

COURT OF APPEALS, SIXTH APPELLATE DISTRICT OF TEXAS AT
TEXARKANA

Jeffrey Dale Troxel v. The State of Texas

Troxel · No. 06-25-00142-CR · Decided April 7, 2026

SUMMARY

The Sixth Court of Appeals of Texas at Texarkana affirmed Jeffrey Dale Troxel’s life sentence for assaulting a peace officer after concluding that his challenge to the prosecutor’s closing argument was not preserved because he failed to object at trial. The court modified the judgment to reflect Troxel’s pleas and the jury’s findings on the habitual-offender punishment enhancement allegations.

CASE DETAILS

COURT	Court of Appeals, Sixth Appellate District of Texas at Texarkana
WRITING FOR THE COURT	Justice Charles van Cleef; Chief Justice Stevens; Justice van Cleef; Justice Rambin
JURISDICTION	Court of Appeals, Sixth Appellate District of Texas at Texarkana
DECIDED	April 7, 2026
DOCKET	06-25-00142-CR
DISPOSITION	other
PROCEDURAL POSTURE	Troxel appealed his conviction and life sentence for assaulting a peace officer, challenging the prosecutor's closing argument as an improper appeal to sympathy for law enforcement. The State contended that the complaint was not preserved because Troxel made no objection at trial.
STANDARD OF REVIEW	Error-preservation review under Texas Rule of Appellate Procedure 33.1(a); an appellate court may modify an incorrect judgment when the necessary information appears in the record.
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Jeffrey Dale Troxel v. The State of Texas

TOPICS

- criminal procedure
- preservation of error
- appellate procedure
- prosecutorial misconduct
- sentencing

PRACTICE AREAS

Texas criminal procedure

criminal appeals

jury argument

sentencing and punishment enhancements

QUESTIONS PRESENTED

1. Whether Troxel preserved his complaint that the prosecutor's closing argument was an improper plea for law enforcement and violated due process.
2. Whether the appellate court could modify the trial court's judgment to correct its omission of Troxel's pleas and the jury's findings on the punishment-enhancement allegations.

HOLDINGS

1. Troxel forfeited his complaint about the prosecutor's closing argument because he made no timely objection or other timely presentation of the issue to the trial court.
2. The appellate court had authority to modify the judgment to reflect Troxel's pleas and the jury's findings on the punishment-enhancement allegations and to affirm the judgment as modified.

KEY QUOTATIONS

“proper jury argument generally falls within one of four areas: (1) summation of the evidence, (2) reasonable deduction from the evidence, (3) answer to an argument of opposing counsel, and (4) plea for law enforcement.” (2)

“Even incurably improper . . . argument is forfeitable.” (3)

“A defendant forfeits his complaint about improper . . . argument if he fails to object.” (3)

FACTUAL BACKGROUND

Troxel pleaded guilty to assaulting a peace officer. The State alleged that he had two prior felony convictions for habitual-offender punishment enhancement: robbery with a deadly weapon in 2002 and evading arrest with a motor vehicle in 2020. Troxel pleaded not true to the robbery allegation and true to the evading-arrest allegation, and the jury found both allegations true and assessed life imprisonment. During closing argument, the prosecutor urged the jury to tell the police department that it valued and would protect law enforcement, but Troxel did not object.

PROCEDURAL HISTORY

Troxel entered an open guilty plea to assaulting a peace officer, a second-degree felony. After the State's habitual-offender punishment-enhancement allegations were submitted, a Bowie County jury found both allegations true and assessed life imprisonment. The Court of Appeals overruled Troxel's sole issue for lack of preservation, modified the judgment to accurately reflect his pleas and the jury's findings on the enhancement allegations, and affirmed the judgment as modified.

DISPOSITION

other

CASES CITED

- Milton v. State, 572 S.W.3d 234, 239 (Tex. Crim. App. 2019)
- Grado v. State, 445 S.W.3d 736, 739 (Tex. Crim. App. 2014)
- Garcia v. State, 553 S.W.3d 645, 648 (Tex. App.—Texarkana 2018, pet. ref'd)
- Hernandez v. State, 538 S.W.3d 619, 622-23 (Tex. Crim. App. 2018)
- Cockrell v. State, 933 S.W.2d 73, 89 (Tex. Crim. App. 1996)
- Owens v. State, 549 S.W.3d 735, 744 (Tex. App.—Austin 2017, pet. ref'd)
- Yazdchi v. State, 428 S.W.3d 831, 844 (Tex. Crim. App. 2014)
- Valdez v. State, 2 S.W.3d 518, 521-22 (Tex. App.—Houston [14th Dist.] 1999, pet. ref'd)
- Anthony v. State, 531 S.W.3d 739, 743 (Tex. App.—Texarkana 2016, no pet.)
- Bigley v. State, 865 S.W.2d 26, 27 (Tex. Crim. App. 1993)
- Asberry v. State, 813 S.W.2d 526, 529-30 (Tex. App.—Dallas 1991, pet. ref'd) (en banc)