



Cowboy Law Group Publishes Texas Murder Defense Guide

September 14, 2026

THE WOODLANDS, TX - September 14, 2026 -

Cowboy Law Group, a criminal defense firm based in The Woodlands, Texas, has published a newly updated resource explaining the homicide classification framework under the Texas Penal Code and the defense considerations that shape sentencing exposure for individuals charged with murder and capital murder in Montgomery County. The resource, released this month, corrects common misunderstandings about how Texas categorizes homicide offenses and how affirmative defenses affect punishment.

Under Texas Penal Code Section 19.02, a person may be charged with murder when they intentionally or knowingly cause the death of another person, intend to cause serious bodily injury while committing an act clearly dangerous to human life that causes death, or cause a death during the commission or attempted commission of another felony. Murder is a first-degree felony carrying a sentence of 5 to 99 years in prison or a life sentence. The Montgomery County District Attorney's Office prosecutes these cases in the District Courts in Conroe.

Texas Penal Code Section 19.03 elevates murder to capital murder when specified aggravating circumstances are present, including the killing of a peace officer or firefighter acting in the lawful discharge of an official duty, a killing committed during a robbery, burglary, kidnapping, or sexual assault, murder for hire, the murder of an individual under 15 years of age, or the killing of more than one person during the same criminal episode. The available sentences for capital murder depend on the defendant's age at the time of the offense. Where the State seeks the death penalty against an eligible adult defendant, the punishment is either life without parole or death. Defendants who were under 18 at the time of the offense are not eligible for the death penalty and face different sentencing rules under current law.

"Sudden passion is one of the most significant issues in a Texas murder case because proving it by a preponderance lowers the punishment range from a first-degree to a second-degree level, reducing maximum exposure from life to twenty years, though the conviction itself remains," said Chris H. Warren, Attorney at Cowboy Law Group. "That defense rests on psychological evidence, witness testimony about the defendant's emotional state, and documentation of the provocation that gave rise to adequate cause, and it has to be developed well before trial rather than assembled at the last minute."

The resource, prepared as a Cowboy Law The Woodlands murder defense lawyer reference outlines those pre-charge considerations for defendants in Montgomery County.

The resource also addresses the sudden passion doctrine, which affects the punishment range for murder rather than reclassifying the underlying conviction. At the punishment stage of a murder trial, a defendant may raise sudden passion as an issue. When the defendant proves by a preponderance of the evidence that the death occurred under the immediate influence of sudden passion arising from adequate cause, the punishment range is lowered to that of a second-degree felony, reducing exposure from 5 to 99 years or life to 2 to 20 years. The murder conviction itself remains in place.

A related distinction involves manslaughter under Texas Penal Code Section 19.04, which applies when a person recklessly causes another person's death, meaning the person was aware of a substantial risk yet consciously disregarded it. Manslaughter is a second-degree felony carrying a maximum 20-year term. In Montgomery County prosecutions, the line between intentional or knowing murder and reckless manslaughter is frequently the subject of pre-trial motions and trial strategy.

Warren noted that homicide investigators at the sheriff's office and the District Attorney's office often begin building a case during the investigation phase, before an arrest. A The Woodlands murder defense lawyer engaged during that period can examine the direction of the investigation and address a defendant's Fifth Amendment rights during questioning.

Cowboy Law Group is a criminal defense law firm based in The Woodlands, Texas, representing individuals charged with murder, capital murder, manslaughter, and other serious criminal offenses throughout Montgomery County and the greater Houston area. The firm's attorneys, Chris H. Warren, Brian C. Burns, and J. Paxton Adams, also handle drug crimes, DWI, assault, firearms offenses, juvenile defense, and federal criminal charges.

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Cowboy Law Group

Cowboy Law Group offers expert criminal and juvenile defense in Texas, combining legal expertise with dedicated representation to protect clients' rights.

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