
YEAR 2005 CASE SUMMARIES

By
The Honorable Pat Garza

Associate Judge
386th District Court
San Antonio, Texas

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Retaliation against a witness is retaliation against "one who has testified in an official proceeding," not one who "may" testify. [In the Matter of K.H.](05-3-27A)

On July 26, 2005, the Texarkana Court held that if the state alleges the offense of "Retaliation Against a Witness," the witness must be one who has testified in an official proceeding, as apposed to being a prospective witness, who is one who may testify in an official proceeding.

05-3-27A. In the Matter of K.H., UNPUBLISHED, No. 06-04-00103-CV, 2005 Tex.App.Lexis 5773 (Tex.App.— Texarkana, 7/26/05).

Facts & Opinion: See ¶ 05-3-06A

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