



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

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**NO. PD-0551-10**

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**WILLIAM THOMAS LEONARD, Appellant**

**v.**

**THE STATE OF TEXAS**

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**ON APPELLANT'S MOTION FOR REHEARING AFTER WRITTEN OPINION  
FROM THE ELEVENTH COURT OF APPEALS  
TARRANT COUNTY**

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**JOHNSON, J., filed a concurring opinion in which COCHRAN, J., joined.**

**CONCURRING OPINION**

I join the opinion of the Court and note that there appear to be additional reasons for the inadmissibility of polygraph results in this case: the testifying therapist is not an expert on polygraphs, and the polygraph results are hearsay as to the therapist. The expert who may base his opinion on inadmissible evidence and explain to the judge the basis for that opinion is the polygrapher, in this case an unknown person who did not testify. The therapist does not qualify as a polygraph expert and therefore should not be allowed to base his opinion on polygraph evidence that is not only inadmissible but hearsay as well.

Filed: November 21, 2012  
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