

COURT OF APPEALS FOR THE SIXTH APPELLATE DISTRICT OF TEXAS AT
TEXARKANA

Paul Dillion Brown A/K/A Paul Dillon Brown v. The State of Texas

No. 06-25-00163-CR (Tex. App.—Texarkana Apr. 22, 2026) (mem. op.) · No. No. 06-25-00163-CR · Decided
April 22, 2026

SUMMARY

The Sixth Court of Appeals at Texarkana affirmed Paul Dillon Brown’s judgment of conviction for theft of a firearm and his twenty-four-month state-jail sentence. The court held that no modification to the order appointing counsel was necessary because Brown had retained counsel and no attorney fees were assessed, and it held that Brown failed to preserve his Eighth Amendment sentencing complaint for appellate review.

CASE DETAILS

COURT	Court of Appeals for the Sixth Appellate District of Texas at Texarkana
WRITING FOR THE COURT	Justice Jeff Rambin; Chief Justice Stevens; Justice van Cleef; Justice Rambin
JURISDICTION	Court of Appeals for the Sixth Appellate District of Texas at Texarkana
DECIDED	April 22, 2026
DOCKET	No. 06-25-00163-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Brown appealed his judgment of conviction and sentence following his guilty plea to theft of a firearm.
PRECEDENTIAL VALUE	nonprecedential memorandum opinion; marked Do Not Publish
PARTIES	Paul Dillion Brown A/K/A Paul Dillon Brown v. The State of Texas

TOPICS

- criminal procedure
- appellate procedure
- preservation of error
- sentencing
- cruel and unusual punishment

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether the trial court erred by entering an order appointing counsel that found Brown had financial resources or the ability to pay all or part of the cost of legal services.
2. Whether Brown's twenty-four-month state-jail sentence violated the Eighth Amendment prohibition against cruel and unusual punishment.

HOLDINGS

1. No modification to the order appointing counsel was necessary because Brown had retained counsel and the trial court's judgment did not order him to pay attorney fees.
2. Brown failed to preserve his Eighth Amendment complaint for appellate review.

KEY QUOTATIONS

“For the same reasons stated therein, we overrule Brown’s points of error because (1) no modification to the order appointing counsel is necessary since (a) Brown had retained counsel and (b) no attorney fees were ordered to be paid in the trial court’s judgment, and (2) Brown failed to preserve his Eighth Amendment complaint for our review.” (2)

FACTUAL BACKGROUND

Brown pleaded guilty to theft of a firearm, a state jail felony, and received a twenty-four-month state-jail sentence after a punishment hearing. The trial court entered an order appointing counsel that also found Brown had financial resources or the ability to pay all or part of the cost of legal services, but Brown had retained counsel and the judgment did not order him to pay attorney fees.

PROCEDURAL HISTORY

Brown pleaded guilty to theft of a firearm, a state jail felony. After a punishment hearing, the 43rd District Court of Parker County sentenced him to twenty-four months' confinement in state jail. The appeal was transferred from the Second Court of Appeals to the Sixth Court of Appeals pursuant to the Texas Supreme Court's docket-equalization authority.

DISPOSITION

affirmed

OPINION

Paul Dillion Brown A/K/A Paul Dillon Brown v. the State of Texas

PER CURIAM.

In the Court of Appeals Sixth Appellate District of Texas at Texarkana No. 06-25-00163-CR PAUL DILLION BROWN A/K/A PAUL DILLON BROWN, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 43rd District Court Parker County, Texas Trial Court No. CR25-0078 Before Stevens, C.J., van Cleef and Rambin, JJ. Memorandum Opinion by Justice Rambin

MEMORANDUM OPINION

Paul Dillon Brown pled guilty to theft of a firearm, a state jail felony. See TEX. PENAL CODE ANN. § 31.03(e)(4)(C) (Supp.). After a punishment hearing, the trial court sentenced Brown to twenty-four months' confinement in state jail.¹ On appeal, Brown questions whether the trial court erred by entering an order appointing counsel that also found he had financial resources or ability to pay all or part of the cost of legal services.² Brown also argues that his sentence violated his Eighth Amendment right to be free from cruel and unusual punishment. See U.S. CONST. amend. VIII. Brown raises these same issues in his companion appeal in cause number 06-25-00162- CR. For the same reasons stated therein, we overrule Brown's points of error because (1) no modification to the order appointing counsel is necessary since (a) Brown had retained counsel and (b) no attorney fees were ordered to be paid in the trial court's judgment, and (2) Brown failed to preserve his Eighth Amendment complaint for our review. ¹ Originally appealed to the Second Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. See TEX. GOV'T CODE ANN. § 73.001 (Supp.). We follow the precedent of the Second Court of Appeals in deciding the issues presented. See TEX. R. APP. P. 41.3. ² In his appellate cause number 06-25-00162-CR, Brown appeals his conviction for possession with intent to deliver four grams or more but less than 200 grams of fentanyl. See TEX. HEALTH & SAFETY CODE ANN. § 481.1123(d) (Supp.). ² As a result, we affirm the trial court's judgment. Jeff Rambin Justice Date Submitted: March 25, 2026 Date Decided: April 22, 2026 Do Not Publish ³