



# Sharen Wilson Criminal District Attorney



## For Immediate Release

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## Texas Appeals Court Vacates Overcharged Conviction and Sentence

(Fort Worth, TX) – James Aaron Dyson is on the verge of receiving justice.

His case has been at the center of a collaborative effort between the Tarrant County Criminal District Attorney's Office and his defense attorneys to have his conviction and sentence reduced to one justified by the law and the facts.

On Wednesday, the Texas Court of Criminal Appeals vacated Dyson's nearly 25-year-old conviction for engaging in organized criminal activity and sent it back to Criminal District Court No. 4 to resolve a lesser charge of aggravated assault with a deadly weapon. Dyson has already served more than the maximum sentence for that offense.

At issue: In 1997, when he was 17 years old, Dyson shot the man who killed his best friend. Based on false or misleading testimony alleging that he was a gang member or the shooting was gang related, Dyson was convicted of engaging in organized criminal activity and sentenced to 50 years in confinement. He spent 24 years in prison denying that he was a gang member or that this shooting was gang related.

Our Conviction Integrity Team reviewed the case and determined there was no evidence that Dyson was a gang member or that this shooting was gang-related.

Dyson clearly committed the offense of aggravated assault with a deadly weapon, which carries a maximum 20-year sentence. Dyson was over-charged and over-sentenced in this case.

"James Aaron Dyson has more than served his sentence," Tarrant County Criminal District Attorney Sharen Wilson said. "This isn't something I say lightly or often."

"My sworn obligation is to make sure verdicts and sentences are correct. This one wasn't," she said. "He deserves to be out of prison."

Last year, Tarrant County Sheriff Bill Waybourn, State District Judge Mike Thomas and Sharen Wilson asked Governor Greg Abbott to commute Dyson's sentence to time served, something the Governor rejected.

This winter, at our office's request, the Court of Criminal Appeals reopened Dyson's writ claim that his conviction and sentence were based on false or misleading testimony. In March, the trial court heard evidence supporting this claim and recommended Dyson be granted relief. On May 8, 2021, the trial court released Dyson on bond pending today's decision by the Court of Criminal Appeals.

Steven Conder, the Conviction Integrity Chief, has been handling this case.

"Conviction integrity is about identifying problems, remedying them and preventing their recurrence," he said. "Aaron Dyson's case illustrates the damage in rushing to characterize a person or their conduct, the difficulty in undoing that damage, and why prosecutors must carefully assess what charged offense is most appropriate."

The trial court has not yet set a date for the new hearing.

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