

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Jeffrie Sterling Lane, Jr. v. The State of Texas

No. 03-24-00579-CR (Tex. App.—Austin Apr. 3, 2026) · No. No. 03-24-00579-CR · Decided April 3, 2026

SUMMARY

The Texas Court of Appeals, Third District, affirmed Jeffrie Sterling Lane, Jr.'s conviction for aggravated assault with a deadly weapon and his sentence of thirty-five years' confinement and a \$5,000 fine. Lane argued that the guilt-innocence jury charge gave an incomplete instruction concerning extraneous-offense evidence. The court held that because Lane did not request contemporaneous limiting instructions when the evidence was admitted, the evidence was admitted for all purposes and the trial court did not err in omitting additional restrictions from the charge.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Rosa Lopez Theofanis; Justice Triana; Justice Crump
JURISDICTION	Texas Court of Appeals, Third District, at Austin
DECIDED	April 3, 2026
DOCKET	No. 03-24-00579-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Lane appealed his conviction for aggravated assault with a deadly weapon, challenging the guilt-innocence jury charge's extraneous-offense instruction.
STANDARD OF REVIEW	Jury-charge complaints are reviewed in two steps: the court first determines whether error exists and then evaluates harm. Because Lane did not timely object to the charge or request contemporaneous limiting instructions, reversal would require egregious harm if charge error existed.
PRECEDENTIAL VALUE	Published Texas Court of Appeals opinion
PARTIES	Jeffrie Sterling Lane, Jr. v. The State of Texas

TOPICS

- jury instructions
- preservation of error
- evidence
- criminal procedure
- standard of review

PRACTICE AREAS

Texas criminal law

criminal procedure

evidence

QUESTIONS PRESENTED

1. Whether the trial court erred by failing to instruct the jury that it could not consider extraneous-offense evidence for propensity purposes or for purposes not listed in the court's guilt-innocence charge after the defendant failed to request contemporaneous limiting instructions when the evidence was admitted.

HOLDINGS

1. When a defendant does not request a limiting instruction under Texas Rule of Evidence 105 at the time extraneous-offense evidence is admitted, the evidence is admitted for all purposes, and the trial court has no duty later to restrict the jury's consideration of that evidence in the guilt-innocence charge.
2. The trial court did not err by failing to add an instruction prohibiting consideration of extraneous-offense evidence for propensity purposes or other purposes not listed in the instruction, because the evidence had been admitted for all purposes and Lane identified no authority requiring such additional language.

KEY QUOTATIONS

“if a defendant does not request a limiting instruction under Rule 105 at the time that evidence is admitted, then the trial judge has no obligation to limit the use of that evidence later in the jury charge.” (at 4)

“For these reasons, we conclude that the trial court did not err by not instructing the jury that it could not consider extraneous-offense evidence for propensity purposes or for other purposes not listed in its extraneous-offense instruction.” (at 6)

FACTUAL BACKGROUND

The State alleged that Lane set his wife, Nina Lane, on fire on or about January 19, 2022. At trial, Nina testified about the charged assault and multiple other incidents of abuse, including prior occasions when Lane poured gasoline on her, physical assaults, choking, threats, and an attempted shooting. Defense counsel did not request a contemporaneous limiting instruction when the extraneous-offense evidence was admitted.

PROCEDURAL HISTORY

A jury found Lane guilty of aggravated assault with a deadly weapon and assessed thirty-five years' confinement and a \$5,000 fine. The trial court sentenced him in accordance with the verdict and later issued a nunc pro tunc judgment correcting the deadly-weapon finding. Lane appealed, and the court of appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- *Mendez v. State*, 545 S.W.3d 548, 552 (Tex. Crim. App. 2018)

- Delgado v. State, 235 S.W.3d 244, 249, 251 (Tex. Crim. App. 2007)
- Vega v. State, 394 S.W.3d 514, 519 (Tex. Crim. App. 2013)
- Alcoser v. State, 663 S.W.3d 160, 165 (Tex. Crim. App. 2022)
- Gonzalez v. State, 610 S.W.3d 22, 27 (Tex. Crim. App. 2020)
- Williams v. State, 273 S.W.3d 200, 230 (Tex. Crim. App. 2008)
- Hammock v. State, 46 S.W.3d 889, 894-95 (Tex. Crim. App. 2001)
- Harmel v. State, 597 S.W.3d 943, 961 (Tex. App.—Austin 2020, no pet.)
- Ferreira v. State, 514 S.W.3d 297, 301 (Tex. App.—Houston [14th Dist.] 2016, pet. ref'd)
- Yepez v. State, 696 S.W.3d 1, 9 (Tex. App.—Houston [1st Dist.] 2022, no pet.)
- Fair v. State, 465 S.W.2d 753, 754-55 (Tex. Crim. App. 1971)
- Rankin v. State, 974 S.W.2d 707, 711 (Tex. Crim. App. 1996)
- Celis v. State, 416 S.W.3d 419, 423 (Tex. Crim. App. 2013)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/texas-court-of-appeals-third-district-at-austin-texas-court-of-appeals-third-district-at-austin/2026/jeffrie-sterling-lane-jr-v-the-state-of-texas-yl1kwi65>