (Tex. App.—San Antonio 1998, orig. proceeding)
- In re Garcia, No. 02-20-00161-CV, 2020 WL 4907330, at \*4 (Tex. App.—Fort Worth Aug. 20, 2020, orig. proceeding) (mem. op.)
- Tellez v. State, No. 08-13-00141-CR, 2015 WL 5449728, at \*2 (Tex. App.—El Paso Sept. 16, 2015, pet. ref'd) (not designated for publication)
- Ray v. Farmers' State Bank of Hart, 576 S.W.2d 607, 608 n.1 (Tex. 1979)

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