Haynes and Boone Represents TV Production Company in Appellate Win

By Laura Lee Prather, Catherine Robb | May 4, 2020

RELATED PRACTICES Appellate, Media and Entertainment Litigation, Litigation

A Haynes Boone team helped Kirkstall Road Enterprises achieve a big win in a longstanding court case involving the production company's true crime series, The First 48.

Partner Laura Lee Prather, Counsel Catherine Lewis Robb and Associate Wesley Lewis represented Kirkstall in the case.

Here is an excerpt from a *Law360* article about the victory:

A production company behind the hit true crime series The First 48 isn't liable for the shooting of a man who appeared on an episode as a police witness, a Texas appeals court has ruled, finding retaliation against him wasn't adequately foreseeable.

Justices found Wednesday that Kirkstall Road Enterprises had no obligation to more thoroughly disguise the identity of Arking Jones, who claimed he was shot four times by a friend of a murder suspect who thought Jones had talked to police about him. Kirkstall was therefore not negligent in its editing choices, the court found.

"We cannot conclude that Jones's appearance on the episode engendered a risk that would be foreseeable to Kirkstall," the Fifth Court of Appeals in Dallas found. "Likewise, we cannot conclude that there was a likelihood Jones would be shot more than a year later because of the manner in which Kirkstall edited and produced the episode."

The episode in question includes a taped interview with Jones and the Dallas Police Department . ... Jones argued the footage suggested he was an informant referenced earlier in the episode, prompting a retaliation hit attempt more than a year later.

The court was not convinced, noting that the anonymous informant refused to talk to police in footage before Jones' interview. The tenor of Jones' interview — which he insisted was given under duress — also suggested he came forward on his own volition and was not an established informant.

If anyone was obligated to ensure the circumstances of the interview were portrayed accurately, it was the Dallas Police Department, which reviewed the footage before the episode aired, according to the opinion. The fact that Kirkstall blurred Jones' face and disguised his voice didn't create a duty to do a better job editing, the court found.

To read the full article, click here. (Subscription required)

© 2026 Haynes and Boone, LLP