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⚖ Vol. 26, No. 38 - September 24, 2018

Case Name: *Fred Earl Ingerson III v. The State of Texas*

- **OFFENSE:** Capital Murder
- **COUNTY:** Hood
- **COURT OF APPEALS:** Fort Worth 2016
- **C/A CITATION:** 508 S.W.3d 703
- **C/A RESULT:** Conviction Reversed
- **CCA. CASE No.** PD-1445-16 **DATE OF OPINION:** September 19, 2018
- **DISPOSITION:** Court of Appeals Reversed
- **OPINION:** [Judge Hervey](#) **VOTE:** 9-0
- **TRIAL COURT:** 355th D/C; Hon. Ralph Walton
- **LAWYERS:** [Scott Brown](#) (Defense); [Stacey Soule](#) (SPA)

Ed Note: The State called forty-six witnesses in its presentation of its case in chief, and the defense called seven witnesses. The opinion discusses the evidence in considerable depth, and readers with interest in this case are urged to read the entire opinion.

⚖ 536.01 Sufficiency of the Evidence: Appellant was convicted of capital murder for killing Robyn Richter and Shawna Ferris in the same transaction. Because the State did not seek the death penalty, he was sentenced to life imprisonment without the possibility of parole. Appellant appealed his conviction, in part arguing that the evidence was legally insufficient to support his conviction. The Court of Appeals agreed and rendered an acquittal. *Ingerson v. State*, 508 S.W.3d 703 (Tex.App. - Fort Worth 2016 (see [⚖](#), [Vol. 24, No. 44](#); 10/31/2016)). The State’s Prosecuting Attorney sought discretionary review, asking whether the Court of Appeals failed to defer to the jury’s verdict, applied defunct sufficiency standards, or ignored the substantive inculpatory evidence.

Holding: While each circumstance of guilt considered in isolation is insufficient to prove that [Appellant] murdered Richter and Ferris, when all of the evidence is viewed in the light most favorable to the verdict, and we consider the cumulative force of all the admitted evidence and

reasonable inferences that can be drawn therefrom, we conclude that the evidence was sufficient to support the verdict.