

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PRECEDENTIAL VALUE	nonprecedential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 Shanee 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)

OPINION

PER CURIAM.

Court of Appeals Tenth Appellate District of Texas 10-25-00165-CR Tomika Shanee Oliver, Appellant v. The State of Texas, Appellee On appeal from the 369th District Court of Leon County, Texas Judge Charles Michael Davis, presiding Trial Court Cause No. 24-145-DCCR-00155 JUSTICE SMITH delivered the opinion of the Court. MEMORANDUM OPINION After a

jury trial, Tomika Shanee Oliver was convicted of the felony offense of evading arrest or detention with a vehicle.

See TEX. PENAL CODE ANN. § 38.04(b)(2)(A). The jury found two felony enhancement paragraphs to be true and assessed punishment at ninety-nine years in prison. Oliver presents one issue on appeal: whether the State's discussion of parole law during the final argument of the punishment phase warrants a new trial. Oliver concedes that she did not object to the State's final jury argument.

A defendant's failure to object to a jury argument forfeits her right to complain about the argument on appeal. *Cockrell v. State*, 933 S.W.2d 73, 89 (Tex. Crim. App. 1996). Because an objection was necessary to preserve error, if any, regarding this issue, we overrule Oliver's sole issue on appeal and affirm the judgment of the trial court. See *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) (holding an objection was necessary to preserve error regarding jury argument on parole law). STEVE SMITH Justice OPINION DELIVERED and FILED: March 26, 2026 Before Chief Justice Johnson, Justice Smith, and Justice Harris Affirmed Do not publish CRPM Tomika Shanee Oliver v. The State of Texas Page 2