

COURT OF APPEALS FOR THE TENTH DISTRICT OF TEXAS

Tomika Shanee Oliver v. The State of Texas

No. 10-25-00165-CR · No. 10-25-00165-CR · Decided March 26, 2026

SUMMARY

The Tenth Court of Appeals of Texas affirmed Tomika Shanee Oliver’s conviction for felony evading arrest or detention with a vehicle and her ninety-nine-year sentence following two felony enhancements. The court held that Oliver forfeited her complaint regarding the State’s discussion of parole law during punishment-phase closing argument because she did not object at trial.

CASE DETAILS

COURT	Court of Appeals for the Tenth District of Texas
WRITING FOR THE COURT	Justice Steve Smith; Chief Justice Johnson; Justice Smith; Justice Harris
JURISDICTION	Court of Appeals for the Tenth District of Texas
DECIDED	March 26, 2026
DOCKET	10-25-00165-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Oliver appealed her felony conviction and ninety-nine-year sentence, arguing that the State's discussion of parole law during punishment-phase closing argument warranted a new trial.
STANDARD OF REVIEW	A complaint about jury argument is not considered on appeal unless preserved by a timely objection; failure to object forfeits the complaint.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Tomika Shanee Oliver v. The State of Texas

TOPICS

- preservation of error
- appellate procedure
- criminal procedure
- parole

PRACTICE AREAS

- criminal procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the State's discussion of parole law during the punishment-phase final argument warranted a new trial despite Oliver's failure to object.

HOLDINGS

1. A defendant's failure to object to a jury argument forfeits the right to complain about that argument on appeal; because an objection was necessary to preserve any error concerning the State's discussion of parole law, Oliver's sole issue was overruled.

KEY QUOTATIONS

“A defendant’s failure to object to a jury argument forfeits her right to complain about the argument on appeal.” (Page 1)

FACTUAL BACKGROUND

A jury convicted Tomika Shantee Oliver of felony evading arrest or detention with a vehicle. The jury found two felony enhancement paragraphs to be true and assessed punishment at ninety-nine years in prison. During the punishment-phase final argument, the State discussed parole law, but Oliver did not object.

PROCEDURAL HISTORY

After a jury trial in the 369th District Court of Leon County, Texas, Oliver was convicted of felony evading arrest or detention with a vehicle. The jury found two felony enhancement paragraphs true and assessed punishment at ninety-nine years in prison. On appeal, Oliver conceded that she did not object to the State's punishment-phase jury argument; the court held that the complaint was forfeited and affirmed.

DISPOSITION

affirmed

CASES CITED

- Cockrell v. State, 933 S.W.2d 73, 89 (Tex. Crim. App. 1996)
- Sanders v. State, No. 10-12-00019-CR, 2012 WL 5974017, at *3 (Tex. App.—Waco Nov. 29, 2012, pet. ref'd) (mem. op., not designated for publication)

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