



**IN THE COURT OF CRIMINAL APPEALS  
OF TEXAS**

**NOS. PD-0444-14, 0445-14**

**ANTHONY ALAMIA, Appellant**

**v.**

**THE STATE OF TEXAS**

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW  
FROM THE FIFTH COURT OF APPEALS  
COLLIN COUNTY**

**YEARY, J., filed a dissenting opinion.**

**O P I N I O N**

I dissent for the reasons stated in my dissenting opinion in *Smith v. State*, 463 S.W.3d 890 (Tex. Crim. App. 2015).

FILED: December 16, 2015  
DO NOT PUBLISH